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WORKS

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WILLIAM ROBERTSON, D. D.

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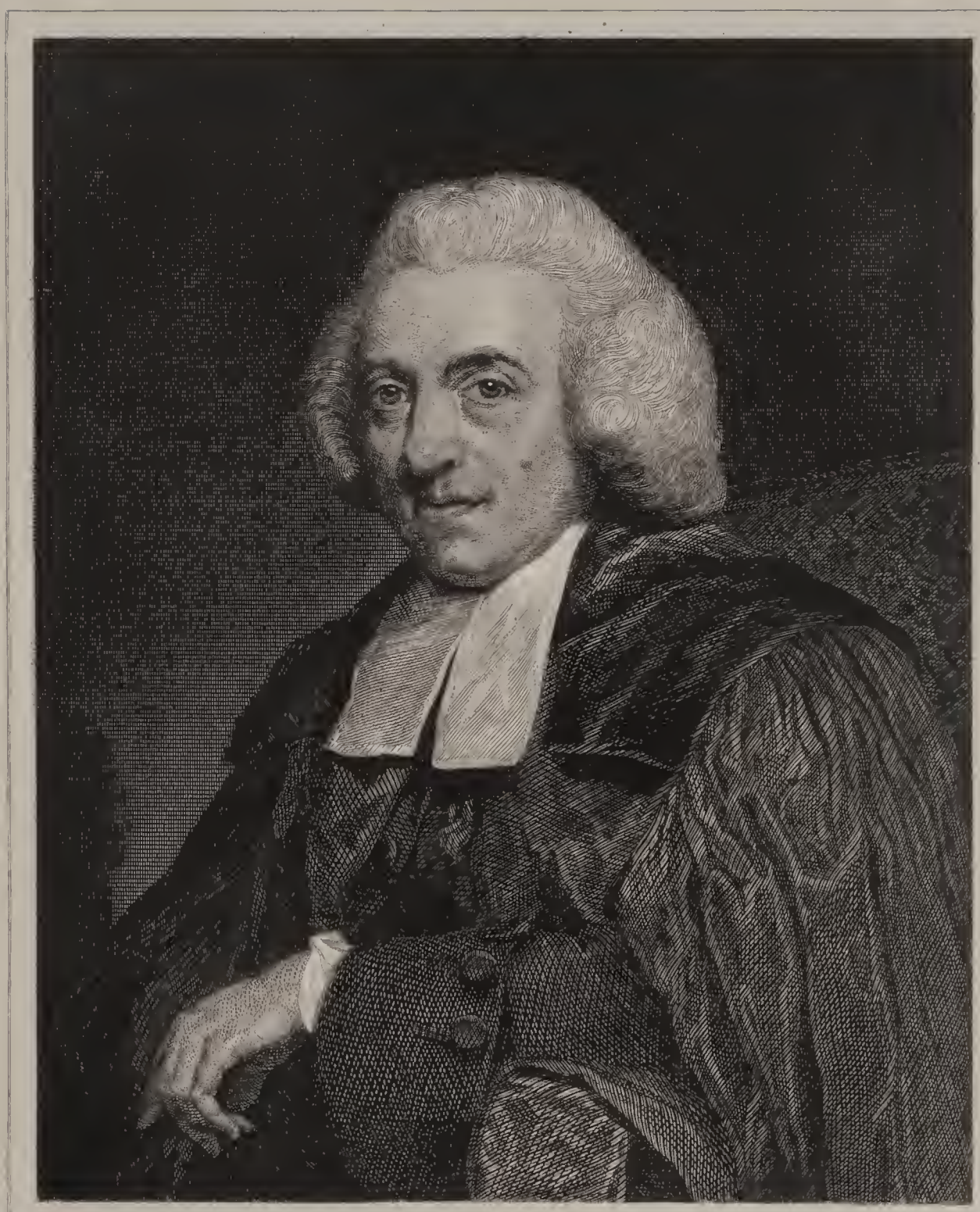

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W C EDWARDS

Wm ROBERTSON, D.D.

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THE

WORKS

OF

WILLIAM ROBERTSON, D.D.

FELLOW OF THE ROYAL SOCIETY, AND PRINCIPAL OF THE UNIVERSITY,
OF EDINBURGH, HISTORIOGRAPHER TO HIS MAJESTY FOR
SCOTLAND, AND MEMBER OF THE ROYAL ACADEMY
OF HISTORY AT MADRID.

TO WHICH IS PREFIXED,

AN ACCOUNT OF HIS LIFE AND WRITINGS,

BY DUGALD STEWART, F.R.S. EDIN.

WITH A PORTRAIT, AFTER SIR JOSHUA REYNOLDS.

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ACCOUNT

OF

THE LIFE AND WRITINGS

OF

WILLIAM ROBERTSON, D.D. F.R.S.E.

LATE PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

BY DUGALD STEWART, F.R.S. EDIN.

[READ BEFORE THE ROYAL SOCIETY OF EDINBURGH.]

ADVERTISEMENT.

The principal authorities for the biographical details in the following pages were communicated to me by Dr. Robertson's eldest son, Mr. William Robertson, Advocate. To him I am indebted, not only for the original letters with which he has enabled me to gratify the curiosity of my readers, but for every other aid which he could be prompted to contribute, either by regard for his father's memory, or by friendship for myself.

My information with respect to the earlier part of Dr. Robertson's life was derived almost entirely from one of his oldest and most valued friends, the Rev. Dr. Carlyle, of Inveresk.

It is proper for me to add, that this Memoir was read at different meetings of the Royal Society of Edinburgh; and was destined for a place in their Transactions. The length to which it has extended, suggested the idea of a separate publication, and the addition of an Appendix.

During the long interval which has elapsed since it was composed, a few sentences have been occasionally inserted, in which a reference is made to later criticisms on Dr. Robertson's writings. I mention this circumstance, in order to account for some slight anachronisms.

DUGALD STEWART.

College of Edinburgh,
16th May, 1801.

ACCOUNT

OF

THE LIFE AND WRITINGS

OF

WILLIAM ROBERTSON, D. D.

SECTION I.

FROM DR. ROBERTSON'S BIRTH TILL THE PUBLICATION OF HIS HISTORY OF SCOTLAND.

William Robertson, D. D. late Principal of the University of Edinburgh, and Historiographer to his Majesty for Scotland, was the son of the Reverend William Robertson, minister of the Old Grayfriars' Church, and of Eleanor Pitcairn, daughter of David Pitcairn, Esq. of Dreghorn. By his father he was descended from the Robertsons of Gladney in the county of Fife; a branch of the respectable family of the same name, which has, for many generations, possessed the estate of Struan in Perthshire.

He was born in 1721, at Borthwick, (in the county of Mid-Lothian,) where his father was then minister; and received his first rudiments of his education at the school of Dalkeith, which, from the high reputation of Mr. Leslie as a teacher, was at that time resorted to from all parts of Scotland. In 1733, he again joined his father's family on their removal to Edinburgh; and, towards the end of the same year, he entered on his course of academical study.

From this period till the year 1759, when, by the publication of his Scottish History, he fixed a new æra in the literary annals of his country, the habits and occurrences of his life were such as to supply few materials for biography; and the imagination is left to fill up a long interval spent in the silent pursuit of letters, and enlivened by the secret anticipation of future eminence. His genius was not of that forward and irregular growth, which forces itself prematurely on public notice; and it was only a few intimate and discerning friends, who, in the native vigour of his powers, and in the patient culture by which he laboured to improve them, perceived the earnests of a fame that was to last for ever.

The large proportion of Dr. Robertson's life which he thus devoted to obscurity will appear the more remarkable, when contrasted with his early and enthusiastic love of study. Some of his oldest common-place books, still in his son's possession, (dated in the years 1735, 1736, and 1737,) bear marks of a persevering assiduity, unexampled perhaps at so tender an age; and the motto prefixed to all of them, (*Vita sine literis mors est,*) attests how soon those views and sentiments were formed, which, to his latest hour, continued to guide and to dignify his ambition. In times such as the present, when literary distinction leads to other rewards, the labours of the studious are often prompted by motives very different from the hope of fame or the inspiration of genius; but when Dr. Robertson's career commenced, these were the only incitements which existed to animate his exertions. The trade of authorship was unknown in Scotland; and the rank which that country had early acquired among the learned nations of Europe, had, for many years, been sustained entirely by a small number of eminent men, who distinguished themselves by an honourable and disinterested zeal in the ungainful walks of abstract science.

Some presages, however, of better times were beginning to appear. The productions of Thomson, of Armstrong, and of Mallet, were already known and admired in the metropolis of England, and an impulse had been given to the minds of the rising generation, by the exertions of a few able and enlightened men, who filled important stations in the Scottish Universities. Dr. Hutcheson of Glasgow, by his excellent writings, and still more by his eloquent lectures, had diffused, among a numerous race of pupils, a liberality of sentiment, and a refinement of taste, unknown before in this part of the island; and the influence of his example had extended, in no inconsiderable degree, to that seminary where Dr. Robertson received his education. The Professorship of Moral Philosophy at Edinburgh was then held by sir John Pringle, afterwards President of the Royal Society of London; who, if he did not rival Dr. Hutcheson's abilities, was not surpassed by him in the variety of his scientific attainments, or in a warm zeal for

the encouragement of useful knowledge. His efforts were ably seconded by the learning and industry of Dr. Stevenson, Professor of Logic; to whose valuable prelections (particularly to his Illustrations of Aristotle's Poetics and of Longinus on the Sublime) Dr. Robertson has been often heard to say, that he considered himself as more deeply indebted, than to any other circumstance in his academical studies. The bent of his genius did not incline him to mathematical or physical pursuits, notwithstanding the strong recommendations they derived from the popular talents of Mr. Maclaurin; but he could not fail to receive advantage from the eloquence with which that illustrious man knew how to adorn the most abstracted subjects, as well as from that correctness and purity in his compositions, which still entitle him to a high rank among our best writers, and which no Scottish author of the same period had been able to attain.

A number of other learned and respectable men, of whose names the greater part now exist in tradition only, were then resident in Edinburgh. A club, or society* of these, carried on for some years a private correspondence with Dr. Berkeley, the celebrated bishop of Cloyne, on the subject of his metaphysical publications; and are said to have been numbered by him among the few who completely comprehended the scope of his reasonings against the existence of *matter*. The influence of this society, in diffusing that spirit of philosophical research which has since become so fashionable in Scotland, has often been mentioned to me by those who had the best opportunities of observing the rise and progress of Scottish literature.

I have entered into these details, partly as they suggest some circumstances which conspired with Dr. Robertson's natural inclination in fixing his studious habits; and partly as they help to account for the sudden transition which Scotland made, about this period, from the temporary obscurity into which it had sunk, to that station which it has since maintained in the republic of letters. A great stock both of genius and of learning existed in the country; but the difficulty of overcoming the peculiarities of a provincial idiom, seemed to shut up every avenue to fame by means of the press, excepting in those departments of science, where the nature of the subject is such as to dispense with the graces of composition.

Dr. Robertson's ambition was not to be checked by these obstacles; and he appears from a very early period of life to have employed with much perseverance the most effectual means for surmounting them. Among other expedients, he was accustomed to exercise himself in the practice of translation; and he had even gone so far in the cultivation of this very difficult art, as to have thought seriously of preparing for the press a version of *Marcus Antoninus*, when he was anticipated, by an anonymous publication at Glasgow, in the execution of his design. In making choice of this author, he was probably not a little influenced by that partiality with which (among the writings of heathen moralists) he always regarded the remains of the Stoical Philosophy.

Nor was his ambition limited to the attainment of the honours that reward the industry of the recluse student. Anxious to distinguish himself by the utility of his labours in that profession to which he had resolved to devote his talents, and looking forward, it is probable, to the active share he was afterwards to take in the ecclesiastical policy of Scotland, he aspired to add to the art of classical composition, the powers of a persuasive and commanding speaker. With this view, he united with some of his contemporaries, during the last years of his attendance at college, in the formation of a society, where their object was to cultivate the study of elocution, and to prepare themselves, by the habits of extemporary discussion and debate, for conducting the business of popular assemblies. Fortunately for Dr. Robertson, he had here associates to contend with worthy of himself: among others, Dr. William M'Gie, an ingenious young physician, afterwards well known in London; Mr. William Cleghorn, afterwards Professor of Moral Philosophy in Edinburgh; Dr. John Blair, late Prebendary of Westminster; Dr. Wilkie, author of the Epigoniad; and Mr. John Home, author of the tragedy of Douglas.

His studies at the University being at length finished, Dr. Robertson was licensed to preach by the presbytery of Dalkeith in 1741, and in 1743 he was presented to the living of Gladsmuir in East Lothian by the earl of Hopeton. The income was but inconsiderable (the whole emoluments not exceeding one hundred pounds a year): but the preferment, such as it was, came to him at a time singularly fortunate; for not long afterwards his father and mother died within a few hours of each other, leaving a family of six daughters and a younger son, in such circumstances as required every aid which his slender funds enabled him to bestow.

Dr. Robertson's conduct in this trying situation, while it bore the most honourable testimony to the generosity of his dispositions, and to the warmth of his affections, was strongly marked with that manly decision in his plans, and that persevering steadiness in their execution, which were characteristical features of his mind. Undeterred by the magnitude of a charge, which must have appeared fatal to the prospects that had hitherto animated his studies; and resolved to sacrifice to a sacred duty all personal considerations, he invited his father's family to Gladsmuir, and continued to educate his sisters under his own roof, till they were settled respectably in the world. Nor did he think himself at liberty till then to complete an union which had been long the object of his wishes, and which may be justly numbered among the most fortunate incidents of his life. He remained single till 1751, when he married his cousin Miss Mary Nisbet, daughter of the Reverend Mr. Nisbet, one of the ministers of Edinburgh.

While he was thus engaged in the discharge of those pious offices which had devolved upon him by the sudden death of his parents, the rebellion of 1745 broke out in Scotland, and afforded him an opportunity of evincing the sincerity of that zeal for the civil and religious liberties of his country, which he had imbibed with the first principles of his education; and which afterwards, at the distance of more than forty years, when he was called on to employ his eloquence in the national commemoration of the Revolution, seemed to rekindle the fires of his youth. His situation as a country clergyman confined indeed his patriotic exertions within a narrow sphere; but even here his conduct was guided by a mind superior to the scene in which he acted. On one occasion (when the capital of Scotland was in danger of falling into the hands of the rebels) the state of public affairs appeared so critical, that he thought himself justified in laying aside, for a time, the

* Called the *Rankenian* Club, from the name of the person in whose tavern its meetings were held. The learned and ingenious Dr. Wallace, author of the Dissertation on the Numbers of Mankind, was one of the leading members.

pacifie habits of his profession, and in quitting his parochial residenee at Gladsmuir, to join the volunteers of Edinburgh: and when at last it was determined that the city should be surrendered, he was one of the small band who repaired to Haddington and offered their serviees to the commander of his majesty's forces.

The duties of his sacred profession were in the mean time discharged with a punctuality which seeured to him the veneration and attaehment of his parishioners; while the eloquenee and taste that distinguished him as a preacher, drew the attention of the neighbouring clergy, and prepared the way for that influence in the ehurch which he afterwards attained. A sermon, which he preached in the year 1755 before the Society for propagating Christian Knowledge, and which was the earliest of all his publications, affords a sufficient proof of the eminence he might have attained in that species of composition, if his genius had not inclined him more strongly to other studies. This sermon, the only one he ever published, has long been ranked, in both parts of the island, among the best models of pulpit eloquenee in our language. It has undergone five editions, and is well known in some parts of the continent in the German translation of Mr. Ebeling.

A few years before this period he made his first appearance in the debates of the General Assembly of the church of Seotland. The questions which were then agitated in that plaee have long ceased to be interesting; but they were highly important at the time, as they involved, not only the authority of the supreme court of ecclesiastical judieature, but the general tranquillity and good order of the country. The principles which Dr. Robertson held on these subjeets, and which have, for many years past, guided the policy of the church, will again fall under our review before the conclusion of this narrative. At present it is sufficient to mention, that in the assembly of 1751, when he first subinitted them to publie discussion, they were so contrary to the prevailing ideas, that, although he enforced them with extraordinary powers of argument and eloquence, and was most ably supported by the late sir Gilbert Elliot and Mr. Andrew Pringle, (afterwards lord Alemoor,) he was left in a very small minority; the house dividing, two hundred against eleven. The year following, by a steady perseverance in the same views, he had the satisfaetion of bringing over a majority to his sentiments, and gave a beginning to that system of ecclesiastical government which it was one of the great objects of his life to carry into effect, by the most vigorous and decisive, though the most temperate and eonciliatory, measures. A paper whieh he drew up in the course of these proceedings, and which will be notieed in its proper place, explains the ground-work of the plan whieh he and his friends afterwards pursued.

The establishment of the *Select Society** in Edinburgh, in the year 1754, opened another field for the display and for the eultivation of his talents. This institution, intended partly for philosophical inquiry, and partly for the improvement of the members in publie speaking, was projected by Mr. Allan Ramsay the painter, and a few of his friends; but soon attracted so much of the public notice, that in the following year the number of members exeeeded a hundred, ineluding all the individuals in Edinburgh and the neighbourhood who were most distinguished by genius or by literary attainments. In the list of those who united with Mr. Ramsay in the formation of this soeiety, we find the names of Dr. Robertson, Mr. David Hume, Mr. Adam Smith, Mr. Wedderburn, (now lord Chaneellor,) lord Kames, Mr. John Home, Dr. Carlyle, Mr. Andrew Stuart, sir Gilbert Elliot, and lord Alemoor. The society subsisted in vigour for six or seven years, and produeed debates, such as have not often been heard in modern assemblies;—debates, where the dignity of the speakers was not lowered by the intrigues of policy, or the intemperance of faction; and where the most splendid talents that have ever adorned this country were roused to their best exertions, by the liberal and ennobling discussions of literature and philosophy. To this institution, while it lasted, Dr. Robertson contributed his most zealous support; seldom omitting an opportunity of taking a share in its business; and deriving from it an addition to his own fame, which may be easily eonceived by those who are acquainted with his subsequent writings, or who have witnessed those powers of argument and illustration whieh, in the ecclesiastical courts, he afterwards employed so successfully, on subjects not so susceptible of the embellishments of eloquence.

In these eourts, indeed, during the very period when the Select Soeiety was contributing so much to the fame and to the improvement of Scotland, there occurred one subject of debate, unconneeted with the ordinary details of church-government, which afforded at once full scope to Dr. Robertson's powers as a speaker, and to a display of that mild and conciliatory temper, which was afterwards for a long course of years so honourably employed in healing the divisions of a church torn with faction, and in smoothing the transition from the severity of puritanical manners, to habits less at variance with the genius of the times. For this important and arduous task he was fitted in an eminent degree by the happy union he exhibited in his own character, of that exemplary decency which became his order, with all the qualities that form the charm and the ornament of social life.—The occurrence to which I allude more particularly at present, was the flame kindled among the Scottish clergy in the year 1757, by the publication of the tragedy of Douglas, the author of which, Mr. John Home, was then minister of Athelstonford. The extraordinary merits of this performance, which is now become to Scotchmen a subject of national pride, were not sufficient to atone for so bold a departure from the austerity expeeted in a presbyterian divine; and the offence was not a little exasperated by the conduct of some of Mr. Home's brethren, who, partly from curiosity, and partly from a friendly wish to share in the censure bestowed on the author, were led to witness the first representation of the piece on the Edinburgh stage. In the whole course of the ecclesiastical proceedings connected with these ineidents, Dr. Robertson distinguished himself by the ablest and most animated exertions in defence of his friends; and eontributed greatly, by his persuasive eloquenee, to the mildness of that sentence in which the prosecution at last terminated. His arguments on this occasion had, it may be presumed, the greater weight, that he had never himself entered within the walls of a playhouse; a remarkable proof, among numberless others which the history of his life affords, of that serupulous eircumspection in his private eonduct, which, while it added so mueh to his usefulness as a clergyman, was essential to his influenee as the leader of a party; and which so often enabled him to reeommend sueeessfully to others the same eandid and indulgent spirit that was eongenial to his own mind.

* Appendix, note A.

The flattering notice these exertions drew to him from the public, and the rising influence he had already secured among his own order, would have presented to a temper less active and persevering than his, many seductions to interrupt his studies. A considerable portion of his time appears in fact to have been devoted, during this period of his life, to the society of his friends; but as far as his situation enabled him to command it, it was to a society which amply compensated for its encroachment on his studious leisure, by what it added to the culture and enlargement of his mind. The improvement which, in these respects, he derived from the conversation of Patrick lord Elibank, he often recollected in his more advanced years with peculiar pleasure; and it affords no inconsiderable proof of the penetration of that lively and accomplished nobleman, that long before the voice of the public could have given any direction to his attachments, he had selected as the companion of his social hours the historian of queen Mary, and the author of the tragedy of Douglas.

No seductions however could divert Dr. Robertson from the earliest object of his ambition; and in the midst of all his avocations his studies had been advancing with a gradual progress. In the spring of the year which followed the debates about Mr. Home's tragedy, he went to London to concert measures for the publication of his History of Scotland;—a work of which the plan is said to have been formed soon after his settlement at Gladsmuir. It was published on the first of February 1759, and was received by the world with such unbounded applause, that before the end of that month he was desired by his bookseller to prepare for a second edition.

From this moment the complexion of his fortune was changed. After a long struggle, in an obscure though a happy and hospitable retreat, with a narrow income and an increasing family, his prospects brightened at once. He saw independence and affluence within his reach; and flattered himself with the idea of giving a still bolder flight to his genius, when no longer depressed by those tender anxieties which so often fall to the lot of men, whose pursuits and habits, while they heighten the endearments of domestic life, withdraw them from the paths of interest and ambition.

In venturing on a step, the success of which was to be so decisive, not only with respect to his fame, but to his future comfort, it is not surprising that he should have felt, in a more than common degree, "that anxiety and diffidence so natural to an author in delivering to the world his first performance."—"The time," he observes in his preface, "which I have employed in attempting to render it worthy of the public approbation, it is perhaps prudent to conceal, till it shall be known whether that approbation is ever to be bestowed."

Among the many congratulatory letters addressed to him on this occasion, a few have been accidentally preserved; and, although the contents of some of them may not now appear very important, they still derive a certain degree of interest from the names and characters of the writers, and from the sympathetic share which a good-natured reader cannot fail to take in Dr. Robertson's feelings, when he perceived the first dawning of his future fame.

In the extracts, however, which I mean at present to produce from these letters, my principal object is to show, how very strong an impression was made on the public mind by this work at the time of its first appearance. It was then regarded as an attempt towards a species of composition that had been cultivated with very little success in this island; and accordingly it entitles the author, not merely to the praise which would now be due to an historian of equal eminence, but to a high rank among those original and leading minds that form and guide the taste of a nation. In this view, a just estimate of its peculiar merits is more likely to be collected from the testimony of such as could compare it only with the productions of former writers, than from the opinions of critics familiarized in early life to all that has since been done to imitate or to rival its beauties.

A letter from Mr. Horace Walpole, to whom some specimens of the work had been communicated during the author's visit to London, is the earliest testimony of this kind which I have found among his papers. It is dated January 18, 1759.

"I expect with impatience your book, which you are so kind as to say you have ordered for me, and for which I already give you many thanks: the specimen I saw convinces me that I do not thank you rashly. Good historians are the most scarce of all writers; and no wonder; a good style is not very common; thorough information is still more rare;—and if these meet, what a chance that impartiality should be added to them! Your style, Sir, I may venture to say, I saw was uncommonly good; I have reason to think your information so: and in the few times I had the pleasure of conversing with you, your good sense and candour made me conclude, that even on a subject which we are foolish enough to make *party*, you preserve your judgment unbiassed. I fear I shall not preserve mine so; the too kind acknowledgments that I frequently receive from gentlemen of your country, of the just praise that I paid to merit, will make me at least for the future not very unprejudiced. If the opinion of so trifling a writer as I am was of any consequence, it would then be worth Scotland's while to let the world know, that when my book was written, I had no reason to be partial to it: but, Sir, your country will trust to the merit of its natives, not to foreign testimonials, for its reputation."

This letter was followed immediately by another from Dr. Robertson's bookseller, Mr. Millar. It is dated 27th January 1759, a few days before the publication of the book, and conveys very flattering expressions of approbation from Dr. Warburton and Mr. Garrick, to both of whom copies had been privately sent at the author's request:—expressions which, though they cannot now add much to a reputation so solidly established, were gratifying at the time, and do honour to the candour and discernment of the writers.

"I have received," says Dr. Warburton, in a note addressed to Mr. Millar, "and read with great pleasure, the new History of Scotland, and will not wait for the judgment of the public, to pronounce it a very excellent work. From the author's apparent love of civil and religious liberty, I suppose, that were it not for fear of offence, (which every wise man in his situation would fear to give,) he would have spoken with much more freedom of the hierarchical principles of the infant church of Scotland."

Mr. Garrick, besides writing to Millar, addressed himself directly to the author. "Upon my word, I was never more entertained in all my life; and though I read it aloud to a friend and Mrs. Garrick, I finished the three first books at two sittings. I could not help writing to Millar, and congratulating him upon this great acquisition

to his literary treasures.—I will assure you that there is no *love lost* (as the saying is) between you and Mrs. Garrick. She is resolved to see Scotland as soon as my affairs will permit: nor do I find her inclination in the least abated, though I read your *Second Book* (in which her religion is so exquisitely handled) with all the malevolent exertion I was master of—but it would not do; she thinks you right even in that, and still resolves to see Scotland. In short, if she can give up the pope and his trumpery so readily to you, what must her poor husband think? I shall keep in England, I assure you; for you have convinced me how difficult it is to contend with the Scots in their own country."

These agreeable anticipations of the public voice were in a few weeks fully confirmed by a letter from Mr. Strahan, late printer to his majesty, and a partner of Mr. Millar's in the property of the book. It is the oldest letter of Mr. Strahan's that I have observed among Dr. Robertson's papers. Many were afterwards written in the course of a correspondence which continued twenty years, and which Dr. Robertson always mentioned with much pleasure, and with the strongest testimonies to the worth, the liberality, and the discernment of his friend.—The concluding sentences express strongly the opinion which this very competent judge had previously formed of the probable reception of a History of Scotland.

——"I most sincerely wish you joy of your success, and have not the least doubt but it will have all the good effects upon your future fortune which you could possibly hope for or expect.—Much depended on the first performance: that trial is now happily over, and henceforth you will sail with a favourable gale. In truth, to acquire such a flood of approbation writing on a subject in itself so unpopular in this country, is neither a common or a contemptible conquest."*

By the kindness of Mr. Strahan's son† I am enabled to quote the following passage from Dr. Robertson's answer to the foregoing letter:

"When we took leave, on finishing the printing of my book, I had no expectation that it was so soon to come through your hands a second time. The rapidity of its success has not surprised any man more than the author of it. I do not affect to think worse of it than is natural for him who made it; and I never was much afraid of the subject, which is interesting to the English as well as Scots; but a much more moderate success was all I looked for. However, since it has so far outgone my hopes, I enjoy it. I have flattered nobody in order to obtain it, and I have not spared to speak truth of all factions and sects."

It would be tedious and useless to transcribe the complimentary passages which occur in various other letters from the author's friends. Lord Royston, the late sir Gilbert Elliot, Dr. Birch, Dr. Douglas, (now bishop of Salisbury,) and Dr. John Blair, (late prebendary of Westminster,) were among the first to perceive and to predict the extent of that reputation he was about to establish. A few passages from the letters addressed to him by Mr. Walpole and Mr. David Hume, as they enter more into detail concerning his merits as a writer, may I think be introduced into this memoir without impropriety.

"Having finished," says Mr. Walpole, "the first volume, and made a little progress in the second, I cannot stay till I have finished the latter to tell you how exceedingly I admire the work. Your modesty will make you perhaps suppose these are words of compliment and of course; but as I can give you very good reasons for my approbation, you may believe that I no more flatter your performance, than I have read it superficially, hastily, or carelessly.

"The style is most pure, proper, and equal; is very natural and easy, except now and then, where, as I may justly call it, you are forced to *translate* from bad writers. You will agree with me, Sir, that an historian who writes from other authorities cannot possibly always have as flowing a style as an author whose narrative is dictated from his own knowledge. Your perspicuity is most beautiful, your relation always interesting, never languid; and you have very extraordinarily united two merits very difficult to be reconciled; I mean, that though you have formed your history into pieces of information, each of which would make a separate memoir, yet the whole is hurried on into one uninterrupted story. I assure you I value myself on the first distinction, especially as Mr. Charles Townshend made the same remark. You have preserved the gravity of history without any formality, and you have at the same time avoided what I am now running into, antithesis and conceit. In short, Sir, I don't know where or what history is written with more excellences:—and when I say this, you may be sure, I do not forget your impartiality.—But, Sir, I will not wound your bashfulness with more encomiums; yet the public will force you to hear them. I never knew justice so rapidly paid to a work of so deep and serious a kind; for deep it is, and it must be great sense that could penetrate so far into human nature, considering how little you have been conversant with the world."

The long and uninterrupted friendship which subsisted between Dr. Robertson and Mr. Hume is well known: and it is certainly a circumstance highly honourable to both, when we consider the wide diversity of their sentiments on the most important subjects, and the tendency which the coincidence of their historical labours would naturally have had to excite rivalship and jealousy in less liberal minds. The passages I am now to quote from Mr. Hume's letters place in a most amiable light the characters both of the writer and of his correspondent.

"You have very good cause to be satisfied with the success of your History, as far as it can be judged of from a few weeks' publication. I have not heard of one who does not praise it warmly; and were I to enumerate all those whose suffrages I have either heard in its favour, or been told of, I should fill my letter with a list of names. Mallet told me that he was sure there was no Englishman capable of composing such a work. The town will have it that you was educated at Oxford, thinking it impossible for a mere untravelled Scotchman to produce such language. In short, you may depend on the success of your work, and that your name is known very much to your advantage.

"I am diverting myself with the notion how much you will profit by the applause of my enemies in Scotland. Had you and I been such fools as to have given way to jealousy, to have entertained animosity and malignity against each other, and to have rent all our acquaintance into parties, what a noble amusement we should have exhibited to the blockheads, which now they are likely to be disappointed of. All the people whose friendship or judgment either of us value, are friends to both, and will be

* Appendix, Note B.

† Andrew Strahan, Esq. M. P.

pleased with the success of both, as we will be with that of each other. I declare to you I have not of a long time had a more sensible pleasure than the good reception of your History has given me within this fortnight."

I cannot deny myself the satisfaction of transcribing a few paragraphs from another letter of Mr. Hume's, dated the 20th of the same month. "I am afraid that my letters will be tedious and disagreeable to you by their uniformity. Nothing but continued and unvaried accounts of the same thing must in the end prove disgusting. Yet since you will hear me speak on this subject, I cannot help it, and must fatigue your ears as much as ours are in this place by endless, and repeated, and noisy praises of the History of Scotland. Dr. Douglas told me yesterday that he had seen the bishop of Norwich, who had just bought the book from the high commendations he heard of it from Mr. Legge. Mallet told me that Lord Mansfield is at a loss whether he shall most esteem the matter or the style. Elliot told me, that being in company with George Grenville, that gentleman was speaking loud in the same key. Our friend pretended ignorance; said he knew the author, and if he thought the book good for any thing, would send for it and read it. Send for it by all means, (said Mr. Grenville,) you have not read a better book of a long time. But, said Elliot, I suppose, although the matter may be tolerable, as the author was never on this side the Tweed till he wrote it, it must be very barbarous in the expression. By no means, cried Mr. Grenville; had the author lived all his life in London, and in the best company, he could not have expressed himself with greater elegance and purity. Lord Lyttelton seems to think that since the time of St. Paul there scarce has been a better writer than Dr. Robertson. Mr. Walpole triumphs in the success of his favourites the Scotch, &c. &c. &c."

* * * *

"The great success of your book, besides its real merit, is forwarded by its prudence, and by the deference paid to established opinions. It gains also by its being your first performance, and by its surprising the public, who are not upon their guard against it. By reason of these two circumstances justice is more readily done to its merit, which however is really so great, that I believe there is scarce another instance of a first performance being so near perfection."*

Of this work, so flattering to the author by its first success, no fewer than fourteen editions were published before his death, and he had the satisfaction to see its popularity increase to the last, notwithstanding the repeated assaults it had to encounter from various writers, distinguished by their controversial acuteness, and seconded by all the prepossessions which are likely to influence the opinions of the majority of readers. The character of Mary has been delineated anew, and the tale of her misfortunes has again been told, with no common powers of expression and pathos, by an historian more indulgent to her errors, and more undistinguishing in his praise: but, after all, it is in the History of Dr. Robertson that every one still reads the transactions of her reign; and such is his skilful contrast of light and shade, aided by the irresistible charm of his narration, that the story of the beautiful and unfortunate queen, as related by him, excites on the whole a deeper interest in her fortunes, and a more lively sympathy with her fate, than have been produced by all the attempts to canonize her memory, whether inspired by the sympathetic zeal of the Romish church, or the enthusiasm of Scottish chivalry.

In perusing the letters addressed to Dr. Robertson on the publication of this book, it is somewhat remarkable that I have not found one in which he is charged with the slightest unfairness towards the queen; and that, on the contrary, almost all his correspondents accuse him of an undue prepossession in her favour. "I am afraid," says Mr. Hume, "that you, as well as myself, have drawn Mary's character with too great softenings. She was undoubtedly a violent woman at all times. You will see in *Munden* proofs of the utmost rancour against her innocent, good-natured, dutiful son. She certainly disinherited him. What think you of a conspiracy for kidnapping him, and delivering him a prisoner to the king of Spain, never to recover his liberty till he should turn catholic?——Tell Goodall, that if he can but give me up queen Mary, I hope to satisfy him in every thing else; and he will have the pleasure of seeing John Knox and the reformers made very ridiculous."

"It is plain," says Mr. Walpole, "that you wish to excuse Mary; and yet it is so plain that you never violate truth in her favour, that I own I think still worse of her than I did, since I read your History."

Dr. Birch expresses himself much to the same purpose. "If the second volume of the State Papers of lord Burleigh, published since Christmas here, had appeared before your History had been finished, it would have furnished you with reasons for entertaining a less favourable opinion of Mary queen of Scots in one or two points, than you seem at present possessed of."

Dr. John Blair too, in a letter dated from London, observes to Dr. Robertson, that "the only general objection to his work was founded on his tenderness for queen Mary."—"Lord Chesterfield," says he, "though he approves much of your History, told me, that he finds this to be a bias which no Scotchman can get the better of."

I would not be understood, by quoting these passages, to give any opinion upon the subject to which they refer. It is a subject which I have never examined with attention, and which, I must confess, never excited my curiosity. Whatever judgment we form concerning the points in dispute, it leads to no general conclusion concerning human affairs, nor throws any new light on human character. Like any other historical question, in which the evidence has been industriously darkened by the arts of contending parties, the proofs of Mary's innocence or guilt may furnish an amusing and harmless employment to the leisure of the antiquary; but, at this distance of time, it is difficult to conceive how prejudice or passion should enter into the discussion, or should magnify it into an object of important and serious research. With respect to Dr. Robertson's narrative, in particular, it is sufficiently manifest, that whatever inaccuracies may be detected in it by the labours of succeeding inquirers, they can never furnish to the partisans of Mary any ground for impeaching his candour and good faith as a writer. All his prepossessions (if he had any on this subject) must have been in favour of the queen; for it was chiefly from the powerful interest excited by her story, that he could hope for popularity with the multitude; and it was only by the romantic pictures which her name presents to the fancy, that he could accommodate to the refinement of modern taste the annals of a period, where perfidy, cruelty, and bigotry appear in

* Appendix, Note C.

all their horrors; unembellished by those attractions which, in other states of society, they have so often assumed, and which, how much soever they may afflict the moralist, yet facilitate and adorn the labours of the historian.

Among the various circumstances that distinguish Dr. Robertson's genius and taste in the execution of this work, the address with which he interweaves the personal history of the queen with the general events he records, is not the least remarkable. Indeed, without the aid of so interesting a character, the affairs of Scotland, during the period he treats of, could not have derived, even from his hand, a sufficient importance and dignity to engage the curiosity of the present age.

Another difficulty arising also from his subject, he appears to me to have surmounted with exquisite skill. In relating the transactions of a foreign country, however remote the period, and however antiquated the manners, it is easy for an historian to avoid in his narrative whatever might lessen the dignity of the actors, or lower the tone of his composition. The employment of expressions debased by common and trivial use is superseded by the necessity he is under to translate from one language into another; and the most insignificant of his details derive a charm from the novelty of the scenery. The writer too, who, in this island, employs his genius on the ancient history of England, addresses himself to readers already enamoured of the subject, and who listen with fond prepossessions to the recital of facts consecrated in their imaginations by the tale of the nursery. Even a description of the old English manners, expressed in the obsolete dialect of former centuries, pleases by its simplicity and truth; and while it presents to us those retrospects of the past on which the mind loves to dwell, has no tendency to awaken any mean or ludicrous images. But the influence of Scottish associations, so far as it is favourable to antiquity, is confined to Scotchmen alone, and furnishes no resources to the writer who aspires to a place among the English classics. Nay, such is the effect of that provincial situation to which Scotland is now reduced, that the transactions of former ages are apt to convey to ourselves exaggerated conceptions of barbarism, from the uncouth and degraded dialect in which they are recorded. To adapt the history of such a country to the present standard of British taste, it was necessary for the author, not only to excite an interest for names, which, to the majority of his readers, were formerly indifferent or unknown, but, what was still more difficult, to unite in his portraits the truth of nature with the softenings of art, and to reject whatever was unmeaning or offensive in the drapery, without effacing the characteristic garb of the times. In this task of "conquering" (as Livy expresses it) "the rudeness of antiquity by the art of writing," they alone are able to judge how far Dr. Robertson has succeeded, who have compared his work with the materials out of which it was formed.

Nor are these sacrifices to modern taste inconsistent with the fidelity of a history which records the transactions of former ages. On the contrary, they aid the judgment of the reader in forming a philosophical estimate of the condition and character of our ancestors, by counteracting that strong bias of the mind which confounds human nature and human life with the adventitious and ever-changing attire which they borrow from fashion. When we read the compositions of Buchanan in his native tongue; —abounding in idioms which are now appropriated to the most illiterate classes of the people, and accompanied with an orthography which suggests the coarsest forms of Scottish pronunciation;—how difficult do we find it to persuade ourselves, that we are conversing with a writer, whose Latin productions vie with the best models of antiquity! No fact can illustrate more strongly the necessity of correcting our common impressions concerning the ancient state of Scotland, by translating, not only the antiquated style of our forefathers into a more modern phraseology, but by translating (if I may use the expression) their antiquated fashions into the corresponding fashions of our own times.

The peculiar circumstances of Scotland since the union of the crowns, are extremely apt to warp our ideas with respect to its previous history. The happy but slow effects produced by the union of the kingdoms do not extend beyond the memory of some of our contemporaries; and the traditions we have received concerning the condition of our immediate predecessors are apt to impress us with a belief that, at a still earlier period, the gloom was proportionably more deep and universal. It requires an effort of reflection to conceive the effects which must have resulted from the residence of a court; and it is not, perhaps, easy for us to avoid under-rating the importance of that court while it existed. During the long and intimate intercourse with England, which preceded the disputed succession between Bruce and Baliol, it was certainly not without its share of that "barbaric pomp" which was then affected by the English sovereigns; nor under our later kings, connected as it was with the court of France, could it be altogether untinctured with those envied manners and habits, of which that country has been always regarded as the parent soil, and which do not seem to be the native growth of either part of our island. These circumstances, accordingly, (aided, perhaps, in no inconsiderable degree, by the field of ambition presented by an opulent hierarchy,) appear to have operated powerfully on the national spirit and genius. The studies which were then valued in other parts of Europe, were cultivated by many of our countrymen with distinguished success. Nor was their own vernacular tongue neglected by those, whose rank or situation destined them for public affairs. At the æra, more particularly, when Dr. Robertson's History closes, it was so rapidly assuming a more regular form, that, excepting by a different system of orthography, and a few inconsiderable peculiarities of dialect, the epistolary style of some of our Scottish statesmen is hardly distinguishable from that of queen Elizabeth's ministers.

This æra was followed by a long and melancholy period, equally fatal to morals and to refinement; and which had scarcely arrived at its complete termination when Dr. Robertson appeared as an author; aspiring at once to adorn the monuments of former times, when Scotland was yet a kingdom, and to animate his countrymen by his example, in reviving its literary honours.

Before quitting this first work of Dr. Robertson, I must not omit to mention (what forms the strongest testimony of its excellence) the severe trial it had to undergo in the public judgment, by appearing nearly at the same time with that volume of Mr. Hume's History, which involves an account of Scottish affairs during the reigns of queen Mary and king James.—It is not my intention to attempt a parallel of these two eminent writers: nor, indeed, would the sincerity of their mutual attachment, and the lively recollection of it which still remains with many of their common friends, justify me in stating their respective

merits in the way of opposition. Their peculiar excellences, besides, were of a kind so different, that they might be justly said (in the language which a Roman critic employs in speaking of Livy and Sallust) to be *pares magis quam similes*. They divide between them the honour of having supplied an important blank in English literature, by enabling their countrymen to dispute the palm of historical writing with the other nations of Europe. Many have since followed their example, in attempting to bestow interest and ornament on different portions of British story; but the public voice sufficiently acquits me of any partiality when I say, that hitherto they have only been followed at a distance. In this respect, I may with confidence apply to them the panegyric which Quinctilian pronounces on the two great historians of ancient Greece;—and, perhaps, if I were inclined to characterize the beauties most prominent in each, I might, without much impropriety, avail myself of the contrast with which that panegyric concludes.

"Historiam multi scripsere, sed nemo dubitat, duos longe cæteris præferendos, quorum diversa virtus laudem pene est parem consecuta. Densus et brevis et semper instans sibi Thucydides. Dulcis et candidus et fusus Herodotus. Ille concitatis, hic remissis affectibus melior. Ille vi, hic voluptate."

SECTION II.

Progress of Dr. Robertson's Literary Plans and Undertakings.—History of the Reign of the Emperor Charles V.

During the time that the History of Scotland was in the press, Dr. Robertson removed with his family from Gladsmuir to Edinburgh, in consequence of a presentation which he had received to one of the churches of that city. His preferments now multiplied rapidly. In 1759 he was appointed chaplain of Stirling Castle; in 1761 one of his Majesty's chaplains in ordinary for Scotland; and in 1762 he was chosen Principal of this University. Two years afterwards, the office of King's Historiographer for Scotland (with a salary of two hundred pounds a year) was revived in his favour.

The revenue arising from these different appointments, though far exceeding what had ever been enjoyed before by any presbyterian clergyman in Scotland, did not satisfy the zeal of some of Dr. Robertson's admirers, who, mortified at the narrow field which this part of the island afforded to his ambition, wished to open to it the career of the English church. References to such a project occur in letters addressed to him about this time by sir Gilbert Elliot, Mr. Hume, and Dr. John Blair. What answer he returned to them I have not been able to learn; but, as the subject is mentioned once only by each of these gentlemen, it is probable that his disapprobation was expressed in those decided terms which became the consistency and dignity of his character.

Dr. Robertson's own ambition was, in the mean time, directed to a different object. Soon after the publication of his Scottish History, we find him consulting his friends about the choice of another historical subject;—anxious to add new laurels to those he had already acquired. Dr. John Blair urged him strongly on this occasion to write a complete History of England; and mentioned to him, as an inducement, a conversation between lord Chesterfield and colonel Irwin, in which the former said, that he would not scruple, if Dr. Robertson would undertake such a work, to move, in the House of Peers, that he should have public encouragement to enable him to carry it into execution. But this proposal he was prevented from listening to, by his unwillingness to interfere with Mr. Hume; although it coincided with a favourite plan which he himself had formed at a very early period of his life. The two subjects which appear to have chiefly divided his choice were, the History of Greece, and that of the Emperor Charles the Fifth. Between these he hesitated long, balancing their comparative advantages and disadvantages, and availing himself of all the lights that his correspondents could impart to him. Mr. Walpole and Mr. Hume took a more peculiar interest in his deliberations, and discussed the subject with him at length in various letters. I shall extract a few passages from these. The opinions of such writers upon such a question cannot fail to be generally interesting; and some of the hints they suggest may perhaps be useful to those who, conscious of their own powers, are disposed to regret that the field of historical composition is exhausted.

The following passages are copied from a letter of Mr. Walpole, dated 4th March 1759.

"If I can throw in any additional temptation to your disposition for writing, it is worth my while, even at the hazard of my judgment and my knowledge, both of which however are small enough to make me tender of them. Before I read your History, I should probably have been glad to dictate to you, and (I will venture to say it—it satirizes nobody but myself) should have thought I did honour to an obscure Scotch clergyman, by directing his studies with my superior lights and abilities. How you have saved me, Sir, from making a ridiculous figure, by making so great an one yourself! But could I suspect, that a man I believe much younger, and whose dialect I scarce understood, and who came to me with all the diffidence and modesty of a very middling author, and who I was told had passed his life in a small living near Edinburgh; could I suspect that he had not only written what all the world now allows the best modern history, but that he had written it in the purest English, and with as much seeming knowledge of men and courts as if he had passed all his life in important embassies? In short, Sir, I have not power to make you, what you ought to be, a minister of state—but I will do all I can, I will stimulate you to continue writing, and I shall do it without presumption.

"I should like either of the subjects you mention, and I can figure one or two others that would shine in your hands. In one light the History of Greece seems preferable. You know all the materials for it that can possibly be had. It is concluded; it is clear of all objections; for perhaps nobody but I should run wildly into passionate fondness for liberty, if I was writing about Greece. It even might, I think, be made agreeably new, and *that* by comparing the extreme difference of their manners and ours, particularly in the article of finances, a system almost new in the world.

* * * * *

"With regard to the History of Charles V., it is a magnificent subject, and worthy of you. It is more: it is fit for you; for you have shown that you can write on ticklish subjects with the utmost discretion, and on subjects of re-

ligious party with temper and impartiality. Besides, by what little I have skimmed of history myself, I have seen how many mistakes, how many prejudices, may easily be detected: and though much has been written on that age, probably truth still remains to be written of it. Yet I have an objection to this subject. Though Charles V. was in a manner the emperor of Europe, yet he was a German or a Spaniard. Consider, Sir, by what you must have found in writing the History of Scotland, how difficult it would be for the most penetrating genius of another country to give an adequate idea of Scottish story. So much of all transactions must take their rise from, and depend on, national laws, customs, and ideas, that I am persuaded a native would always discover great mistakes in a foreign writer. Greece, indeed, is a foreign country; but no Greek is alive to disprove one.

"There are two other subjects which I have sometimes had a mind to treat myself; though my naming one of them will tell you why I did not. It was *the History of Learning*. Perhaps, indeed, it is a work which could not be executed unless intended by a young man from his first looking on a book with reflection. The other is, the History of what I may in one light call the most remarkable period of the world, by containing a succession of five good princes: I need not say, they were Nerva, Trajan, Adrian, and the two Antonines. Not to mention, that no part almost of the Roman history has been well written from the death of Domitian, this period would be the fairest pattern for use, if history can ever effect what she so much pretends to, doing good. I should be tempted to call it the *History of Humanity;* for though Trajan and Adrian had private vices that disgraced them as men, as princes they approached to perfection. Marcus Aurelius arrived still nearer, perhaps with a little ostentation; yet vanity is an amiable machine, if it operates to benevolence. Antoninus Pius seems to have been as good as human nature royalized can be. Adrian's persecution of the christians would be objected, but then it is much controverted. I am no admirer of elective monarchies; and yet it is remarkable, that when Aurelius's diadem descended to his natural heir, not to the heir of his virtues, the line of beneficence was extinguished; for I am sorry to say, that *hereditary* and *bad* are almost synonymous.—But I am sensible, Sir, that I am a bad adviser for you; the chastity, the purity, the good sense and regularity of your manner, that unity you mention, and of which you are the greatest master, should not be led astray by the licentious frankness, and, I hope, honest indignation of my way of thinking. I may be a fitter companion than a guide; and it is with most sincere zeal that I offer myself to contribute any assistance in my power towards polishing your future work, whatever it shall be. You want little help; I can give little; and indeed I, who am taxed with incorrectnesses, should not assume airs of a corrector. My *Catalogue* I intended should have been exact enough in style: it has not been thought so by some: I tell you, that you may not trust me too much. Mr. Gray, a very perfect judge, has sometimes censured me for parliamentary phrases, familiar to me, as your Scotch law is to you. I might plead for my inaccuracies, that the greatest part of my book was written with people talking in the room; but that is no excuse to myself, who intended it for correct. However, it is easier to remark inaccuracies in the work of another than in one's own; and, since you command me, I will go again over your second volume, with an eye to the slips, a light in which I certainly did not intend my second examination of it."

In transcribing some of these paragraphs, as well as in the other extracts I have borrowed from Mr. Walpole's letters, I must acknowledge, that I have been less influenced by my own private judgment, than by my deference for the partiality which the public has long entertained for this popular and fashionable writer. Of the literary talents of an author on whom so much flattery has been lavished, it does not become me to speak disrespectfully; nor would I be understood to detract from his merits in his own peculiar and very limited walk of historical disquisition: but I should be wanting to myself, if I were not to avow, that in the foregoing quotation, my object was rather to gratify the curiosity of others, than to record a testimony which I consider as of any importance to Dr. Robertson's fame. The value of praise, besides, whatever be the abilities of him who bestows it, depends on the opinion we entertain of his candour and sincerity; qualities which it will be difficult to allow to Mr. Walpole, after comparing the various passages quoted in this memoir, with the sentiments he expresses on the same subject in his posthumous publication.

For the length of the following extract from a letter of Mr. Hume's, no such apology is necessary. The matter is valuable in itself;—and the objections stated to the age of Charles V. as a subject for history, form the highest possible panegyric on the abilities of the writer, by whom the difficulties which appeared so formidable to Mr. Hume, were so successfully surmounted.

"I have frequently thought, and talked with our common friends, upon the subject of your letter. There always occurred to us several difficulties with regard to every subject we could propose. The Ancient Greek History has several recommendations, particularly the good authors from which it must be drawn: but this same circumstance becomes an objection, when more narrowly considered: for what can you do in most places with these authors but transcribe and translate them? No letters or state-papers from which you could correct their errors, or authenticate their narration, or supply their defects. Besides, Rollin is so well wrote with respect to style, that with superficial people it passes for sufficient. There is one Dr. Leland, who has lately wrote the life of Philip of Macedon, which is one of the best periods. The book, they tell me, is perfectly well wrote; yet it has had such small sale, and has so little excited the attention of the public, that the author has reason to think his labour thrown away. I have not read the book, but by the size, I should judge it to be too particular. It is a pretty large quarto. I think a book of that size sufficient for the whole history of Greece till the death of Philip: and I doubt not but such a work would be successful, notwithstanding all these discouraging circumstances. The subject is noble, and Rollin is by no means equal to it.

"I own, I like still less your project of the Age of Charles the Fifth. That subject is disjointed; and your hero, who is the sole connexion, is not very interesting. A competent knowledge at least is required of the state and constitution of the empire; of the several kingdoms of Spain, of Italy, of the Low Countries; which it would be the work of half a life to acquire; and, though some parts of the story may be entertaining, there would be many dry and barren; and the whole seems not to have any great charms.

"But I would not willingly start objections to these schemes, unless I had something to propose, which would be plausible; and I shall mention to you an idea which has sometimes pleased me, and which I had once entertained thoughts of attempting. You may observe that among modern readers, Plutarch is in every translation the chief favourite of the ancients. Numberless translations, and numberless editions, have been made of him in all languages; and no translation has been so ill done as not to be successful. Though those who read the originals never put him in comparison either with Thucydides or Xenophon, he always attaches more the reader in the translation; a proof that the idea and execution of his work is, in the main, happy. Now, I would have you think of writing modern lives, somewhat after that manner: not to enter into a detail of the actions, but to mark the manners of the great personages, by domestic stories, by remarkable sayings, and by a general sketch of their lives and adventures. You see that in Plutarch the life of Cæsar may be read in half an hour. Were you to write the life of Henry the Fourth of France after that model, you might pillage all the pretty stories in Sully, and speak more of his mistresses than of his battles. In short, you might gather the flower of all Modern History in this manner: the remarkable popes, the kings of Sweden, the great discoverers and conquerors of the New World; even the eminent men of letters might furnish you with matter, and the quick despatch of every different work would encourage you to begin a new one. If one volume were successful, you might compose another at your leisure, and the field is inexhaustible. There are persons whom you might meet with in the corners of history, so to speak, who would be a subject of entertainment quite unexpected; and as long as you live, you might give and receive amusement by such a work. Even your son, if he had a talent for history, would succeed to the subject, and his son to him. I shall insist no further on this idea; because, if it strikes your fancy, you will easily perceive all its advantages, and, by further thought, all its difficulties."

After much deliberation, Dr. Robertson resolved to undertake the History of Charles V.—a determination not less fortunate for the public than for his own fame; as it engaged him, unexpectedly perhaps, in a train of researches not confined to the period, or to the quarter of the globe, that he had originally in view; but which, opening, as he advanced, new and more magnificent prospects, attracted his curiosity to two of the greatest and most interesting subjects of speculation in the history of human affairs;—the enterprises of modern ambition in the western world, and the traces of ancient wisdom and arts existing in the east.

The progress of the work, however, was interrupted for some time, about a year after its commencement, by certain circumstances which induced him to listen more favourably than formerly to the entreaties of those friends who urged him to attempt a History of England. The motives that weighed with him on this occasion are fully explained in a correspondence still extant, in which there are various particulars tending to illustrate his character and his literary views.

From a letter of the late lord Cathcart to Dr. Robertson, (dated 20th of July, 1761,) the revival of this project would appear to have originated in a manner not a little flattering to the vanity of an author.

. . . . "Lord Bute told me the king's thoughts, as well as his own, with respect to your History of Scotland, and a wish his majesty had expressed to see a History of England by your pen. His lordship assured me, every source of information which government can command would be opened to you; and that great, laborious, and extensive as the work must be, he would take care your encouragement should be proportioned to it. He seemed to be aware of some objections you once had, founded on the apprehension of clashing or interfering with Mr. David Hume who is your friend; but as your performance and his will be upon plans so different from each other, and as *his* will, in point of time, have so much the start of yours, these objections did not seem to him such as, upon reflection, were likely to continue to have much weight with you. . . . . .

. . . . . "I must add, that though I did not think it right to inquire particularly into Lord Bute's intentions before I knew a little of your mind, it appeared to me plain, that they were higher than any views which can open to you in Scotland, and which, I believe, he would think inconsistent with the attention the other subject would necessarily require." . . . . .

A paper which has been accidentally preserved among the letters addressed to Dr. Robertson by his friends, enables me to state his sentiments with respect to the foregoing proposal, in his own words. It is in Dr. Robertson's hand-writing, and is marked on the back as "An imperfect Sketch of his Answer to Lord Cathcart's letter of July 20th." The following extracts contain all those parts of it which are connected with the project of the English History.

. . . . . "After the first publication of the History of Scotland, and the favourable reception it met with, I had both very tempting offers from booksellers, and very confident assurances of public encouragement, if I would undertake the History of England. But as Mr. Hume, with whom, notwithstanding the contrariety of our sentiments both in religion and politics, I live in great friendship, was at that time in the middle of the subject, no consideration of interest or reputation would induce me to break in upon a field of which he had taken prior possession; and I determined that my interference with him should never be any obstruction to the sale or success of his work. Nor do I yet repent my having resisted so many solicitations to alter this resolution. But the case I now think is entirely changed. His History will have been published several years before any work of mine on the same subject can appear; its first run will not be marred by any justling with me, and it will have taken that station in the literary system which belongs to it. This objection, therefore, which I thought, and still think, so weighty at that time, makes no impression on me at present, and I can now justify my undertaking the English History to myself, to the world, and to him. Besides, our manner of viewing the same subject is so different or peculiar, that (as was the case in our last books) both may maintain their own rank, have their own partisans, and possess their own merit, without hurting each other.

"I am sensible how extensive and laborious the undertaking is, and that I could not propose to execute it in the manner I could wish, and the public will expect, unless I shall be enabled to consecrate my whole time and in-

dustry to it. Though I am not weary of my profession, nor wish ever to throw off my ecclesiastical character, yet I have often wished to be free of the labour of daily preaching, and to have it in my power to apply myself wholly to my studies. This the encouragement your lordship mentions will put in my power. But as my chief residence must still be in Scotland, where I would choose, both for my own sake and that of my family, to live and to compose; as a visit of three or four months now and then to England will be fully sufficient for consulting such manuscripts as have never been published; I should not wish to drop all connexion with the church of which I am a member, but still to hold some station in it, without being reduced entirely to the profession of an author.

"Another circumstance must be mentioned to your lordship. As I have begun the History of Charles V. and have above one-third of it finished, I would not choose to lose what I have done. It will take at least two years to bring that work to perfection; and after that I shall begin the other, which was my first choice, long before Mr. Hume undertook it, though I was then too diffident of myself, and too idle to make any progress in the execution of it, further than forming some general ideas as to the manner in which it should be prosecuted.

"As to the establishment to be made in my favour, it would ill become me to say any thing. Whether the present time be a proper one for settling the matter finally I know not. I beg leave only to say, that however much I may wish to have a point fixed so much for my honour, and which will give such stability to all my future schemes, I am not impatient to enter into possession, before I can set to work with that particular task for which my appointments are to be given."

In a letter addressed to Mr. Baron Mure, (dated Nov. 25, 1761,) Dr. Robertson has explained himself still more fully on some points touched on in the foregoing correspondence.

"I need say no more of my reasons for not undertaking the History of England immediately after the publication of my last book, or the circumstances which induce me to think that I may now engage in it with propriety. These I have already explained, and I hope they are approved of. The only thing about which I have any difficulty is, the proposal of my residing in London with my family during the time I shall be employed in my intended work. If such a prospect had opened to me a dozen years ago, I should have reckoned it a very fortunate accident, and would have embraced it without hesitation. But, at my time of life, accustomed to the manners of my own country, and living with ease and credit and in good company here, I am unwilling to think of entering upon new habits, of forming new connexions and friendships, and of mingling with a society which, by what I have seen of it, I do not relish so much as that to which I am more familiar. This is the light in which, if I were still a single man, I must have viewed the matter. But in my present situation, with a wife and four children, my difficulties increase; and I must consider not only what would be agreeable to myself, but what may be of advantage to them. You know how greatly the expense of house-keeping at London exceeds that at Edinburgh, and how much the charge of educating children increases. You know with what ease women of a middling fortune mingle with good company in Edinburgh; how impossible that is in London; and even how great the expense is of their having any proper society at all. As I happen to have three daughters, these circumstances must occur to me, and have their own weight. Besides this, if it shall please God to spare my life a few years, I shall be able to leave my family, if it continue in Scotland, in a situation more independent than I could ever expect from any success or encouragement, if they shall settle in England.

. . . . . "Were I to carve out my own fortune, I should wish to continue one of his majesty's chaplains for Scotland, but to resign my charge as a minister of Edinburgh, which engrosses more of my time than one who is a stranger to the many minute duties of that office can well imagine. I would wish to apply my whole time to literary pursuits, which is at present parcelled out among innumerable occupations. In order to enable me to make this resignation, some appointment must be assigned me for life. What that should be, it neither becomes me nor do I pretend to say. One thing, however, I wish with some earnestness, that the thing might be executed soon, both as it will give me great vigour in my studies to have my future fortune ascertained in such an honourable manner, and because, by allowing me to apply myself wholly to my present work, it will enable me to finish it in less time, and to begin so much sooner to my new task."

In what manner this plan, after being so far advanced, came to be finally abandoned, I have not been able to discover. The letters from which the foregoing extracts are taken, seem to have been preserved by mere accident; and after the date of the last, I find a blank till 1763 in Dr. Robertson's correspondence with lord Cathcart. Some letters which passed between them about that time are now in my possession. They relate chiefly to a scheme which was then in agitation, and which was soon after accomplished, of reviving in Dr. Robertson's favour the office of Historiographer for Scotland; but from various incidental passages in them, it appears clearly that he still looked forwards to a History of England as the next subject he was to undertake after that of Charles V. It is not impossible, that the resignation of lord Bute in 1764 may have contributed somewhat to alter his views, by imposing on him the necessity of a new negociation through a different channel. The History of Charles V., besides, employed him much longer than he foresaw; partly in consequence of his avocations as Principal of the University, and partly of those arising from his connexion with the church, in which, at that period, faction ran high. In the execution too of this work, he found that the transactions relating to America, which he had originally intended as the subject of an episode, were of such magnitude as to require a separate narrative: and when at last he had brought to a termination the long and various labours in which he was thus involved, his health was too much impaired, and his life too far advanced, to allow him to think of an undertaking so vast in itself, and which Mr. Hume had already executed with so splendid and so merited a reputation.

The delays which retarded the publication of the History of Charles V., together with the author's established popularity as a writer, had raised the curiosity of the public to a high pitch before that work appeared; and perhaps there never was a book, unconnected with the circumstances of the times, that was expected with more general impatience. It is unnecessary for me to say, that these expectations were not disappointed; nor would it be worth while to swell this memoir with a repetition of the *eulogiums* lavished on the author in the literary journals of the day. The sen-

timent of his own personal friends, as expressed in the openness and confidence of a private epistolary correspondence, cannot fail to be more interesting; and I shall accordingly, on this, as on other occasions, avail myself of whatever passages in his papers appear to me to be useful, either for illustrating his literary progress, or his habits and connexions in private life.

The paragraphs which immediately follow are part of a letter from Mr. Hume, without any date; but written, as it appears from the contents, while the History of Charles V. was still in the press. The levity of the style forms such a striking contrast to the character which this grave and philosophical historian sustains in his publications, that I have sometimes hesitated about the propriety of subjecting to the criticisms of the world so careless an effusion of gaiety and affection. I trust, however, that to some it will not be wholly uninteresting to enjoy a glimpse of the writer and his correspondent in the habits of private intercourse; and that to them the playful and good-natured irony of Mr. Hume will suggest not unpleasing pictures of the hours which they borrowed from business and study. Dr. Robertson used frequently to say, that in Mr. Hume's gaiety there was something which approached to *infantine*; and that he had found the same thing so often exemplified in the circle of his other friends, that he was almost disposed to consider it as characteristical of genius. It has certainly lent an amiable grace to some of the most favourite names in ancient story.

——— Atqui
Primores populi arripuit, populumque tributim—
Quin ubi se a vulgo et scenâ in secreta remôrant
Virtus Scipiadæ et mitis sapientia Læli;
Nugari cum illo et discincti ludere, donec
Decoqueretur olus, soliti.———

"I got yesterday from Strahan about thirty sheets of your history to be sent over to Suard, and last night and this morning have run them over with great avidity. I could not deny myself the satisfaction (which I hope also will not displease you) of expressing presently my extreme approbation of them. To say only they are very well written, is by far too faint an expression, and much inferior to the sentiments I feel: they are composed with nobleness, with dignity, with elegance, and with judgment, to which there are few equals. They even excel, and, I think, in a sensible degree, your History of Scotland. I propose to myself great pleasure in being the only man in England, during some months, who will be in the situation of doing you justice, after which you may certainly expect that my voice will be drowned in that of the public.

"You know that you and I have always been on the footing of finding in each other's productions *something to blame, and something to commend;* and therefore you may perhaps expect also some seasoning of the former kind; but really neither my leisure nor inclination allowed me to make such remarks, and I sincerely believe you have afforded me very small materials for them. However, such particulars as occur to my memory I shall mention. *Maltreat* is a Scotticism which occurs once. What the devil have you to do with that old-fashioned dangling word *wherewith?* I should as soon take back *whereupon*, *whereunto*, and *wherewithal*. I think the only tolerable, decent gentleman of the family is *wherein;* and I should not choose to be often seen in his company. But I know your affection for *wherewith* proceeds from your partiality to dean Swift, whom I can often laugh with, whose style I can even approve, but surely can never admire. It has no harmony, no eloquence, no ornament; and not much correctness, whatever the English may imagine. Were not their literature still in a somewhat barbarous state, that author's place would not be so high among their classics. But what a fancy is this you have taken of saying always *an hand*, *an heart*, *an head?* Have you *an ear?* Do you not know that this (n) is added before vowels to prevent the cacophony, and ought never to take place before (h) when that letter is sounded? It is never pronounced in these words: why should it be wrote? Thus, I should say, a *history*, and an *historian;* and so would you too, if you had any sense. But you tell me, that Swift does otherwise. To be sure there is no reply to that; and we must swallow your *hath* too upon the same authority. I will see you d——d sooner.—But I will endeavour to keep my temper.

"I do not like this sentence in page 149. *This step was taken in consequence of the treaty Wolsey had concluded with the emperor at Brussels, and which had hitherto been kept secret.* Si sic omnia dixisses, I should never have been plagued with hearing your praises so often sounded and that fools preferred your style to mine. Certainly it had been better to have said, *which Wolsey, &c.* That relative ought very seldom to be omitted, and is here particularly requisite to preserve a symmetry between the two members of the sentence. You omit the relative too often, which is a colloquial barbarism, as Mr. Johnson calls it.

"Your periods are sometimes, though not often, too long. Suard will be embarrassed with them, as the modish French style runs into the other extreme." . . . . . .*

* * * * *

Another letter of Mr. Hume's, (dated 28th March 1769,) relates to the same subject. "I find then that you are not contented without a particular detail of your own praises, and that the very short but pithy letter I wrote you gives you no satisfaction. But what can I say more? The success has answered my expectations: and I, who converse with the great, the fair, and the learned, have scarcely heard an opposite voice, or even whisper, to the general sentiment. Only I have heard that the sanhedrim at Mrs. Macauley's condemns you as little less a friend to government and monarchy than myself." . . . . . .

Mr. Walpole's congratulations on this occasion were no less warm than Mr. Hume's; but as they are expressed in more general terms, they do not supply materials equally interesting for a quotation. The only letter, besides, from Mr. Walpole relative to Charles V. that has come into my hands, was written before he had proceeded further in the perusal than the first volume. What the impressions were which that part of the work had left upon his mind, may be judged of from the following paragraph:

"Give me leave, Sir, without flattery, to observe to yourself, what is very natural to say to others. You are almost the single, certainly the greatest, instance, that sound parts and judgment can attain every perfection of a writer,

* Considering the critical attention which Mr. Hume appears to have given to the *minutiæ* of style, it is somewhat surprising that he should himself fail so frequently both in purity and grammatical correctness. In these respects, his historical compositions will not bear a comparison with those of Dr. Robertson; although they abound, in every page, with what Mr. Gibbon calls "careless, inimitable beauties." In his familiar letters the inaccuracies are more numerous than might have been expected from one accustomed so much to write with a view to publication; nor are these negligences *always* compensated by that happy lightness and ease which he seems to have been studious to attain.

though it be buried in the privacy of retired life and deep study. You have neither the prejudices of a recluse, nor want any of the taste of a man of the world. Nor is this polished ease confined to your works, which parts and imitation might possibly seize. In the few hours I passed with you last summer, I was struck with your familiar acquaintance with men, and with every topic of conversation. Of your Scottish History I have often said, that it seemed to me to have been written by an able ambassador, who had seen much of affairs. I do not expect to find less of that penetration in your Charles. Why should I not say thus much to you? Why should the language of flattery forbid truth to speak its mind, merely because flattery has stolen truth's expressions? Why should you be deprived of the satisfaction of hearing the impression your merit has made? You have sense enough to be conscious that you deserve what I have said; and though modesty will forbid you to subscribe to it, justice to me and to my character, which was never that of a flatterer, will oblige you silently to feel, that I can have no motive but that of paying homage to superior abilities."

Lord Lyttleton was another correspondent with whom Dr. Robertson had occasional communications. The first of his letters was an acknowledgment to him for a present of Charles V.; and is valuable on account of its coincidence with a letter of Mr. Hume's formerly quoted, in which he recommended to Dr. Robertson to write lives in the manner of Plutarch.

"I don't wonder that your sense of the public expectation gives you some apprehensions; but I know that the historian of Mary queen of Scots cannot fail to do justice to any great subject; and no greater can be found in the records of mankind than this you have now chosen. Go on, dear sir, to enrich the English language with more tracts of modern history. We have nothing good in that way, except what relates to the island of Great Britain. You have talents and youth enough to undertake the agreeable and useful task of giving us all the lives of the most illustrious princes who have flourished since the age of Charles V. in every part of the world, and comparing them together, as Plutarch has done the most celebrated heroes of Greece and Rome. This will diffuse your glory as a writer further than any other work. All nations will have an equal interest in it; and feel a gratitude to the stranger who takes pains to immortalize the virtues of those to whom he is only related by the general sympathy of sentiment and esteem. Plutarch was a Greek, which made him less impartial between his countrymen and the Romans in weighing their comparative merit, than you would be in contrasting a Frenchman with a German, or an Italian with a Spaniard, or a Dutchman with a Swede. Select, therefore, those great men out of different countries, whose characters and actions may be best compared together, and present them to our view, without that disguise which the partiality of their countrymen or the malice of their enemies may have thrown upon them. If I can animate you to this, posterity will owe me a very great obligation."

I shall close these extracts with a short letter from Voltaire, dated 26th February 1770, from the *Chateau de Ferney*.

"Il y a quatre jours que j'ai reçu le beau présent dont vous m'avez honoré. Je le lis malgré les fluxions horribles qui me font craindre de perdre entièrement les yeux. Il me fait oublier tous mes maux. C'est à vous et à M. Hume qu'il appartient d'ecrire l'Histoire. Vous êtes éloquent, savant, et impartial. Je me joins à l'Europe pour vous estimer."

While Dr. Robertson's fame was thus rapidly extending wherever the language in which he wrote was understood and cultivated, he had the singular good fortune to find in M. Suard, a writer fully capable of transfusing into a language still more universal, all the spirit and elegance of the original. It appears from a letter preserved among Dr. Robertson's papers, that M. Suard was selected for this undertaking, by the well known baron d'Holbach. He has since made ample additions to his fame by his own productions; but, if I am not mistaken, it was his translation of Charles V. which first established his reputation, and procured him a seat in the French Academy.*

The high rank which this second publication of Dr. Robertson's has long maintained in the list of our English classics, is sufficient to justify the warm encomiums I have already transcribed from the letters of his friends. To the general expressions of praise, however, which they have bestowed on it, I shall take the liberty of adding a few remarks on some of those specific excellences by which it appears to me to be more peculiarly distinguished.

Among those excellences, a most important one arises from the address displayed by the author in surmounting a difficulty, which has embarrassed, more or less, all the historians who have attempted to record the transactions of the two last centuries. In consequence of those relations which connect together the different countries of modern Europe as parts of one great system, a general knowledge of the contemporary situation of other nations becomes indispensable to those who would fully comprehend the political transactions of any one state at a particular period. In writing the history of a great nation, accordingly, it is necessary to connect with the narrative occasional episodes with respect to such foreign affairs as had an influence on the policy of the government, or on the fortunes of the people. To accomplish this with success, by bestowing on these digressions perspicuity and interest, without entering into that minuteness of detail which might mislead the attention of the reader from the principal subject, is unquestionably one of the most difficult tasks of an historian; and in executing this task, Dr. Robertson's judgment and skill will not suffer by a comparison with those displayed by the most illustrious of his rivals.

In the work, however, now under our consideration, he has aimed at something more; for while he has recorded, with admirable distinctness, the transactions of a particular reign, (preserving his episodes in so just a subordination to his main design, that they seldom produce any inconvenient distraction of attention or of interest,) he has contrived, by happy transitions, to interweave so many of the remarkable events which happened about the same time in other parts of Europe, as to render his History of Charles V. the most instructive introduction that has yet appeared to the general history of that age. The advantage of making the transactions of a particular nation, and still more the reign of a particular sovereign, a groundwork for such comprehensive views of human affairs, is sufficiently obvious. By carrying on a connected series

* Appendix, Note D.

of important events, and indicating their relations to the contemporary history of mankind, a *meridian* is traced (if I may use the expression) through the vast and crowded map of time; and a line of reference is exhibited to the mind, for marking the bearings of those subordinate occurrences, in the multiplicity of which its powers would have been lost.

In undertaking a work on a plan so philosophical in the design, but so difficult in the execution, no period, perhaps, in the history of the world, could have been more happily chosen than that which commences with the sixteenth century; in the course of which, (as he himself observes,) "the several powers of Europe were formed into one great political system, in which each took a station, wherein it has since remained with less alteration than could have been expected, after the shocks occasioned by so many internal revolutions and so many foreign wars."

Mr. Hume, in a letter which I had occasion already to quote, objects to him that "his hero is not very interesting," and it must undoubtedly be acknowledged, that the characteristical qualities of his mind were less those of an amiable man than of a great prince. His character, however, on the whole, was singularly adapted to Dr. Robertson's purpose; not only as the ascendant it secured to him in the political world marks him out indisputably as the principal figure in that illustrious group which then appeared on the theatre of Europe, but as it every where displays that deep and sagacious policy, which, by systematizing his counsels, and linking together the great events of his reign, inspires a constant interest, if not for the personal fortunes of the man, at least for the magnificent projects of the politician.—Nor is the character of Charles, however unamiable, without a certain species of attraction. The reader who is previously acquainted with the last scenes of his enterprising and brilliant life, while he follows him through the splendid career of his ambition, can scarcely avoid to indulge occasionally those moral sympathies which the contrast awakens; and to borrow from the solitude of the cloister some prophetic touches, to soften the sternness of the warrior and the statesman.

With a view to facilitate the study of this important portion of modern history, Dr. Robertson has employed a preliminary volume in tracing the progress of society in Europe, from the subversion of the Roman Empire to the æra at which his narrative commences. In this instance, as well as in the first book of his Scottish History, he has sanctioned by his example a remark of Father Paul, that an historical composition should be as complete as possible in itself; exhibiting a series of events intelligible to every reader, without any reference to other sources of information. On the minuteness and accuracy of Dr. Robertson's researches concerning the state of Europe during the middle ages, I do not presume to offer an opinion. They certainly exhibit marks of very extensive and various reading, digested with the soundest judgment; and of which the results appear to be arranged in the most distinct and luminous order. At the time when he wrote, such an arrangement of materials was the grand *desideratum*, and by far the most arduous task; nor will the merit of having first brought into form a mass of information so little accessible till then to ordinary readers, be ever affected by the controversies that may arise concerning the justness of particular conclusions. If, in some of these, he has been censured as hasty by later writers, it must be remembered how much their labours were facilitated by what he did to open a field for their minuter diligence; and that, by the scrupulous exactness with which he refers to his authorities, he has himself furnished the means of correcting his errors. One thing is certain, (and it affords no inconsiderable testimony both to the felicity of his choice in the various historical subjects he undertook, and to the extent of his researches in the investigation of facts,) that the most acute and able of all his adversaries* was guided by Dr. Robertson's example in almost all his literary undertakings; and that his curiosity has seldom led him into any path, where the genius and industry of his predecessor had not previously cleared the way.

In no part of Dr. Robertson's works has he displayed more remarkably than in this introductory volume, his patience in research; his penetration and good sense in selecting his information; or that comprehension of mind, which, without being misled by system, can combine, with distinctness and taste, the dry and scattered details of ancient monuments. In truth, this Dissertation, under the unassuming title of an Introduction to the History of Charles V., may be regarded as an introduction to the History of Modern Europe. It is invaluable, in this respect, to the historical student; and it suggests, in every page, matter of speculation to the politician and the philosopher.

It will not, I hope, be imputed to me as a blamable instance of national vanity, if I conclude this section with remarking the rapid progress that has been made in our own country during the last fifty years, in tracing the origin and progress of the present establishments in Europe. Montesquieu undoubtedly led the way; but much has been done since the publication of his works, by authors whose names are enrolled among the members of this society. "On this interesting subject," says Mr. Gibbon, "a strong ray of philosophic light has broke from Scotland in our own times; and it is with private as well as public regard, that I repeat the names of Hume, Robertson, and Adam Smith."† It was, indeed, a subject worthy of their genius; for, in the whole history of human affairs, no spectacle occurs so wonderful in itself, or so momentous in its effects, as the growth of that system which took its rise from the conquests of the barbarians. In consequence of these, the western parts of Europe were overspread with a thick night of superstition and ignorance, which lasted nearly a thousand years; yet this event, which had at first so unpromising an aspect, laid the foundation of a state of society far more favourable to the general and permanent happiness of the human race than any which the world had hitherto seen;—a state of society which required many ages to bring it to that condition which it has now attained, and which will probably require ages more to bestow on it all the perfection of which it seems to be gradually susceptible. By dividing Europe into a number of large monarchies, agreeing with each other in their fundamental institutions, but differing in the nature both of their moral and physical advantages; and possessing, at the same time, such measures of relative force as to render them objects of mutual respect; it multiplied the chances of human improvement;—secured a mutual communication of lights among vast political communities, all of them fitted to contribute their respective shares to the common stock of knowledge and refinement;—and sheltered science and civilization, till they had time to strike their roots so

* Dr. Gilbert Stuart.

† Decline and Fall of the Roman Empire, chap. lxi.

deep, and to scatter their seeds so wide, that their final progress over the whole globe can now be eheeked only by some calamity fatal to the speeies.

SECTION III.

Continuation of the same subject.—History of America.

After an interval of eight years from the publication of Charles the Fifth, Dr. Robertson produced the History of America;—a work whieh, by the variety of research and of speculation that it exhibits, enables us to form a sufficient idea of the manner in which he had employed the intervening period.

In undertaking this task, the author's original intention was only to completc his account of the great events eonnected with the reign of Charles V.; but pereeiving, as he advaneed, that a History of America, eonfined solely to the operations and eoneerns of the Spaniards, would not be likely to exeite a very general interest, he resolved to include in his plan the transactions of all the European nations in the New World. The origin and progress of the British empire there, he destined for the subjeet of one entire volume; but afterwards abandoned, or rather suspended, the exeeution of this part of his design, for reasons mentioned in his preface.

In the view whieh I have hitherto given of Dr. Robertson's literary pursuits, I have endeavoured not only to glean all the scanty information which his papers supply, eoncerning the progress of his studies, but to collect whatever memorials they afford of his intereourse with those, to whom he appears to have been more peeuliarly attaehed by sentiments of esteem or of friendship. In following this plan, while I have attempted (in eonformity to the precept of an eloquent critic)* to add to the interest of my narrative "by surrounding the subject of it with his contemporaries," I have aimed also to select such passages from the letters of his eorrespondents, as were at onee ealculated to illustrate the eharaeters of the writers, and to reflect some light on that of the person to whom they are addressed. It appeared to me to be possible to eonvey in this manner a livelier and juster idea of the more delieate features of their minds, than by any description however eircumstantial; and at the same time, to avoid, by a proper diserimination in the selection of materials, those frivolous or degrading details, which, in the present times, are so frequently presented to the publie by the indiseretion of editors. The epistolary fragments, accordingly, interwoven with my own composition, have all a reference to the peeuliar objeet of this Memoir; and I cannot help indulging a hope, that they will amply eompensate, by the value they possess as authentic relies of the individuals whose friendships they reeord, for the trespasses they have oeeasioned against that unity of style whieh the rules of criticism enjoin.

In the further proseeution of this subject, I shall adhere to the same general plan; without, however, affeeting that minuteness of illustration whieh I was anxious to bestow on the first steps of Dr. Robertson's literary progress. The circle of his aequaintance, besides, was now so extended, and the congratulations which his works drew to him so multiplied, that my choiee must neeessarily be limited to the letters of those whose names render their judgments of men and books objeets of public euriosity. The Soeiety will regret with me, that among these correspondents the name of Mr. Hume is not to be found. He died in the year 1776; the year immediately prceding that in which the History of America was published.†

Mr. Gibbon made his appearance as an historian a few months before Mr. Hume's death, and began a correspondence with Dr. Robertson the year following. A letter, dated from Paris, 14th July 1777, in acknowledgment of a present of Dr. Robertson's book, appears plainly from the eontents to have been one of the first that passed between them.

"When I ventured to assume the character of historian, the first, the most natural, but at the same time the most ambitious, wish whieh I entertained, was to deserve the approbation of Dr. Robertson and Mr. Hume, two names which friendship united, and which postcrity will never separate. I shall not therefore attempt to dissemble, though I cannot easily express, the honest pleasure whieh I received from your obliging letter, as well as from the intelligence of your most valuable presont. The satisfaction which I should otherwise have enjoyed in common with the public, will now be heightened by a sentiment of a more personal and flattering nature; and I shall often whisper to myself that I have in some degree obtained the esteem of the writer whom I admire.

"A short excursion which I have made to this place during the summer months, has occasioned some delay in my receiving your letter, and will prevent me from possessing, till my return, the eopy of your history, which you so politely desired Mr. Strahan to send me. But I have already gratified the eagerness of my euriosity and impatience; and though I was obliged to return the book much sooner than I eould have wished, I have seen enough to convince me that the present publieation will support, and, if possible, extend, the fame of the author; that the materials are collected with eare, and arranged with skill; that the progress of discovery is displayed with learning and perspieuity; that the dangers, thc achievements, and the views of the Spanish adventurers, are related with a temperate spirit; and that the most original, perhaps the most eurious, portion of human manners, is at length rescued from the hands of sophists and deelaimers. Lord Stormont, and the few in this capital who have had an opportunity of perusing the History of Ameriea, unanimously eoncur in the same sentiments; your work is already beeome a favourite subject of conversation, and M. Suard is repeatedly pressed, in my hearing, to fix the time when his translation will appear."‡

In most of the other letters received by Dr. Robertson on this oeeasion, I have not remarked any thing very interesting. Mr. Walpole is liberal, as formerly, in his praise, but does not enter so mueh into partieular critieisms; and as for his other correspondents, (among whom were various names of the first distinction in the kingdom,) the greater part of them were probably restrained, by motives of delieaey, from offering any thing more than general expressions of admiration, to a writer whose fame

* Abbé Maury.

† Appendix, Note E.

‡ The letter from which the foregoing passage is extracted has been already published by lord Sheffield in the posthumous works of Mr. Gibbon. As the copy found among Dr. Robertson's papers corresponds *verbatim* with that which Mr. Gibbon appears to have retained in his own possession, it affords a proof of the care which he bestowed on his epistolary compositions.

was now so fully established. A letter from William lord Mansfield, though it bears no marks of the superior mind of that eminent man, is valuable at least as a testimony of his respect for Dr. Robertson: nor will it, perhaps, when contrasted with the splendour of his professional exertions, be altogether unacceptable to those who have a pleasure in studying the varieties and the limits of human genius.

"I delayed returning you my warmest acknowledgments for your most valuable present, till I could say that I had enjoyed it. Since my return from the circuit I have read it with infinite pleasure. It is inferior to none of your works, which is saying a great deal. No man will now doubt but that you have done judiciously in making this an entire separate work, and detaching it from the general history. Your account of the science of navigation and naval discovery is admirable, and equal to any historical map of the kind. If I knew a pen equal to it, I would advise the continuation down to the next arrival of captain Cook. Nothing could be more entertaining or more instructive. It is curious that all great discoveries are made, as it were by accident, when men are in search of something else. I learn from you that Columbus did not, as a philosopher, demonstrate to himself that there must be such a portion of the earth as America is, but that meaning to go to the East Indies, he stumbled on the West. It is a more interesting speculation to consider how little political wisdom had to do, and how much has arisen from chance, in the peopling, government, laws, and constitution of the New World. You show it strongly in the revolutions and settlement of Spanish America. I hope the time will come for fulfilling the engagement you allude to in the beginning of the preface. You will then show how little political wisdom had to do in forming the original settlements of English America. Government left private adventurers to do as they pleased, and certainly did not see in any degree the consequence of the object."

One letter containing the judgment of an author who is supposed to have employed his own abilities in a very masterly sketch on the same subject, I shall publish entire. It is long for a quotation; but I will not mutilate what comes from the pen of Mr. Burke.

"I am perfectly sensible of the very flattering distinction I have received in your thinking me worthy of so noble a present as that of your History of America. I have, however, suffered my gratitude to lie under some suspicion, by delaying my acknowledgment of so great a favour. But my delay was only to render my obligation to you more complete, and my thanks, if possible, more merited. The close of the session brought a great deal of very troublesome though not important business on me at once. I could not go through your work at one breath at that time, though I have done it since. I am now enabled to thank you, not only for the honour you have done me, but for the great satisfaction, and the infinite variety and compass of instruction, I have received from your incomparable work. Every thing has been done which was so naturally to be expected from the author of the History of Scotland, and of the age of Charles the Fifth. I believe few books have done more than this, towards clearing up dark points, correcting errors, and removing prejudices. You have too the rare secret of rekindling an interest on subjects that had so often been treated, and in which every thing which could feed a vital flame appeared to have been consumed. I am sure I read many parts of your history with that fresh concern and anxiety which attend those who are not previously apprized of the event. You have, besides, thrown quite a new light on the present state of the Spanish provinces, and furnished both materials and hints for a rational theory of what may be expected from them in future.

"The part which I read with the greatest pleasure is, the discussion on the manners and character of the inhabitants of that new world. I have always thought with you, that we possess at this time very great advantages towards the knowledge of human nature. We need no longer go to history to trace it in all stages and periods. History, from its comparative youth, is but a poor instructor. When the Egyptians called the Greeks children in antiquities, we may well call them children; and so we may call all those nations which were able to trace the progress of society only within their own limits. But now the great map of mankind is unrolled at once, and there is no state or gradation of barbarism, and no mode of refinement, which we have not at the same moment under our view: the very different civility of Europe and of China; the barbarism of Persia and of Abyssinia; the erratic manners of Tartary and of Arabia; the savage state of North America and of New Zealand. Indeed you have made a noble use of the advantages you have had. You have employed philosophy to judge on manners, and from manners you have drawn new resources for philosophy. I only think that in one or two points you have hardly done justice to the savage character.

"There remains before you a great field. *Periculosæ plenum opus aleæ tractas, et incedis per ignes, Suppositos cineri doloso.* When even those ashes will be spread over the present fire, God knows. I am heartily sorry that we are now supplying you with that kind of dignity and concern, which is purchased to History at the expense of mankind. I had rather by far that Dr. Robertson's pen were only employed in delineating the humble scenes of political economy, than the great events of a civil war. However, if our statesmen had read the book of human nature instead of the Journals of the House of Commons, and history instead of Acts of Parliament, we should not by the latter have furnished out so ample a page for the former. For my part, I have not been, nor am I, very forward in my speculations on this subject. All that I have ventured to make have hitherto proved fallacious. I confess, I thought the colonies left to themselves could not have made any thing like the present resistance to the whole power of this country and its allies. I did not think it could have been done without the declared interference of the House of Bourbon. But I looked on it as very probable that France and Spain would before this time have taken a decided part. In both these conjectures I have judged amiss.—You will smile when I send you a trifling temporary production, made for the occasion of a day, and to perish with it, in return for your immortal work. But our exchange resembles the politics of the times. You send out solid wealth, the accumulation of ages, and in return you get a few flying leaves of poor American paper. However, you have the mercantile comfort of finding the balance of trade infinitely in your favour; and I console myself with the snug consideration of uninformed natural acuteness, that I have my warehouse full of goods at another's expense.

"Adieu, Sir, continue to instruct the world; and whilst we carry on a poor unequal conflict with the passions and prejudices of our day, perhaps with no better weapons

than other passions and prejudices of our own, convey wisdom at our expense to future generations."

After these testimonies to the excellence of the American History, joined to twenty years' possession of the public favour, it may perhaps be thought presumption in me to interpose my own judgment with respect to its peculiar merits. I cannot help, however, remarking (what appears still more characteristical of this than of any of Dr. Robertson's other works) the comprehensive survey which he has taken of his vast and various subject, and the skilful arrangement by which he has bestowed connexion and symmetry on a mass of materials so shapeless and disjointed. The penetration and sagacity displayed in his delineation of savage manners, and the unbiassed good sense with which he has contrasted that state of society with civilized life, (a speculation in the prosecution of which so many of his predecessors had lost themselves in vague declamation or in paradoxical refinement,) have been much and deservedly admired. His industry also and accuracy in collecting information with respect to the Spanish system of colonial policy, have received warm praise from his friends and from the public. But what perhaps does no less honour to the powers of his mind than any of these particulars is, the ability and address with which he has treated some topics that did not fall within the ordinary sphere of his studies; more especially those which border on the province of the natural historian. In the consideration of these, although we may perhaps, in one or two instances, have room to regret that he had not been still more completely prepared for the undertaking by previous habits of scientific disquisition, we uniformly find him interesting and instructive in the information he conveys; and happy, beyond most English writers, in the descriptive powers of his style. The species of description too in which he excels is peculiarly adapted to his subject; distinguished, not by those picturesque touches which vie with the effects of the pencil in presenting local scenery to the mind, but by an expression, to which language alone is equal, of the grand features of an unsubdued world. In these passages he discovers talents, as a writer, different from any thing that appears in his other publications; a compass and richness of diction the more surprising, that the objects described were so little familiarized to his thoughts, and, in more than one instance, rivalling the majestic eloquence which destined Buffon to be the historian of nature.

After all, however, the principal charm of this, as well as of his other histories, arises from the graphical effect of his narrative, wherever his subject affords him materials for an interesting picture. What force and beauty of painting in his circumstantial details of the voyage of Columbus; of the first aspect of the new continent; and of the interviews of the natives with the Spanish adventurers! With what animation and fire does he follow the steps of Cortes through the varying fortunes of his vast and hazardous career; yielding, it must be owned, somewhat too much to the influence of the passions which his hero felt; but bestowing, at the same time, the warm tribute of admiration and sympathy on the virtues and fate of those whom he subdued! The arts, the institutions, and the manners of Europe and of America; but above all, the splendid characters of Cortes and of Guatimozin, enable him, in this part of his work, to add to its other attractions that of the finest contrasts which occur in history.

On these and similar occasions, if I may be allowed to judge from what I experience in myself, he seizes, more completely than any other modern historian, the attention of his reader, and transports him into the midst of the transactions which he records. His own imagination was warm and vigorous; and, although in the conduct of life it gave no tincture of enthusiasm to his temper, yet, in the solitude of the closet, it attached him peculiarly to those passages of history which approach to the romantic. Hence many of the characteristical beauties of his writings; and hence too, perhaps, some of their imperfections. A cold and phlegmatic historian, who surveys human affairs like the inhabitant of a different planet, if his narrative should sometimes languish for want of interest, will at least avoid those prepossessions into which the writer must occasionally be betrayed, who, mingling with a sympathetic ardour among the illustrious personages whose story he contemplates, is liable, while he kindles with their generous emotions, to be infected by the contagion of their prejudices and passions.

These effects, resulting naturally from a warm imagination, were heightened in Dr. Robertson by the vigour of an active and aspiring mind. It was not from the indifference produced by indolence or abstraction that he withdrew from the business of life to philosophy and letters. He was formed for action no less than speculation; and had fortune opened to him a field equal to his talents, he would have preferred, without hesitation, (if I do not greatly mistake his character,) the pursuits of the former to those of the latter. His studies were all directed to the great scenes of political exertion; and it was only because he wanted an opportunity to sustain a part in them himself, that he submitted to be an historian of the actions of others. In all his writings the influence of the circumstances which I have now suggested may, I think, be traced; but in none of them is it so strongly marked as in the History of America. There he writes with the interest of one who had been himself an actor on the scene; giving an ideal range to his ambition among the astonishing events which he describes.

Perhaps, indeed, it must be owned, on the other hand, that if the excellences of this performance are on a scale commensurate to the magnitude of the subject, it is in some respects more open to censure than any of his other productions. A partiality for the charms of eloquence and the originality of system displayed in the writings of Buffon and De Paw,—a partiality natural to the enthusiasm of a congenial mind,—has unquestionably produced a facility in the admission of many of their assertions which are now classed with the prejudices of former times. After allowing, however, to this charge all the weight it possesses, it ought to be remembered, in justice to Dr. Robertson, what important additions have been made, since the time he wrote, to our knowledge both of America and of its aboriginal inhabitants; and that it is not from our present stock of information, but from what was then current in Europe, that an estimate can fairly be formed of the extent and accuracy of his researches. When he hazarded himself, like Columbus, in traversing an unknown ocean, and in surveying a new world, much, it might be expected, would be left to reward the industry of future adventurers. —The disposition he has shown to palliate or to veil the enormities of the Spaniards in their American conquests, is a blemish of a deeper and more serious nature, to the impression of which I must content myself with opposing those warm and enlightened sentiments of humanity which

in general animate his writings. A late candid and well informed author, accordingly, after asserting that the conquest of the New World was effected (on a low estimate) by the murdering of ten millions of the species, and that the accounts of this carnage are authenticated beyond the possibility of dispute, suggests an apology for Dr. Robertson by remarking, " That this is one of those melancholy passages in the history of human nature, where a benevolent mind, shrinking from the contemplation of facts, wishes to resist conviction, and to relieve itself by incredulity."*

The Spanish nation were not insensible of what they owed to Dr. Robertson for " the temperate spirit" (as Mr. Gibbon expresses it) with which he had related this portion of their story. " On the 8th of August, 1777, he was unanimously elected a member of the Royal Academy of History at Madrid ; in testimony of their approbation of the industry and care with which he has applied to the study of Spanish History, and as a recompence for his merit in having contributed so much to illustrate and spread the knowledge of it in foreign countries." The academy, at the same time, appointed one of its members to translate the History of America into Spanish ; and it is believed that considerable progress had been made in the translation, when the Spanish government, judging it inexpedient that a work should be made public, in which the nature of the trade with America, and the system of colonial administration were so fully explained, interposed its authority to stop the undertaking.

As the volumes which have been now under our review did not complete Dr. Robertson's original design, he announced in the preface his intention to resume the subject at a future period ; suspending, in the mean time, the execution of that part of his plan which related to the British settlements, " on account of the *ferment* which then agitated our North American colonies." A fragment of this intended work, which has been published since his death, while it illustrates the persevering ardour of his mind, must excite a lively regret in all who read it, that a history so peculiarly calculated by its subject to co-extend his fame with the future progress of our language in the regions beyond the Atlantic, had not been added to the other monuments of his genius.

The caution which Dr. Robertson observed in his expressions concerning the American war, suggests some doubts about his sentiments on that subject. In his letters to Mr. Strahan he writes with greater freedom, and sometimes states, without reserve, his opinions of men and measures.

One or two of these passages (which I transcribe without any comment) appear to me to be objects of curiosity, as they illustrate Dr. Robertson's political views ; and I flatter myself they will now be read without offence, when the factions to which they allude are almost effaced from our recollection by the more interesting events of a later period. I need scarcely premise, that in quoting Dr. Robertson's opinions I would by no means be understood to subscribe them as my own.

In a letter, dated October 6, 1775, he writes thus : " I agree with you in sentiment about the affairs of America. Incapacity, or want of information, has led the people employed there to deceive ministry. Trusting to them, they have been trifling for two years, when they should have been serious, until they have rendered a very simple piece of business extremely perplexed. They have permitted colonies disjointed by nature and situation to consolidate into a regular systematical confederacy ; and when a few regiments stationed in each capital would have rendered it impossible for them to take arms, they have suffered them quietly to levy and train forces, as if they had not known and seen against whom they were prepared. But now we are fairly committed, and I do think it fortunate that the violence of the Americans has brought matters to a crisis too soon for themselves. From the beginning of the contest I have always asserted that independence was their object. The distinction between *taxation* and *regulation* is mere folly. There is not an argument against our right of taxing that does not conclude with tenfold force against our power of regulating their trade. They may profess or disclaim what they please, and hold the language that best suits their purpose ; but if they have any meaning, it must be that they should be free states, connected with us by blood, by habit, and by religion, but at liberty to buy and sell and trade where and with whom they please. This they will one day attain, but not just now, if there be any degree of political wisdom or vigour remaining. At the same time one cannot but regret that prosperous growing states should be checked in their career. As a lover of mankind I bewail it ; but as a subject of Great Britain, I must wish that their dependence on it should continue. If the wisdom of government can terminate the contest with honour instantly, that would be the most desirable issue. This, however, I take to be *now* impossible ; and I will venture to foretell, that if our leaders do not at once exert the power of the British empire in its full force, the struggle will be long, dubious, and disgraceful. We are past the hour of lenitives and half exertions. If the contest be protracted, the smallest interruption of the tranquillity that now reigns in Europe, or even the appearance of it, may be fatal.

" It is lucky that my American History was not finished before this event. How many plausible theories that I should have been entitled to form, are contradicted by what has now happened !"

To this extract I shall only add a few sentences from a letter written to the same correspondent about the affairs of America, nine years before, at the time of the repeal of the stamp act.

" I am glad to hear the determination of the house of Commons concerning the stamp act. I rejoice, from my love of the human species, that a million of men in America have some chance of running the same great career which other free people have held before them. I do not apprehend revolution or independence sooner than these must and should come. A very little skill and attention in the art of governing may preserve the supremacy of Britain as long as it ought to be preserved. You can do me no favour more obliging, than that of writing me often an account of all occurrences in the debates on this affair. I am much interested in the subject ; very little in the men who act on either side. I am not weak enough greatly to admire their virtues, nor so factious as to adopt their passions."

* Bryan Edwards.—History of the West Indies.

SECTION IV.

Continuation of the same subject.—Historical Disquisition concerning India.—General Remarks on Dr. Robertson's merits as an Historian.

In consequence of the interruption of Dr. Robertson's plans produced by the American revolution, he was led to think of some other subject which might, in the mean time, give employment to his studious leisure. A letter, dated July 1778, to his friend the Rev. Mr. Waddilove, (now dean of Rippon,) contains some important information with respect to his designs at this period.

"The state of our affairs in North America is not such as to invite me to go on with my History of the New World. I must wait for times of greater tranquillity, when I can write and the public can read with more impartiality and better information than at present. Every person with whom I conversed in London confirmed me in my resolution of making a pause for a little, until it shall be known in what manner the ferment will subside. But as it is neither my inclination nor interest to be altogether idle, many of my friends have suggested to me a new subject, the History of Great Britain from the Revolution to the Accession of the House of Hanover. It will be some satisfaction to me to enter on a domestic subject, after being engaged so long on foreign ones, where one half of my time and labour were employed in teaching myself to understand manners, and laws, and forms, which I was to explain to others. You know better than any body how much pains I bestowed in studying the constitution, the manners, and the commerce of Spanish America. The Review contained in the first volume of Charles V. was founded on researches still more laborious. I shall not be involved in the same painful inquiries, if I undertake the present work. I possess already as much knowledge of the British government and laws as usually is possessed by other persons who have been well educated and have lived in good company. A minute investigation of facts will be the chief object of my attention. With respect to these, I shall be much aided by the original papers published by sir John Dalrymple and Macpherson, and lately by lord Hardwicke. The Memoirs of Noailles, concerning the French negociations in Spain, contain very curious information. I have got a very valuable collection of papers from the duke of Montague, which belonged to the duke of Shrewsbury, and I am promised the large collection of the duke of Marlborough, which were formerly in the hands of Mr. Mallet. From these and other materials I hope to write a History which may be both entertaining and instructive. I know that I shall get upon dangerous ground, and must relate events concerning which our political factions entertain very different sentiments. But I am little alarmed with this. I flatter myself that I have temper enough to judge with impartiality; and if, after examining with candour, I do give offence, there is no man whose situation is more independent."

Whatever the motives were which induced him to relinquish this project, it is certain that it did not long occupy his thoughts. From a letter of Mr. Gibbon, it would appear to have been abandoned before the end of the year 1779. The passage is interesting, not only as it serves to ascertain the fact, but as it suggests a valuable hint with respect to a different historical subject.

"I remember a kind of engagement you had contracted to repeat your visit to London every second year, and I look forwards with pleasure to next spring when your bond will naturally become due. I should almost hope that you would bring with you some fruits of your leisure, had I not been informed that you had totally relinquished your design of continuing Mr. Hume's History of England. Notwithstanding the just and deep sense which I must entertain (if the intelligence be true) of our public loss, I have scarcely courage enough to blame you. The want of materials and the danger of offence are two formidable obstacles for an historian who wishes to instruct, and who is determined not to betray his readers.—But if you leave the narrow limits of our island, there still remain, without returning to the troubled scene of America, many subjects not unworthy of your genius. Will you give me leave, as a vague and indigested hint, to suggest the History of the Protestants in France; the events are important in themselves, and intimately connected with the great revolutions of Europe: some of the boldest or most amiable characters of modern times, the admiral Coligny, Henry IV., &c. would be your peculiar heroes; the materials are copious, and authentic, and accessible; and the objects appear to stand at that just distance which excites curiosity without inspiring passion. Excuse the freedom, and weigh the merits (if any) of this proposal."*

As I have had very little access to see any of Dr. Robertson's answers to the letters of his correspondents, I am ignorant what reply he made to this suggestion of Mr. Gibbon, as well as of the circumstances that induced him to lay aside his plans with respect to the History of England. It is impossible, however, not to feel much regret that he did not carry them into execution. In spite of the obstacles which Mr. Gibbon mentions, there can be little doubt that the work would have been an important accession to English literature; and, in all probability, from the interesting nature of the subject, the most popular of his performances. The intrigues of the different factions during the reign of queen Anne would have afforded an ample field for the exercise of his cool and discriminating judgment; the campaigns of Marlborough deserved such an historian; while the literature and philosophy of that memorable period would have given full employment to those critical powers which he so eminently possessed, and of which he has unfortunately left no monument behind him. The slight sketches of this kind, interspersed with the narrative of Mr. Hume's history, have always been favourite passages with readers of taste: and, if I may be permitted to judge from Dr. Robertson's conversation, he would not, in this species of composition, have been surpassed by any of his contemporaries.

I have not heard of any other work that he projected after this period. He seems indeed soon to have abandoned all thoughts of writing any more for the public, and to have indulged the idea of prosecuting his studies in future for his private amusement. His circumstances were independent; he was approaching to the age of sixty, with a constitution considerably impaired by a sedentary life; and a long application to the compositions he had prepared for the press, had interfered with much of the gratification he might have enjoyed, if he had been at liberty to follow the im-

* Appendix, Note F.

pulse of his own taste and curiosity. Such a sacrifice must be more or less made by all who devote themselves to letters, whether with a view to emolument or to fame; nor would it perhaps be easy to make it, were it not for the prospect (seldom, alas! realized) of earning, by their exertions, that learned and honourable leisure which he was so fortunate as to attain. He retired from the business of the ecclesiastical courts about the same time; and, for seven or eight years, divided the hours which he could spare from his professional duties, between the luxury of reading and the conversation of his friends.

The activity of his mind, in the mean time, continued unimpaired; and the habits of study he had so long been accustomed to, gave a certain scope and connexion even to his historical recreations. To one of these, which, from its accidental connexion with some of his former works, engaged his attention more closely than his ordinary pursuits, the public is indebted for a valuable performance, of which the materials seem almost insensibly to have swelled to a volume, long after his most intimate friends imagined that he had renounced all thoughts of the press. The Disquisition concerning Ancient India, which closed his historical labours, took its rise (as he himself informs us) "from the perusal of major Rennell's Memoirs for illustrating his Map of Indostan. This suggested to him the idea of examining, more fully than he had done in the introductory book to his History of America, into the knowledge which the ancients had of that country, and of considering what is certain, what is obscure, and what is fabulous, in the accounts of it which they have handed down to us."—"In undertaking this inquiry," (he adds,) "he had originally no other object than his own amusement and instruction; but in carrying it on, and consulting with care the authors of antiquity, some facts hitherto unobserved, and many which had not been examined with proper attention, occurred; new views opened; his ideas gradually extended, and became more interesting; till at length he imagined that the result of his researches might prove amusing and instructive to others."

Such is the account given by himself of the origin and progress of a disquisition begun in the sixty-eighth year of his age, and in twelve months brought to a conclusion; exhibiting, nevertheless, in every part, a diligence in research, a soundness of judgment, and a perspicuity of method, not inferior to those which distinguish his other performances. From the nature of the subject it was impossible to render it equally amusing to ordinary readers, or to bestow on his language the same splendour and variety; but the style possesses all the characteristical beauties of his former compositions, as far as they could with propriety be introduced into a discourse, of which the general design excluded every superfluous and ambitious ornament. The observations in the *Appendix*, upon the character, the manners, and the institutions of the people of India, present a valuable outline of all the most important information concerning them, which was then accessible to the philosophers of Europe; and, if they have already lost part of their interest, in consequence of the astonishing discoveries which have been since brought to light in Asia, by a fortunate and unexampled combination of genius, learning, and official rank, in a few individuals whose names do honour to this country; they, at least, evince that ardent and enlightened curiosity which animated the author's inquiries in his most advanced years; and afford a proof, that his mind kept pace, to the last, with the progress of historical knowledge.

In these observations, too, we may occasionally trace the influence of still higher motives; to which he has himself alluded, with an affecting solemnity, in the last sentences which he addressed to the public. "If I had aimed," says he, "at nothing else than to describe the civil polity, the arts, the sciences, and religious institutions, of one of the most ancient and most numerous races of men, that alone would have led me into inquiries and discussions both curious and instructive. I own, however, that I have all along kept in view an object more interesting, as well as of greater importance; and entertain hopes, that if the account which I have given of the early and high civilization of India, and of the wonderful progress of its inhabitants in elegant arts and useful science, shall be received as just and well established, it may have some influence upon the behaviour of Europeans towards that people. It was by an impartial and candid inquiry into their manners, that the emperor Akbar was led to consider the Hindoos as no less entitled to protection and favour than his other subjects; and to govern them with such equity and mildness, as to merit from a grateful people the honourable appellation of 'the Guardian of Mankind.' If I might presume to hope, that the description I have given of the manners and institutions of the people of India could contribute in the smallest degree, and with the most remote influence, to render their character more respectable, and their condition more happy, I should close my literary labours with the satisfaction of thinking that I have not lived or written in vain."*

In concluding this general review of Dr. Robertson's publications, our attention is naturally led, in the first place, to the extent and variety of his historical researches. In this respect, he has certainly not been surpassed by any writer of the present times; nor would it perhaps be easy to name another who has united to so luminous an arrangement of his materials, and such masterly skill in adorning them, an equal degree of industry and exactness in tracing them to their original sources. After a minute examination of the most disputed passages of his first performance, a late author† has ventured to pronounce him, "the most faithful of historians;" and I have no doubt that this honourable appellation will be sanctioned by those who shall examine his other works with the same acuteness, accuracy, and candour.

In the art of narration too, which, next to correctness in the statement of facts, is the most essential qualification of an historian, Dr. Robertson's skill is pre-eminent: perhaps I might venture to say, that in this art his chief and characteristical excellence as an historian consists. I do not, at present, allude merely to the richness of colouring with which he occasionally arrests the attention; but to the distinctness, perspicuity, and fulness, with which he uniformly communicates historical information; carefully avoiding every reference to whatever previous knowledge of the subject his reader may accidentally possess. In this distinctness and perspicuity, so conspicuous in the great models of antiquity, some modern writers of unquestionable talents have failed to a degree which renders all their other merits of little value;—a failure more particu-

* Appendix, Note G.

† Mr. Laing.

larly observable, since it became fashionable, after the example of Voltaire, to connect with the view of political transactions, an examination of their effects on the manners and condition of mankind, and to blend the lights of philosophy with the appropriate beauties of historical composition. In consequence of this innovation, while the province of the historian has been enlarged and dignified, the difficulty of his task has increased in the same proportion; reduced, as he must frequently be, to the alternative, either of interrupting unseasonably the chain of events, or, by interweaving disquisition and narrative together, of sacrificing clearness to brevity. By few writers of the present age has this combination of philosophy with history been more frequently attempted than by Dr. Robertson; and by none have the inconveniences which it threatens been more successfully avoided. In the former respect his merit is great; but in the latter, he may be safely proposed as a pattern for imitation.

Nor does the beauty of his narrative consist only in the luminous distinctness and picturesque selection of his details. In a passage formerly quoted from one of Mr. Walpole's letters, it is mentioned, among the other recommendations of the History of Scotland, that, "although composed of pieces of information, each of which would make a separate memoir, yet the whole is hurried on into one uninterrupted story." The remark is just, and it points at an excellence of the highest order, conspicuous in all Dr. Robertson's publications; the continuity which unites together the different parts of his subject, in consequence of the address and felicity displayed in his transitions. It is this last circumstance which bestows on his works that unceasing interest which constitutes one of the principal charms in tales of fiction; an interest easy to support in relating a series of imaginary adventures, but which, in historical composition, evinces, more than any thing else, the hand of a master.

The attainment of these different perfections was undoubtedly much facilitated by the plan which he adopted, of throwing into the form of Notes and Illustrations, whatever critical or scientific discussions appeared to him to interfere with the peculiar province of history. In one of the last conversations I had with him, he mentioned this as an improvement of considerable importance in historical writing; and his final judgment on the subject will be allowed to have great weight in favour of that mode of arrangement which he adopted. On this point, I know, there is a wide diversity of opinion: nor do I think myself entitled to pronounce with confidence upon either side, where the best judges have hesitated in their decision. Our late excellent colleague Mr. Smith carried to such a length his partiality to the ancient forms of classical composition, that he considered every species of note as a blemish or imperfection; indicating, either an idle accumulation of superfluous particulars, or a want of skill and comprehension in the general design. Dr. Douglas too, the present bishop of Salisbury, in a letter addressed to Dr. Robertson on occasion of his American History, appears dissatisfied with the local separation of the notes from the text; without, however, disputing the general principle on which the arrangement of his materials proceeds. "I think," says he, "that your notes and illustrations very frequently contain matter of the greatest importance to the strengthening the arguments and conclusions you adopt in the body of the book; and they are so widely separated by the mode of your publication, that the reader cannot see, at one view, the great merit of your work. Mr. Gibbon adopted this method, in imitation of your Charles V.; but I believe he has found the wishes of the public in favour of another arrangement; for I understand, in a new edition of his History which we are soon to have, the notes and illustrations are to be put at the bottom of the pages to which they refer.—I know you will excuse this liberty; and very probably, as you have considered the matter more accurately than such readers as I am, you can give very substantial reasons for preferring the plan of throwing the notes and illustrations to the end of the volume."

On a question of this sort, the suggestions of so learned and judicious a critic are undoubtedly entitled to peculiar deference: but I must be permitted to express my doubts whether he has added to their weight, by appealing to the arrangement of Mr. Gibbon; which, in this instance, has always appeared to me to be inconvenient in the extreme. In no species of writing is it agreeable to have the attention so frequently withdrawn from the text; but in historical writing it is impossible to devise a more effectual expedient for counteracting the effects of the author's art. The curious research and the epigrammatic wit so often displayed in Mr. Gibbon's notes, and which sometimes render them more amusing than even the eloquent narrative which they are meant to illustrate, serve only to add to the embarrassment occasioned by this unfortunate distribution of his materials. He seems, indeed, from a letter published in his posthumous works, to have been fully satisfied, after a trial of both plans, that the preference was due to that which, after Dr. Robertson's example, he had originally pursued. "I cannot be displeased," he observes, "with the two numerous and correct impressions which have been published for the use of the continent at Basil in Switzerland. Of their fourteen octavo volumes, the two last include the whole body of the notes. The public importunity had forced me to remove them from the end of the volume to the bottom of the page; but I have often repented of my compliance."*

It is remarkable that no alternative should have occurred to Mr. Gibbon between placing all his notes at the bottom of the page, or collecting them all in the form of an Appendix. In the first edition of his first volume, he followed Dr. Robertson implicitly in adopting the latter method; which, although by far the more unexceptionable of the two, might be obviously improved by some limitations. Mr. Hume, in a letter to Mr. Strahan, objects to it strongly. "One is plagued with Gibbon's notes, according to the present method of printing the book. When a note is announced, you turn to the end of the volume, and there you often find nothing but a reference to an authority. All these authorities ought only to be printed at the margin or the bottom of the page."†

What Mr. Hume here remarks concerning references to authorities, may be extended to those short explanatory sentences, which, being intended to facilitate the reader's progress, should unquestionably be brought under his eye, at the same time with the passage they are intended to elucidate. Dr. Robertson, as well as Mr. Gibbon, seems to have overlooked this distinction between explanatory hints, and *notes* intended for the gratification of the curious; and

* Vol. i. p. 178

† Gibbon's Post. Works, vol. i. p. 500.

hence have arisen (at least in part) those inconveniences in the technical arrangement of his volumes, of which Dr. Douglas was led to complain.

A still more important blemish, however, it must be confessed, than what this respectable correspondent has specified, is sometimes the real source of the imperfection he has remarked; I mean, that a considerable portion of the matter which is parcelled out among the notes, ought to have been incorporated with the text. Where a writer finds it necessary to enter into speculation and discussion, the whole of his argument should undoubtedly be stated at once, and not broken down into fragments, which the reader is to collect from different parts of the book. In those dissertations, therefore, which form so considerable a part both of the History of Charles V. and of America, it would perhaps have been better, if the author had adhered closely to the plan which he has so judiciously adopted in his historical narrative. The arguments which recommend it in the latter species of composition, it is sufficiently evident, do not apply to it when introduced into the former.

After all, whoever attempts to instruct the world by any literary undertaking, whether historical or speculative, will find it necessary, for the complete satisfaction of accurate inquirers, to engage in occasional discussions which could not be introduced into the body of the work, without digressions inconsistent with a simple and distinct arrangement; nor compressed into notes at the bottom of the page, without stopping the reader's progress and misleading his attention. No writer has been more completely aware of this than Mr. Hume, who, in all his publications, both historical and philosophical, has distinguished carefully those incidental suggestions which are necessary to prevent any hesitation about the text, from the critical disquisitions useful for satisfying men of curious research, or for obviating the doubts of more refined speculation. Dr. Robertson's subjects, in all his histories excepting that of Scotland, engaged him in inquiries more open to controversy, and in arguments resting upon information less accessible to ordinary readers, than those of Mr. Hume. His proofs and illustrations, accordingly, bear a far greater proportion to the size of his volumes; but I am inclined to think that, if examined with proper attention, the arrangement of them will be found (with a few exceptions) to reflect no less honour on his taste and discernment.

The stress which Dr. Robertson himself laid on this peculiarity in his mode of composition, added to the indecision of Mr. Gibbon with respect to its propriety, will, I hope, apologize sufficiently for the minuteness with which some of the foregoing particulars are stated.—The general question concerning the expediency of imitating the ancients, in limiting an author's intercourse with his readers to what is conveyed in the text, does not seem to me to admit of discussion. Considered as sources of authentic and of accurate information, the value of the classics is infinitely diminished by this very circumstance; and few, I believe, have studied Mr. Smith's works, (particularly his Inquiry into the Nature and Causes of the Wealth of Nations,) without regretting, on some occasions, the omission of his authorities; and, on others, the digressions into which he has been led, by conforming so scrupulously to the example of antiquity.

Of Dr. Robertson's merits as an historian, as far as they are connected with the genius of the language in which he wrote, it does not become a native of this part of the island to express a decided opinion. And, accordingly, in the few remarks which I am to hazard on that subject, although I shall state my own judgment with freedom, I would be understood to write with all possible diffidence.

The general strain of his composition is flowing, equal, and majestic; harmonious beyond that of most English writers, yet seldom deviating, in quest of harmony, into inversion, redundancy, or affectation. If, in some passages, it may be thought that the effect might have been heightened by somewhat more of variety in the structure and cadence of his periods, it must be recollected that this criticism involves an encomium on the beauty of his style; for it is only where the ear is habitually gratified, that the rhythm of composition becomes an object of the reader's attention.

In comparing his turn of expression with that of the classical writers of England, a difference may, I think, be perceived, originating in the provincial situation of the country where he received his education and spent his life: and, if I am not much mistaken, the same observation may be extended, in a greater or less degree, to most of our contemporaries who have laboured under similar disadvantages. I do not allude, at present, to what are commonly called *Scotticisms;* for from these Dr. Robertson's works have been allowed, by the most competent judges, to be remarkably free; but to an occasional substitution of general or of circuitous modes of expression instead of the simple and specific English phrase. An author who lives at a distance from the acknowledged standard of elegance, writes in a dialect different from that in which he is accustomed to speak; and is naturally led to evade, as much as possible, the hazardous use of idiomatical phrases, by the employment of such as accord with the general analogy of the language. Hence, in all the lighter and more familiar kinds of writing, the risk of sacrificing ease and vivacity, and what Dr. Johnson calls *genuine Anglicism*,* in order to secure correctness and purity; and hence the difficulties with which those of our countrymen have had to struggle, who have aimed at the freedom of the epistolary style, or who have attempted to catch the shadowy and fleeting forms of comic dialogue. The peculiarity in the manner of *Livy*, censured by *Asinius Pollio*, was probably of a similar description; arising less from an admixture of *Paduan* idioms than from the absence of such as marked the dialect of *Rome*. "In Tito Livio," says Quinctilian, "miræ facundiæ viro, putat inesse Pollio Asinius quandam Patavinitatem. Quare, si fieri potest, et verba omnia, et vox, hujus alumnum urbis oleant; ut oratio Romana planè videatur, non civitate donata."†

If, however, in these and a few other respects, important advantages are possessed by those whose standard of propriety is always before them in their ordinary habits of conversation and of business, it must perhaps be granted, on the other hand, that an ear thus familiarized from infancy to phrases which it has been accustomed to retain, without any selection, or any reference to general principles, can scarcely fail to have some effect in blunting an author's discrimination between the established modes of classical expression and the accidental jargon of the day. Illustrations of this remark might be easily collected from

* "If Addison's language had been less idiomatical, it would have lost something of its genuine Anglicism."—*Lives of the Poets.*

† Quinctil. l. viii. c. 1.

writers of the highest and most deserved reputation; more particularly from some who have cultivated, with the greatest success, the appropriate graces of the English tongue.—Even the works of Dr. Middleton, which have been often recommended to Scotchmen as the safest models for their imitation, abound with instances of colloquial language, sanctioned probably by the authority of the fashionable speakers of his time, but which, I should suppose, would now be considered as vulgarisms, by such of his countrymen as have formed their taste on the compositions either of an earlier or of a later period.

In guarding against these temporary modes of speech, the provincial residence of a Scotchman may sometimes have its use, by teaching him to distrust his ear as an arbiter of elegance, and to appeal on every questionable point to the practice of those whose established reputation gives the stamp of propriety to the phraseology they have employed. If his composition be deficient in ease, it may be expected not to fall under the ordinary standard in point of purity: nay, it is not impossible, that in his solicitude to avoid idiomatical phrases, he may be occasionally led to animate and to ennoble his diction; or, by uncommon and fortunate combinations of words, to give to familiar ideas the charm of novelty.

The species of composition to which Dr. Robertson directed his studies, was peculiarly adapted to his local situation, by affording him an opportunity of displaying all the talents he possessed, without imposing on him a trial of his powers in those kinds of writing where a Scotchman is most likely to fail. In delineating the characters of princes, statesmen, and warriors, or in recording events that have happened on the great theatre of public affairs, a certain elevation of language is naturally inspired by the magnitude of the subject. The engaging and pathetic details of domestic life vanish before the eye which contemplates the fortunes of nations, and the revolutions of empire; and there is even a gravity of manner, exclusive of every thing familiar or flippant, which accords with our idea of him who sits in judgment on the generations that are past. It may, perhaps, be questioned by some, whether Dr. Robertson has not carried to an extreme his idea of what he has himself called the *dignity of history*; but whatever opinion we form on this point, it cannot be disputed that his plan of separating the materials of historical composition from those which fall under the provinces of the antiquary, and of the writer of memoirs, was on the whole happily conceived; and that one great charm of his works arises from the taste and judgment with which he has carried it into execution.—Nor has he suffered this scrupulous regard to the unity of historical style to exclude that variety which was necessary for keeping alive the reader's attention. Whenever his subject admits of being enriched or adorned by political or philosophical disquisition, by picturesque description, or by the interesting details of a romantic episode, he scruples not to try his strength with those who have excelled the most in these different departments of literature; uniformly, however, avoiding to mingle in the humble scenes of ordinary life, or to meet his rivals on any ground where he did not feel himself completely their equal.

To this systematical selection of the more regular and analogical forms of construction, is to be ascribed, in a considerable degree, his popularity among foreigners, who unite in esteeming him, not only as one of the most eloquent, but as one of the most intelligible, of our writers. And, it may be presumed, the same circumstance will secure in his favour the suffrages of posterity, when the passing idioms generated by the capricious modes of our own times, shall be antiquated or forgotten.*

I have only to add, that some of the foregoing observations apply more strongly to Dr. Robertson's earlier than to his later publications. In the History of Charles V., and still more in that of America, he ventures on expressions which he would not have hazarded before the establishment of his literary name; and accordingly, it may be doubted whether, in consequence of this circumstance, he did not lose in purity of diction what he gained in ease and freedom. Perhaps, on the whole, it will be found that of all his performances Charles V. is that which unites the various requisites of good writing in the greatest degree. The style is more natural and flowing than that of the History of Scotland; while, at the same time, idiomatical phrases are introduced with so sparing and timid a hand, that it is easy to perceive the author's attention to correctness was not sensibly diminished. In the History of America, although it contains many passages equal, if not superior, to any thing else in his writings, the composition does not seem to me to be so uniformly polished as that of his former works; nor does it always possess, in the same degree, the recommendations of conciseness and simplicity.†

SECTION V.

Review of the more active Occupations of Dr. Robertson's Life.—Conclusion of the Narrative.—Sketch of his Character.

In reviewing the History of Dr. Robertson's life, our attention has hitherto been confined to those pursuits which formed the habitual occupation of his mind; and which have left behind them unperishable monuments. His life, however, was not devoted wholly to the cultivation of letters. His talents fitted him in an eminent degree for the business of the world; and the station in which Providence placed him opened to him a field, which, however unequal to his ambition or to his genius, afforded him the means of evincing what he might have accomplished, if his sphere of exertion had been more extensive and brilliant.

Among the active scenes in which he had an opportunity to engage, the most conspicuous was presented to him by the Supreme Ecclesiastical Court in Scotland. Of the constitution of this court, accordingly, which differs in some remarkable particulars from the clerical convocations in other Christian countries, a general outline is necessary in order to convey a just idea of the abilities, which secured to him, for a long course of years, an unrivalled influence in guiding its deliberations.‡

* Appendix, Note H. † Ibid. Note I.

‡ For the materials both of this outline and of the subsequent view of Dr. Robertson's system of ecclesiastical policy, I am indebted to a paper drawn up (at the request of Dr. Robertson's son) by the Rev. George Hill, D. D. principal of St. Mary's college in the university of St. Andrews; a gentleman intimately connected with Dr. Robertson by friendship, and highly respected by him for the talents and eloquence which he has for many years displayed in the ecclesiastical courts. In general I have transcribed Dr. Hill's words, taking the liberty occasionally to make such slight alterations on the language as were necessary for preserving some degree of uniformity in the style of my narrative; and a few retrenchments, which the plan of this Memoir rendered unavoidable. That the public, however, may not lose any part of so valuable a communication, I have inserted in the Appendix the paragraphs which are here omitted.

As Dr. Hill's paper was submitted to the examination, and received the

"The General Assembly of the Church of Scotland is composed of representatives from the presbyteries; from the royal boroughs; from the four universities; and from the Scotch church of Campvere in Holland. The presbyteries send two hundred and ninety members, of whom two hundred and one are ministers, and eighty-nine lay-elders; the royal boroughs send sixty-seven members, all of whom are laymen; the universities send five members, who may be either laymen, or ministers holding an office in the university; and the church of Campvere sends two members, one minister and one lay-elder. The whole number is three hundred and sixty-four, of whom two hundred and two are ministers, and one hundred and sixty-two laymen; including in the latter class the members from the universities. The annual sittings of the Assembly continue only for ten days; but a committee of the whole House (called the Commission) has four stated meetings in the year, for the despatch of whatever business the General Assembly has been unable to overtake.*

"In subordination to this supreme court, there is a series of inferior judicatories rising, one above another, in authority.—The lowest of these is the *Kirk Sessions*, or Parochial Consistories; composed of the ministers, together with the lay-elders of their respective parishes. The ministers of a number of contiguous parishes, together with certain representatives from the Kirk Sessions, form a *Presbytery;* and a plurality of presbyteries (differing in number according to accidental circumstances) form a provincial *Synod*.

"While the constitution of the Scottish church admits of no superiority of one minister above another, it requires from all its individual members, and from all its inferior judicatories, strict obedience to those who are placed in authority over them. Every court is bound to lay the record of all its proceedings from time to time before the tribunal which is its immediate superior; any part of its proceedings may be brought, by appeal or complaint, under the review of a higher jurisdiction; and every minister, when he receives orders, comes under a solemn engagement 'to assert, maintain, and defend the doctrines, discipline, and government of the church; and never to attempt any thing, directly or indirectly, which may tend to its subversion and prejudice.'

"In consequence of this subordination of judicatories, the General Assembly determines, as the court of last resort, all the causes brought under its review, and has the power of enforcing, without control, obedience to its decrees. It possesses also extensive legislative powers, as it may, with the concurrence of a majority of presbyteries, enact laws for the government of the whole church.

"By the act of 1592, which gave a legal establishment to the form of church government now delineated, the patron of a vacant parish was entitled to present to the presbytery a person properly qualified; and the presbytery were required, after subjecting the presentee to certain trials and examinations, of which they were constituted the judges, 'to ordain and settle him as minister of the parish, provided no relevant objection should be stated to his life, doctrine, and qualifications.' This right of presentation, however, although conferred by the fundamental charter of presbyterian government in Scotland, was early complained of as a grievance; and accordingly, it was abolished by an act passed under the Usurpation. At the Restoration it was again recovered, but it was retained only for a few years; the Revolution having introduced a new system, which vested the right of election in the heritors, elders, and heads of families in the parish. The 10th of queen Anne at last restored the rights of patrons; but the exercise of these rights was found to be so extremely unpopular, that ministers were generally settled, till after the year 1730, in the manner prescribed by the act of king William.

"During this long period, an aversion to the law of patronage took deep root in the minds of the people; and the circumstances of the times were such as to render it inexpedient for the church courts to contend with a prejudice so inveterate and universal.

"When the presbyterian establishment fell a sacrifice to the policy introduced at the Restoration, the ministers who refused to conform to prelacy were ejected from their churches, and underwent a severe persecution. The firmness which they displayed on this occasion exhibits a strength of character which has never been surpassed; but their situation, while deprived of the countenance of law, and left entirely to the guidance of private conscience, was necessarily such, as to inspire *independent* principles inconsistent with regular subordination and discipline; and, accordingly, at the Revolution, when the presbyterian government was re-established, and many of the ejected ministers restored to their pulpits, they brought along with them into the church a spirit scarcely compatible with the connexion in which it stood with the paramount authority of the state. Their successors, trained in the same sentiments, saw the right of patronage revived in times which they regarded with a jealous eye; and, without allowing themselves to weigh the expediency of that mode of settlement, they considered it as an appendage of episcopacy which it was the duty of every good presbyterian to oppose.—While the people, therefore, resisted with violence the first attempt which was made about the year 1730 to exercise this right, the church courts, although they could not entirely disregard the law, contrived, in many instances, to render it ineffectual; and sanctioned by their authority the prevailing prejudices against it. They admitted it as an uncontrovertible principle in presbyterian church-government, that a presentee, although perfectly well qualified, and unexceptionable in life and doctrine, was nevertheless inadmissible to his clerical office, till the concurrence of the people who were to be under his ministry had been regularly ascertained. The form of expressing this concurrence was by the subscription of a paper termed a *Call;* which was considered as a step so indispensable towards constituting the pastoral relation, that the church courts, when dissatisfied with it as an expression of the general wishes of the parish, sometimes set aside the presentee altogether; and when they did authorize a settlement, proceeded in a manner which sufficiently implied a greater respect for the call than for the presentation.

"The circumstances understood to be necessary for constituting an adequate *call*, were unsusceptible of a precise definition. The unanimous consent of landholders, elders, and heads of families, was seldom to be looked for; nor was even an absolute majority considered as indispensable, if the concurrence afforded a reasonable prospect of an harmonious and useful settlement. This principle of decision was so vague in itself, and so arbitrary in its appli-

unqualified approbation, of three of Dr. Robertson's most confidential friends (a) it may be regarded as an authentic statement of his general principles of church government. For the sake of connexion, I have

(a) Drs. Blair, Carlyle, and Grieve.

adopted into this section such parts of it as seemed to me to be necessary for completing the history of his life; abstaining, however, scrupulously from hazarding any ideas of my own on the subject to which it relates.

* Appendix, Note I.

cation, that much was left in the church courts to the private judgment of individuals, and much to their prejudices and passions; while the people, finding that a noisy and strenuous opposition seldom failed of success, were encouraged to prosecute their object by tumult and violence. Many of the clergy, considering it as a matter of conscience not to take any share in the settlement of an obnoxious presentee, refused on such occasions to carry into execution the orders of their superiors; and such was the temper of the times, that the leading men of the Assembly, although they wished to support the law of the land, found themselves obliged to have recourse to expedients; imposing slight censures on the disobedient, and appointing special committees (whom it was found sometimes necessary to protect by a military force) to discharge the duties which the others had declined.

"Measures of this kind, pursued with little variation for about twenty years, had so relaxed the discipline of the church, that individuals openly claimed it as a right to disobey its sentences, whenever their disobedience was justified, according to the best of their judgment, by a principle of conscience.

"Such was the state of the ecclesiastical establishment in Scotland when Dr. Robertson and his friends began to take an active share in its business. Dissatisfied with the system adopted by his predecessors, and convinced that the more free any constitution is, the greater is the danger of violating its fundamental laws, his vigorous and enlightened mind suggested to him the necessity of opposing more decisive measures to these growing disorders, and of maintaining the authority of the church by enforcing the submission of all its members. The two capital articles by which he conceived the presbytery to be distinguished from every other ecclesiastical establishment, were the parity of its ministers, and the subordination of its judicatories.—'Wherever there is a subordination of courts,' as he has himself observed in an authentic document of his ecclesiastical principles, 'there is one court that must be supreme; for subordination were in vain, if it did not terminate in some last resort. Such a supreme judicature is the General Assembly of the Church of Scotland; and therefore, if its decisions could be disputed and disobeyed by inferior courts with impunity, the presbyterian constitution would be entirely overturned. On this supposition there is no occasion for the Church of Scotland to meet in its General Assemblies any more; its government is at an end; and it is exposed to the contempt and scorn of the world, as a church without union, order, or discipline; destitute of strength to support its own constitution, and falling into ruins by the abuse of liberty.'

"A question which came under the consideration of the Assembly in the year 1751, when he spoke for the first time in that supreme court, afforded him an opportunity of unfolding his general principles of ecclesiastical government. The conduct of a clergyman, who had disobeyed a sentence of a former Assembly, gave rise to a warm discussion; in the course of which, Dr. Robertson, supported by a few of his friends, contended for the expediency of a severe and exemplary sentence. But this doctrine was then so little understood or relished, that he was left in an inconsiderable minority.

"The *Commission* of that Assembly, at their meeting, in November 1751, ordered the presbytery of Dunfermline, which had already been guilty of disobedience, to admit Mr. Richardson as minister of Inverkeithing; intimating to them, at the same time, that in case of their continued contumacy, the commission was to proceed, at their next meeting in March, to a very high censure. The presbytery again disobeyed; and yet the commission, with a preposterous lenity, suffered their conduct to pass with impunity. The inconsistency and inexpediency of this sentence were urged strenuously by Dr. Robertson and his friends, who in their *dissent*, or protest against it, have left a valuable record of the general principles on which they acted. The paper is still extant, and though evidently a hasty composition, bears, in various passages, the marks of Dr. Robertson's hand.*

"Dr. Robertson argued this cause in the General Assembly 1752; and, such was the impression made by the argument contained in the protest, and more fully illustrated in his speech, that the supreme court reversed the judgment of the commission, and deposed one of the ministers of the presbytery of Dunfermline, for disobeying the orders of his superiors.

"This decision was the complete triumph of the principles for which Dr. Robertson and his friends had struggled. It put an end to those temporary expedients and devices which had hitherto been adopted in the settlement of parishes: it put an end to those extraordinary committees which assemblies had been in use to appoint for relieving disobedient presbyteries from their duty; and it administered to the inferior judicatories, as well as to individuals, an useful lesson of that subordination which the peace of society requires.

"The success of these attempts had probably some effect in determining Dr. Robertson to continue his attention to the affairs of the church; more especially, after his office in the university put it in his power to be returned annually as a representative to the General Assembly. By an uninterrupted attendance in that court for nearly twenty years, he acquired an intimate acquaintance with the whole train of its business; while the influence which he thus secured was increased and confirmed by his conciliating manners, by the charms of his conversation, and by the celebrity of his name. He had the happiness also of being warmly supported by most of the friends who joined him in the Assembly 1751; and who, without any jealousy of the ascendant which he possessed, arranged themselves with cordiality under his standard. The period from his appointment as Principal of the University till his retreat from public life, came, accordingly, to be distinguished by the name of Dr. Robertson's *administration*: a name which implied, not any appointment from government, nor any power in the distribution of favours; but merely the weight he derived from the confidence of a great majority of his brethren, who approved of the general principles on which he acted.

"The circumstances which chiefly distinguished his system of policy were, *first*, a steady and uniform support of the law of patronage; and, *secondly*, an impartial exercise of the judicial power of the church.†

"In the former of these respects, his exertions are supposed, by his friends, not only to have produced in the ecclesiastical establishment a tranquillity unknown in former times; but to have contributed, in no small degree, to the peace and good order of the country. The public language of the church seems to bear testimony to the prevalence of these ideas. For a long series of years annual instructions had been given to the *commission*, 'to

* Appendix, Note K.

† Appendix, Note L.

make due application to the king and parliament, for redress of the grievance of patronage, in case a favourable opportunity for doing so should occur.' But these instructions were omitted in 1784, soon after Dr. Robertson retired from the business of the Assembly; and they have never since been renewed.

"A systematical regularity, to which the church of Scotland had been little accustomed, in the exercise of its judicial power, was another effect of the ascendant which Dr. Robertson possessed in the conduct of its business.

"A court so popular in its constitution as the General Assembly, is but ill calculated for the patient and dispassionate investigation necessary for the administration of justice. As its annual sittings, too, continue only for a few days, its mode of procedure (irregular and loose as it is in many respects) is very imperfectly understood by the great majority of clerical members, who enjoy a seat in it only once in four or five years: hence, an inattention to forms, and a disposition to undervalue their importance, when they appear to stand in the way of immediate expediency. To correct, as far as possible, this unfortunate bias, inherent in the constitution of all popular tribunals, Dr. Robertson felt it to be his duty to employ all his abilities; convinced, that a wise and impartial administration of justice can only be effectually secured by a strict adherence to established rules. A complete acquaintance with these, which he soon acquired from his regular attendance on the deliberations of the Assembly, gave him a decided superiority over those who were only occasionally members; and he was enabled gradually to enforce their strict observance by the confidence which was generally reposed in his principles and his talents.

"Such were the objects which Dr. Robertson had chiefly in view as an ecclesiastical leader, and which he prosecuted, during thirty years, with so great steadiness and success, that not only the system introduced by him continues still in vigour, but the decisions which he dictated form a sort of *Common Law* of the church."*—With respect to the various incidental discussions in which he was, on different occasions, called on to take an active concern, it is impossible for me to enter into detail. One of these, however, which occurred towards the close of his public life, is of too memorable a nature to be passed over in silence.—

The disturbances occasioned in Scotland in 1779, by the proposed extension to that part of the kingdom of the repeal of the penal laws against Roman catholics, are well known to all who have the slightest acquaintance with the history of that period; and are still fresh in the recollection of the greater part of this society. Some of us too are able to bear testimony, from what fell under our own immediate observation, to the firmness and tranquillity which Dr. Robertson displayed at a very critical juncture; when, after repeated acts of successful and unpunished outrage, committed in different parts of this city, a furious populace threatened an attack on his house, and were only restrained by a military force, from sacrificing his life to their vengeance.

The leading principles which on that occasion directed his conduct in the church courts, will be best understood from a statement of facts, which formed part of one of his speeches in the subsequent Assembly.†

"The first intimation I had of any intention to grant relief to papists from the rigour of penal statutes, was in the newspapers. Though I had observed with pleasure the rapid progress of liberal sentiments in this enlightened age; though I knew that science and philosophy had diffused the spirit of toleration through almost every part of Europe; yet I was so well acquainted with the deep-rooted aversion of Britons to the doctrines and spirit of popery, that I suspected this motion for giving relief to papists to be premature. I was afraid, on the one hand, that the liberal sentiments of those by whom it was made might induce them to grant too much. I dreaded, on the other, that past offences might be imputed to the catholics of the present age, and exclude them from that degree of indulgence, which I considered as no less beneficial to the nation, than suitable to the spirit of the gospel. But when I observed the uncommon unanimity with which the bill was carried through both Houses; when I saw ministry and opposition vying with each other in activity to forward it; when I beheld that respectable body who assume to themselves the distinguishing appellation of *Old Whigs* taking the lead avowedly in supporting it; when I observed a bench of bishops, of whom I may justly say, that in learning, in decency of manners, and in zeal for the protestant religion, they are not inferior to any of their predecessors, co-operating heartily with the other promoters of that bill, my curiosity to know precisely the nature and extent of the indulgence granted became very great. Upon perusing the bill itself, all my apprehensions vanished; the relief given to papists appeared neither too great nor too little. By the statute of last session, no political power is conferred on papists. They are not entitled to hold any public office. They can neither elect, nor be elected, members of any corporation; far less can they choose, or be chosen, members of the house of Commons. In consequence of this statute, an English papist has not acquired the privileges of a citizen; he is restored only to the rights of a man. By a law passed in a season of jealousy, alarm, and faction, papists were rendered incapable of inheriting property by succession or conveyance, of transmitting it to others, or of acquiring it by purchase; and the ecclesiastics of that religion who should take upon them the education of youth, were to be punished with perpetual imprisonment. It is from these penalties and disabilities alone that they are now relieved. They may now inherit, they may devise, they may purchase. Formerly they were in a state of proscription and incapacity: now they are rendered what the law calls *personæ;* capable of legal functions in the possession and disposal of their own property. Nor are these concessions gratuitous. Before a papist can enjoy the benefit of them, he must swear allegiance to our gracious sovereign; he must abjure the Pretender; he must reject, as an impious position, that it is lawful to murder or destroy any person under the pretence of their being heretics; he must declare it to be an unchristian principle, that faith is not to be kept with heretics; he must disclaim the power of the pope to dispense with the obligation of an oath; he must swear, that it is no article of his faith that a pope or council can either depose princes, or exercise any civil or temporal jurisdiction within this realm: in short, he must give every security that

* Thus far I have availed myself of Dr. Hill's communication. A more full illustration of some of the particulars here stated, will be found in the Appendix.

† The following extract is transcribed, with some trifling verbal corrections, from an account of the proceedings of the General Assembly, published in the Scots Magazine for 1779. As the account in general (I am assured) is executed with correctness and impartiality, the *substance* of Dr. Robertson's speech may be presumed to be faithfully stated; but, in other respects, ample allowances must be made for the inaccuracies to be expected from an anonymous reporter, writing (as is probable) from memory, or from imperfect notes.

the most scrupulous anxiety could devise, to demean himself as a loyal and peaceable subject. These slender rights, the lowest a man can claim or enjoy in a social state, are the amount of all the mighty and dreaded acquisitions made by papists in virtue of this law. I rejoiced in the temperate wisdom of the legislature, and foresaw, that a wealthy body of subjects in England, and a very numerous one in Ireland, would, instead of continuing adverse to a government which treated them with rigour, become attached to their king and country by the most powerful of all ties, gratitude for favours received, and desire of securing the continuance of favour by dutiful conduct. With such views of the salutary effects of the repeal, it was impossible not to wish that the benefit of it might be extended to the Roman catholics in Scotland. * * *

* * * *

"As soon, however, as I perceived the extent and violence of the flame which the discussion of this subject had kindled in Scotland, my ideas concerning the expedience at this juncture of the measure in question, began to alter. For, although I did think, and I do still believe, that if the protestants in this country had acquiesced in the repeal as quietly as our brethren in England and Ireland, a fatal blow would have been given to popery in the British dominions; I knew, that in legislation, the sentiments and dispositions of the people for whom laws are made should be attended to with care. I remembered that one of the wisest men of antiquity declared, that he had framed for his fellow-citizens not the best laws, but the best laws which they could bear. I recollected with reverence, that the Divine Legislator himself, accommodating his dispensations to the frailty of his subjects, had given the Israelites, for a season, *statutes which were not good.* Even the prejudices of the people are, in my opinion, respectable; and an indulgent legislature ought not unnecessarily to run counter to them. It appeared manifestly to be sound policy, in the present temper of the people, to soothe rather than to irritate them; and however ill-founded their apprehensions might be, some concession was now requisite in order to remove them. In every argument against the repeal of the penal laws, what seemed chiefly to alarm my brethren who were adverse to it, was the liberty which, as they supposed, was given by the act of last session to popish ecclesiastics to open schools, and take upon them the public instruction of youth. In order to quiet their fears with respect to this, I applied to his majesty's advocate and solicitor-general, and by their permission, I proposed to a respectable minister and elder of this church, who deservedly possess much credit with the opposers of this repeal, that such provisos should be inserted in the bill which was to be moved in parliament, for restraining the popish clergy in this point, as would obviate every danger apprehended. These gentlemen fairly told me, that, if such a proposition had been made more early, they did not doubt that it might have produced good effects; but, now matters were gone so far, that they were persuaded nothing less would satisfy the people than a resolution to drop the bill altogether. Persuaded of the truth of what they represented, seeing the alarm spread rapidly in every quarter, and knowing well how imperfectly transactions in this country are understood in the other part of the island, I considered it as my duty to lay before his majesty's servants in London a fair state of the sentiments of the people in Scotland. My station in the church, I thought, entitled me to take this liberty in a matter purely ecclesiastical. I flattered myself, that my avowed approbation and support of a measure which had been unhappily so much misunderstood, might give some weight to my representations. I informed them, that the design of extending the repeal of the penal statutes of king William to Scotland, had excited a very general alarm: that the spirit of opposition to this measure spread among the king's most loyal and attached subjects in this country: that nothing would calm and appease them, but the relinquishing all thoughts of such a bill: that the procuring of the intended relaxation for a handful of catholics, was not an advantage to be put in competition with the imprudence of irritating so great a body of well-affected subjects: that if the measure were persisted in, fatal effects would follow; and no man, how great soever his sagacity might be, could venture to foretell what would be the extent of the danger, and what the violent operations of an incensed populace: that, groundless as the fears of the people might be, it was prudent to quiet them: and that the same wisdom and moderation which had induced government, some years ago, to repeal the act for naturalizing the Jews, in consequence of an alarm, as ill-grounded in the southern parts of the island, ought now to make a similar concession, from indulgence to the prejudice of the people on this side of the Tweed.

"Such has been the tenor of my conduct. While I thought a repeal of the penal statutes would produce good effects, I supported it openly: when I foresaw bad consequences from persisting in a measure which I had warmly approved, I preferred the public good to my own private sentiments; I honestly remonstrated against it; and I have the satisfaction to think, that I am the only private person (as far as I know) in Scotland, who applied to those in power, in order to prevent this much dreaded repeal, which has been represented as the subversion of every sacred right for which our ancestors contended and suffered."

* * * *

The last Assembly in which Dr. Robertson sat was that of 1780. While his faculties were yet vigorous, his constitution unbroken, and his influence undiminished, he chose to withdraw from the active scenes in which he had so long borne a part, and to consecrate the remainder of his life to the quiet pursuits of study, and to the pastoral duties of his profession. His retreat was deeply regretted and sincerely felt by his friends; nor was it less lamented by many individuals of the opposite party in the church, who, while they resisted his principles of ecclesiastical policy, loved his candour, and respected his integrity.*

Among these, there is one, whose liberal and affectionate zeal in embalming the memory of a political antagonist, recalls to our recollection, amidst the unrelenting rancour which disgraces the factions of modern times, the memorable tribute which *Metellus* paid to the virtues of *Scipio* on the day of his funeral: *Ite, filii, celebrate exequias; nunquam civis majoris funus videbitis.*†—I need scarcely, after what I have hinted, mention to the Society the name of Dr. Erskine; of whose sermon on the death of his colleague, it is difficult to say, whether it reflects greater honour on the character of the writer, or of him whom it commemorates. The author will, I hope, pardon me for transcribing one passage, which is intimately connected

* Appendix, Note M.

† Plin. Hist. Nat. vii. 44.

with this part of my subject, and which combines, with a testimony of inestimable value to Dr. Robertson's fame, some important information which I could not supply from any source of equal authority.

" His speeches in church courts were admired by those whom they did not convince, and acquired and preserved him an influence over a majority in them, which none before him enjoyed : though his measures were sometimes new, and warmly and with great strength of argument opposed, both from the press, and in the General Assembly. To this influence many causes contributed :—his firm adherence to the general principles of church policy, which he early adopted; his sagacity in forming plans; his steadiness in executing them; his quick discernment of whatever might hinder or promote his designs; his boldness in encountering difficulties; his presence of mind in improving every occasional advantage; the address with which, when he saw it necessary, he could make an honourable retreat; and his skill in stating a vote, and seizing the favourable moment for ending a debate, and urging a decision. He guided and governed others, without seeming to assume any superiority over them : and fixed and strengthened his power, by often, in matters of form and expediency, preferring the opinions of those with whom he acted, to his own. In former times, hardly any rose up to speak in the General Assembly, till called upon by the *Moderator*, unless men advanced in years, of high rank, or of established characters. His example and influence encouraged young men of abilities to take their share of public business; and thus deprived *Moderators* of an engine for preventing causes being fairly and impartially discussed. The power of others, who formerly had in some measure guided ecclesiastical affairs, was derived from ministers of state, and expired with their fall. His remained unhurt amidst frequent changes of administration. Great men in office were always ready to countenance him, to cooperate with him, and to avail themselves of his aid. But he judged for himself, and scorned to be their slave, or to submit to receive their instructions. Hence his influence, not confined to men of mercenary views, extended to many of a free and independent spirit, who supported, because they approved, his measures; which others, from the same independent spirit, thought it their duty steadily to oppose.

" Deliberate in forming his judgment, but, when formed, not easily moved to renounce it, he sometimes viewed the altered plans of others with too suspicious an eye. Hence, there were able and worthy men, of whom he expressed himself less favourably, and whose latter appearances in church judicatories he censured as inconsistent with principles which they had formerly professed : while they maintained, that the system of managing church affairs was changed, not their opinions or conduct. Still, however, keen and determined opposition to his schemes of ecclesiastical policy neither extinguished his esteem, nor forfeited his friendly offices, when he saw opposition carried on without rancour, and when he believed that it originated from conscience and principle, not from personal animosity, or envy, or ambition."*

I shall not presume to add any thing in illustration of these remarks. The greater part of them relate to transactions of which I had no immediate knowledge, and of which I am not a competent judge; and, at any rate, no testimony of mine could increase the value of praise from so able and so impartial a hand. Of one quality, however, ascribed to Dr. Robertson by his colleague,—his ability in debate,—I may be allowed to express my own opinion; as I was often led by curiosity, in my early years, to witness the proceedings of the court where it was principally displayed; and which, since the union of the kingdoms, is all that exists in Scotland, to preserve the semblance of popular deliberation. This part of his fame will soon rest on tradition only; but by many who are still able to judge from their own recollection, I shall not be accused of exaggeration, when I say, that in *some* of the most essential qualifications of a speaker, he was entitled to rank with the first names which have, in our times, adorned the British senate.—Nor was the opposition with which he had to contend unworthy of his exertions; formidable as it long was in zeal and numbers, and aided by a combination of talents which will not easily be equalled; the copious and fervid declamation of *Crosbie;* the classical, argumentative, and commanding eloquence of *Dick;* and the powerful, though coarse, invective of *Freebairn*, whose name would, in a different age, have been transmitted to posterity with those of the rustic and intrepid apostles who freed their country from the hierarchy of Rome.†

The characteristic of Dr. Robertson's eloquence was *persuasion;*—mild, rational, and conciliating, yet manly and dignified. In early life, when forced as a partisan to expose himself to the contentious heat of popular discussion, he is said to have been distinguished by promptitude and animation in repelling the attacks which he occasionally encountered; but long before the period during which I knew him, he had become the acknowledged head of his party, and generally spoke last in the debate; resuming the arguments on both sides, with such perspicuity of arrangement and expression, such respect to his antagonists, and such an air of candour and earnestness in every thing he said, that he often united the suffrages of the house in favour of the conclusions he wished to establish.

His pronunciation and accents were strongly marked with the peculiarities of his country; nor was this defect compensated by the graces of his delivery. His manner, however, though deficient in ease, was interesting and impressive; and had something in its general effect, neither unsuitable to his professional station, nor to the particular style of his eloquence. His diction was rich and splendid, and abounded with the same beauties that characterize his writings.

In these details, with respect to his ecclesiastical politics, I may perhaps be thought by some to have been more circumstantial than was necessary; but as he himself always dwelt on that subject with peculiar satisfaction, I could not pass it over more slightly than I have done. Nor is it so foreign, as it may at first appear, to his character as an historian; for, narrow and obscure as his field of action was, it afforded him a closer view, than most authors have enjoyed, of the intrigues of contending factions; and an opportunity of studying, though on a scale comparatively small, the passions that decide the fate of nations. In tracing, accordingly, the springs of human conduct, his sagacity is strongly impressed with that knowledge of the world, which experience alone can communicate; and, even in those characteristical portraits, on which he has

* Discourses, &c. by John Erskine, D. D. p. 271.

† Andrew Crosbie, Esq. Vice-dean of the Faculty of Advocates. Robert Dick, D. D. one of the ministers of Edinburgh. The Rev. Mr. Freebairn, minister of Dunbarton. All of them died many years before Dr. Robertson.

lavished all the decorations of his style, he is seldom if ever misled, either by the affectation of eloquence, or of metaphysical refinement, from a faithful adherence to truth and nature.

I would willingly enlarge on his merits in a different department of his professional employments, of which I am more competent to judge from personal knowledge, were I not afraid that my own academical habits might lead me to attach an interest to what would appear of little moment to others. I shall therefore only remark, in general, his assiduous attention, amidst his various occupations, both speculative and active, to the minutest duties of his office as head of the university; duties, which nothing but his habits of arrangement and the severest economy of his time, could have enabled him to discharge with so little appearance of hurry or inconvenience. The valuable accession of books which the public library received while under his administration, was chiefly owing to his prudent and exact application of the very slender funds appropriated to that establishment; the various societies, both literary and medical, which, in this place, have long contributed so essentially to the improvement of the rising generation, were, most of them, either planned or reformed under his direction and patronage; and if, as a seat of learning, Edinburgh has of late, more than formerly, attracted the notice of the world, much must be ascribed to the influence of his example, and to the lustre of his name. The good sense, temper, and address, with which he presided for thirty years in our university meetings, were attended with effects no less essential to our prosperity; and are attested by a fact which is perhaps without a parallel in the annals of any other literary community; that during the whole of that period, there did not occur a single question which was not terminated by an unanimous decision.

In consequence of the various connexions with society, which arose from these professional duties, and from the interest which he was led to take, both by his official situation, and the activity of his public spirit, in the literary or the patriotic undertakings of others,* a considerable portion of Dr. Robertson's leisure was devoted to conversation and company. No man enjoyed these with more relish; and few have possessed the same talents to add to their attractions.

A rich stock of miscellaneous information, acquired from books and from an extensive intercourse with the world, together with a perfect acquaintance at all times with the topics of the day, and the soundest sagacity and good sense applied to the occurrences of common life, rendered him the most agreeable and instructive of companions. He seldom aimed at wit; but, with his intimate friends, he often indulged a sportive and fanciful species of humour. He delighted in good-natured, characteristical anecdotes of his acquaintance, and added powerfully to their effect by his own enjoyment in relating them. He was, in a remarkable degree, susceptible of the ludicrous: but, on no occasion, did he forget the dignity of his character, or the decorum of his profession; nor did he even lose sight of that classical taste which adorned his compositions. His turn of expression was correct and pure; sometimes, perhaps, inclining more than is expected, in the carelessness of a social hour, to formal and artificial periods; but it was stamped with his own manner no less than his premeditated style: it was always the language of a superior and a cultivated mind, and it embellished every subject on which he spoke. In the company of strangers, he increased his exertions to amuse and to inform; and the splendid variety of his conversation was commonly the chief circumstance on which they dwelt in enumerating his talents;—and yet I must acknowledge, for my own part, that much as I always admired his powers when they were thus called forth, I enjoyed his society less, than when I saw him in the circle of his intimates, or in the bosom of his family.

It only now remains for me to mention his exemplary diligence in the discharge of his pastoral duties; a diligence which, instead of relaxing as he advanced in life, became more conspicuous, when his growing infirmities withdrew him from business, and lessened the number of his active engagements. As long as his health allowed him, he preached regularly every Sunday; and he continued to do so occasionally, till within a few months of his death.

The particular style of his pulpit eloquence may be judged of from the specimen which has been long in the hands of the public; and it is not improbable, that the world might have been favoured with others of equal excellence, if he had not lost, before his removal from Gladsmuir, a volume of sermons which he had composed with care. The facility with which he could arrange his ideas, added to the correctness and fluency of his extemporary language, encouraged him to lay aside the practice of writing, excepting on extraordinary occasions; and to content himself, in general, with such short notes as might recall to his memory the principal topics on which he meant to enlarge. To the value, however, and utility of these unpremeditated sermons we have the honourable testimony of his learned and excellent colleague, who heard him preach every week for more than twenty years. "His discourses from this place," says Dr. Erskine, "were so plain, that the most illiterate might easily understand them, and yet so correct and elegant, that they could not incur their censure, whose taste was more refined. For several years before his death, he seldom wrote his sermons fully, or exactly committed his older sermons to memory; though, had I not learned this from himself, I should not have suspected it; such was the variety and fitness of his illustrations, the accuracy of his method, and the propriety of his style."

His health began apparently to decline in the end of the year 1791. Till then, it had been more uniformly good than might have been expected from his studious habits; but, about this period, he suddenly discovered strong symptoms of jaundice, which gradually undermined his constitution, and terminated at length in a lingering and fatal illness. He had the prospect of death long before him; a prospect deeply afflicting to his family and his friends; but of which, without any visible abatement in his spirits, he happily availed himself, to adorn the doctrines which he had long taught, by an example of fortitude and of christian resignation. In the concluding stage of his disorder, he removed from Edinburgh to *Grange House* in the neighbourhood, where he had the advantage of a freer air, and a more quiet situation, and (what he valued more than most men) the pleasure of rural objects, and of a beautiful landscape. While he was able to walk abroad, he commonly passed a part of the day in a small

* Appendix, Note N.

garden, enjoying the simple gratifications it afforded with all his wonted relish. Some who now hear me will long remember,—among the trivial yet interesting incidents which marked these last weeks of his memorable life,—his daily visits to the fruit-trees, (which were then in blossom,) and the smile with which he, more than once, contrasted the interest he took in their progress, with the event which was to happen before their maturity. At his particular desire, I saw him (for the last time) on the 4th of June 1793, when his weakness confined him to his couch, and his articulation was already beginning to fail: and it is in obedience to a request with which he then honoured me, that I have ventured, without consulting my own powers, to offer this tribute to his memory. He died on the 11th of the same month, in the seventy-first year of his age.

I have already hinted at his domestic happiness. Nothing was wanting to render it perfect while he lived; and, at his death, he had the satisfaction to leave, in prosperous circumstances, a numerous family united to each other and to their excellent mother by the tenderest affection. His eldest son, an eminent lawyer at the Scotch bar, has been only prevented by the engagements of an active profession, from sustaining his father's literary name; while his two younger sons, both of whom very early embraced a military life, have carried his vigour and enterprise into a different career of ambition.* His eldest daughter is married to Mr. Brydone, the well-known author of one of our most elegant and popular books of Travels. Another is the widow of the late John Russell, Esq. Clerk to the Signet, and one of the members of this society.

The general view which has been already given of Dr. Robertson's occupations and habits, supersedes the necessity of attempting a formal delineation of his character. To the particulars, however, which have been incidentally mentioned in the course of this biographical sketch, it may not be unimportant to add, that the same sagacity and good sense which so eminently distinguished him as a writer, guided his conduct in life, and rendered his counsels of inestimable value to his friends. He was not forward in offering advice; but when consulted, as he was very frequently, by his younger acquaintance, he entered into their concerns with the most lively interest, and seemed to have a pleasure and a pride in imparting to them all the lights of his experience and wisdom. Good sense was indeed the most prominent feature in his intellectual character; and it is unquestionably, of all the qualities of the understanding, that which essentially constitutes superiority of mind: for, although we are sometimes apt to appropriate the appellation of genius to certain peculiarities in the intellectual habits, it is he only who distinguishes himself from the rest of mankind, by thinking better than they on the same subjects, who fairly brings his powers into comparison with others. This was in a remarkable degree the case with Dr. Robertson. He was not eminent for metaphysical acuteness; nor did he easily enter into speculations involving mathematical or mechanical ideas; but, in those endowments which lay the foundation of successful conduct, and which fit a man to acquire an influence over others, he had no superior. Among those who have, like him, devoted the greater part of life to study, perhaps it would be difficult to find his equal.

His practical acquaintance with human nature was great, and he possessed the soundest and most accurate notions of the characters of those with whom he was accustomed to associate. In that quick penetration, indeed, which reads the soul, and estimates the talents of others by a sort of intuition, he was surpassed by many; and I have often known him misled by first impressions: but where he had an opportunity of continuing his observations for a length of time, he seldom failed in forming conclusions equally just, refined, and profound. In a general knowledge of the world, and of the ways of men, his superiority was striking and indisputable; still more so, in my opinion, than in the judgments he formed of individuals. Nor is this surprising, when we consider the joint influence of his habits as an historian, and as a political leader.

Too much cannot be said of his moral qualities. Exemplary and amiable in the offices of private life, he exhibited, in his public conduct, a rare union of political firmness with candour and moderation.—" He enjoyed," says Dr. Erskine, " the bounties of Providence without running into riot; was temperate without austerity; condescending and affable without meanness; and in expense neither sordid nor prodigal. He could feel an injury, and yet bridle his passion; was grave, not sullen; steady, not obstinate; friendly, not officious; prudent and cautious, not timid."—The praise is liberal; and it is expressed with the cordial warmth of friendship; but it comes from one who had the best opportunity of knowing the truth, as he had enjoyed Dr. Robertson's intimacy from his childhood, and was afterwards, for more than twenty years, his colleague in the same church; while his zealous attachment to a different system of ecclesiastical government, though it never impaired his affection for the companion of his youth, exempts him from any suspicion of undue partiality.

In point of stature Dr. Robertson was rather above the middle size; and his form, though it did not convey the idea of much activity, announced vigour of body and a healthful constitution. His features were regular and manly; and his eye spoke at once good sense and good humour. He appeared to greatest advantage in his complete clerical dress; and was more remarkable for gravity and dignity in discharging the functions of his public stations, than for ease or grace in private society. His portrait by Reynolds, painted about twenty years ago, is an admirable likeness; and fortunately, (for the colours are already much faded,) all its spirit is preserved in an excellent mezzotinto. At the request of his colleagues in the University,† who were anxious to have some memorial of him placed in the public library, he sat again, a few months before his death, to Mr. Raeburn; at a time when his altered and sickly aspect rendered the task of the artist peculiarly difficult. The picture, however, is not only worthy, in every respect, of Mr. Raeburn's high and deserved reputation, but to those who were accustomed to see Dr. Robertson at this interesting period, derives an additional value from an air of languor and feebleness, which strongly marked his appearance during his long decline.

* Appendix, Note O.

† Appendix, Note P.

I should feel myself happy, if, in concluding this Memoir, I could indulge the hope, that it may be the means of completing and finishing that picture which his writings exhibit of his mind. In attempting to delineate its characteristic features, I have certainly possessed one advantage ;—that I had long an opportunity of knowing and studying the original ; and that my portrait, such as it is, is correctly copied from my own impressions. I am sensible, at the same time, that much more might have been accomplished by a writer whose pursuits were more congenial than mine to Dr. Robertson's : nor would any thing have induced me to depart, so far as I have now done, from the ordinary course of my own studies, but my respect for the last wish of a much lamented friend, expressed at a moment when nothing remained for me but silent acquiescence.

APPENDIX.

NOTE A. (Page iii.)

THE information contained in the following note (for which I am indebted to the friendship of Dr. Carlyle) cannot fail to be acceptable to those to whom the literary history of Scotland is an object of curiosity.

"The *Select Society* owed its rise to the ingenious Allan Ramsay, (son of the poet of that name,) and was intended for Philosophical Inquiry, and the improvement of the members in the Art of Speaking. They met for the first time in the Advocates' Library, in May 1754, and consisted only of fifteen, who had been nominated and called together by Mr. Ramsay and two or three of his friends. At that meeting they formed themselves into a society, into which the members were ever after elected by ballot, and who met regularly every Friday evening, during the sittings of the Court of Session, both in summer and winter.

"This Society continued to flourish for several years, and became so fashionable, that, in 1759, their number amounted to more than 130; which included all the *literati* of Edinburgh and its neighbourhood, and many of the nobility and gentry, who, though a few of them only took any share in the debates, thought themselves so well entertained and instructed, that they gave punctual attendance. In this Society, which remained in vigour for six or seven years, Dr. Robertson made a conspicuous figure. By his means it was, and by the appearances made by a few of his brethren, that a new lustre was thrown on their order. From the Revolution, (when the church had been chiefly filled with incumbents that were ill educated,) down to this period, the clergy of the established church had always been considered in a subordinate light, and as far inferior to the members of the other learned professions, in knowledge and liberal views. But now, when compared together, on this theatre for the exhibition of talents, they were found to be entitled to at least an equal share of praise; and having been long depressed, they were, in compensation, as usual, raised full as high as they deserved. When the Select Society commenced, it was not foreseen that the History of Scotland during the reign of Mary, the Tragedy of Douglas, and the Epigoniad, were to issue so soon from three gentlemen of the ecclesiastical order.

"When the Society was on the decline, by the avocations of many of its most distinguished members, and the natural abatement of that ardour which is excited by novelty and emulation, it was thought proper to elect fixed presidents to preside in their turns, whose duty it was to open the question to be debated upon, that a fair field might be laid before the speakers. It was observed of Dr. Robertson, who was one of those presidents, that whereas most of the others in their previous discourses exhausted the subject so much that there was no room for debate, he gave only such brief but artful sketches, as served to suggest ideas, without leading to a decision.

"Among the most distinguished speakers in the Select Society, were sir Gilbert Elliott, Mr. Wedderburn, Mr. Andrew Pringle, lord Kaims, Mr. Walter Stewart, lord Elibank, and Dr. Robertson. The honourable Charles Townshend spoke once. David Hume and Adam Smith never opened their lips.

"The Society was also much obliged to Dr. Alexander Monro, senior, sir Alexander Dick, and Mr. Patrick Murray, advocate, who, by their constant attendance and readiness on every subject, supported the debate during the first year of the establishment, when otherwise it would have gone heavily on. The same part was afterwards more ably performed by lord Monboddo, lord Elibank, and the reverend William Wilkie, all of whom had the peculiar talent of supporting their paradoxical tenets by an inexhaustible fund of humour and argument."

A printed List of the Members having been accidentally preserved by Dr. Carlyle, I need make no apology for giving it a place in this Appendix, as a memorial of the state of literary society in Edinburgh, forty years ago.

List of the Members of the Select Society, 17th October, 1759.

Rev. John Jardine, Minister in Edinburgh.
Francis Home, M. D.
Adam Smith, Professor of Ethics at Glasgow.
Alexander Wedderburn (now Lord Chancellor).
Allan Ramsay (afterwards Painter to his Majesty).
James Burnet, Advocate (afterwards Lord Monboddo).
John Campbell, Advocate (now Lord Stonefield).
Rev. Alexander Carlyle, Minister at Inveresk.
William Johnston, Advocate (now Sir William Pulteney).
James Stevenson Rogers, Advocate.
David Hume.
John Swinton, Advocate (afterwards Lord Swinton).
Patrick Murray, Advocate.
Patrick Hume of Billy, Advocate.
Alexander Stevenson, M. D.
Walter Stewart, Advocate.
John Home (Author of Douglas).
Robert Alexander, Merchant.

James Russell (afterwards Professor of Natural Philosophy).
George Cockburn, Advocate.
David Clerk, M. D.
George Brown (Lord Colston).
Rev. William Robertson, Minister in Edinburgh.
John Fletcher (now General Fletcher Campbell).
Alexander Agnew, Advocate.
John Hope, M. D.
Sir David Dalrymple, Advocate (afterwards Lord Hailes).
Gilbert Elliot, one of the Lords Commissioners of the Admiralty.
Sir Harry Erskine, Bart.
Rev. Hugh Blair, one of the Ministers of Edinburgh.
Andrew Stewart (now M. P. for Weymouth).
Charles Fysch Palmer.
George Morrison, Advocate.
Andrew Pringle (Lord Aylmoor).
Alexander Monro, sen. M. D.
David Ross, Advocate (now Lord Ankerville).
Right Hon. Patrick Lord Elibank.
Earl of Glasgow.
Sir Alexander Dick, Bart.
Robert Arbuthnot (now Secretary to the Board of Trustees for Manufacturers, &c.).
Adam Fairholme, Merchant in Edinburgh.
Major James Edmondstone.
Charles Hamilton Gordon, Advocate.
James Fergusson of Pitfour, jun. Advocate.
David Kennedy, Advocate (afterwards Earl of Cassils).
John Dalrymple, Advocate (now Baron of Exchequer).
Major Robert Murray (afterwards Sir Robert Murray).
Rev. Robert Wallace, Minister in Edinburgh.
John Gordon, Advocate.
Alexander Maxwell, Merchant in Edinburgh.
John Coutts, Merchant in Edinburgh.
William Todd, Merchant in Edinburgh.
Thomas Millar (afterwards President of the Court of Session).
Robert Chalmers.
Mr. Baron Grant.
Captain James Stewart.
Sir John Stewart, Advocate.
James Guthrie, Merchant.
Charles Congalton, Surgeon in Edinburgh.
Rev. William Wilkie, Minister at Ratho.
John Monro, Advocate.
Captain Robert Douglas.
Alexander Tait, Writer in Edinburgh.
George Chalmers, Merchant in Edinburgh.
Colonel Oughton (afterwards Sir Adolphus Oughton).
John Adam, Architect.
Robert White, M. D.
Henry Home (Lord Kaims).
James Montgomery, Advocate (now Chief Baron of Exchequer).
David Dalrymple, Advocate (afterwards Lord Westhall).
Rev. George Kay, Minister in Edinburgh.
George Muir, Clerk of Justiciary.
George Clerk (afterwards Sir George Clerk).
Lieutenant-Colonel Archibald Montgomery (afterwards Earl of Eglinton).
Right Honourable Lord Deskfoord.
Robert Berry, Advocate.
Adam Austin, M. D.
Lieutenant Colonel Morgan.
George Drummond (Lord Provost of Edinburgh).
The Earl of Lauderdale.
Alexander Boswell (Lord Auchinleck).
Alexander Udney, Commissioner of Excise.
Rev. George Wishart, Minister in Edinburgh.
Right Honourable Lord Belhaven.
Francis Garden, Advocate (afterwards Lord Gardenstone).
David Rae, Advocate (now Lord Justice Clerk).
Mansfield Cardonnel, Commissioner of Excise.
Right Honourable Lord Aberdour.
John Murray of Philiphaugh, Advocate.
William Tytler, Writer to the Signet (Author of the Vindication of Q. Mary).
Colin Drummond, M. D.
Robert Dundas (afterwards President of the Court of Session).
Stamp Brooksbanks.
William Nairne, Advocate (now Lord Dunsinan).
James Adam, Architect.
Captain Charles Erskine.
Hugh Dalrymple, Advocate (Author of Rodondo).
James Hay, Surgeon.
Mr. Baron Erskine (afterwards Lord Alva).
John Clerk (Author of Naval Tactics).
John M'Gowan, jun. Writer in Edinburgh.
Earl of Galloway.
John Graham of Dougaldston.
James Carmichael, Writer to the Signet.
Adam Fergusson, (afterwards Professor of Moral Philosophy).
George Drummond of Blair.
William Cullen, M. D.
Ilay Campbell, Advocate (now President of the Court of Session.)
Alexander Murray, Advocate (afterwards Lord Henderland).
Rev. Robert Dick.
Right Honourable Lord Gray.
Earl of Errol
James Dewar, Advocate.
Captain David Wedderburn.
Major James Dalrymple.
Archibald Hamilton, M. D.
Andrew Cheap.
Andrew Crosbie, Advocate.
Earl of Aboyne.
Adam Fergusson, Advocate (now Sir Adam Fergusson).
Earl of Selkirk.
John Turton.
Cosmo Gordon (afterwards one of the Barons of Exchequer).
Right Honourable Lord Gairlies.
Earl of Sutherland.
Captain Dougald Campbell.
Honourable George Ramsay, Advocate.
Earl of Roseberry.
Earl of Cassils.
William Graham, Advocate.
John Pringle, of Crichton.
Right Honourable Charles Townshend.
George Wallace.

NOTE B. (Page v.)

From William Strahan, Esq. to Dr. Robertson.

Rev. Sir, London, Feb. 28, 1759.

WHEN I received your farewell letter on the conclusion of your History, I was determined not to answer it till I could tell you, with certainty, and from my own personal knowledge, what reception it met with in this place. And what I am going to tell you, I dare say you have had from many of your friends long ago. No matter for that. Every man, and especially one in my way, has an opportunity to hear the public sentiments through many different channels. I have now waited till I could be fully informed; and as I have been particularly solicitous to procure authentic intelligence, you will not be displeased at my confirming what you have heard before, as we love to see a piece of good news in the Gazette, (excuse the vanity of the comparison,) even though we have read it a month before in all the other papers.—I don't remember to have heard any book so universally approved by the best judges, for what are sold yet, have been only to such. The people in the country know nothing of it, unless from the advertisements; and *A History of Scotland* is no very enticing title.—But many of the first distinction in town have perused it with great satisfaction. They wonder how a Scotch parson, and who had never been out of Scotland, could be able to write in so correct, so clear, so manly, and so nervous a style. The Speaker of the house of Commons, in particular, prefers the style to that of Bolingbroke, and every body that I have either seen or heard of, think it one of the very best performances that has been exhibited for many years. As these are not superficial judges, you may be assured that the fame you have acquired will be permanent, and not only permanent, but extending daily. Next week you will see some extracts from it in the Chronicle, which will serve to give the people at a distance from town some idea of its excellence; but without that, or any thing else, the report of those who have read it in London will soon spread its reputation; for the capital always gives the lead this way as well as in most other cases. The impression, therefore, certainly will be gone before another can be got ready. Mr. Millar has wrote to you already about revising it for another edition, and I think the sooner you send up some of the sheets the better, that no time may be lost. Does not this answer your most sanguine expectations? For, indeed, a more favourable reception could not be hoped for. I most sincerely wish you joy of your success, and have not the least doubt but it will have all the good effects upon your future fortune which you could possibly hope for, or expect. Much depended upon the first performance; that trial is now happily over, and henceforth you will sail with a favourable gale. In truth, to acquire such a flood of reputation from writing on a subject in itself so unpopular in this country, is neither a common nor a contemptible conquest.—I will not trouble you more on a subject of which you must needs have heard a great deal from hence lately. I rejoice in your good fortune, and am, with much esteem and sincerity,

Dear Sir,

Your most obedient servant,

WILL. STRAHAN.

The following Letter from Mr. Strahan's son, forms an interesting counterpart to the foregoing article.

From Andrew Strahan, Esq. to Dr. Robertson.

Dear Sir, London, 19th November, 1792.

Being at the sea-side in Sussex when I received your favour of the 26th ult. I have had no opportunity till now of acknowledging it, and at the same time informing myself of the state of the edition, so as to answer your question.

Mr. Cadell (who is now with me, and who desires to be affectionately remembered) is of opinion with me, that we should take the ensuing season of ships sailing to India to reduce the quartos.—But we will print an edition in octavo, next summer, whatever may then be the state of the former, and we will thank you for a correct copy at your leisure.

The fourteenth edition of your "*Scotland*" will be published in the course of the winter, during which it is our intention to advertise all your works strongly in all the papers.—And we have the satisfaction of informing you, that if we may judge by the sale of your writings, your literary reputation is daily increasing.

I am, with much esteem, &c.

NOTE C. (Page vi.)

THE praise contained in the following letter (though less profusely bestowed than by some other of Dr. Robertson's correspondents) will not appear of small value to those who are acquainted with the character of the writer, and with his accurate researches into the antiquities of Scotland.

From Sir David Dalrymple to Dr. Robertson.

Dear Sir, Edinburgh, 20th Feb. 1776.

I am very happy in your favourable acceptance of the Annals of Scotland. Even your opinion is not enough to make me think of going beyond the Restoration of James I. Your Sketch of the History from that time to the death of James V. is of itself sufficient to deter me. It is very possible that in your delineation of the history of the five Jameses, there may be errors and omissions, but you have drawn all the characters with such historical truth, that if I were to work on the same ground, I might spoil and overcharge the canvas; at the same time, the reader would not see himself in a strange country—every object would be familiar to him. There is another reason, and that is a political one, for my stopping short. Many readers might take it for granted that I would write disfavourably of the Stewarts, from prejudice of education or family. Other readers might suspect my impartiality, and thus, there would be little prospect of my being favourably heard. If I have health to finish my plan, I propose to go back into the laws of Scotland. *That* is a work of which I must not lose sight, after I have laboured so long upon it.*

I send you a book which I have re-published, and beg your acceptance of it. I am,

Dear Sir,

Your most obedient

and obliged humble servant,

DAV. DALRYMPLE.

* It is much to be regretted that the work here alluded to by lord Hailes was never carried into complete execution. The fragments, however, of such a writer relative to a subject on which he had so long bestowed attention, could not fail to be of great value; and it is to be hoped that they will one day be communicated to the public.

The following Letters, which have been kindly communicated to me by a friend of lord Hailes, ascertain some important dates with respect to the progress of Dr. Robertson's studies.

Dr. Robertson to Lord Hailes.

Sir, Gladsmuir, 22d Oct. 1753.

I intend to employ some of the idle time of this winter in making a more diligent inquiry than ever I have done into that period of Scots history from the death of king James V. to the death of queen Mary. I have the more common histories of that time, such as Buchanan, Spottiswood, and Knox, but there are several collections of papers by Anderson, Jebb, Forbes, and others, which I know not how to come at. I am persuaded you have most of these books in your library, and I flatter myself you will be so good as to allow me the use of them. You know better what books to send me, and what will be necessary to give any light to this part of history, than I do what to ask, and therefore I leave the particular books to your own choice, which you'll please order to be given to my servant. Whatever you send me, shall be used with much care, and returned with great punctuality.—I beg you may forgive this trouble. I am, with great respect, &c.

Dr. Robertson to Lord Hailes.

Sir, Gladsmuir, 26th July, 1757.

I have now got forward to the year 1660, and as it will be impossible for me to steer through Gowrie's conspiracy without your guidance, I must take advantage of the friendly offer you was pleased to make me, and apply to you for such books and papers as you think to be necessary for my purpose.—I would wish to give an accurate and rational account of the matter, but not very minute. I have in my possession Calderwood's MSS. and all the common printed histories; but I have neither lord Cromarty's account, nor any other piece particularly relative to the conspiracy. I beg you may supply me with as many as you can, and direct me to any thing you think may be useful. The papers you are pleased to communicate to me, shall be shown to no human creature, and no further use shall be made of them than you permit. My servant will take great care of whatever books or papers you give him. I need not say how sensible I am of the good will with which you are pleased to instruct me in this curious point of history, nor how much I expect to profit by it. I ever am, &c.

Dr. Robertson to Lord Hailes.

Sir, Edinburgh, 8th Nov. 1758.

I have taken the liberty to send you inclosed a Preface to my book, which I have just now written. I find it very difficult for a man to speak of himself with any decency through three or four pages. Unluckily I have been obliged to write it in the utmost hurry, as Strahan is clamouring for it. I think it was necessary to say all in it that I have said, and yet it looks too like a puff. I send it to you, not only that you may do me the favour to correct any inaccuracies in the composition, but because there is a paragraph in it which I would not presume to publish without your permission, though I have taken care to word it so modestly that a man might have said it of himself. As I must send off the Preface by to-morrow's post, I must beg the favour that you will return it with your remarks to-morrow morning. I would wish, if possible, that I had time to show it to Blair. I am, with great respect, &c.

The Letters which follow (although written many years afterwards) may, without impropriety, be introduced here, as they all relate, more or less, to the History of Scotland.

Dr. Robertson to Lord Hailes.

My Lord, College, Feb. 10, 1776.

I hope your lordship will forgive me for having deferred so long to return you my best thanks for the very acceptable present which you were pleased to send me. Previous to doing this, I wished to have the satisfaction of perusing the Annals again, and the opinion I had formed of their merit is in no degree diminished by an attentive review of them in their present dress.

You have given authenticity and order to a period of our history, which has hitherto been destitute of both, and a Scotchman has now the pleasure of being able to pronounce what is true, and what is fabulous, in the early part of our national story. As I have no doubt with respect to the reception which this part of the Annals, though perhaps the least interesting, will meet with, I flatter myself that your lordship will go on with the work. Allow me, on the public account, to hope that you have not fixed *the Accession of James I.* as an impassable boundary beyond which you are not to advance. It is at that period the most interesting age of our history commences. From thence the regular series of our laws begins. During the reign of the Jameses, many things still require the investigation of such an accurate and patient inquirer as your lordship. I hope that what I have done in my review of that period, will be no restraint on your lordship in entering upon that field. My view of it was a general one, that did not require the minute accuracy of a chronological research, and if you discover either omissions or mistakes in it, (and I dare say you will discover both,) I have no objection to your supplying the one, and correcting the other. Your strictures on me will not be made with a hostile hand, and I had much rather that these were made, than be deprived of the advantage that I shall reap from your completing your work. As far as I can judge by the opinion of those with whom I converse, the public wish is, that you should continue your Annals at least to the death of James V. I most heartily join my voice to this general desire, and wish you health to go on with what will be so much for the honour of your country. I am, with great truth and respect, my lord,

Your lordship's most obedient
and most humble servant.

Dr. Robertson to Lord Hailes.

My Lord, College, March 13th, 1785.

When I took the liberty of applying to your lordship last week, I unluckily did not advert to the hurry of business during the last week of the Session. In compliance with your request, I shall, without preamble or apology, mention what induced me to trouble your lordship.

I am now in the twenty-eighth year of my authorship, and the proprietors of the History of Scotland purpose to end the second fourteen years of their copyright splendidly, by publishing two new editions of that book, one in quarto, and another in octavo. This has induced me to make a general review of the whole work, and to avail myself both of the remarks of my friends, and the strictures of those who differ from me in opinion. I mean not to take the field as a controversial writer, or to state myself in opposition to any antagonist. Wherever I am satisfied that I have fallen into errors, I shall quietly, and without reluctance, correct it. Wherever I think my sentiments right and well established, they shall stand.—In some few places, I shall illustrate what I have written, by materials and facts which I have discovered since the first publication of my book. These additions will not, I hope, be very bulky, but they will contribute, as I imagine, to throw light on several events which have been mistaken, or misrepresented. I shall take care, on account of the purchasers of former editions, that all the additions and alterations of any importance, shall be published separately, both in quarto and octavo.

As I know how thoroughly your lordship is acquainted with every transaction in Q. Mary's reign, and with how much accuracy you are accustomed to examine historical facts, it was my intention to have requested of you, that if any error or omission in my book had occurred to you in the perusal of it, you would be so obliging as to communicate your sentiments to me. I shall certainly receive such communications with much attention and gratitude. —You have set me right with respect to the act 19th April, 1567, but I think that I can satisfy your lordship that it was esteemed in that age, and was really a concession of greater importance to the reformed than you seem to apprehend. I beg leave to desire that, if you have any remarks to communicate, they may be sent soon, as the booksellers are impatient. I trust your lordship will pardon the liberty I have taken. I have the honour to be, my lord,

Your most obedient and most humble servant.

Dr. Robertson to Lord Hailes.

College of Edinburgh,
March 20, 1786.

My Lord,

I consider it as an unfortunate accident for me, that your lordship happened to be so much pre-occupied at the time when I took the liberty of applying to you. I return you thanks for the communication of your notes on the acts of parliament. Besides the entertainment and instruction I received from the perusal of them, I found some things of use to me, and I have availed myself of the permission you was pleased to give me.

I mentioned to your lordship that I differed little from you about the effect of the act, April 19, 1567. I inclose a copy both of the *text*, corrected as I intended to publish it in the new edition, and of a note which I shall add to explain my idea of the import of the act. I request of your lordship to peruse it, and if in any part it meets not with your approbation, be so good as to let me know. Please to return it as soon as you can, that I may communicate it, and any other additions and alterations, to Mr. Davidson, who has promised to revise them.

In 1776 your lordship published the Secret Correspondence of Sir R. Cecil with James VI. I have not a copy of it, and have been unsuccessful in my application for one to some of my friends. If you have a copy, and will be so good as to allow me the use of it, I shall return it with the greatest care, as I do herewith the notes I received from your lordship. I have attended to the notes in Bannatyne's poems. I have the Hamilton MSS. in three volumes folio. They are curious.

I have the honour to be, &c.

I shall subjoin some extracts from Mr. Hume's letters to Dr. Robertson, written about this period, and a few other passages from different correspondents. They seem to me worthy of preservation, although the extraneous matter they contain render it impossible for me to incorporate them with my narrative.

Mr. Hume to Dr. Robertson.

London, Lisle Street,
18th Nov. 1758.

My dear Sir,

According to your permission I have always got your corrected sheets from Strahan; and am glad to find, that we shall agree in almost all the material parts of our history. Your resolution to assert the authenticity of Mary's letter to Bothwell, with the consequence which must necessarily follow, removes the chief point, in which, I apprehend, we shall differ. There remain, however, two other points where I have not the good fortune to agree with you, *viz.* The violation of the treaty of Perth by Mary of Guise, and the innocency of Mary with regard to Babington's conspiracy: but as I had written notes upon these passages, the public must judge between us. Only allow me to say, that even if you be in the right with regard to the last, (of which, notwithstanding my deference to your authority, I cannot perceive the least appearance,) you are certainly too short and abrupt in handling it. I believe you go contrary to received opinion; and the point was of consequence enough to merit a note or a dissertation.

There is still another point in which we differ, and which reduced me to great perplexity. You told me, that all historians had been mistaken with regard to James's behaviour on his mother's trial and execution; that he was not really the pious son he pretended to be; that the appearances which deceived the world were put on at the solicitation of the French ambassador, Courcelles; and that I should find all this proved by a manuscript of Dr. Campbell's. I accordingly spoke of the matter to Dr. Campbell, who confirmed what you said, with many additions and amplifications. I desired to have the manuscript, which he sent me. But great was my surprise, when I found the contrary in every page, many praises bestowed on the king's piety both by Courcelles and the French court; his real grief and resentment painted in the strongest colours; resolutions even taken by him to form an alliance with Philip of Spain, in order to get revenge; repeated advices given him by Courcelles and the French ministers, rather to conceal his resentment till a proper opportunity offered of taking vengeance. What most displeased me in this affair was, that as I thought myself obliged to follow the ordinary tenor of the printed historian, while you appealed to manuscript, it would be necessary for me to appeal to the same manuscripts, to give extracts of them, and to oppose your conclusions. Though I know that I could execute this matter in a friendly and obliging manner for you, yet I own that I was very uneasy at find-

ing myself under a necessity of observing any thing which might appear a mistake in your narration. But there came to me a man this morning, who, as I fancied, gave me the key of the difficulty, but without freeing me from my perplexity. This was a man commonly employed by Millar and Strahan to decypher manuscripts. He brought me a letter of yours to Strahan, where you desired him to apply to me in order to point out the passages proper to be inserted in your Appendix, and proper to prove the assertion of your text. You add there, these letters are in the French language. I immediately concluded that you had not read the manuscripts, but had taken it on Mr. Campbell's word: for the letters are in English, translated by I know not whom from the French. I could do nothing on this occasion but desire Strahan to stop the press in printing the Appendix, and stay till I wrote to you. If I could persuade you to change the narration of the text, that sheet could be easily cancelled, and an appendix formed proper to confirm an opposite account. If you still persist in your opinion, somebody else whom you trusted might be employed to find the proper passages; for I cannot find them.

There is only one passage which looks like your opinion, and which I shall transcribe to you. It is a relation of what passed between James and Courcelles upon the first rumour of the discovery of Babington's conspiracy, before James apprehended his mother to be in any danger. "The king said he loved his mother as much as nature and duty bound him; but he could not love her :
For he knew well she bore him no more good will than she did to the queen of England: That he had seen with his own eyes, before Foulnaye's departure out of Scotland, a letter to him, whereby she sent him word, that if he would not conform himself to her will, and follow her counsels and advice, that he should content himself with the lordship of Darnley, which was all that appertained unto him by his father: Farther, that he had seen other letters under her own hand, confirming her evil towards him: Besides, that she had oftentimes gone about to make a regency in Scotland, and to put him besides the crown; that it behoved him to think of his own affairs, and that he thought the queen of England would attempt nothing against her person without making him acquainted: That his mother was henceforward to carry herself both towards him and the queen of England after another sort, without bending any more upon such practices and intelligences as she had in former times: That he hoped to set such persons about her as" (Here the manuscript is not further legible.) But though such were James's sentiments before he apprehended his mother to be in danger, he adopted a directly opposite conduct afterwards, as I told you. I can only express my wishes that you may see reason to conform your narrative in vol. ii. p. 139, 140. to this account, or omit that Appendix altogether, or find some other person who can better execute your intentions than it is possible for me to do.

Mr. Hume to Dr. Robertson.

My dear Sir, 25th January, 1759.

What I wrote you with regard to Mary's concurrence in the conspiracy against queen Elizabeth, was from the printed histories of papers; and nothing ever appeared to me more evident. Your chief objection, I see, is derived from one circumstance, that neither the secretaries nor conspirators were confronted with Mary; but you must consider that the law did not then require this confrontation, and it was in no case the practice. The crown could not well grant it in one case without granting it in all, because the refusing of it would then have been a strong presumption of innocence in the prisoner. Yet as Mary's was an extraordinary case, Elizabeth was willing to have granted it. I find in Forbes's MS. papers, sent me by lord Royston, a letter of hers to Burleigh and Walsingham, wherein she tells them, that, if they thought proper, they might carry down the two secretaries to Fotheringay, in order to confront them with her. But they reply, that they think it needless.

But I am now sorry to tell you, that by Murden's State Papers, which are printed, the matter is put beyond all question. I got these papers during the holidays by Dr. Birch's means; and as soon as I had read them, I ran to Millar, and desired him very earnestly to stop the publication of your history till I should write to you, and give you an opportunity of correcting a mistake of so great moment; but he absolutely refused compliance. He said that your book was now finished, that the copies would be shipped for Scotland in two days, that the whole narration of Mary's trial must be wrote over again; that this would require time, and it was uncertain whether the new narrative could be brought within the same compass with the old; that this change, he said, would require the cancelling a great many sheets; that there were scattered passages through the volumes founded on your theory, and these must also be all cancelled, and that this change required the new printing of a great part of the edition. For these reasons, which do not want force, he refused, after deliberation, to stop his publication, and I was obliged to acquiesce. Your best apology at present is, that you could not possibly see the grounds of Mary's guilt, and every equitable person will excuse you.

I am sorry, on many accounts, that you did not see this collection of Murden's. Among other curiosities, there are several instructions to H. Killigrew, dated 10th September, 1572. He was then sent into Scotland. It there appears, that the regents, Murray and Lennox, had desired Mary to be put into their hands, in order to try her and put her to death. Elizabeth there offers to regent Mar to deliver her up, provided good security were given, "that she should receive that she hath deserved there by order of justice, whereby no further peril should ensue by her escaping, or by setting her up again." It is probable Mar refused compliance, for no other steps were taken towards it.

I am nearly printed out, and shall be sure to send you a copy by the stage-coach, or some other conveyance. I beg of you to make remarks as you go along. It would have been much better had we communicated before printing, which was always my desire, and was most suitable to the friendship which always did, and I hope always will, subsist between us. I speak this chiefly on my own account. For though I had the perusal of your sheets before I printed, I was not able to derive sufficient benefits from them, or indeed to make any alteration by their assistance. There still remain, I fear, many errors, of which you could have convinced me, if we had canvassed the matter in conversation. Perhaps I might also have been sometimes no less fortunate with you. Particularly I could almost undertake to convince you, that the earl of Murray's conduct with the duke of Norfolk was no way dishonourable.

I have seen a copy of your History with Charles Stanhope. Lord Willoughby, who had been there reading some passages of it, said, that you was certainly mistaken with regard to the act passed in the last parliament of Mary, settling the Reformation. He said that the act of parliament the first of James was no proof of it: for though that statute contains a statute where the queen's name was employed, yet that is always the case with the bills brought into parliament, even though they receive not the royal assent, nor perhaps pass the houses. I wish this be not the case, considering the testimony of Buchanan, Calderwood, and Spotswood. Besides, if the bill had before received the royal assent, what necessity of repeating it, or passing it again? Mary's title was more undisputable than James's.

Dr. Blair tells me, that prince Edward is reading you, and is charmed. I hear the same of the princess and prince of Wales. But what will really give you pleasure, I lent my copy to Elliot during the holidays, who thinks it one of the finest performances he ever read: and though he expected much, he finds more. He remarked, however, (which is also my opinion,) that in the beginning, before your pen was sufficiently accustomed to the historic style, you employed too many digressions and reflections. This was also somewhat my own case, which I have corrected in my new edition.

Millar was proposing to publish me about the middle of March, but I shall communicate to him your desire, even though I think it entirely groundless, as you will likewise think after you have read my volume. He has very needlessly delayed your publication till the first of February, at the desire of the Edinburgh booksellers, who could no way be affected by a publication in London. I was exceedingly sorry not to be able to comply with your desire, when you expressed your wish, that I should not write this period. I could not write downward. For when you find occasion, by new discoveries, to correct your opinion with regard to facts which passed in queen Elizabeth's days; who that has not the best opportunities of informing himself, could venture to relate any recent transactions? I must therefore have abandoned altogether this scheme of the English history, in which I had proceeded so far, if I had not acted as I did. You will see what light and force this history of the Tudors bestows on that of the Stewarts. Had I been prudent, I should have begun with it. I care not to boast, but I will venture to say, that I have now effectually stopped the mouths of all those villanous Whigs who railed at me.

You are so kind as to ask me about my coming down. I can yet answer nothing. I have the strangest reluctance to change places. I lived several years happy with my brother at Nine-wells, and had not his marriage changed a little the state of the family, I believe I should have lived and died there. I used every expedient to evade this journey to London, yet it is now uncertain whether I shall ever leave it. I have had some invitations, and some intentions of taking a trip to Paris; but I believe it will be safer for me not to go thither, for I might probably settle there for life. No one was ever endowed with so great a portion of the *vis inertiæ*. But as I live here very privately, and avoid as much as possible (and it is easily possible) all connexions with the great, I believe I should be better at Edinburgh. * * * *

Mr. Hume to Dr. Robertson.

London, 8th Feb. 1759.

* * As to the *Age of Leo the Tenth*, it was Warton himself who intended to write it; but he has not wrote it, and probably never will. If I understand your hint, I should conjecture, that you had some thoughts of taking up the subject. But how can you acquire knowledge of the great works of sculpture, architecture, and painting, by which that age was chiefly distinguished? Are you versed in all the anecdotes of the Italian literature? These questions I heard proposed in a company of literati when I inquired concerning this design of Warton. They applied their remarks to that gentleman, who yet, they say, has travelled. I wish they do not all of them fall more fully on you. However, you must not be idle. May I venture to suggest to you the Ancient History, particularly that of Greece? I think Rollin's success might encourage you, nor need you be in the least intimidated by his merit. That author has no other merit but a certain facility and sweetness of narration, but has loaded his work with fifty puerilities.

Our friend Wedderburn is advancing with great strides in his profession. * * * *

I desire my compliments to lord Elibank. I hope his lordship has forgot his vow of answering us, and of washing queen Mary white. I am afraid that is impossible; but his lordship is well qualified to gild her.

I am, &c.

Mr. Hume to Dr. Robertson.

* * * * *

I forgot to tell you, that two days ago I was in the house of Commons, where an English gentleman came to me, and told me, that he had lately sent to a grocer's shop for a pound of raisins, which he received wrapt up in a paper that he showed me. How would you have turned pale at the sight! It was a leaf of your History, and the very character of queen Elizabeth, which you had laboured so finely, little thinking it would so soon come to so disgraceful an end.—I happened a little after to see Millar, and told him the story; consulting him, to be sure, on the fate of his new boasted historian, of whom he was so fond. But the story proves more serious than I apprehended. For he told Strahan, who thence suspects villany among his prentices and journeymen; and has sent me very earnestly to know the gentleman's name, that he may find out the grocer, and trace the matter to the bottom. In vain did I remonstrate that this was sooner or later the fate of all authors, *serius*, *ocyus*, *sors exitura*. He will not be satisfied; and begs me to keep my jokes for another occasion. But that I am resolved not to do; and therefore, being repulsed by his passion and seriousness, I direct them against you.

Next week, I am published; and then, I expect a constant comparison will be made between Dr. Robertson and Mr. Hume. I shall tell you in a few weeks which of these heroes is likely to prevail. Meanwhile, I can inform both of them for their comforts, that their combat is not likely to make half so much noise as that between Broughton and the one-eyed coachman. *Vanitas vanitatum, atque omnia vanitas.* I shall still except, however, the friendship and good opinion of worthy men.

I am, &c.

Mr. Hume to Dr. Robertson.

My dear Sir, London, 12th March, 1759.

I believe I mentioned to you a French gentleman, Monsieur Helvetius, whose book, De l'Esprit, was making a great noise in Europe. He is a very fine genius, and has the character of a very worthy man. My name is mentioned several times in his work with marks of esteem; and he has made me an offer, if I would translate his work into English, to translate anew all my philosophical writings into French. He says, that none of them are well done, except that on the Natural History of Religion, by Monsieur Matigny, a Counsellor of State. He added, that the Abbé Prevot, celebrated for the *Mémoires d'un Homme d'Honneur*, and other entertaining books, was just now translating my history. This account of Helvetius engaged me to send him over the new editions of all my writings; and I have added your history, which, I told him, was here published with great applause; adding, that the subject was interesting and the execution masterly; and that it was probable some man of letters at Paris may think that a translation of it would be agreeable to the public. I thought that this was the best method of executing your intentions. I could not expect that any Frenchman here would be equal to the work. There is one Carracioli, who came to me and spoke of translating my new volume of history; but as he also mentioned his intentions of translating Smollet, I gave him no encouragement to proceed. The same reason would make me averse to see you in his hands.

But though I have given this character of your work to Monsieur Helvetius, I warn you, that this is the last time, that, either to Frenchman or Englishman, I shall ever speak the least good of it. A plague take you! Here I sat near the historical summit of Parnassus, immediately under Dr. Smollet; and you have the impudence to squeeze yourself by me, and place yourself directly under his feet. Do you imagine that this can be agreeable to me? And must not I be guilty of great simplicity to contribute by my endeavours to your thrusting me out of my place in Paris as well as at London? But I give you warning that you will find the matter somewhat difficult, at least in the former city. A friend of mine, who is there, writes home to his father the strangest accounts on that head; which my modesty will not permit me to repeat, but which it allowed me very deliciously to swallow.

I have got a good reason or pretence for excusing me to Monsieur Helvetius with regard to the translating his work. A translation of it was previously advertised here. I remain, &c.

Mr. Hume to Dr. Robertson.

My dear Sir, London, 29th May, 1759.

I had a letter from Helvetius lately, wrote before your book arrived at Paris. He tells me, that the Abbé Prevot, who had just finished the translation of my history, *paroit très-disposé à traduire l'Histoire d'Ecosse que vient de faire Monsieur Robertson.* If he be engaged by my persuasion, I shall have the satisfaction of doing you a real credit and pleasure: for he is one of the best pens in Paris.

I looked with great impatience in your new edition for the note you seemed to intend with regard to the breach of the capitulation of Perth; and was much disappointed at missing it. I own that I am very curious on that head. I cannot so much as imagine a colour upon which their accusations could possibly be founded. The articles were only two; indemnity to the inhabitants, and the exclusion of French soldiers—now that Scotch national troops were not Frenchmen and foreigners seems pretty apparent: and both Knox and the manifesto of the Congregation acquit the queen regent of any breach of the first article, as I had observed in my note to page 422. This makes me suspect that some facts have escaped me; and I beg you to indulge my curiosity by informing me of them.

* * * * *

Our friend Smith* is very successful here, and Gerard† is very well received. The Epigoniad I cannot so much promise for, though I have done all in my power to forward it, particularly by writing a letter to the Critical Review, which you may peruse. I find, however, some good judges profess a great esteem for it, but *habent et sua fata libelli:* however, if you want a little flattery to the author, (which I own is very refreshing to an author,) you may tell him that lord Chesterfield said to me he was a great Poet. I imagine that Wilkie will be very much elevated by praise from an English earl, and a knight of the garter, and an ambassador, and a secretary of state, and a man of so great reputation. For I observe that the greatest rustics are commonly most affected with such circumstances.

Ferguson's book‡ has a great deal of genius and fine writing, and will appear in time. * *

* * * * *

From Dr. Birch to Dr. Robertson.

Dear Sir, London, Feb. 8th, 1759.

I have just read over the second volume of your excellent History; and the satisfaction which I have received from the perusal of it, and the gratitude which I owe you for the honour done me in it, as well as for so valuable a present, will not permit me to lose one post in returning you my sincerest acknowledgments. My lord Royston likewise desires me to transmit to you his thanks and compliments in the strongest terms.

Though your work has been scarce a fortnight in the hands of the public, I can already inform you, upon the authority of the best judges, that the spirit and elegance of the composition, and the candour, moderation, and humanity, which run through it, will secure you the general approbation both of the present age and posterity, and raise the character of our country in a species of writing, in which of all others it has been most defective.

If the second volume of the State Papers of lord Burghley, published since Christmas here, had appeared before your History had been finished, it would have furnished you with reasons for entertaining a less favourable opinion of Mary queen of Scots in one or two points, than you seem at present possessed of. The principal is with regard to her last intrigues and correspondences which were the immediate cause of her death. And I could wish you had likewise seen a manuscript account of her trial in lord Royston's possession. This account is much fuller than Camden's, whose history is justly to be suspected in every thing relating to her; or than any other, that has yet seen the light. It contains so ample a state of

* Theory of Moral Sentiments. † Essay on Taste. ‡ Essay on the History of Civil Society.

the evidence produced of her guilt, as I think, leaves no doubt of it; notwithstanding that the witnesses were not confronted with her; a manner of proceeding, which, though certainly due to every person accused, was not usual either before her time or long after.

You conclude in the note, vol. i. p. 307, in favour of her innocence with any criminal intrigue with Rizzio, from the silence of Randolph on that head. But I apprehend, that in opposition to this allegation you may be urged with the joint letter of that gentleman and the earl of Bedford of 27th March 1566, in your Appendix, No. xv. p. 22.

I desire you to make my compliments acceptable to sir David Dalrymple and Mr. Davidson, and believe me to be, &c

THOMAS BIRCH.

From Sir Gilbert Elliot to Dr. Robertson.

Dear Sir, Admiralty, January 20th, 1759.

Millar has just sent me the History of Scotland. I cannot imagine why he should delay the publication so long as the first of February, for I well know that the printing has been completed a great while. You could have sent me no present, which on its own account I should have esteemed so much; but you have greatly enhanced its value, by allowing me to accept it as a memorial and testimony of a friendship which I have long cultivated with equal satisfaction and sincerity. I am no stranger to your book, though your copy is but just put into my hands: David Hume so far indulged my impatience, as to allow me to carry to the country during the holidays, the loose sheets which he happened to have by him. In that condition I read it quite through with the greatest satisfaction, and in much less time than I ever employed on any portion of history of the same length. I had certainly neither leisure nor inclination to exercise the function of a critic; carried along with the stream of the narration, I only felt, when I came to the conclusion, that you had greatly exceeded the expectations I had formed, though I do assure you these were not a little sanguine. If, upon a more deliberate perusal, I discover any blemish, I shall point it out without any scruple: at present, it seems to me that you have rendered the period you treat of as interesting as any part of our British story; the views you open of policy, manners, and religion, are ingenious, solid, and deep. Your work will certainly be ranked in the highest historical class; and for my own part, I think it, besides, a composition of uncommon genius and eloquence.—I was afraid you might have been interrupted by the Reformation, but I find it much otherwise; you treat it with great propriety, and, in my opinion, with sufficient freedom. No revolution, whether civil or religious, can be accomplished without that degree of ardour and passion, which, in a later age, will be matter of ridicule to men who do not feel the occasion, and enter into the spirit of the times. But I must not get into dissertations;—I hope you will ever believe me, with great regard, Dear Sir,

Your most obedient and faithful Servant,

GILB. ELLIOT.

NOTE D. (Page xiii.)

From Baron d'Holbach to Dr. Robertson.

Sir, Paris, the 30th of May, 1761.

I RECEIVED but a few days ago the favour of your letter, sent to me by Mr. Andrew Stuart; I am very proud of being instrumental in contributing to the translation of the valuable work you are going to publish. The excellent work you have published already is a sure sign of the reception your History of Charles V. will meet with in the continent; such an interesting subject deserves undoubtedly the attention of all Europe. You are very much in the right of being afraid of the hackney translators of Holland and Paris; accordingly I thought it my duty to find out an able hand capable of answering your desire. M. Suard, a gentleman well known for his style in French, and his knowledge in the English language, has, at my request, undertaken the translation of your valuable book; I know nobody in this country capable of performing better such a grand design. Consequently the best way will be for your bookseller, as soon as he publishes one sheet, to send it immediately *à Monsieur M. Suard, Directeur de la Gazette de France, rue St. Roch à Paris.* By means of this the sheets of your book will be translated as soon as they come from the press, provided the bookseller of London is very strict in not showing the same favour to any other man upon the continent.

I have the honour to be,

With great consideration,

Sir,

Your most obedient and humble Servant,

D'HOLBACH.

NOTE E. (Page xv.)

THE following letters have no immediate connexion with the history of Dr. Robertson's Life, but I trust that no apology is necessary for their insertion here.

From Mr. Hume to Dr. Robertson.

Dear Robertson, Paris, 1st December, 1763.

Among other agreeable circumstances, which attend me at Paris, I must mention that of having a lady for a translator, a woman of merit, the widow of an advocate. She was before very poor, and known but to few; but this work has got her reputation, and procured her a pension from the court, which sets her at her ease. She tells me, that she has got a habit of industry; and would continue, if I could point out to her any other English book she could undertake without running the risque of being anticipated by any other translator. Your History of Scotland is translated, and is in the press: but I recommended to her your History of Charles V., and promised to write to you, in order to know when it would be printed, and to desire you to send over the sheets from London as they came from the press; I should put them into her hands, and she would by that means have the start of every other translator. My two volumes last published are at present in the press. She has a very easy natural style: sometimes she mistakes the sense; but I now correct her manuscript; and should be happy to render you the same service, if my leisure permit me, as I hope it will. Do you ask me about my course of life? I can only say, that I eat nothing but ambrosia, drink nothing but nectar, breathe nothing but incense, and tread on nothing but flowers. Every man I meet, and still more every lady, would think they were wanting in the most indispensable duty, if they did not make to me a long and elaborate harangue in my praise. What happened last week, when I had the honour of being presented to the D——n's chil-

dren at Versailles, is one of the most curious scenes I ever yet passed through. The Duc de B. the eldest, a boy of ten years old, stepped forth, and told me how many friends and admirers I had in this country, and that he reckoned himself in the number, from the pleasure he had received from the reading of many passages in my works. When he had finished, his brother, the count de P. who is two years younger, began his discourse, and informed me, that I had been long and impatiently expected in France; and that he himself expected soon to have great satisfaction from the reading of my fine history. But what is more curious; when I was carried thence to the count d'A. who is but four years of age, I heard him mumble something, which, though he had forgot in the way, I conjectured, from some scattered words, to have been also a panegyric dictated to him. Nothing could more surprise my friends, the Parisian philosophers, than this incident. * * * * * * * * * * * * * It is conjectured that this honour was payed me by express order from the D., who, indeed, is not, on any occasion, sparing in my praise.

All this attention and panegyric was at first oppressive to me; but now it sits more easy. I have recovered, in some measure, the use of the language, and am falling into friendships, which are very agreeable; much more so than silly, distant admiration. They now begin to banter me, and tell droll stories of me, which they have either observed themselves, or have heard from others; so that you see I am beginning to be at home. It is probable, that this place will be long my home. I feel little inclination to the factious barbarians of London; and have ever desired to remain in the place where I am planted. How much more so, when it is the best place in the world? I could here live in great abundance on the half of my income; for there is no place where money is so little requisite to a man who is distinguished either by his birth or by personal qualities. I could run out, you see, in a panegyric on the people; but you would suspect, that this was a mutual convention between us. However, I cannot forbear observing, on what a different footing learning and the learned are here, from what they are among the factious barbarians above mentioned.

I have here met with a prodigious historical curiosity, the Memoirs of King James II. in fourteen volumes, all wrote with his own hand, and kept in the Scots College. I have looked into it, and have made great discoveries. It will be all communicated to me; and I have had an offer of access to the secretary of state's office, if I want to know the despatches of any French minister that resided in London. But these matters are much out of my head. I beg of you to visit lord Marischal, who will be pleased with your company. I have little paper remaining, and less time; and therefore conclude abruptly, by assuring you that I am,

Dear Doctor,

Yours sincerely,

DAVID HUME.

From Mr. Hume to Dr. Robertson.

My dear Sir, London, 19th March, 1767.

You do extremely right in applying to me wherever it is the least likely I can serve you or any of your friends. I consulted immediately with General Conway, who told me, as I suspected, that the chaplains to forts and garrisons were appointed by the War Office, and did not belong to his department. Unhappily I have but a slight acquaintance with lord Barrington, and cannot venture to ask him any favour; but I shall call on Pryce Campbell, though not of my acquaintance, and shall inquire of him the canals through which this affair may be conducted: perhaps it may lie in my power to facilitate it by some means or other.

I shall endeavour to find out the unhappy philosopher you mention, though it will be difficult for me to do him any service. He is an ingenious man, but unfortunate in his conduct, particularly in the early part of his life. The world is so cruel as never to overlook those flaws; and nothing but hypocrisy can fully cover them from observation. There is not so effectual a scourer of reputations in the world. I wish that I had never parted with that *Lixivium*, in case I should at any future time have occasion for it.

* * * * * * * A few days before my arrival in London, Mr. Davenport had carried to Mr. Conway a letter of Rousseau's, in which that philosopher says, that he had never meant to refuse the king's bounty, that he would be proud of accepting it, but that he would owe it entirely to his majesty's generosity and that of his ministers, and would refuse it if it came through any other canal whatsoever, even that of Mr. Davenport. Mr. Davenport then addressed himself to Mr. Conway, and asked whether it was not possible to recover what this man's madness had thrown away? The secretary replied, that I should be in London in a few days, and that he would take no steps in the affair but at my desire and with my approbation. When the matter was proposed to me, I exhorted the General to do this act of charity to a man of genius, however wild and extravagant. The king, when applied to, said, that since the pension had once been promised, it should be granted notwithstanding all that had passed in the interval. And thus the affair is happily finished, unless some new extravagance come across the philosopher, and engage him to reject what he has anew applied for. If he knew my situation with General Conway he probably would: for he must then conjecture that the affair could not be done without my consent.

Ferguson's book goes on here with great success. A few days ago I saw Mrs. Montague, who has just finished it with great pleasure: I mean, she was sorry to finish it, but had read it with great pleasure. I asked her, Whether she was satisfied with the style? Whether it did not savour somewhat of the country? O yes, said she, a great deal: it seems almost impossible that any one could write such a style except a Scotsman.

I find you prognosticate a very short date to my administration: I really believe that few (but not evil) will be my days. My absence will not probably allow my claret time to ripen, much less to sour. However that may be, I hope to drink out the remainder of it with you in mirth and jollity. I am sincerely yours, *usque ad aras*.

DAVID HUME.

In comparing the amiable qualities displayed in Mr. Hume's familiar letters, and (according to the universal testimony of his friends) exhibited in the whole tenor of his private conduct, with those passages in his metaphysical

writings which strike at the root of the moral and religious principles of our nature, I have sometimes pleased myself with recollecting the ingenious argument against the theories of Epicurus, which Cicero deduces from the history of that philosopher's life. "Ac mihi quidem, quod et ipse vir bonus fuit, et multi Epicurei fuerunt et hodie sunt et in amicitia fideles, et in omni vita constantes et graves, nec voluptate sed officio consilia moderantes, hoc videtur major vis honestatis et minor voluptatis. Ita enim vivunt quidam, ut eorum vita refellatur oratio. Atque ut ceteri existimantur dicere melius quam facere, sic hi mihi videntur facere melius quam dicere."

Note F. (Page xix.)

I have allotted this Note for some letters from Mr. Gibbon to Dr. Robertson, which appeared to me likely to interest the public curiosity.

Mr. Gibbon to Dr. Robertson.

Bentinck Street, Nov. the 3rd, 1779.

* * * * *

When I express my strong hope that you will visit London next spring, I must acknowledge that it is of the most interesting kind. Besides the pleasure which I shall enjoy in your society and conversation, I cherish the expectation of deriving much benefit from your candid and friendly criticism. The remainder of my first period of the Decline and Fall, &c., which will end with the ruin of the Western Empire, is already very far advanced; but the subject has already grown so much under my hands, that it will form a second and third volume in quarto, which will probably go to the press in the course of the ensuing summer.—Perhaps you have seen in the papers, that I was appointed some time ago one of the lords of trade; but I believe you are enough acquainted with the country to judge, that the business of my new office has not much interrupted the progress of my studies. The attendance in parliament is indeed more laborious; I apprehend a rough session, and I fear that a black cloud is gathering in Ireland.

Be so good as to present my sincere compliments to Mr. Smith, Mr. Ferguson, and if he should still be with you, to Dr. Gillies, for whose acquaintance I esteem myself much indebted to you. I have often considered, with some sort of envy, the valuable society which you possess in so narrow a compass.

I am, dear Sir,
With the highest regard,
Most faithfully yours,
E. GIBBON.

Mr. Gibbon to Dr. Robertson.

Dear Sir, London, September 1, 1783.

Your candid and friendly interpretation will ascribe to business, to study, to pleasure, to constitutional indolence, or to any other venial cause, the guilt of neglecting so valuable a correspondent as yourself. I should have thanked you for the opportunities which you have afforded me of forming an acquaintance with several men of merit who deserve your friendship, and whose character and conversation suggest a very pleasing idea of the society which you enjoy at Edinburgh.—I must at the same time lament, that the hurry of a London life has not allowed me to obtain so much as I could have wished of their company, and must have given them an unfavourable opinion of my hospitality, unless they have weighed with indulgence the various obstacles of time and place. Mr. Stewart I had not even the pleasure of seeing; he passed through this city in his way to Paris, while I was confined with a painful fit of the gout, and in the short interval of his stay, the hours of meeting which were mutually proposed, could not be made to agree with our respective engagements. Mr. Dalzel, who is undoubtedly a modest and learned man, I have had the pleasure of seeing; but his arrival has unluckily fallen on a time of year, and a particular year, in which I have been very little in town. I should rejoice if I could repay these losses by a visit to Edinburgh, a more tranquil scene, to which yourself, and our friend Mr. Adam Smith, would powerfully attract me. But this project, which in a leisure hour has often amused my fancy, must now be resigned, or must be postponed at least to a very distant period. In a very few days, (before I could receive the favour of an answer,) I shall begin my journey to Lausanne in Switzerland, where I shall fix my residence, in a delightful situation, with a dear and excellent friend of that country; still mindful of my British friends, but renouncing, without reluctance, the tumult of parliament, the hopes and fears, the prejudices and passions, of political life, to which my nature has always been averse. Our noble friend lord Loughborough has endeavoured to divert me from this resolution; he rises every day in dignity and reputation, and if the means of patronage had not been so strangely reduced by our modern reformers, I am persuaded his constant and liberal kindness would more than satisfy the moderate desires of a philosopher. What I cannot hope for from the favour of ministers, I must patiently expect from the course of nature; and this exile, which I do not view in a very gloomy light, will be terminated in due time, by the deaths of aged ladies, whose inheritance will place me in an easy and even affluent situation. But these particulars are only designed for the ear of friendship.

I have already despatched to Lausanne two immense cases of books, the tools of my historical manufacture; others I shall find on the spot, and that country is not destitute of public and private libraries, which will be freely opened for the use of a man of letters. The tranquil leisure which I shall enjoy, will be partly employed in the prosecution of my history; but although my diligence will be quickened by the prospect of returning to England, to publish the last volumes (three, I am afraid) of this laborious work, yet I shall proceed with cautious steps to compose and to correct, and the dryness of my undertaking will be relieved by mixture of more elegant and classical studies, more especially of the Greek authors. Such good company will, I am sure, be pleasant to the historian, and I am inclined to believe that it will be beneficial to the work itself. I have been lately much flattered with the praise of Dr. Blair, and a censure of the Abbé de Mably; both of them are precisely the men from whom I could wish to obtain praise and censure, and both these gratifications I have the pleasure of sharing with yourself. The Abbé appears to hate, and affects to despise, every writer of his own times, who has been well received by the pub-

lic; and Dr. Blair, who is a master in one species of composition, has displayed, on every subject, the warmest feeling, and the most accurate judgment.—I will frankly own that my pride is elated, as often as I find myself ranked in the triumvirate of British historians of the present age, and though I feel myself the Lepidus, I contemplate with pleasure the superiority of my colleagues. Will you be so good as to assure Dr. A. Smith of my regard and attachment. I consider myself as writing to both, and will not fix him for a separate answer. My direction is, *A Monsieur Monsieur Gibbon, à Lausanne en Suisse.* I shall often plume myself on the friendship of Dr. Robertson; but must I tell foreigners, that while the meaner heroes fight, Achilles has retired from the war?

I am,
My dear Sir,
Most affectionately yours,
E. GIBBON.

From Mr. Gibbon to Dr. Robertson.

Lord Sheffield's, Downing Street, March 26, 1788.

Dear Sir,

An error in your direction (to Wimpole Street, where I never had a house) delayed some time the delivery of your very obliging letter, but that delay is not sufficient to excuse me for not taking an earlier notice of it. Perhaps the number of minute but indispensable cares that seem to multiply before the hour of publication, may prove a better apology, especially with a friend who has himself passed through the same labours to the same consummation. The important day is now fixed to the eighth of May, and it was chosen by Cadell, as it coincides with the end of the fifty-first year of the author's age. That honest and liberal bookseller has invited me to celebrate the double festival, by a dinner at his house.—Some of our common friends will be present, but we shall all lament your absence, and that of Dr. Adam Smith (whose health and welfare will always be most interesting to me); and it gives me real concern that the time of your visits to the metropolis has not agreed with my transient residence in my native country. I am grateful for the opportunity with which you furnish me of again perusing your works in their most improved state; and I have desired Cadell to despatch, for the use of my two Edinburgh friends, two copies of the last three volumes of my history. Whatever may be the inconstancy of taste or fashion, a rational lover of fame may be satisfied if he deserves and obtains your approbation. The praise which has ever been the most flattering to my ear is, to find my name associated with the names of Robertson and Hume; and provided I can maintain my place in the triumvirate, I am indifferent at what distance I am ranked below my companions and masters.

With regard to my present work, I am inclined to believe, that it surpasses in variety and entertainment at least the second and third volumes. A long and eventful period is compressed into a smaller space, and the new barbarians who now assault and subvert the Roman empire, enjoy the advantage of speaking their own language, and relating their own exploits.

After the publication of these last volumes, which extend to the siege of Constantinople, and comprise the ruins of ancient Rome, I shall retire (in about two months) to Lausanne, and my friends will be pleased to hear that I enjoy, in that retreat, as much repose, and even happiness, as is consistent, perhaps, with the human condition. At proper intervals, I hope to repeat my visits to England, but no change of circumstance or situation will probably tempt me to desert my Swiss residence, which unites almost every advantage that riches can give, or fancy desire. With regard to my future literary plans, I can add nothing to what you will soon read in my Preface. But an hour's conversation with you, would allow me to explain some visionary designs which sometimes float in my mind; and, if I should ever form any serious resolution of labours, I would previously, though by the imperfect mode of a letter, consult you on the propriety and merit of any new undertakings.

I am, with great regard,
Dear Sir,
Most faithfully yours,
E. GIBBON.

NOTE G. (Page xx.)

As Dr. Robertson received particular satisfaction from the approbation of the gentleman whose geographical researches suggested the first idea of this Disquisition, I flatter myself that no apology is necessary for the liberty I take in quoting a short extract from one of his letters.

From Major Rennell to Dr. Robertson.

London, 2d July, 1791.

* * * After reading your book twice, I may with truth say, that I was never more instructed or amused than by the perusal of it; for although a great part of its subject had long been revolving in my mind, yet I had not been able to concentrate the matter in the manner you have done, or to make the different parts bear on each other.

The subject of the Appendix was what interested the public greatly; and was only to be acquired (if at all) by the study or perusal of a great number of different tracts; a task not to be accomplished by ordinary readers.

It gives me unfeigned pleasure to have been the instrument of suggesting such a task to you; and I shall reflect with pleasure, during my life, that I shall travel down to posterity with you; you, in your place, in the *great road* of History; whilst I keep the *side-path* of Geography. Since I understood the subject, I have ever thought, that the best historian is the best geographer; and if historians would direct a proper person, skilled in the principles of geography, to *embody* (as I may say) their ideas for them, the historian would find himself better served, than by relying on those who may properly be styled *map-makers*. For after all, whence does the geographer derive his materials but from the labours of the historian? * *

NOTE H. (Page xxiii.)

SINCE these remarks on Dr. Robertson's style were written, I have met with some critical reflections on the same subject by Mr. Burke, too honourable for Dr. Robertson to be suppressed in this publication, although,

in some particulars, they do not coincide with the opinion I have presumed to state.*

"There is a style" (says Mr. Burke, in a letter addressed to Mr. Murphy on his translation of Tacitus) "which daily gains ground amongst us, which I should be sorry to see further advanced by a writer of your just reputation. The tendency of the mode to which I allude is, to establish two very different idioms amongst us, and to introduce a marked distinction between the English that is written and the English that is spoken. This practice, if grown a little more general, would confirm this distemper, such I must think it, in our language, and perhaps render it incurable.

"From this feigned manner, or *falsetto*, as I think the musicians call something of the same sort in singing, no one modern historian, Robertson only excepted, is perfectly free. It is assumed, I know, to give dignity and variety to the style. But whatever success the attempt may sometimes have, it is always obtained at the expense of purity, and of the graces that are natural and appropriate to our language. It is true that when the exigence calls for auxiliaries of all sorts, and common language becomes unequal to the demands of extraordinary thoughts, something ought to be conceded to the necessities which make 'ambition virtue.' But the allowances to necessities ought not to grow into a practice. Those portents and prodigies ought not to grow too common. If you have, here and there, (much more rarely, however, than others of great and not unmerited fame,) fallen into an error, which is not that of the dull or careless, you have an author who is himself guilty, in his own tongue, of the same fault, in a very high degree. No author thinks more deeply, or paints more strongly; but he seldom or ever expresses himself naturally. It is plain, that comparing him with Plautus and Terence, or the beautiful fragments of Publius Syrus, he did not write the language of good conversation. Cicero is much nearer to it. Tacitus, and the writers of his time, have fallen into that vice, by aiming at a poetical style. It is true, that eloquence in both modes of rhetoric is fundamentally the same; but the manner of handling it is totally different, even where words and phrases may be transferred from the one of these departments of writing to the other."

For this encomium on Dr. Robertson's style, when considered in contrast with that of Mr. Gibbon, (to whom it is probable that Mr. Burke's strictures more particularly refer,) there is unquestionably a very solid foundation; but in estimating the merits of the former as an English writer, I must acknowledge that I should never have thought of singling out among his characteristical excellences, an approach to the language of good conversation. It is indeed surprising, when we attend to the elevation of that tone which he uniformly sustains, how very seldom his turn of expression can be censured as unnatural or affected. The graces of his composition, however, although great and various, are by no means those which are *appropriate to our language;* and, in fact, he knew too well the extent and the limits of his own powers to attempt them. Accordingly, he has aimed at perfections of a still higher order, the effect of which is scarcely diminished, when we contemplate them through the medium of a foreign translation.

Lord Chesterfield's judgment with respect to Dr. Robertson, while it is equally flattering with that of Mr. Burke, appears to me more precise and just. "There is a History lately come out, of the reign of Mary queen of Scots and her son king James, written by one Robertson, a Scotchman, which for *clearness*, *purity*, and *dignity*, I will not scruple to compare with the best historians extant, not excepting Davila, Guicciardini, and perhaps Livy."

May I be permitted to remark, that in the opposite extreme to that fault which Mr. Burke has here so justly censured, there is another originating in too close an adherence to what he recommends as the model of good writing, the ease and familiarity of colloquial discourse. In the productions of his more advanced years, he has occasionally fallen into it himself, and has sanctioned it by his example, in the numerous herd of his imitators, who are incapable of atoning for it, by copying the exquisite and inimitable beauties which abound in his compositions. For my own part, I can much more easily reconcile myself, in a grave and dignified argument, to the *dulcia vitia* of Tacitus and of Gibbon, than to that affectation of *cant* words and allusions which so often debases Mr. Burke's eloquence, and which was long ago stigmatized by Swift as "the most ruinous of all the corruptions of a language."

Note I. (Page xxiv.)

"The mixture of ecclesiastical and lay-members in the church courts is attended with the happiest effects. It corrects that *esprit de corps* which is apt to prevail in all assemblies of professional men. It affords the principal nobility and gentry of Scotland an opportunity of obtaining a seat in the General Assembly when any interesting object calls for their attendance; and although in the factious and troublesome times which our ancestors saw, the General Assembly, by means of this mixture, became a scene of political debate, this accidental evil is counterbalanced by permanent good: for the presence of those lay-members of high rank, whose names are usually found upon the roll of the Assembly, has a powerful influence in maintaining that connexion between church and state which is necessary for the peace, security, and welfare of both."†

Note K. (Page xxv.)

The paper referred to in the text is entitled, "Reasons of Dissent from the Judgment and Resolution of the Commission, March 11, 1752, resolving to inflict no Censure on the Presbytery of Dumfermline for their Disobedience in relation to the Settlement of Inverkeithing." It is subscribed by Dr. Robertson, Dr. Blair, Mr. John Home, and a few of their friends. I shall subjoin the two first articles.

1. "Because we conceive this sentence of the Commission to be inconsistent with the nature and first principles of society. When men are considered as individuals, we acknowledge that they have no guide but their own understanding, and no judge but their own conscience. But we hold it for an undeniable principle, that as members of society they are bound in many instances to follow the judgment of the society. By joining together in society,

* It is proper for me to mention, that I have no authority for the authenticity of the following passage but that of a London newspaper, in which it appeared some years ago. I do not find, however, that it has been ever called in question.

† MS. of Dr. Hill.

we enjoy many advantages, which we could neither purchase nor secure in a disunited state. In consideration of these, we consent that regulations for public order shall be established; not by the private fancy of every individual, but by the judgment of the majority, or of those with whom the society has consented to intrust the legislative power. Their judgment must necessarily be absolute and final, and their decisions received as the voice and instruction of the whole. In a numerous society it seldom happens that all the members think uniformly concerning the wisdom and expedience of any public regulation, but no sooner is that regulation enacted, than private judgment is so far superseded that even they who disapprove it are notwithstanding bound to obey it, and to put it in execution if required; unless in a case of such gross iniquity and manifest violation of the original design of the society as justifies resistance to the supreme power, and makes it better to have the society dissolved than to submit to established iniquity. Such extraordinary cases we can easily conceive there may be, as will give any man a just title to seek the dissolution of the society to which he belongs, or at least will fully justify his withdrawing from it. But as long as he continues in it, professes regard for it, and reaps the emoluments of it, if he refuses to obey its laws, he manifestly acts both a disorderly and dishonest part: he lays claim to the privileges of the society while he contemns the authority of it; and by all principles of equity and reason is justly subjected to its censures. They who maintain that such disobedience deserves no censure, maintain, in effect, that there should be no such thing as government and order. They deny those first principles by which men are united in society; and endeavour to establish such maxims as will justify not only licentiousness in ecclesiastical, but rebellion and disorder in civil, government. And therefore, as the Reverend Commission have by their sentence declared, that disobedience to the supreme judicature of the church neither infers guilt, nor deserves censure; as they have surrendered a right essential to the nature and subsistence of every society; as they have (so far as lay in them) betrayed the privileges, and deserted the orders, of the constitution; we could not have acted a dutiful part to the church, nor a safe one to ourselves, unless we had dissented from this sentence; and craved liberty to represent to this venerable Assembly that this deed appears to us to be manifestly beyond the powers of a Commission.

2. " Because this sentence of the Commission, as it is subversive of society in general, so, in our judgments, it is absolutely inconsistent with the nature and preservation of ecclesiastical society in particular.—The characters which we bear, of ministers and elders of this church, render it unnecessary for us to declare, that we join with all protestants in acknowledging the Lord Jesus Christ to be the only king and head of his church. We admit that the church is not merely a voluntary society, but a society founded by the laws of Christ. But to his laws we conceive it to be most agreeable, that order should be preserved in the external administration of the affairs of the church. And we contend, in the words of our *Confession of Faith*, 'That there are some circumstances concerning the worship of God, and the government of the church, common to human actions and societies, which are to be ordered by the light of nature and christian prudence according to the general rules of the word, which are always to be observed.' It is very evident that unless the church were supported by continual miracles, and a perpetual and extraordinary interposition of Heaven, it can only subsist by those fundamental maxims by which all society subsists. A kingdom divided against itself cannot stand. There can be no union, and by consequence there can be no society, where there is no subordination; and therefore, since miracles are now ceased, we do conceive that no church or ecclesiastical society can exist without obedience required from its members, and enforced by proper sanctions. Accordingly, there never was any regularly constituted church in the christian world, where there was not at the same time some exercise of discipline and authority. It has indeed been asserted, 'That the censures of the church are never to be inflicted, but upon open transgressors of the laws of Christ himself; and that no man is to be construed an open transgressor of the laws of Christ for not obeying the commands of any assembly of fallible men, when he declares it was a conscientious regard to the will of Christ that led him to this disobedience.'—This is called asserting liberty of conscience, and supporting the rights of private judgment; and upon such reasonings the Reverend Commission proceeded in coming to that decision of which we now complain. But we think ourselves called on to say, and we say it with concern, that such principles as these appear to us calculated to establish the most extravagant maxims of independency, and to overthrow from the very foundation that happy ecclesiastical constitution which we glory in being members of, and which we are resolved to support. For upon these principles, no church whatever, consisting, as every church on earth must consist, of *fallible* men, has a right to inflict any censure on any disobedient person. Let such person only think fit boldly to use the name of conscience, and sheltered under its authority, he acquires at once a right of doing whatsoever is good in his own eyes. If anarchy and confusion follow, as no doubt they will, there is, it seems, no remedy. We are sorry to say, that brethren who profess to hold such principles, ought to have acted more consistently with them, and not to have joined themselves to any church till once they had found out an assembly of *infallible* men, to whose authority they would have acknowledged submission to be due. We allow to the right of private judgment all the extent and obligation that reason or religion require; but we can never admit, that any man's private judgment gives him a right to disturb, with impunity, all public order. We hold, that as every man has a right to judge for himself in religious matters, so every church, or society of christians, has a right to judge for itself, what method of external administration is most agreeable to the laws of Christ; and no man ought to become a member of that church, who is not resolved to conform himself to its administration. We think it very consistent with conscience for inferiors to disapprove, in their own mind, of a judgment given by a superior court, and yet to put that judgment in execution as the deed of their superiors for conscience-sake; seeing we humbly conceive it is, or ought to be, a matter of conscience with every member of the church, to support the authority of that church to which he belongs. Church-censures are declared by our *Confession of Faith* to be 'necessary, not only for gaining and reclaiming the offending brethren, but also for deterring of others from the like offences, and for purging out the leaven which might leaven the whole lump.' What these censures are, and what the crimes against which they are directed, is easily to be learned from the

constitution of every church, and whoever believes its censure to be too severe, or its known orders and laws to be in any respect iniquitous, so that he cannot in conscience comply with them, ought to beware of involving himself in sin by entering into it; or if he hath rashly joined himself, he is bound, as an honest man and a good christian, to withdraw, and to keep his conscience clear and undefiled. But on the other hand, if a judicature, which is appointed to be the guardian and defender of the laws and orders of the society, shall absolve them who break their laws from all censure, and by such a deed encourage and invite to future disobedience, we conceive it will be found, that they have exceeded their powers and betrayed their trust in the most essential instance."

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Note L. (Page xxv.)

"Dr. Robertson's system with respect to the law of patronage proceeded on the following principles: That as patronage is the law of the land, the courts of a national church established and protected by law, and all the individual ministers of that church, are bound, in as far as it depends upon exertions arising from the duties of their place, to give it effect: that every opposition to the legal rights of patrons tends to diminish that reverence which all the subjects of a free government ought to entertain for the law; and that it is dangerous to accustom the people to think that they can elude the law or defeat its operation, because success in one instance leads to greater licentiousness. Upon these principles Dr. Robertson thought that the church courts betrayed their duty to the constitution, when the spirit of their decisions, or negligence in enforcing obedience to their orders, created unnecessary obstacles to the exercise of the right of patronage, and fostered in the minds of the people the false idea that they have a right to choose their own ministers, or even a negative upon the nomination of the patron. He was well aware that the subjects of Great Britain are entitled to apply in a constitutional manner for the repeal of every law, which they consider as a grievance. But while he supported patronage as the existing law, he regarded it also as the most expedient method of settling vacant parishes. It did not appear to him that the people are competent judges of those qualities which a minister should possess in order to be a useful teacher either of the doctrines of pure religion, or of the precepts of sound morality. He suspected that if the probationers of the church were taught to consider their success in obtaining a settlement as depending upon a popular election, many of them would be tempted to adopt a manner of preaching more calculated to please the people than to promote their edification. He thought that there is little danger to be apprehended from the abuse of the law of patronage, because the presentee must be chosen from amongst those whom the church itself had approved of, and had licensed as qualified for the office of the ministry; because a presentee cannot be admitted to the benefice, if any relevant charge as to his life or doctrine be proved against him: and because, after ordination and admission, he is liable to be deposed for improper conduct. When every possible precaution is thus taken to prevent unqualified persons from being introduced into the church, or those who afterwards prove unworthy from remaining in it, the occasional evils and abuses from which no human institution is exempted, could not, in the opinion of Dr. Robertson, be fairly urged as reasons against the law of patronage."

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"Such was the system which, in conjunction with the friend of his youth, Dr. Robertson ably supported for thirty years after his first appearance in the General Assembly. In speaking upon a particular question, he sometimes gave the outlines of this system for the satisfaction of the House in general, and the instruction of the younger members. The decisions which for a long course of years he dictated, form a common law of the church in which the system is unfolded. His conversation imprinted upon the minds of those who were admitted to it during the course of the Assembly, the principles which pervaded his decisions: and thus were diffused throughout the church the rational and consistent ideas of presbyterian government upon which he and his friends uniformly acted.

"These ideas continue to direct the General Assemblies of the church of Scotland. For although it is not likely that any member of that House will ever possess the unrivalled undisputed influence with his brethren to which peculiar advantages of character and situation conducted Dr. Robertson, his principles are so thoroughly understood and so cordially approved by the great majority of the church of Scotland, that by means of that attention to the business and forms of the House which is paid by some of his early friends who yet survive, and by a succession of younger men trained in his school, the ecclesiastical affairs of Scotland proceed on the same orderly systematical plan which was first introduced by the ability, the prudence, the firmness, the candour, and moderation which he displayed upon every occasion."

Note M. (Page xxvii.)

A few particulars, "in addition to Dr. Erskine's funeral sermon on the death of Dr. Robertson," have been kindly communicated to me by my friend the Rev. sir Henry Moncrieff Wellwood, Bart. The testimony which they contain to Dr. Robertson's merits as an ecclesiastical leader will have no small weight with those who are acquainted with the worth and the talents of the writer.

"In mentioning the character of Dr. Robertson as a leader of the prevailing party in the church, there is a circumstance which ought not to be omitted, by which he distinguished himself from all his predecessors who had held the same situation. Before his time, those of the clergy who pretended to guide the deliberations of the General Assembly, derived the chief part of their influence from their connexion with the men who had the management of Scots affairs. They allowed themselves to receive instructions from them, and even from those who acted under them. They looked up to them as their patrons, and ranged themselves with their dependents. Their influence, of consequence, subsisted no longer than the powers from which it was derived. A change in the management of Scots affairs either left the prevailing party in the church without their leaders, or obliged their leaders to submit to the meanness of receiving instructions from other patrons.—Dr. Robertson, from the beginning, disengaged himself completely from a dependence which was never respectable, and to which he felt himself superior.

He had the countenance of men in power; but he received it as a man who judged for himself, and whose influence was his own. The political changes of his time did not affect his situation. The different men who had the management of Scots affairs uniformly cooperated with him—but though they assisted him, they looked up to *his personal influence* in the church, which no man in the country believed to be derived from *them*.

"Those who differed most in opinion with Dr. Robertson, but who are sincerely attached to the interests and to the integrity of the church, must allow this conduct to have been both respectable and meritorious. It will always reflect honour on his memory, and has left an important lesson to his successors.

"It is not useless to mention his fairness in the debates of the Assembly. Whether his opponents were convinced by his arguments or not, they were commonly sensible of the candour with which he stated them, and of the personal respect with which they were treated by him. And though the concessions which he was always ready to make to them when they did not affect the substance of his own argument, might be imputed to political sagacity as well as to candour, there was uniformly an appearance of candour in his manner, by which he preserved their good opinion, and which greatly contributed to extend his influence among his own friends. Like all popular meetings, the General Assembly sometimes contains individuals, who have more acuteness than delicacy, and who allow themselves to eke out their arguments by rude and personal invectives. Dr. Robertson had a superior address in replying to men of this cast, without adopting their asperity, and often made them feel the absurdity of the personal attack, by the attention which he seemed to bestow on their argument.

"It should be mentioned also, that Dr. Robertson's early example, and his influence in more advanced life, chiefly contributed to render the debates in the Assembly interesting and respectable, by bringing forward all the men of abilities to their natural share of the public business. Before his time, this had been almost entirely in the hands of the older members of the church, who were the only persons that were thought entitled to deliver their opinions, and whose influence was often derived more from their age than from their judgment or their talents.

"I do not know whether the reasons, which led Dr. Robertson to retire from the Assembly after 1780, have ever been thoroughly understood.—They were not suggested by his age, for he was then only fifty-nine; nor by any diminution of his influence, for, in the apprehension of the public, it was at that time as great as it had ever been. It is very probable that he anticipated a time when a new leader might come forward; and thought it better to retire while his influence was undiminished, than to run the risque, in the end of his life, of a struggle with younger men, who might be as successful as he had been.—But I recollect distinctly what he once said to myself on the subject, which I am persuaded he repeated to many others. He had been often reproached by the more violent men of his party for not adopting stronger measures, than he thought either right or wise. He had yielded to them many points against his own judgment; but they were not satisfied: he was plagued with letters of reproach and remonstrance on a variety of subjects, and he complained of the petulance and acrimony with which they were written. But there was one subject which for some years before he retired had become particularly uneasy to him, and on which he said he had been more urged and fretted than on all the other subjects of contention in the church; the scheme into which many of his friends entered zealously for abolishing subscription to the Confession of Faith and Formula. This he expressly declared his resolution to resist in every form.—But he was so much teased with remonstrances on the subject, that he mentioned them as having at least *confirmed* his resolution to retire. He claimed to himself the merit of having prevented this controversy from being agitated in the Assemblies; but warned me as a young man that it would become the chief controversy of my time, and stated to me the reasons which had determined his opinion on the subject. The conversation was probably about 1782 or 1783.—I have a distinct recollection of it; though I have no idea that his prediction will be verified, as the controversy seems to be more asleep now than it was a few years ago."

Note N. (Page xxix.)

The zeal with which Dr. Robertson promoted the execution of the statistical accounts of Scotland has been publicly acknowledged by sir John Sinclair; and, on the other hand, I have frequently heard Dr. Robertson express, in the strongest terms, his sense of the obligations which the country lay under to the projector and conductor of that great national work; and the pride with which he reflected on the monument which was thus raised to the information and liberality of the Scottish clergy.

From the following letters it would appear, that he had contributed some aid to the exertions of those who so honourably distinguished themselves a few years ago in the parliamentary discussions about the African trade. His own sentiments on that subject were eloquently stated thirty years before, in the only sermon which he ever published.

From Mr. Wilberforce to Dr. Robertson.

Sir, London, 25th January, 1788.

I shall not begin by apologizing to you for now presuming to intrude myself on you without introduction, but with condemning myself for not having done it sooner. The subject which is the occasion of my troubling you with this letter, that of the Slave Trade, is one on which I am persuaded our sentiments coincide; and in calling forth your good offices in such a cause, I trust you will think that whilst I incur I also bestow an obligation.—What I have to request is, that you will have the goodness to communicate to me such facts and observations as may be useful to me in the important task I have undertaken, of bringing forward into parliamentary discussion the situation of that much injured part of the species, the poor negroes: in common with the rest of my countrymen I have to complain, that I am under the necessity of betaking myself directly to you for the information I solicit: an application to my bookseller ought to have supplied it: but if there be some ground of charge against you for having failed in your engagements to the public in this particular, it is the rather incumbent on you to attend to the claim of an individual; consider it as a sort of

expiation for your offence, and rejoice if so weighty a crime comes off with so light a punishment.—Though the main object I have in view, is the prevention of all further exports of slaves from Africa, yet their state in the West Indies, and the most practicable mode of meliorating it, the effects that might follow from this change of system in all its extended and complicated connexions and relations, both in Africa and the Western World, and this not only in our own case but in those of other European nations, who might be induced to follow our example; all these come into question, and constitute a burthen too heavy for one of powers like mine to bear, without my calling for help where it may be so abundantly afforded: let me add also, that I should be extremely thankful for any intelligence respecting the institutions of the Jesuits in Paraguay, which, it has long struck me, might prove a most useful subject of investigation to any one who would form a plan for the civilization of Africa.—Allow me to add, that I shall wait to hear from you with anxiety, because the business must be brought into the House soon after the meeting.—I will not waste your valuable time by excuses for this letter, if they are necessary, but once more I will venture to assure myself that you will not think them so.

I have the honour to be, &c.

W. WILBERFORCE.

Mr. Wilberforce to Dr. Robertson.

Sir, Hampstead, 20th February, 1788.

I have been honoured with your packets by the post, as well as with your Sermon, and return you my sincerest thanks for your very obliging attention to my request; I am fully sensible to the value of the favourable sentiments you express concerning me, and as one concession always produces a new demand, perhaps you will not be surprised at my now taking the liberty of intimating a hope that I may consider what has passed as constituting a sort of acquaintance between us, which it will give me particular pleasure to indulge an expectation of cultivating, when any opportunity shall allow.

I remain,
with great respect and esteem, &c.

W. WILBERFORCE.

Note O. (Page xxx.)

Dr. Robertson's second son is now lieutenant-colonel of the 92nd regiment. His name is repeatedly mentioned with distinction in the History of Lord Cornwallis's Military Operations in India; particularly in the general orders after the siege of Nundydroog, where he commanded in the European flank company that led the assault. The following paragraph from Colonel Dirom's Narrative contains a testimony to his conduct on this occasion, which would have been grateful to the feelings of his father had he survived to peruse it.

"The carnage which must have ensued in clearing the fort of the enemy, was prevented partly by a number of the garrison escaping by ropes and ladders over a low part of the wall; but chiefly by the exertions of captain Robertson, who, seeing the place was carried, turned all his attention to preserving order, and preventing the unnecessary effusion of blood. To his humanity the bukshey and killedar owed their lives; and of the garrison there were only about forty men killed and wounded."

Dr. Robertson's youngest son is lieutenant-colonel of a regiment serving in Ceylon, and deputy adjutant-general of his majesty's forces in that island. An account of Ceylon, which he has communicated in manuscript to some of his friends, is said to do great honour to his abilities.

Note P. (Page xxx.)

This request was conveyed to Dr. Robertson by Mr. Dalzel, and was received by him with much sensibility, as a mark of the esteem and approbation of a society over which he had presided for thirty years.

I neglected to mention in a former note the Latin Discourses which Dr. Robertson pronounced annually before the University, in compliance with the established practice among his predecessors in office. The first of these was read on the 3rd of February, 1763. Its object was to recommend the study of classical learning; and it contained, among a variety of other splendid passages, a beautiful panegyric on the Stoical Philosophy. His second discourse (9th of February, 1764) consisted chiefly of moral and literary observations, adapted to the particular circumstances of youth. My friend Mr. Dalzel, who has lately perused these Latin manuscripts with care, observes of this Oration, "that the style is uncommonly elegant and impressive, and possesses all the distinguishing characteristics of Dr. Robertson's English compositions."

A third discourse was pronounced on February 14th, 1765; and a fourth on February 20th, 1766. The subject of both is the same; the question concerning the comparative advantages of public and private education. The execution is such as might be expected from the abilities of the author, exerted on a topic on which he was so eminently fitted to decide, not only by his professional situation and habits, but by an extensive and discriminating knowledge of the world.

These annual discourses (which never failed to produce a strong and happy impression on the mind of his young hearers) he was compelled, after this period, to discontinue by his avocations as an author, and by other engagements which he conceived to be of still greater importance.—It is indeed astonishing that he was able to devote so much time as he did to his academical duties; particularly when we consider that all his works were at first committed to writing in his own hand, and that he seldom, if ever, attempted to dictate to an *amanuensis*.—It may be gratifying to those to whom the literary habits of authors are an object of curiosity to add, that his practice in composition was, (according to his own statement in a letter to Mr. Strahan,) "to finish as near perfection as he was able, so that his subsequent alterations were inconsiderable."

It might be considered by some as a blamable omission, if I were to overlook, in this Memoir, the marks of regard which Dr. Robertson received from different literary aca-

demies on the continent. I have already taken notice of the honour conferred on him by the Royal Academy of History at Madrid; but I forgot to mention, in the proper place, that in 1781, he was elected one of the Foreign Members of the Academy of Sciences at Padua; and in 1783, one of the Foreign Members of the Imperial Academy of Sciences at St. Petersburgh.

From the last of these cities, he was honoured with another very flattering distinction; the intelligence of which was conveyed to him by his friend Dr. Rogerson, in a letter from which the following passage is transcribed.

"Your History of America was received and perused by her Imperial Majesty with singular marks of approbation. All your historical productions have been ever favourite parts of her reading. Not long ago, doing me the honour to converse with me upon historical composition, she mentioned you with particular distinction, and with much admiration of that sagacity and discernment displayed by you in painting the human mind and character, as diversified by the various causes that operated upon it, in those æras and states of society which your subject led you to treat. She assigned you the place of first model in that species of composition. As to the History of Charles V. she was pleased to add, '*c'est le compagnon constant de tous mes voyages; je ne me lasse jamais à le lire et particulièrement le premier volume.*'

"She then presented a very handsome gold enamelled snuff-box, richly set with diamonds, ordering me to transmit it to you, and to desire your acceptance of it as a mark of her esteem, observing, at the same time, most graciously, that a person whose labours had afforded her so much satisfaction, merited some attention from her."

The active part which Dr. Robertson took in the foundation of the Society before which the foregoing Memoir was read, is so well known to all the members, that it did not appear necessary to recall it to their recollection. For the information of others, however, it may be proper to mention, that the first idea of this establishment, and of the plan adopted in its formation, was suggested by him; and that, without his zealous cooperation, there is little probability that the design would ever have been carried into execution.

THE

SITUATION OF THE WORLD

AT THE

TIME OF CHRIST'S APPEARANCE,

AND ITS CONNEXION WITH THE SUCCESS OF HIS RELIGION, CONSIDERED;

A SERMON,

PREACHED BEFORE THE SOCIETY IN SCOTLAND FOR PROPAGATING CHRISTIAN KNOWLEDGE, JANUARY 6, 1775.

COLOSSIANS i. 26.

Even the mystery which hath been hid from ages, and from generations, but now is made manifest to his saints.

THERE is no employment more delightful to a devout mind, than the contemplation of the divine wisdom in the government of this world. The civil history of mankind opens a wide field for this pious exercise. Careful observers may often, by the light of reason, form probable conjectures with regard to the plan of God's providence, and can discover a skilful hand directing the revolutions of human affairs, and compassing the best ends by the most effectual and surprising means: but sacred history, by drawing aside that veil which covers the counsels of the Almighty, lays open his designs to the view of his creatures; and we can there trace the steps which he taketh towards them, with more certainty, and greater pleasure. The facts which inspired writers relate, are no less instructive than the doctrines which they teach. The latter inform us, that God is powerful, and wise, and good; the former discover those perfections brought forth into action, and confirm speculative opinions by real and striking examples.

The publication and establishment of christianity in the world, is a remarkable event of this kind, and contributes greatly to illustrate and magnify the divine power and wisdom. From beginnings the most inconsiderable, and by instruments the most unlikely, the Almighty, with incredible facility, raised that glorious fabric of his church, which hitherto hath withstood all the rage of his enemies; and *the gates of hell*, we believe, *shall not prevail against it.** According to our Saviour's beautiful image, *the least of all seeds grew up, and waxed a great tree, and spread out its branches, and filled the earth.*† The hand of God sheltered this feeble plant from the storm, and by his care it was reared, and cultivated, and brought to maturity. The wisdom and power of men united to oppose the doctrine of God; but it confounded the one, and overcame the other. Neither the bigotry of the Jews, nor the superstition of the heathen, could resist its progress, and in vain *did Herod and Pontius Pilate, with the Gentiles, and people of Israel, gather themselves together against the Lord and his anointed.*‡

Many circumstances concurred in procuring for christianity such a favourable reception and firm establishment in the world. Whoever reflects upon the situation of mankind in that period, will find abundant reason to admire the divine wisdom, which disposed these circumstances with so much art, and improved them with such skill and success. The text naturally leads me to consider the conduct and administration of Providence in this particular light: *The word of God*, saith the apostle, *the mystery hid from ages, and from generations, is now made manifest to his saints.* Why was the gospel of Christ so long concealed from the world? Why was it published at that time? What do we find in that particular juncture to render the discovery of the christian religion more necessary, or the propagation of it more successful?

In the following discourse, I shall endeavour to account for this part of the divine economy, by selecting some remarkable circumstances in the situation of mankind, which prove that God *manifested the mystery of the gospel* at a time when the world stood most in need of such a revelation, and was best prepared for receiving it.

The appearance of Christ in so late an age, was an ob-

* Matt. xvi. 18. † Mark iv. 31. ‡ Acts iv. 27.

jection raised, by his ancient adversaries, against the truth of his mission; and modern infidels have not failed to revive and urge it, with their usual confidence and triumph. But if we can establish the truth of our general proposition, this cavil falls to the ground, and the divine conduct is fully vindicated.

I. About the time of Christ's appearance, there prevailed a general opinion, that the Almighty would send forth some eminent messenger to communicate a more perfect discovery of his will to mankind. The Supreme Being conducteth all his operations by general laws. It seems to be one among these, that no perfection of any kind can be attained of a sudden. The motion by which his works advance towards their finished and complete state, is gradual and progressive. This holds with regard to all the productions in the natural, and all the changes in the moral, world. The same principle appears to have regulated the dispensations of religion. The light of revelation was not poured in upon mankind all at once, and with its full splendour. The obscurity of the dawn went before the brightness of the noon-day. The will of God was at first made known by revelations, useful indeed, but dark and mysterious. To these succeeded others more clear and perfect. In proportion as the situation of the world made it necessary, the Almighty was pleased further to open and unfold his scheme. And men came by degrees to understand this progressive plan of Providence, and to conceive how systems temporary and incomplete might serve to introduce that concluding and perfect revelation which would *declare the whole counsel of God to man*.*

The dignity of the person employed to publish this revelation, the virtues of his character, the glory of his kingdom, and the signs of his coming, were described by the ancient prophets with the utmost perspicuity. Guided by this *sure word of prophecy*, the Jews of that age concluded the period predetermined by God to be then completed; and that the *fulness of time* being come, the promised Messiah would suddenly appear. Devout persons among them *waited day and night for the consolation of Israel*;† and the whole nation, groaning under the Roman yoke, and stimulated by the desire of liberty or of vengeance, expected their Deliverer with the most anxious impatience.

Nor were these expectations peculiar to the Jews. By their dispersions among so many nations, by their conversations with the learned men among the heathens, and by the translation of their inspired writings into a language almost universal, the principles of their religion were spread all over the East; and it became the common belief, that a prince would arise at that time in Judea, who would change the face of the world, and extend his empire from one end of the earth to the other.

In this due time did the wisdom of God send forth his Son; not to assume any strange character, or to claim any new and unknown dignity, but to fulfil *all that had been spoken by the mouth of his holy prophets since the world began*.‡ While the eyes of men were employed in search of the promised Messiah; while they watched every sign that could indicate his coming, and observed every circumstance which could lead them to discover him; *while the earnest expectation of all creatures waited for the revelation of God;* at that happy and favourable juncture was *the mystery hid from ages* manifested to the world. No wonder the Jews should receive our Saviour, on his first appearance, not only without prejudice, but even with eagerness and applause; no wonder the Gentiles should *gather together unto him*, who had so long been *the desire of all nations*.§ Had Christ been manifested at a more early period, the world would not have been prepared to meet him with the same fondness and zeal. Had his appearance been put off for any considerable time, men's expectations would have begun to languish, and the warmth of desire, from a delay of gratification, might have cooled and died away.

II. But it is not only from circumstances peculiar to the Jews, and neighbouring nations, that we conclude the christian religion to have been published at the most proper time: we propose to bring a further confirmation of this truth, from a survey of the condition and circumstances of mankind in general. Let us venture, then, into this large field, and take a view of the political, of the moral, of the religious, and of the domestic state of the world.

We begin by considering the political state of the world about the time of our Saviour's appearance. The world, in the most early ages, was divided into small independent states, differing from each other in language, manners, laws, and religion. The shock of so many opposite interests, the interfering of so many contrary views, occasioned the most violent convulsions and disorders. Perpetual discord subsisted between those rival states, and hostility and bloodshed never ceased during that turbulent and restless period. Commerce had not hitherto united mankind, and opened the communication of one nation with another. The world may now be considered as one vast society, closely cemented by mutual wants, each part contributing its share towards the subsistence, the pleasure, and improvement of the whole. But in those more simple ages, the intercourse between nations was extremely inconsiderable. Voyages into remote countries, in quest either of wealth or of knowledge, were very rare. Men moved in a narrow circle, little acquainted with any thing beyond the limits of their own small territory, and utter strangers to the condition and character of distant nations.

At last the Roman ambition undertook the arduous enterprise of conquering the world, and conducted it with such refined policy, irresistible courage, and inimitable perseverance, as, in the end, crowned the attempt with success: *They trode down the kingdoms*, according to Daniel's prophetic description; *by their exceeding strength they devoured the whole earth*.‖ However, by enslaving the world, they civilized it; and while they oppressed mankind, they united them together. The same laws were every where established, and the same languages understood. Men approached nearer to one another in sentiments and manners; and the intercourse between the most distant corners of the earth was rendered secure and agreeable. Satiated with victory, the first emperors abandoned all thoughts of new conquests. Peace, an unknown blessing, was enjoyed throughout all that vast empire; or, if a slight war was waged on an outlying and barbarous frontier, far from disturbing the tranquillity, it scarce drew the attention, of mankind.

Such was the political state of the world when christianity made its first appearance; and, from this representation of it, many circumstances occur to justify the divine wisdom in choosing that particular conjuncture for publishing it. During the period which I first described, the propagation of any new religion must have been extremely slow and uncertain. How could it have forced its way through in-

* Acts xx. 27. † Luke ii. 25, 38. ‡ Acts iii. 21.

§ Gen. xlix. 18. Hag. ii. 7. ‖ Dan. vii. 7, 23.

numerable difficulties, arising from the unsettled state of the world, from the fierceness and animosity of hostile and divided nations? The power of God, no doubt, could have surmounted all these obstacles; but it is observable, that this power is never exerted but on the most necessary occasions. The Almighty seldom effects by supernatural means any thing which could have been accomplished by such as are natural. And were we to judge by maxims merely human, the propagation of christianity, in those circumstances, would have proved not only a dangerous, but an impossible, enterprise.

But, favoured by the union and tranquillity of the Roman empire, the disciples of Christ executed their commission to great advantage. The success and rapidity with which they diffused the knowledge of his name over the world, are astonishing. This epistle to the Colossians was written about thirty years after our Saviour's ascension; and even then the apostle could assert, that the gospel had been *preached to every creature which is under heaven*,* i. e. through the whole extent of the Roman empire. Nations were then accessible which had formerly been unknown. Under this situation into which the providence of God had brought the world, the *joyful sound*, in a few years, reached those remote corners of the earth, into which it could not otherwise have penetrated for many ages.

This view of our subject presents to us an idea of the christian religion equal to the greatest and most magnificent conception of the human mind. The noblest people that ever entered upon the stage of the world, appear to have been only instruments in the divine hand for the execution of wise purposes, concealed from themselves. The Roman ambition and bravery paved the way, and prepared the world for the reception of the christian doctrine: they fought and conquered, that it might triumph with the greater ease: *Howbeit they meaned not so, neither did their heart think so; but it was in their heart to destroy and cut off nations not a few.*† By means of their victories, the overruling wisdom of God established an empire, which really possesses that perpetuity and eternal duration which they vainly arrogated to their own: He erected *a throne which shall continue for ever*,‡ *and of the increase of that government there shall be no end.*§

III. Let us consider the state of the world with regard to morals. We cannot expect to find pure and undefiled virtue among those people who were destitute of the instructions, the promises, and assistance of divine revelation. Unenlightened reason often errs; undirected virtue frequently deviates from the right path. But, even in those less favoured ages, righteousness had not altogether *perished from the earth; and the nations which had not the law, did by nature the things contained in the law.*‖ Those virtuous but feeble efforts of the human mind, were encouraged and seconded by several happy circumstances in the situation of the world, owing in appearance to the sagacity of men, but ordained in reality by the wisdom of God. One of these was of a singular nature, and well deserves our particular attention.

We have already mentioned the early division of the world into small independent states. These states, unbroken by the refinements of luxury, and animated with the noblest of human passions, struggled for liberty, and obtained it. Lawgivers intimately acquainted with human nature, deep politicians, and lovers of mankind, arose in different places, and founded those equal and happy governments, which have been the admiration and envy of all succeeding ages. Temperance, frugality, decency, public spirit, love to their fellow-citizens, magnanimity; these are the virtues which flourished under such wise institutions. At the same time, in those small commonwealths, the conduct of every citizen was subjected to the eye of the magistrate; and the nature of the government obliged him to inspect their manners with severity. The smallest crimes could not escape observation; even dangerous virtues were exposed to censure. On this foundation of public liberty did ancient virtue rest; an effect of government little known in modern times, wherein the views of legislators are confined to inferior objects. But from this source were derived all those splendid actions among the heathens, which, on the one hand, have been so invidiously mentioned by infidels as a reproach to our holy religion, and, on the other, so justly celebrated by christians, in order to rouse the zeal and emulation of a degenerate age.

Virtue, however, did not long enjoy this temporary and precarious support. Those wise institutions were the works of men, and mortal like their authors. Some of them perished by the malignity of internal diseases; and, if a vigorous constitution and more skilful management prolonged the period of others, they yielded at last to the violence of external injuries. It was impossible either to divert or resist the torrent of Roman power; it gathered strength from opposition, and bore down all nations before it. But by subduing the world, the Romans lost their own liberty. Many causes, which it is not our present business to explain, concurred in producing this effect: many vices, engendered or nourished by prosperity, delivered them over to the vilest race of tyrants that ever afflicted or disgraced human nature.

The alliance between morals and government was now broken; and an influence hitherto so friendly to virtue, became altogether malignant, and was exerted with most fatal success, to poison and debase the human mind. Together with despotic power, entered all those odious vices which are usually found in its train; and, in a short time, they grew to an incredible pitch. The colours are not too strong which the apostle employs in drawing the character of that age; contemporary historians justify him, when he describes it *to be alienated from the life of God, walking in vanity through blindness of mind; to be past feeling, and given up to lasciviousness, and to work all uncleanness with greediness.*¶

In this time of universal corruption did the wisdom of God manifest the christian revelation to the world; not to re-establish virtue upon the same insecure foundation of civil government, but to erect it upon the eternal and immovable basis of a religion which teacheth righteousness by the authority of God. What the wisdom of men could do for the encouragement of virtue in a corrupt world, had been tried during several ages; and all human devices were found, by experience, to be of very small avail: so that no juncture could be more proper for publishing a religion, which, independent on human laws and institutions, explains the principles of morals with admirable perspicuity, and enforces the practice of them by most persuasive arguments. Had not christianity appeared to check and to mitigate the pernicious effects of despotic unlimited empire, it is hard to say how far they might have gone towards extinguishing the name and exercise of vir-

* Col. i. 23. † Isa. x. 7. ‡ Heb. i. 8. § Isa. ix. 7. ‖ Rom. ii. 14. ¶ Ephes. iv. 17—19.

tue among men. This we know, that in a most dissolute age, and under the worst government, the primitive christians attained, in every virtue, to an eminence of which there is no example in the history of mankind. The spirit of their religion, superior to the corrupt genius of the age, continued pure and vigorous; and men saw with admiration, that when every other foundation of virtue was overthrown, *the foundation of God stood sure*, immovable amidst *the floods which came, the rains that descended, and the winds that blew and beat upon it.**

IV. Let us consider the world with regard to its religious state. The national character of the Jews seems to have been deeply tinctured with superstition. Their early education in Egypt, the example of neighbouring nations, the influence of the climate, but above all, the perverseness of their own disposition, rendered this impression indelible. Obstinate against all the endeavours employed by their Divine Lawgiver to repress or extirpate it, this superstitious spirit broke out on every occasion. Delighted with the ceremonial prescriptions of the law, the Jews utterly neglected the moral: and, fond of such rites as please the imagination, they undervalued those duties which improve the heart. This unhappy bias was greatly increased by the doctrine of the Pharisees, which reduced the prejudices of their countrymen into a regular system of superstition. By their vain traditions they added to the load of ceremonies: by their wretched interpretations of the law, they abridged the number of moral precepts. They openly preferred the former before the latter; and substituted observances frivolous and insignificant, in the place of *the weighty matters of the law, judgment, mercy, and faith.*†

While the Pharisees undermined religion on one hand, their rivals, the Sadducees, carried on, from another quarter, a more bold and impious attack against it. By denying the immortality of the soul, they wounded religion in a vital part; and overturned the doctrine of future rewards and punishments, which hath been, and must ever be, the chief foundation of virtuous obedience. The practice of these two contending sects was perfectly suitable to their principles: the followers of the one were scandalous libertines; the disciples of the other, notorious hypocrites: and between them the knowledge and power of true religion were entirely destroyed. It was high time, then, for the wisdom of God to vindicate his injured law, and to revive languishing and decayed religion among his ancient people. To recall the Jews from their former wanderings, the Almighty had with success employed the ministry of his holy prophets: but the malignant distempers of that age would not have yielded to any common remedy: a conceited and perverse generation would have listened to no inferior messenger; and, therefore, the great Prophet was sent forth in this due time, to explain, to extend, and to perfect the law, *and to fill Zion with judgment and righteousness.*‡

But the deplorable situation of the heathen world with regard to religion, called still more loudly for an immediate interposition of the divine hand. I shall not mention the characters of the heathen deities, infamous for the most enormous crimes; nor describe their religious worship, consisting frequently in the vilest and most shameful rites. Certain it is, the more any man honoured such gods, the worse himself was; and the oftener he served them, the more wicked he would become.

The spirit and genius of the heathen religion are what I shall endeavour to represent. These, according to the apostle's observation, were *in all things too much superstitious.*§ Stately temples, expensive sacrifices, pompous ceremonies, magnificent festivals, with all the other circumstances of show and splendour, were the objects which false religion presented to its votaries: but just notions of God, obedience to his moral laws, purity of heart, and sanctity of life, were not once mentioned as ingredients in religious service. Superstition never prevailed among any people but at the expense of morals. The heathen superstition, far from giving any aid to virtue, seems not to have had the least connexion with it. No repentance of past crimes, no future amendment of conduct, are ever prescribed by it, as proper means of appeasing their offended deities. "Sacrifice a chosen victim; bow down before an hallowed image; be initiated in the sacred mysteries; and the wrath of the gods shall be averted, and the thunder shall drop from their hands." Suitable to these sentiments is the behaviour of Balak, king of Moab, described by the prophet Micah. That prince had provoked the God of Israel; and in order to regain his favour, thought of the same means which superstition employs to mitigate the rage of its false gods, *Wherewith*, says he, *shall I come before the Lord, and bow myself before the high God? Shall I come before him with burnt-offerings, with calves of a year old? Will the Lord be pleased with thousands of rams, or with ten thousands of rivers of oil? Shall I give my first-born for my transgression, the fruit of my body for the sin of my soul?*||—*To do justly, to love mercy, and to walk humbly with God*, were acceptable services which made no part in the system of heathen religion.

Happily the wisdom and simplicity of ancient government checked the progress of this infectious principle, and corrected, in some degree, its poisonous and destructive qualities. But no sooner had the tyranny of the Roman emperors removed this restraint, by subverting liberty, than superstition made its advances on the world by sudden and mighty steps, and exercised an uncontrolled dominion in every corner of the earth. Tyranny and superstition, like those other destroyers of mankind, famine and pestilence, are nearly allied. Superstition breaks the spirit, and prepares it for servitude: tyranny, for this reason, encourages superstition, and employs it as a useful auxiliary to illegal power. Accordingly, Rome adopted the gods of almost every nation whom she had conquered; and opened her temples to the grossest superstitions of the most barbarous people. Her *foolish heart being darkened*, she *changed the glory of the incorruptible God into an image made like to corruptible man, and to birds, and four-footed beasts, and creeping things.*¶

At this time, therefore, did a good God, in pity to his deluded creatures, publish the christian revelation. By it the God of truth was made known, *and the idols of the nations were moved at his presence.*** Rational and sublime in its doctrines, humane and beneficent in its precepts, pure and simple in its worship, christianity was better calculated than any other religion to repress the inroads of superstition, and to establish an acceptable and manly devotion, consisting *in spirit and in truth.*†† No period can be mentioned when instruction in these important articles would have been more seasonable or necessary. The absurd fictions and abominable practices

* Matt. viii. 25. † Matt. xxiii. 23. ‡ Isa. xxxiii. 5. § Acts xvii. 22.

|| Micah vi. 6—8. ¶ Rom. i. 21, 23. ** Isa. xix. 1. †† John iv. 24.

of superstition, had gone near to extinguish the natural sentiments of the human mind concerning the Supreme Being, and to banish his name and worship from the earth. No wonder men under these circumstances should listen with joy to the christian revelation, which delivered them from that hateful yoke, and taught them *to serve God without fear, in holiness and righteousness before him.**

V. Let us consider the world with regard to its domestic situation; a view, perhaps, less extensive and magnificent than those which have hitherto engaged our attention, but not less important. The private and domestic situation of mankind is the chief circumstance which forms their character, and becomes the great source of their happiness or misery. Any poison in this fountain communicates itself to the manners of men; any bitterness there, infects all the pleasures of life. Many circumstances of the most fatal influence on domestic virtue and happiness, occur to attentive observers of the period under review.

Domestic society is founded in the union between husband and wife. Among all civilized nations this union hath been esteemed sacred and honourable; and from it are derived those exquisite joys or sorrows, which can imbitter all the pleasures, or alleviate all the pains, in human life. In the ancient world, there prevailed two practices equally pernicious to the peace and happiness of the married state. From the most early times, polygamy seems to have been universal among the eastern nations; and men married as many wives as their fancy wished for, or their fortune could maintain. Now, this practice not only appears to be contrary to the intention of the Almighty, who at first created but one person of each sex, and hath since preserved an admirable proportion between the number of males and females whom he sends into the world; but by it likewise were banished from domestic life all those enjoyments which sweeten and endear it. Friendship, social intercourse, confidence, and the mutual care of children, were utterly unknown. On the one hand, rigour, voluptuousness, jealousy; on the other, subjection without love, fidelity, or virtue. One half of the human species became the property of the other; and the husband, instead of being the friend and protector of a wife, was no better than the master and tyrant over a slave. The envy and discord which were introduced into the families of Jacob and Elkanah by a plurality of wives, are but imperfect pictures of the enormities occasioned by the same practice under masters less virtuous, and in ages more dissolute and luxurious. Wherever the christian religion is established, an end hath been put to an institution so inconsistent with the felicity of domestic life. Marriage, suitable to the ordinance of God, is rendered a friendly and indissolubie alliance between two persons; and tranquillity, confidence, and joy, bless a union begun and cemented by mutual love.

In the Western parts of the world, the maxims with regard to marriage were more conformable to nature. One man was confined to one woman: but, at the same time, their laws allowed a practice which introduced the most fatal disorders into domestic life. The Almighty, *because of the hardness of their hearts,* permitted the Jews, on certain occasions, *to give a writing of divorcement to their wives.*† According to their usual custom, the Jews stretched this indulgence to the most extravagant lengths; and, defining the cases in which they pretended divorces to be lawful with a minute and over-curious accuracy, they altogether perverted the institution of God. Their doctors permitted divorces for causes so trivial and ridiculous, as cannot be mentioned in a grave discourse. The utmost dissolution of manners was the effect of such licentious opinions: and our Saviour found the abuses to be grown so enormous, as to render the strictest and most precise limitations of the Mosaic precept absolutely necessary.

Nor was this matter on any better footing among the heathen nations. Divorces, on very slight pretences, were permitted both by Greek and Roman legislators. And though the pure manners of those republics restrained, for some time, the operation of such a pernicious institution; though the virtue of private persons seldom abused the indulgence which the laws allowed them: yet no sooner had the progress of luxury, and the establishment of despotic power, vitiated the taste of men, than the law with regard to divorces was found to be among the worst corruptions which prevailed in that abandoned age. The facility of separations rendered married persons careless of obtaining or practising those virtues which render domestic life tranquil and delightful. The education of children was utterly neglected by parents, who often met together with a scheme of separation in both their thoughts. Marriage, instead of restraining, added to the violence of irregular desire; and, under a legal name, became the vilest and most shameless prostitution. From all these causes, the married state fell into disreputation and contempt; and it became necessary to force men, by penal laws, into a society where they expected no secure or lasting happiness. Among the Romans, domestic corruption grew, of a sudden, to an incredible height; and, perhaps, in the history of mankind, we can find no parallel to the undisguised impurity and licentiousness of that age.‡ It was in a good time, therefore, that our Saviour abolished a practice which had been one of the most fertile sources of these disorders. The bonds of the marriage-union were by him rendered almost indissoluble; and the *cords of love* were drawn as close as possible. Political projectors may please themselves with imaginary advantages resulting from the liberty of divorces; but reason, as well as the experience of mankind, justify the wisdom of the divine decree concerning them. If the manners of men be not extremely pure and simple, the least indulgence in this article hath always proved fatal to the peace and virtue of domestic life; and whatever remains of these we now find in a dissolute age, must be entirely ascribed to that regulation in the gospel,§ which superficial reasoners represent as a grievance, though it be in truth the greatest blessing to mankind.

If the lives of those who are at the head of domestic society needed reformation, the sufferings of those who were subject to them merited relief.

So many are the wants of human society, that far the greater part of mankind is condemned to constant toil and labour in order to supply them. In the ancient world, the condition of this numerous and useful race of men differed widely from that wherein they are now placed. They were not free men, but slaves, who occupied the inferior, though necessary, station in human life. Their labour was not a voluntary duty to the society, which entitled them to a reward; it was a hard task, imposed without their consent, and exacted with the utmost rigour. The number of persons reduced to this unhappy condition was

* Luke i. 74. † Mark x. 4, 5. ‡ Rom. i. 26, &c. § Matt. v. 32.

immense. In those parts of the world whose history and situation are best known, above two-thirds of the whole inhabitants are computed to have been in a state of slavery. The persons, the goods, the children of these slaves, were the property of their masters, disposed of at pleasure, and transferred, like any other possession, from one hand to another. No inequality of condition, no superiority in power, no pretext of consent, can justify this ignominious depression of human nature, or can confer upon one man the right of dominion over the person of another. But not only doth reason condemn this institution as unjust; experience proved it to be pernicious both to masters and slaves. The elevation of the former inspired them with pride, insolence, impatience, cruelty, and voluptuousness: the dependent and hopeless state of the latter dejected the human mind, and extinguished every generous and noble principle in the heart. Were I to mention the laws and regulations of the most civilized states among the ancients concerning these unfortunate sufferers; were I to relate the treatment which they met with from persons the most renowned for their virtue; maxims so inhuman, and actions so barbarous, would excite the strongest pity and indignation, in an age which never beheld the tyranny of the oppressor nor heard the groans of the captive.

It is true, while men enjoyed those wise institutions of government which we formerly described, the state of servitude did not become altogether intolerable; many expedients were used for mitigating the rigour of command, and lightening the yoke of obedience: but upon establishing despotic government in the Roman empire, domestic tyranny rose, in a short time, to an astonishing height. In that rank soil, every vice which power nourishes in the great, or oppression engenders in the mean, thrived and grew up apace.

Here, then, is an object worthy the attention of that merciful God, *who delivereth the soul of the afflicted from violence, who heareth the cry of the needy, and him who hath no helper.** The groans of such an innumerable multitude of his reasonable creatures, bereaved of the noblest privilege of their nature, liberty, and independence, would not, we may believe, be uttered in vain. He could not always *keep silence, and be still*, when he beheld their wretched situation, so destructive of happiness, and so fatal to virtue. At last the divine wisdom interposed; and when the evil had become intolerable, and seemed to be past cure, the promulgation of christianity brought an effectual and timely remedy.

It is not the authority of any single detached precept in the gospel, but the spirit and genius of the christian religion, more powerful than any particular command, which hath abolished the practice of slavery through the world. The temper which christianity inspired was mild and gentle; and the doctrines it taught added such dignity and lustre to human nature, as rescued it from the dishonourable servitude into which it was sunk. All men, of every condition, are declared to be the offspring of the same God, and the heirs of the same heavenly inheritance. One Saviour redeemed them from iniquity by his death, and one spirit worketh powerfully in their hearts. Wherever such opinions prevail, no human creature can be regarded as altogether insignificant and vile: even the meanest acquire dignity; exterior distinctions disappear; and men approach nearer to that original equality in which they were at first placed, and are still viewed by their impartial Creator.

What a wonderful and blessed change hath christianity produced in the face of the world! Together with the knowledge of it, liberty, humanity, and domestic happiness, diffused themselves over every corner of the earth. It is deemed a virtue to admire and praise those illustrious personages who delivered mankind from the rage of tyrants, and vindicated the violated laws and constitution of their country: and is no admiration due to the generous spirit of that religion which restored liberty, not to one nation or society alone, but rescued from the worst servitude far the greater number of the human race, and acquired for them that happy freedom which they still enjoy? When we behold christianity making its progress through the world, and working every where such an important alteration in the condition of mankind, we may well apply to a temporal deliverance what the prophet spoke concerning a spiritual salvation: *Behold, the acceptable year of the Lord is come! Liberty is proclaimed to the captive, and the opening of the prison to them that are bound. They shall rest from their sorrow, and from their fear, and from the hard bondage wherein they were made to serve.*†

The abolition of domestic slavery was the occasion of another change in the manners of men, which is no less remarkable. Captives taken in war were, in all probability, the first persons subjected to perpetual servitude: and, when the necessities or luxury of mankind increased the demand for slaves, every new war recruited their number, by reducing the vanquished to that wretched condition. Hence proceeded the fierce and desperate spirit with which wars were carried on among ancient nations. While chains and slavery were the certain lot of the conquered, battles were fought, and towns defended, with a rage and obstinacy, which nothing but horror at such a fate could have inspired: but, by putting an end to the cruel institution of slavery, christianity extended its mild influences to the practice of war; and that barbarous art, softened by its humane spirit, ceased to be so destructive. Secure, in every event, of personal liberty, the resistance of the vanquished became less obstinate, and the triumph of the victor less cruel. Thus humanity was introduced into the exercise of war, with which it appears to be almost incompatible; and it is to the merciful maxims of christianity, much more than to any other cause, that we must ascribe the little ferocity and bloodshed which accompany modern victories. Even where the passions of men are fiercest, and most highly inflamed, the powerful genius of our religion interposes, restrains the fury of war, and sets bounds to its destroying rage. The benevolent spirit of the gospel delivereth the captive from his fetters, *looseth those who were appointed to death;*‡ *and saith to the sword that is ready to devour, Return into thy scabbard, and be still.*§

It hath become a fashionable topic among political reasoners, to celebrate the mildness and humanity of modern manners, and to prefer the character of present times, in that respect, before the ancient. To what cause

* Psal. lxxii. 12.

† Isa. lxi. 1. xiv. 3.

The permission of slavery in our American colonies, is a specious, not a real, objection against the reasoning under this head. The genius and tendency of any religion are known by the operations of its vigorous, not of its declining, age; and if avarice hath revived, in a degenerate world, an institution which christianity had utterly abolished, this, like many other vices which prevail among christians, must be charged upon the corruption of the human heart, not upon that religion which testifies against it.

‡ Psal. cii. 20.

§ Jer. xlvii. 6.

shall we ascribe this important revolution in the sentiments and dispositions of mankind? Not to the influence of better instituted governments; for in legislative wisdom the ancients far excelled us: not to the effects of a better directed education; that duty, shamefully neglected by us, was among them an object of chief attention: not to our superior refinements in elegant and polite arts; there we must be content to equal without pretending to surpass the ancients. The christian religion, *hid from ages, but now manifested to the world*, is the only cause capable of producing so great an effect: *That wisdom which is from above, is pure, and peaceable, gentle, easy to be entreated, full of mercy.** Genuine christianity is distinguished above all other religions by the mildness of its spirit; the enemy of every practice which hardens the heart; the encourager of every virtue which renders the character humane. Wherever it hath been established in purity, and practised with zeal, *kindness, long-suffering, meekness, charity,*† are the graces which accompany it. Even the vices and inventions of men, which have mingled themselves with the truths of God, have not been able entirely to destroy their effects. Under all disadvantages the genius of the gospel exerts itself, civilizing the fiercest and most barbarous nations, and inspiring a gentleness of disposition unknown to any other religion. Together with the best spiritual blessings, the most valuable temporal mercies have been communicated to the world by christianity. It not only sanctifies our souls, but refines our manners; and while it gives the promise of the next life, it improves and adorns the present. That happy change which the wisdom of man could not effect, God in his good time accomplished, by *manifesting to the world the mystery hid from ages and generations.*

These observations which we have made, suggest many useful reflections with regard to the future and universal propagation of christian knowledge. At the time when the disciples of Christ set out, in obedience to their Lord's command, *to teach all nations*, no undertaking could appear in the judgment of man more wild and improbable: but besides the blessing of God, which accompanied them wherever they went, we have discovered several circumstances in the situation of the world which contributed powerfully towards the success and facility of their enterprise. Aided by these, *the word of God increased, and the number of disciples multiplied greatly.*‡ *The weakness of God became stronger than men; and, in a short time, he enabled the foolish things of the world to confound the wise; the weak things of the world, to confound the things which are strong; and things that are not, to bring to nought things that are.*§ That the same effectual blessing of God still continueth to second every sincere and vigorous attempt, to spread the knowledge of his name, we have good reason to believe. What powerful unknown causes may cooperate with this blessing of the Almighty, we are not yet permitted to discover: it cannot, however, be more improbable, that the influences of christianity shall reach further, than it once was that they should reach so far. And after we have seen the light of the gospel penetrate into so many *dark places of the earth*, why doth it seem incredible, that its splendour should, at last, fill the world, and scatter the remainder of darkness which covereth the nations?

It is obvious to observe one circumstance, which cannot fail of introducing the gospel into distant nations with great advantage. That part of the world wherein christianity is established, infinitely surpasses the rest in all the sciences and improvements which raise one nation above another in reputation or power. Of this superiority the Europeans have availed themselves to the utmost, in every project for extending their empire or commerce; and have brought a great part of the globe into a dependence, either upon their arts or arms. Now these same attainments in science or policy, might be employed to good purpose on the side of religion: and though hitherto subservient to the designs of interest or ambition, may we not flatter ourselves that, at last, they shall become noble instruments in the hand of God for preparing the word to receive the gospel?

This glorious prospect may be distant, but it is not imaginary. Even in a degenerate age, zealous and active spirits have arisen, and societies have been formed upon the generous plan of propagating the knowledge of Christ to nations *far off, which never heard his fame, nor have seen his glory.*‖ What they have already done, encourages the most sanguine hopes of further success: and if it shall please God to increase the number and *strengthen the hands* of such well-disposed persons; if he shall see fit *to hasten his time when one shall become a thousand, and a small one strong;*¶ then might we expect, that *the knowledge of the Lord would fill the earth as the waters cover the sea;*** that *the desert would blossom as the rose,*†† *and the wilderness become a fruitful field;*‡‡ then might the spirit of christianity, which languishes so visibly in those places where it hath long been planted, revive with new vigour in unknown lands, and shine with its first splendour among *the people who now sit in darkness, and in the region and shadow of death;*§§ then *might the solitary place rejoice,*|||| *the barren break forth into singing,*¶¶ *and the tongue of the dumb praise the Lord.****

But the conversion of distant nations is not the chief care of the Society for Propagating Christian Knowledge: an object nearer at hand demands their more immediate attention. The Highlands and Islands of Scotland present to us a scene, which we would little expect in a nation where true religion and polished manners have long flourished. There society still appears in its rudest and most imperfect form. Strangers to industry, averse from labour, inured to rapine, the fierce inhabitants scorn all the arts of peace, and stand ready for every bold and desperate action. Attached to their own customs, from ignorance and habit, they have hitherto continued a separate people; and though the religion established among them be the same which we enjoy, its progress hath been imperfect; and the fixed pastors were never able to surmount the disadvantages of their situation, or the obstinacy of their people. In this neglected field, the enemies of our religion and liberty have sown the seeds of the worst superstition, and the most pernicious principles of government.

This field the Society have occupied, and have endeavoured, by their pious care, to render many of their deluded countrymen good christians and useful subjects. Happily for them, they do not labour alone in this noble work. The reformation of the Highlands was never totally neglected by the legislature; but, roused by a late danger, it hath since merited their more particular attention. Suit-

* James iii. 17. † Col. iii. 12. ‡ Acts vi. 7.
§ 1 Cor. i. 25, 27, 28. ‖ Isa. lxvi. 19. ¶ Ibid. lx. 2.
** Isa. xi. 9. †† Ibid. xxxv. 1. ‡‡ Ibid. xxxii. 15. §§ Matt. iv. 16.
|||| Isa. xxxv. 1. ¶¶ Ibid. liv. 1. *** Ibid. xxxv. 6.

able to this view, laws have been enacted with a most humane spirit, in order to retrieve that part of the kingdom from ignorance and barbarism, and to introduce the same regular government and independence which are the blessings of other British subjects. From these salutary laws the Society expect great assistance in the prosecution of their design.

In the mean time, they adore the divine goodness, which hath opened the hearts of many charitable persons among ourselves and neighbours, whose liberality hath put it in their power to carry on their plan with vigour and success; enabling them not only to begin a good work, but in many places to bring it to great perfection. What a reproach will it be, to an age wherein no hand is backward to supply the most extravagant demands of luxury and pleasure, if this generous undertaking shall languish and decay for want of support! The pleasures after which a giddy generation run, are unworthy to be compared with that sacred joy which fills the heart of a christian who hath been instrumental in rescuing an immortal soul from vice, in adorning it with virtue, in seasoning it with grace, *in manifesting the mystery of the gospel to those from whom it was hid*, and in feeding the hungry with *the bread of life*. If we ourselves *have tasted of the heavenly gift*, if we have *passed from death to life*, and have not only heard the sound but felt the power of the gospel, the greater will be our zeal in communicating the same *glad tidings* to others, that they also may be persuaded *to flee for refuge to the consolations which are in Christ*. If honour to our blessed Redeemer be the leading principle in our hearts, we will never rest satisfied till *his glory fill the earth, and every knee bow to his sacred name*. By endeavouring thus to bless others, we shall draw down the divine blessing upon ourselves: *They that be wise, shall shine as the brightness of the firmament; and they that turn many to righteousness, as the stars for ever and ever.**

* Dan. xii. 3.

THE

WORKS

OF

DR. WILLIAM ROBERTSON.

PREFACE TO THE FIRST EDITION

OF THE

HISTORY OF SCOTLAND.

I DELIVER this book to the world with all the diffidence and anxiety natural to an author on publishing his first performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, until it be known whether that approbation shall ever be bestowed upon it.

But as I have departed, in many instances, from former historians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence, on which, at the distance of two centuries, I presume to contradict the testimony of less remote, or even of contemporary, historians.

The transactions in Mary's reign gave rise to two parties, which were animated against each other with the fiercest political hatred, imbittered by religious zeal. Each of these produced historians of considerable merit, who adopted all their sentiments, and defended all their actions. Truth was not the sole object of these authors. Blinded by prejudices, and heated by the part which they themselves had acted in the scenes they describe, they wrote an apology for a faction, rather than the history of their country. Succeeding historians have followed these guides almost implicitly, and have repeated their errors and misrepresentations. But as the same passions which inflamed parties in that age have descended to their posterity; as almost every event in Mary's reign has become the object of doubt or of dispute; the eager spirit of controversy soon discovered, that without some evidence more authentic and more impartial than that of such historians, none of the points in question could be decided with certainty. Records have therefore been searched, original papers have been produced, and public archives, as well as the repositories of private men, have been ransacked by the zeal and curiosity of writers of different parties. The attention of Cecil to collect whatever related to that period, in which he acted so conspicuous a part, hath provided such an immense store of original papers for illustrating this part of the English and Scottish history, as are almost sufficient to satisfy the utmost avidity of an antiquary. Sir Robert Cotton (whose library is now the property of the public) made great and valuable additions to Cecil's collection; and from this magazine, Digges, the compilers of the Caballa, Anderson, Keith, Haynes, Forbes, have drawn most of the papers which they have printed. No History of Scotland, that merits any degree of attention, has appeared since these collections were published. By consulting them, I have been enabled, in many instances, to correct the inaccuracies of former historians, to avoid their mistakes, and to detect their misrepresentations.

But many important papers have escaped the notice of those industrious collectors; and, after all they have produced to light, much still remained in darkness, unobserved or unpublished. It was my duty to search for these; and I found this unpleasant task attended with considerable utility.

The Library of the Faculty of Advocates at Edinburgh, contains not only a large collection of original papers relating to the affairs of Scotland, but copies of others no less curious, which have been preserved by Sir Robert Cotton, or are extant in the public offices in England. Of all these the Curators of that library were pleased to allow me the perusal.

Though the British Museum be not yet open to the public, Dr. Birch, whose obliging disposition is well known, procured me access to that noble collection, which is worthy the magnificence of a great and polished nation.

That vast and curious collection of papers relating to the reign of Elizabeth, which was made by Dr. Forbes, and of which he published only two volumes, having been purchased since his death by

the lord viscount Royston, his lordship was so good as to allow me the use of fourteen volumes in quarto, containing that part of them which is connected with my subject.

Sir Alexander Dick communicated to me a very valuable collection of original papers, in two large volumes. They relate chiefly to the reign of James. Many of them are marked with archbishop Spotiswood's hand; and it appears from several passages in his history, that he had perused them with great attention.

Mr. Calderwood, an eminent presbyterian clergyman of the last century, compiled a history of Scotland from the beginning of the reign of James V. to the death of James VI. in six large volumes; wherein he has inserted many papers of consequence, which are no where else to be found. This history has not been published, but a copy of it, which still remains in manuscript, in the possession of the Church of Scotland, was put into my hands by my worthy friend the revcrend Dr. George Wishart, principal clerk of the church.

Sir David Dalrymple not only communicated to me the papers which he has collected relating to Gowrie's conspiracy; but, by explaining to me his sentiments with regard to that problematical passage in the Scottish history, has enabled me to place that transaction in a light which dispels much of the darkness and confusion in which it has been hitherto involved.

Mr. Goodall, though he knew my sentiments with regard to the conduct and character of queen Mary to be extremely different from his own, communicated to me a volume of manuscripts in his possession, which contains a great number of valuable papers copied from the originals in the Cottonian library and paper office, by the late reverend Mr. Crawford, Regius Professor of Church History in the University of Edinburgh. I likewise received from him the original register of letters kept by the regent Lennox during his administration.

I have consulted all these papers, as far as I thought they could be of any use towards illustrating that period of which I wrote the history. With what success I have employed them to confirm what was already known, to ascertain what was dubious, or to determine what was controverted, the public must judge.

I might easily have drawn, from the different repositories to which I had access, as many papers as would have rendered my Appendix equal in size to the most bulky collection of my predecessors. But I have satisfied myself with publishing a few of the most curious among them, to which I found it necessary to appeal as vouchers for my own veracity. None of these, as far as I can recollect, ever appeared in any former collection.

I have added a *Critical Dissertation concerning the murder of king Henry, and the genuineness of the Queen's letters to Bothwell.* The facts and observations which relate to Mary's letters, I owe to my friend Mr. John Davidson, one of the Clerks of the Signet, who hath examined this point with his usual acuteness and industry.

PREFACE TO THE ELEVENTH EDITION

OF

THE HISTORY OF SCOTLAND.

It is now twenty-eight years since I published the History of Scotland. During that time I have been favoured by my friends with several remarks upon it; and various strictures have been made by persons, who entertained sentiments different from mine, with respect to the transactions in the reign of queen Mary. From whatever quarter information came, in whatever mode it has been communicated, I have considered it calmly and with attention. Wherever I perceived that I had erred, either in relating events, or in delineating characters, I have, without hesitation, corrected those errors. Wherever I am satisfied that my original ideas were just and well founded, I adhere to them: and, resting upon their conformity to evidence already produced, I enter into no discussion or controversy in order to support them. Wherever the opportunity of consulting original papers, either in print or in manuscript, to which I had not formerly access, has enabled me to throw new light upon any part of the history, I have made alterations and additions, which, I flatter myself, will be found to be of some importance.

College of Edinburgh,
March 5th, 1787.

THE

HISTORY OF SCOTLAND.

BOOK I.

CONTAINING A REVIEW OF THE SCOTTISH HISTORY PREVIOUS TO THE DEATH OF JAMES V.

The origin of nations fabulous and obscure.

THE first ages of the Scottish History are dark and fabulous. Nations, as well as men, arrive at maturity by degrees, and the events which happened during their infancy or early youth, cannot be recollected, and deserve not to be remembered. The gross ignorance which anciently covered all the north of Europe, the continual migrations of its inhabitants, and the frequent and destructive revolutions which these occasioned, render it impossible to give any authentic account of the origin of the different kingdoms now established there. Every thing beyond that short period to which well-attested annals reach, is obscure; an immense space is left for invention to occupy; each nation, with a vanity inseparable from human nature, hath filled that void with events calculated to display its own antiquity and lustre. History, which ought to record truth and to teach wisdom, often sets out with retailing fictions and absurdities.

Origin of the Scots.

The Scots carry their pretensions to antiquity as high as any of their neighbours. Relying upon uncertain legends, and the traditions of their bards, still more uncertain, they reckon up a series of kings several ages before the birth of Christ; and give a particular detail of the occurrences which happened in their reigns. But with regard to the Scots, as well as the other northern nations, we receive the earliest accounts on which we can depend, not from their own, but from the Roman, authors.

A. D. 81.

When the Romans, under Agricola, first carried their arms into the northern parts of Britain, they found it possessed by the Caledonians, a fierce and warlike people; and having repulsed rather than conquered them, they erected a strong wall between the firths of Forth and Clyde, and there fixed the boundaries of their empire.

A. D. 121.

Adrian, on account of the difficulty of defending such a distant frontier, contracted the limits of the Roman province in Britain, by building a second wall, which ran between Newcastle and Carlisle. The ambition of succeeding emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans and that of the Caledonians. About the beginning of the fifth century, the inroads of the Goths and other barbarians obliged the Romans, in order to defend the centre of their empire, to recall those legions which guarded the frontier provinces; and at that time they quitted all their conquests in Britain.

A. D. 421.

Their long residence in the island had polished, in some degree, the rude inhabitants, and the Britons were indebted to their intercourse with the Romans, for the art of writing, and the use of numbers, without which it is impossible long to preserve the memory of past events.

North Britain was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author before the end of the fourth century, were probably a colony of the Celtæ or Gauls: their affinity to whom appears from their language, their manners, and religious rites; circumstances more decisive with regard to the origin of nations, than either fabulous traditions, or the tales of ill-informed and credulous annalists. The Scots, if we may believe the common accounts, settled at first in Ireland; and, extending themselves by degrees, landed at last on the coast opposite to that island, and fixed their habitations there. Fierce and bloody wars were, during several ages, carried on between them and the Picts.

A. D. 838.

At length Kenneth II., the sixty-ninth king of the Scots, (according to their own fabulous authors,) obtained a complete victory over the Picts, and united under one monarchy all the country from the wall of Adrian to the northern ocean. The kingdom, henceforward, became known by its present name, which is derived from a people who at first settled there as strangers, and remained long obscure and inconsiderable.

History of Scotland peculiarly obscure.

From this period the history of Scotland would merit some attention, were it accompanied with any certainty. But as our remote antiquities are involved in the same darkness with those of other nations, a calamity peculiar to ourselves has thrown almost an equal obscurity over our more recent transactions. This was occasioned by the malicious policy of Edward I. of England. Towards the end of the thirteenth century, this monarch called in question the independence of Scotland; pretending that the kingdom was held as a fief of the crown of England, and subjected to all the conditions of a feudal tenure. In order to establish his claim, he seized the public archives, he ransacked churches and monasteries, and getting possession, by force or fraud, of many historical monuments, which tended to prove the antiquity or freedom of the kingdom, he carried some of them into England, and commanded the rest to be burned.[a] An universal oblivion of past transactions might have been the effect of this fatal event, but some imperfect Chronicles had escaped the rage of Edward; foreign writers had recorded some important facts relating to Scotland; and the traditions concerning recent occurrences were fresh and worthy of credit. These broken fragments John de Fordun, who lived in the fourteenth century, collected with a pious industry, and from them gleaned materials which he formed into a regular history. His work was received by his countrymen with applause: and, as no recourse could be had to more ancient records, it supplied the place of the authentic annals of the kingdom. It was copied in many monasteries, and the thread of the narrative was continued by different monks, through the subsequent reigns. In the beginning of the sixteenth century, John Major and Hector Boethius published their Histories of Scotland, the former a succinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the same work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his taste, and to the purity and vigour of his style, his History might be placed on a level with the most admired compositions of the ancients. But, instead of rejecting the improbable tales of chronicle-writers, he was at the utmost pains to adorn them; and hath clothed, with all the beauties and graces of fiction, those legends, which formerly had only its wildness and extravagance.

Four remarkable eras in the Scottish history.

The history of Scotland may properly be divided into four periods. The first reaches from the origin of the monarchy, to the reign of Kenneth II. The second from Kenneth's conquest of the Picts, to the death of Alexander III. The third extends to the death of James V. The last, from thence to the accession of James VI. to the crown of England.

The first period is the region of pure fable and conjecture, and ought to be totally neglected, or abandoned to the industry and credulity of antiquaries. Truth begins to dawn in the second period, with a light, feeble at first, but gradually increasing, and the events which then happened may be slightly touched, but merit no particular or laborious inquiry. In the third period, the History of Scotland, chiefly by means of records preserved in England, becomes more authentic: not only are events related, but their causes and effects explained; the characters of the actors are displayed; the manners of the age described; the revolutions in the constitution pointed out: and here every Scotsman should begin not to read only, but to study, the history of his country. During the fourth period, the affairs of Scotland were so mingled with those of other nations, its situation in the political state of Europe was so important, its influence on the operations of the neighbouring kingdoms was so visible, that its history becomes an object of attention to foreigners; and without some knowledge of the various and extraordinary revolutions which happened there, they cannot form a just notion with respect either to the most illustrious events, or to the characters of the most distinguished personages, in the sixteenth century.

A review of the third era.

The following History is confined to the last of these periods: to give a view of the political state of the kingdom during that which immediately preceded it, is the design of this preliminary book. The imperfect knowledge which strangers have of the affairs of Scotland, and the prejudices Scotsmen themselves have imbibed with regard to the various revolutions in the government of their country, render such an introduction equally necessary to both.

The period from the death of Alexander III. to the death of James V. contains upwards of two centuries and a half, from the year one thousand two hundred and eighty-six, to the year one thousand five hundred and forty-two.

Rise of the controversy concerning the independence of Scotland.

It opens with the famous controversy concerning the independence of Scotland. Before the union of the two kingdoms, this was a question of much importance. If the one crown had been considered not as imperial and independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms, and every advantage which the dependent kingdom procured, must have been deemed the concession of a sovereign to his vassal. Accordingly, about the beginning of the present century, and while a treaty of union between the two kingdoms was negociating, this controversy was agitated with all the heat which national animosities naturally inspire. What was then the subject of serious concern, the union of the two kingdoms had rendered a matter of mere curiosity. But though the objects which at that time warmed and interested both nations, exist no longer, a question which ap-

a Innes, Essay 552.

peared so momentous to our ancestors cannot be altogether indifferent or uninstructive to us.

Some of the northern counties of England were early in the hands of the Scottish kings, who, as far back as the feudal customs can be traced, held these possessions of the kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in nowise derogatory from their royal dignity. Nothing is more suitable to feudal ideas, than that the same person should be both a lord and a vassal, independent in one capacity, and dependent in another.[b] The crown of England was, without doubt, imperial and independent, though the princes who wore it were, for many ages, the vassals of the kings of France; and, in consequence of their possessions in that kingdom, bound to perform all the services which a feudal sovereign has a title to exact. The same was the condition of the monarchs of Scotland; free and independent as kings of their own country, but, as possessing English territories, vassals to the king of England. The English monarchs, satisfied with their legal and uncontroverted rights, were, during a long period, neither capable, nor had any thoughts, of usurping more. England, when conquered by the Saxons, being divided by them into many small kingdoms, was in no condition to extend its dominion over Scotland, united at that time under one monarch. And though these petty principalities were gradually formed into one kingdom, the reigning princes, exposed to continual invasions of the Danes, and often subjected to the yoke of those formidable pirates, seldom turned their arms towards Scotland, and were little able to establish new rights in that country. The first kings of the Norman race, busied with introducing their own laws and manners into the kingdom which they had conquered, or with maintaining themselves on the throne, which some of them possessed by a very dubious title, were as little solicitous to acquire new authority, or to form new pretensions in Scotland. An unexpected calamity that befell one of the Scottish kings first encouraged the English to think of bringing his kingdom under dependence. William, surnamed the Lion, being taken prisoner at Alnwick, Henry II. as the price of his liberty, not only extorted from him an exorbitant ransom, and a promise to surrender the places of greatest strength in his dominions, but compelled him to do homage for his whole kingdom. Richard I. a generous prince, solemnly renounced this claim of homage; and absolved William from the hard conditions which Henry had imposed. Upon the death of Alexander III., near a century after, Edward I., availing himself of the situation of affairs in Scotland, acquired an influence in that kingdom, which no English monarch before him ever possessed, and imitating the interested policy of Henry, rather than the magnanimity of Richard, revived the claim of sovereignty to which the former had pretended.

Pretensions of Bruce and Baliol examined.

Margaret of Norway, grand-daughter of Alexander, and heir to his crown, did not long survive him. The right of succession belonged to the descendants of David, earl of Huntingdon, third son of king David I. Among these, Robert Bruce, and John Baliol, two illustrious competitors for the crown, appeared. Bruce was the son of Isabel, earl David's second daughter; Baliol, the grandson of Margaret, the eldest daughter. According to the rules of succession which are now established, the right of Baliol was preferable, and, notwithstanding Bruce's plea of being nearer in blood to earl David, Baliol's claim, as the representative of his mother and grandmother, would be deemed incontestable. But in that age the order of succession was not ascertained with the same precision. The question appeared to be no less intricate than it was important. Though the prejudices of the people, and perhaps the loss of the kingdom, favoured Bruce, each of the rivals was supported by a powerful faction. Arms alone, it was feared, must terminate a dispute too weighty for the laws to decide. But, in order to avoid the miseries of a civil war, Edward was chosen umpire, and both parties agreed to acquiesce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerness to guard against a civil war, was not only exposed to that calamity, but almost subjected to a foreign yoke. Edward was artful, brave, enterprising, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to sacrifice their country in order to obtain even a dependent crown, invited him first to seize and then to subject the kingdom. The authority of an umpire, which had been unwarily bestowed upon him, and from which the Scots dreaded no dangerous consequences, enabled him to execute his schemes with the greater facility. Under pretence of examining the question with the utmost solemnity, he summoned all the Scottish barons to Norham, and having gained some and intimidated others, he prevailed on all who were present, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland to be a fief of the English crown, and to swear fealty to him as their *sovereign* or *liege lord*. This step led to another still more important. As it was vain to pronounce a sentence which he had not power to execute, Edward demanded possession of the kingdom, that he might be able to deliver it to him whose right should be found preferable; and such was the pusillanimity of the nobles, and the impatient ambition of the competitors, that both assented to this strange demand, and Gilbert de

b A very singular proof of this occurs in the French history. Arpin sold the vicomté of the city of Bourges to Philip I. who did homage to the count of Sancerre for a part of these lands, which held of that nobleman, A. D. 1100. I believe that no example, of a king's doing homage to one of his own subjects, is to be met with in the histories either of England or Scotland. Philip le Bel abolished this practice in France, A. D. 1302. Henault *Abregé Chronol.* Somewhat similar to this, is a charter of the abbot of Melrose, A. D. 1535, constituting James V. the bailiff or steward of that abbey, vesting in him all the powers which pertained to that office, and requiring him to be answerable to the abbot for his exercise of the same. *Archiv. publ. Edin.*

Umfraville, earl of Angus, was the only man who refused to surrender the castles in his custody to the enemy of his country. Edward finding Baliol the most obsequious and the least formidable of the two competitors, soon after gave judgment in his favour. Baliol once more professed himself the vassal of England, and submitted to every condition which the sovereign whom he had now acknowledged was pleased to prescribe.

Edward, having thus placed a creature of his own upon the throne of Scotland, and compelled the nobles to renounce the ancient liberties and independence of their country, had reason to conclude that his dominion was now fully established. But he began too soon to assume the master; his new vassals, fierce and independent, bore with impatience a yoke to which they were not accustomed. Provoked by his haughtiness, even the passive spirit of Baliol began to mutiny. But Edward, who had no longer use for such a pageant king, forced him to resign the crown, and openly attempted to seize it as fallen to himself by the rebellion of his vassal. At that critical period arose sir William Wallace, a hero, to whom the fond admiration of his countrymen hath ascribed many fabulous acts of prowess, though his real valour, as well as integrity and wisdom, are such as need not the heightenings of fiction. He, almost single, ventured to take arms in defence of the kingdom, and his boldness revived the spirit of his countrymen. At last Robert Bruce, the grandson of him who stood in competition with Baliol, appeared to assert his own rights, and to vindicate the honour of his country. The nobles, ashamed of their former baseness, and enraged at the many indignities offered to the nation, crowded to his standard. In order to crush him at once, the English monarch entered Scotland, at the head of a mighty army. Many battles were fought, and the Scots, though often vanquished, were not subdued. The ardent zeal with which the nobles contended for the independence of the kingdom, the prudent valour of Bruce, and above all, a national enthusiasm inspired by such a cause, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his subjects. Though the war continued with little intermission upwards of seventy years, Bruce and his posterity kept possession of the throne of Scotland, and reigned with an authority not inferior to that of its former monarchs.

But while the sword, the ultimate judge of all disputes between contending nations, was employed to terminate this controversy, neither Edward nor the Scots seemed to distrust the justice of their cause; and both appealed to history and records, and from these produced, in their own favour, such evidence as they pretended to be unanswerable. The letters and memorials addressed by each party to the pope, who was then reverenced as the common father, and often appealed to as the common judge, of all christian princes, are still extant. The fabulous tales of the early British history; the partial testimony of ignorant chroniclers; supposititious treaties and charters; are the proofs on which Edward founded his title to the sovereignty of Scotland; and the homage done by the Scottish monarchs for their lands in England is preposterously supposed to imply the subjection of their whole kingdom.[c] Ill-founded, however, as their right was, the English did not fail to revive it, in all the subsequent quarrels between the two kingdoms; while the Scots disclaimed it with the utmost indignation. To this we must impute the fierce and implacable hatred to each other, which long inflamed both. Their national antipathies were excited, not only by the usual circumstances of frequent hostilities, and reciprocal injuries; but the English considered the Scots as vassals who had presumed to rebel, and the Scots, in their turn, regarded the English as usurpers who aimed at enslaving their country.

1306. State of the kingdom when Bruce began his reign.

At the time when Robert Bruce began his reign in Scotland, the same form of government was established in all the kingdoms of Europe. This surprising similarity in their constitution and laws demonstrates that the nations which overturned the Roman empire, and erected these kingdoms, though divided into different tribes, and distinguished by different names, were either derived originally from the same source, or had been placed in similar situations. When we take a view of the feudal system of laws and policy, that stupendous and singular fabric erected by them, the first object that strikes us is the king. And when we are told that he is the sole proprietor of all the lands within his dominions, that all his subjects derive their possessions from him, and in return consecrate their lives to his service; when we hear that all marks of distinction, and titles of dignity, flow from him as the only fountain of honour; when we behold the most potent peers, on their bended knees, and with folded hands, swearing fealty at his feet, and acknowledging him to be their *sovereign* and their *liege lord;* we are apt to pronounce him a powerful, nay, an absolute, monarch. No conclusion, however, would be more rash, or worse founded. The genius of the feudal government was purely aristocratical. With all the ensigns of royalty, and with many appearances of despotic power, a feudal king was the most limited of all princes.

Origin of the feudal government, and its aristocratical genius.

Before they sallied out of their own habitations to conquer the world, many of the northern nations seemed not to have been subject to the government of kings;[d] and even where monarchical government was established, the prince possessed but little authority. A general, rather than a king, his military command was extensive, his civil jurisdiction almost nothing.[e] The army which he led was not composed of soldiers, who could be com-

c Anderson's Historical Essay concerning the Independency, &c.

d Cæs. lib. vi. c. 23. e Tacit. de Mor. Germ. c. 7, 11.

pelled to serve, but of such as voluntarily followed his standard.[f] These conquered not for their leader, but for themselves; and being free in their own country, renounced not their liberty when they acquired new settlements. They did not exterminate the ancient inhabitants of the countries which they subdued, but seizing the greater part of their lands, they took their persons under protection. The difficulty of maintaining a new conquest, as well as the danger of being attacked by new invaders, rendering it necessary to be always in a posture of defence, the form of government which they established was altogether military, and nearly resembled that to which they had been accustomed in their native country. Their general still continuing to be the head of the colony, part of the conquered lands were allotted to him; the remainder, under the name of *beneficia* or *fiefs*, was divided among his principal officers. As the common safety required that these officers should, upon all occasions, be ready to appear in arms, for the common defence, and should continue obedient to their general, they bound themselves to take the field, when called, and to serve him with a number of men, in proportion to the extent of their territory. These great officers again parcelled out their lands among their followers, and annexed the same condition to the grant. A feudal kingdom was properly the encampment of a great army; military ideas predominated, military subordination was established, and the possession of land was the pay which the soldiers received for their personal service. In consequence of these notions, the possession of land was granted during pleasure only, and the kings were elective. In other words, an officer disagreeable to his general was deprived of his pay, and the person who was most capable of conducting an army was chosen to command it. Such were the first rudiments or infancy of feudal government.

But long before the beginning of the fourteenth century, the feudal system had undergone many changes, of which the following were the most considerable. Kings, formerly elective, were then hereditary; and fiefs, granted at first during pleasure, descended from father to son, and were become perpetual. These changes, not less advantageous to the nobles than to the prince, made no alteration in the aristocratical spirit of the feudal constitution. The king, who at a distance seemed to be invested with majesty and power, appears, on a nearer view, to possess almost none of those advantages which bestow on monarchs their grandeur and authority. His revenues were scanty; he had not a standing army; and the jurisdiction he possessed was circumscribed within very narrow limits.

General causes which limited the power of the feudal monarchs.

Their revenues were small.

At a time when pomp and splendour were little known, even in the palaces of kings; when the officers of the crown received scarcely any salary besides the fees and perquisites of their office; when embassies to foreign courts were rare; when armies were composed of soldiers who served without pay: it was not necessary that a king should possess a great revenue; nor did the condition of Europe, in those ages, allow its princes to be opulent. Commerce made little progress in the kingdoms where the feudal government was established. Institutions, which had no other object but to inspire a martial spirit, to train men to be soldiers, and to make arms the only honourable profession, naturally discouraged the commercial arts. The revenues, arising from the taxes, imposed on the different branches of commerce, were by consequence inconsiderable; and the prince's treasury received little supply from a source, which, among a trading people, flows with such abundance as is almost inexhaustible. A fixed tax was not levied even on land; such a burden would have appeared intolerable to men who received their estates as the reward of their valour, and who considered their service in the field as a full retribution for what they possessed. The king's *demesnes*, or the portion of land which he still retained in his own hands unalienated, furnished subsistence to his court, and defrayed the ordinary expense of government.[g] The only stated taxes which the feudal law obliged vassals to pay to the king, or to those of whom they held their lands, were three; one when his eldest son was made a knight; another when his eldest daughter was married; and a third in order to ransom him if he should happen to be taken prisoner. Besides these, the king received the feudal casualties of the ward, marriage, &c. of his own vassals. And, on some extraordinary occasions, his subjects granted him an aid, which they distinguished by the name of a *benevolence*, in order to declare that he received it not in consequence of any right, but as a gift, flowing from their good-will.[h] All these added together, produced a revenue so scanty and precarious, as naturally incited a feudal monarch to aim at diminishing the exorbitant power and wealth of the nobility, but, instead of enabling him to carry on his schemes with full effect, kept him in continual indigence, anxiety, and dependence.

They had no standing armies.

Nor could the king supply the defect of his revenues by the terror of his arms. Mercenary troops and standing armies were unknown, as long as the feudal government subsisted in vigour. Europe was peopled with soldiers. The vassals of the king, and the sub-vassals of the barons, were all obliged to carry arms. While the poverty of princes prevented them from fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the decision of a battle, an army, without pay, and with little discipline, was sufficient for all the purposes both of the security and of the glory of the nation. Such an army, however, far from being an engine at the king's disposal, was often no less for-

f Cæs. lib. vi. c. 23.
g Craig. de Feud. lib. i. Dieg. 14. Du Cange Gloss. voc. Dominicum.
h Du Cange, voc. Auxilium.

midable to him, than to his enemies. The more warlike any people were, the more independent they became; and the same persons being both soldiers and subjects, civil privileges and immunities were the consequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our present forms of government, often render the tyrants of their own people, as well as the scourges of mankind, were commonly, under the feudal constitution, the most indulgent of all princes to their subjects, because they stood most in need of their assistance. A prince, whom even war and victories did not render the master of his own army, possessed hardly any shadow of military power during times of peace. His disbanded soldiers mingled with his other subjects; not a single man received pay from him; many ages elapsed even before a guard was appointed to defend his person; and destitute of that great instrument of dominion, a standing army, the authority of the king continued always feeble, and was often contemptible.

Their jurisdiction was limited.

Nor were these the only circumstances which contributed towards depressing the regal power. By the feudal system, as has been already observed, the king's judicial authority was extremely circumscribed. At first, princes seem to have been the supreme judges of their people, and, in person, heard and determined all controversies among them. The multiplicity of causes soon made it necessary to appoint judges, who, in the king's name, decided matters that belonged to the royal jurisdiction. But the barbarians who overran Europe, having destroyed most of the great cities, and the countries which they seized being cantoned out among powerful chiefs, who were blindly followed by numerous dependants, whom, in return, they were bound to protect from every injury; the administration of justice was greatly interrupted, and the execution of any legal sentence became almost impracticable. Theft, rapine, murder, and disorder of all kinds prevailed in every kingdom of Europe, to a degree almost incredible, and scarcely compatible with the subsistence of civil society. Every offender sheltered himself under the protection of some powerful chieftain, who screened him from the pursuits of justice. To apprehend and to punish a criminal, often required the union and effort of half a kingdom.[i] In order to remedy these evils, many persons of distinction were intrusted with the administration of justice within their own territories. But what we may presume was, at first, only a temporary grant, or a personal privilege, the encroaching spirit of the nobles gradually converted into a right, and rendered hereditary. The lands of some were, in process of time, erected into *baronies*, those of others into *regalities*. The jurisdiction of the former was extensive; that of the latter, as the name implies, royal and almost unbounded. All causes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's courts called any person within his territory before them, the lord of regality might put a stop to their proceedings, and by the privilege of *repledging*, remove the cause to his own court, and even punish his vassal, if he submitted to a foreign jurisdiction.[k] Thus almost every question, in which any person who resided on the lands of the nobles was interested, being determined by judges appointed by the nobles themselves, their vassals were hardly sensible of being, in any degree, subject to the crown. A feudal kingdom was split into many small principalities, almost independent, and held together by a feeble and commonly an imperceptible bond of union. The king was not only stripped of the authority annexed to the person of a supreme judge, but his revenue suffered no small diminution by the loss of those pecuniary emoluments, which were, in that age, due to the person who administered justice.

In the same proportion that the king sunk in power, the nobles rose towards independence. Not satisfied with having obtained an hereditary right to their fiefs, which they formerly held during pleasure, their ambition aimed at something bolder, and by introducing *entails*, endeavoured, as far as human ingenuity and invention can reach that end, to render their possessions unalienable and everlasting. As they had full power to add to the inheritance transmitted to them from their ancestors, but none to diminish it, time alone, by means of marriages, legacies, and other accidents, brought continual accessions of wealth, and of dignity; a great family, like a river, became considerable from the length of its course, and as it rolled on, new honours and new property flowed successively into it. Whatever influence is derived from titles of honour, the feudal barons likewise possessed in an ample manner. These marks of distinction are, in their own nature, either official or personal, and being annexed to a particular charge, or bestowed by the admiration of mankind upon illustrious characters, ought to be appropriated to these. But the son, however unworthy, could not bear to be stripped of that appellation by which his father had been distinguished. His presumption claimed what his virtue did not merit; titles of honour became hereditary, and added new lustre to nobles already in possession of too much power. Something more audacious and more extravagant still remained. The supreme direction of all affairs, both civil and mili-

i A remarkable instance of this occurs in the following history, so late as the year one thousand five hundred and sixty-one. Mary, having appointed a court of justice to be held on the borders, the inhabitants of no less than eleven counties were summoned to guard the person who was to act as judge, and to enable him to enforce his decisions. The words of a proclamation, which afford such convincing proof of the feebleness of the feudal government, deserve our notice—"And because it is necessary for the execution of Her Highness' commandments and service, that her justice be well accompanied, and her authority sufficiently fortified, by the concurrence of a good power of her faithful subjects—Therefore commands and charges all and sundry Earls, Lords, Barons, Freeholders, Landed-men, and other Gentlemen, dwelling within the said counties, that they, and every one of them, with their kin, friends, servants, and household-men, well bodin in feir of war in the most substantious manner, [i. e. completely armed and provided,] and with twenty days' victuals, to meet and to pass forward with him to the borough of Jedburgh, and there to remain during the said space of twenty days, and to receive such direction and commands as shall be given by him to them in our Sovereign Lady's name, for quietness of the country; and to put the same in execution under the pain of losing their life, lands, and goods." Keith's Hist. of Scotland, 198.

k Craig, lib. iii. Dieg. 7.

tary, being committed to the great officers of the crown, the fame and safety of princes, as well as of their people, depended upon the fidelity and abilities of these officers. But such was the preposterous ambition of the nobles, and so successful even in their wildest attempts to aggrandize themselves, that in all the kingdoms where the feudal institutions prevailed, most of the chief offices of state were annexed to great families, and held like fiefs, by hereditary right. A person whose undutiful behaviour rendered him odious to his prince, or whose incapacity exposed him to the contempt of the people, often held a place of power and trust of the greatest importance to both. In Scotland, the offices of Lord Justice General, great Chamberlain, high Steward, high Constable, Earl Marshal, and high Admiral, were all hereditary; and in many counties, the office of Sheriff was held in the same manner.

Nobles, whose property was so extensive, and whose power was so great, could not fail of being turbulent and formidable. Nor did they want instruments for executing their boldest designs. That portion of their lands, which they parcelled out among their followers, supplied them with a numerous band of faithful and determined vassals; while that which they retained in their own hands, enabled them to live with a princely splendour. The great hall of an ambitious baron was often more crowded than the court of his sovereign. The strong castles, in which they resided, afforded a secure retreat to the discontented and seditious. A great part of their revenue was spent upon multitudes of indigent but bold retainers. And if at any time they left their retreat to appear in the court of their sovereign, they were accompanied, even in times of peace, with a vast train of armed followers. The usual retinue of William the sixth earl of Douglas consisted of two thousand horse. Those of the other nobles were magnificent and formidable in proportion. Impatient of subordination, and forgetting their proper rank, such potent and haughty barons were the rivals, rather than the subjects, of their prince. They often despised his orders, insulted his person, and wrested from him his crown. The history of Europe, during several ages, contains little else but the accounts of the wars and revolutions occasioned by their exorbitant ambition.

Their power greater in Scotland than in any other kingdom.

But, if the authority of the barons far exceeded its proper bounds in the other nations of Europe, we may affirm that the balance which ought to be preserved between a king and his nobles was almost entirely lost in Scotland. The Scottish nobles enjoyed, in common with those of other nations, all the means for extending their authority which arise from the aristocratical genius of the feudal government. Besides these, they possessed advantages peculiar to themselves: the accidental sources of their power were considerable; and singular circumstances concurred with the spirit of the constitution to aggrandize them.

The particular causes of this.

To enumerate the most remarkable of these, will serve both to explain the political state of the kingdom, and to illustrate many important occurrences, in the period now under our review.

The nature of the country.

I. The nature of their country was one cause of the power and independence of the Scottish nobility. Level and open countries are formed for servitude. The authority of the supreme magistrate reaches with ease to the most distant corners; and when nature has erected no barrier, and affords no retreat, the guilty or obnoxious are soon detected and punished. Mountains, and fens, and rivers, set bounds to despotic power, and amidst these is the natural seat of freedom and independence. In such places did the Scottish nobles usually fix their residence. By retiring to his own castle, a mutinous baron could defy the power of his sovereign, it being almost impracticable to lead an army through a barren country, to places of difficult access to a single man. The same causes which checked the progress of the Roman arms, and rendered all the efforts of Edward I. abortive, often protected the Scottish nobles from the vengeance of their prince; and they owed their personal independence to those very mountains and marshes which saved their country from being conquered.

The small number of great cities.

II. The want of great cities in Scotland contributed not a little to increase the power of the nobility, and to weaken that of the prince. Wherever numbers of men assemble together, order must be established, and a regular form of government instituted; the authority of the magistrate must be recognized, and his decisions meet with prompt and full obedience. Laws and subordination take rise in cities; and where there are few cities, as in Poland, or none, as in Tartary, there are few or no traces of a well-arranged police. But under the feudal governments, commerce, the chief means of assembling mankind, was neglected; the nobles, in order to strengthen their influence over their vassals, resided among them, and seldom appeared at court, where they found a superior, or dwelt in cities, where they met with equals. In Scotland, the fertile counties in the south lying open to the English, no town situated there could rise to be great or populous amidst continual inroads and alarms; the residence of our monarchs was not fixed to any particular place; many parts of the country were barren and uncultivated; and in consequence of these peculiar circumstances, added to the general causes flowing from the nature of the feudal institutions, the towns in Scotland were extremely few, and very inconsiderable. The vassals of every baron occupied a distinct portion of the kingdom, and formed a separate and almost independent society. Instead of giving aid towards reducing to obedience their seditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obstructed the operations of justice to the utmost. The prince was

obliged to connive at criminals whom he could not reach; the nobles, conscious of this advantage, were not afraid to offend; and the difficulty of punishing almost assured them of impunity.

The institution of clans.

III. The division of the country into clans had no small effect in rendering the nobles considerable. The nations which overran Europe were originally divided into many small tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to bestow a portion, in the first place, upon those of his own tribe or family. These all held their lands of him; and as the safety of each individual depended on the general union, these small societies clung together, and were distinguished by some common appellation, either patronymical or local, long before the introduction of surnames, or *ensigns armorial*. But when these became common, the descendants and relations of every chieftain assumed the same name and arms with him; other vassals were proud to imitate their example, and by degrees they were communicated to all those who held of the same superior. Thus clanships were formed; and in a generation or two, that consanguinity, which was, at first, in a great measure, imaginary, was believed to be real. An artificial union was converted into a natural one; men willingly followed a leader, whom they regarded both as the superior of their lands, and the chief of their blood, and served him not only with the fidelity of vassals, but with the affection of friends. In the other feudal kingdoms, we may observe such unions as we have described imperfectly formed; but in Scotland, whether they were the production of chance, or the effect of policy, or introduced by the Irish colony above mentioned, and strengthened by carefully preserving their genealogies both genuine and fabulous, clanships were universal. Such a confederacy might be overcome, it could not be broken; and no change of manners, or of government, has been able, in some parts of the kingdom, to dissolve associations which are founded upon prejudices so natural to the human mind. How formidable were nobles at the head of followers, who, counting that cause just and honourable which their chief approved, rushed into the field at his command, ever ready to sacrifice their lives in defence of his person or of his fame; against such men a king contended with great disadvantage; and that cold service which money purchases, or authority extorts, was not an equal match for their ardour and zeal.

The small number of the nobles.

IV. The smallness of their number may be mentioned among the causes of the grandeur of the Scottish nobles. Our annals reach not back to the first division of property in the kingdom; but so far as we can trace the matter, the original possessions of the nobles seem to have been extensive. The ancient Thanes were the equals and the rivals of their prince. Many of the earls and barons, who succeeded them, were masters of territories no less ample. France and England, countries wide and fertile, afforded settlements to a numerous and powerful nobility. Scotland, a kingdom neither extensive nor rich, could not contain many such overgrown proprietors. But the power of an aristocracy always diminishes, in proportion to the increase of its numbers; feeble if divided among a multitude, irresistible if centred in a few. When nobles are numerous, their operations nearly resemble those of the people; they are roused only by what they feel, not by what they apprehend; and submit to many arbitrary and oppressive acts, before they take arms against their sovereign. A small body, on the contrary, is more sensible, and more impatient; quick in discerning, and prompt in repelling danger, all its motions are as sudden as those of the other are slow. Hence proceeded the extreme jealousy with which the Scottish nobles observed their monarchs, and the fierceness with which they opposed their encroachments. Even the virtue of a prince did not render them less vigilant, or less eager to defend their rights; and Robert Bruce, notwithstanding the splendour of his victories, and the glory of his name, was upon the point of experiencing the vigour of their resistance, no less than his unpopular descendant James III. Besides this, the near alliance of the great families, by frequent intermarriages, was the natural consequence of their small number; and, as consanguinity was, in those ages, a powerful bond of union, all the kindred of a nobleman interested themselves in his quarrel, as a common cause; and every contest the king had, though with a single baron, soon drew upon him the arms of a whole confederacy.

Their leagues and combinations.

V. Those natural connexions, both with their equals and with their inferiors, the Scottish nobles strengthened by a device, which, if not peculiar to themselves, was at least more frequent among them than in any other nation. Even in times of profound peace, they formed associations, which, when made with their equals, were called *leagues of mutual defence;* and when with their inferiors, *bonds of manrent*. By the former, the contracting parties bound themselves mutually to assist each other, in all causes, and against all persons. By the latter, protection was stipulated on the one hand, and fidelity and personal service promised on the other.[1] Self-preservation, it is probable, forced men at first into these confederacies; and, while disorder and rapine were universal, while government was unsettled, and the authority of laws little known or regarded, near neighbours found it necessary to unite in this manner for their security; and the weak were obliged to court the patronage of the strong. By degrees, these associations became so many alliances offensive and defensive against the throne; and, as their obligation was held to be more sacred than any tie whatever, they gave much umbrage to our kings,

1 Act 30, Parl. 1424. Act 43, Parl. 1555.

and contributed not a little to the power and independence of the nobility. In the reign of James II. William the eighth earl of Douglas entered into a league of this kind with the earls of Crawford, Ross, Murray, Ormond, the lords Hamilton, Balveny, and other powerful barons; and so formidable was this combination to the king, that he had recourse to a measure no less violent than unjust, in order to dissolve it.

The frequent wars with England.

VI. The frequent wars between England and Scotland proved another cause of augmenting the power of the nobility. Nature has placed no barrier between the two kingdoms; a river, almost every where fordable, divides them towards the east: on the west they are separated by an imaginary line. The slender revenues of our kings prevented them from fortifying or placing garrisons in the towns on the frontier; nor would the jealousy of their subjects have permitted such a method of defence. The barons, whose estates lay near the borders, considered themselves as bound, both in honour and in interest, to repel the enemy. The *wardenships* of the different *marches*, offices of great power and dignity, were generally bestowed on them. This gained them the leading of the warlike counties in the south; and their vassals, living in a state of perpetual hostility, or enjoying at best an insecure peace, became more inured to war than even the rest of their countrymen, and more willing to accompany their chieftain in his most hardy and dangerous enterprises. It was the valour, no less than the number, of their followers, that rendered the Douglases great. The nobles in the northern and midland counties were often dutiful and obsequious to the crown, but our monarchs always found it impracticable to subdue the mutinous and ungovernable spirit of the borderers. In all our domestic quarrels, those who could draw to their side the inhabitants of the southern counties, were almost sure of victory: and, conscious of this advantage, the lords who possessed authority there, were apt to forget the duty which they owed their sovereign, and to aspire beyond the rank of subjects.

The frequent minorities which happened in Scotland.

VII. The calamities which befell our kings contributed more than any other cause to diminish the royal authority. Never was any race of monarchs so unfortunate as the Scottish. Of six successive princes, from Robert III. to James VI., not one died a natural death; and the minorities, during that time, were longer, and more frequent, than ever happened in any other kingdom. From Robert Bruce to James VI. we reekon ten princes; and seven of these were called to the throne while they were minors, and almost infants. Even the most regular and best-established governments feel sensibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convulsions. But under the imperfect and ill-adjusted system of government in Scotland, these effects were still more fatal; the fierce and mutinous spirit of the nobles, unrestrained by the authority of a king, scorned all subjection to the delegated jurisdiction of a regent, or to the feeble commands of a minor. The royal authority was circumscribed within narrower limits than ever; the prerogatives of the crown, naturally inconsiderable, were reduced almost to nothing; and the aristocratical power gradually rose upon the ruins of the monarchical. Lest the personal power of a regent should enable him to act with too much vigour, the authority annexed to that office was sometimes rendered inconsiderable by being divided; or, if a single regent was chosen, the greater nobles, and the heads of the more illustrious families, were seldom raised to that dignity. It was often conferred upon men who possessed little influence, and excited no jealousy. They, conscious of their own weakness, were obliged to overlook some irregularities, and to permit others; and, in order to support their authority, which was destitute of real strength, they endeavoured to gain the most powerful and active barons, by granting them possessions and immunities, which raised them to still greater power. When the king himself came to assume the reins of government, he found his revenues wasted or alienated, the crown lands seized or given away, and the nobles so accustomed to independence, that, after the struggles of a whole reign, he was seldom able to reduce them to the same state in which they had been at the beginning of his minority, or to wrest from them what they had usurped during that time. If we take a view of what happened to each of our kings, who was so unfortunate as to be placed in this situation, the truth and importance of this observation will fully appear.

Review of the events favourable to the nobles during each minority.

David II.

The minority of David II. the son of Robert Bruce, was disturbed by the pretensions of Edward Baliol, who, relying on the aid of England, and on the support of some disaffected barons among the Scots, invaded the kingdom. The success which at first attended his arms, obliged the young king to retire to France; and Baliol took possession of the throne. A small body of the nobles, however, continuing faithful to their exiled prince, drove Baliol out of Scotland; and after an absence of nine years, David returned from France, and took the government of the kingdom into his own hands. But nobles, who were thus wasting their blood and treasure in defence of the crown, had a right to the undisturbed possession of their ancient privileges; and even some title to arrogate new ones. It seems to have been a maxim in that age, that every leader might claim as his own the territory which his sword had won from the enemy. Great acquisitions were gained by the nobility in that way; and to these the gratitude and liberality of David added, by distributing among such as adhered to him, the vast possessions which fell to the ground by the forfeiture of his enemies. The family of Douglas, which be-

1329.

gan to rise above the other nobles in the reign of his father, augmented both its power and its property during his minority.

1405. James I. James I. was seized by the English during the continuance of a truce, and ungenerously detained a prisoner almost nineteen years. During that period, the kingdom was governed, first by his uncle Robert, duke of Albany, and then by Murdo, the son of Robert. Both these noblemen aspired to the crown; and their unnatural ambition, if we may believe most of our historians, not only cut short the days of prince David, the king's eldest brother, but prolonged the captivity of James. They flattered themselves that they might step with less opposition into a throne, when almost vacant; and, dreading the king's return as the extinction of their authority and the end of their hopes, they carried on the negociations for obtaining his liberty with extreme remissness. At the same time, they neglected nothing that could either soothe or bribe the nobles to approve of their scheme. They slackened the reins of government; they allowed the prerogative to be encroached upon; they suffered the most irregular acts of power, and even wanton instances of oppression, to pass with impunity; they dealt out the patrimony of the crown among those whose enmity they dreaded or whose favour they had gained; and reduced the royal authority to a state of imbecility, from which succeeding monarchs laboured in vain to raise it.

1437. James II. During the minority of James II. the administration of affairs, as well as the custody of the king's person, were committed to sir William Crichton and sir Alexander Livingston. Jealousy and discord were the effects of their conjunct authority, and each of them, in order to strengthen himself, bestowed new power and privileges upon the great men whose aid he courted; while the young earl of Douglas, encouraged by their divisions, erected a sort of independent principality within the kingdom; and, forbidding his vassals to acknowledge any authority but his own, he created knights, appointed a privy council, named officers civil and military, assumed every ensign of royalty but the title of king, and appeared in public with a magnificence more than royal.

1460. James III. Eight persons were chosen to govern the kingdom during the minority of James III. Lord Boyd, however, by seizing the person of the young king, and by the ascendant which he acquired over him, soon engrossed the whole authority. He formed the ambitious project of raising his family to the same pitch of power and grandeur with those of the prime nobility; and he effected it. While intent on this, he relaxed the vigour of government, and the barons became accustomed, once more, to anarchy and independence. The power which Boyd had been at so much pains to acquire was of no long continuance, and the fall of his family, according to the fate of favourites, was sudden and destructive; but upon its ruins the family of Hamilton rose, which soon attained the highest rank in the kingdom.

James V. As the minority of James V. was longer, it was likewise more turbulent, than those of the preceding kings. And the contending nobles, encouraged or protected either by the king of France, or of England, formed themselves into more regular factions, and disregarded more than ever the restraints of order and authority. The French had the advantage of seeing one, devoted to their interest, raised to be regent. This was the duke of Albany, a native of France, and a grandson of James II. But Alexander lord Home, the most eminent of all Scottish peers who survived the fatal battle of Flowden, thwarted all his measures during the first years of his administration; and the intrigues of the queen-dowager, sister of Henry VIII. rendered the latter part of it no less feeble. Though supported by French auxiliaries, the nobles despised his authority, and, regardless either of his threats or his entreaties, peremptorily refused, two several times, to enter England, to the borders of which kingdom he had led them. Provoked by these repeated instances of contempt, the regent abandoned his troublesome station, and, retiring to France, preferred the tranquillity of a private life to an office destitute of real authority. Upon his retreat, Douglas earl of Angus became master of the king's person, and governed the kingdom in his name. Many efforts were made to deprive him of his usurped authority. But the numerous vassals and friends of his family adhered to him, because he divided with them the power and emoluments of his office; the people reverenced and loved the name of Douglas; he exercised, without the title of regent, a fuller and more absolute authority than any who had enjoyed that dignity; and the ancient but dangerous pre-eminence of the Douglasses seemed to be restored.

To these, and to many other causes, omitted or unobserved by us, did the Scottish nobility owe that exorbitant and uncommon power, of which instances occur so frequently in our history. Nothing, however, demonstrates so fully the extent of their power, as the length of its duration. Many years after the declension of the feudal system in the other kingdoms of Europe, and when the arms or policy of princes had, every where, shaken or laid it in ruins, the foundations of that ancient fabric remained, in a great measure, firm and untouched in Scotland.

The power of the feudal nobles becomes intolerable to princes.

The powers which the feudal institutions vested in the nobles, soon became intolerable to all the princes of Europe, who longed to possess something more than a nominal and precarious authority. Their impatience to obtain this, precipitated Henry III. of England, Edward II., and some other weak princes, into rash and premature attempts against the privileges of the barons, in which they were disappointed or perished. Princes of greater abilities were content to mitigate evils which they could not

cure; they sought occupation for the turbulent spirit of their nobles, in frequent wars; and allowed their fiery courage to evaporate in foreign expeditions, which, if they brought no other advantage, secured at least domestic tranquillity. But time and accidents ripened the feudal governments for destruction. Towards the end of the fifteenth century, and beginning of the sixteenth, all the princes of Europe attacked, as if by concert, the power of their nobles. Men of genius then undertook, with success, what their unskilful predecessors had attempted in vain. Lewis XI. of France, the most profound and the most adventurous genius of that age, began, and in a single reign almost completed, the scheme of their destruction. The sure but concealed policy of Henry VII. of England produced the same effect. The means, indeed, employed by these monarchs were very different. The blow which Lewis struck was sudden and fatal. The artifices of Henry resembled those slow poisons, which waste the constitution, but become not mortal till some distant period. Nor did they produce consequences less opposite. Lewis boldly added to the crown whatever he wrested from the nobles. Henry undermined his barons, by encouraging them to sell their lands, which enriched the commons, and gave them a weight in the legislature unknown to their predecessors. But while these great revolutions were carrying on in two kingdoms with which Scotland was intimately connected, little alteration happened there; our kings could neither extend their own prerogative, nor enable the commons to encroach upon the aristocracy; the nobles not only retained most of their ancient privileges and possessions, but continued to make new acquisitions.

The attempts to humble the nobles successful in France and in England.

But the nobles continue to gather strength in Scotland.

This was not owing to the inattention of our princes, or to their want of ambition. They were abundantly sensible of the exorbitant power of the nobility, and extremely solicitous to humble that order. They did not, however, possess means sufficient for accomplishing this end. The resources of our monarchs were few, and the progress which they made was of course inconsiderable. But as the number of their followers, and the extent of their jurisdiction, were the two chief circumstances which rendered the nobles formidable; in order to counterbalance the one, and to restrain the other, all our kings had recourse to nearly the same expedients.

Our kings endeavoured to extend the royal authority.

General means towards this end.

I. Among nobles of a fierce courage, and of unpolished manners, surrounded with vassals bold and licentious, whom they were bound by interest and honour to protect, the causes of discord were many and unavoidable. As the contending parties could seldom agree in acknowledging the authority of any common superior or judge, and their impatient spirit would seldom wait the slow decisions of justice, their quarrels were usually terminated by the sword. The offended baron assembled his vassals, and wasted the lands, or shed the blood, of his enemies. To forgive an injury, was mean; to forbear revenge, infamous or cowardly.[m] Hence quarrels were transmitted from father to son, and under the name of *deadly feuds*, subsisted for many generations with unmitigated rancour. It was the interest of the crown to foment rather than to extinguish these quarrels; and by scattering or cherishing the seeds of discord among the nobles, that union, which would have rendered the aristocracy invincible, and which must at once have annihilated the prerogative, was effectually prevented. To the same cause, our kings were indebted for the success with which they sometimes attacked the most powerful chieftains. They employed private revenge to aid the impotence of public laws, and, arming against the person who had incurred their displeasure those rival families which wished his fall, they rewarded their service by sharing among them the spoils of the vanquished. But this expedient, though it served to humble individuals, did not weaken the body of the nobility. Those who were now the instruments of their prince's vengeance became, in a short time, the objects of his fear. Having acquired power and wealth by serving the crown, they, in their turn, set up for independence: and though there might be a fluctuation of power and of property, though old families fell, and new ones rose upon their ruins, the rights of the aristocracy remained entire, and its vigour unbroken.

Encourage discord among the nobles.

II. As the administration of justice is one of the most powerful ties between a king and his subjects, all our monarchs were at the utmost pains to circumscribe the jurisdiction of the barons, and to extend that of the crown. The external forms of subordination, natural to the feudal system, favoured this attempt. An appeal lay from the judges and courts of the barons, to those of the king. The right, however, of judging in the first instance belonged to the nobles, and they easily found means to defeat the effects of appeals, as well as of many other feudal regulations. The royal jurisdiction was almost confined within the narrow limits of the king's demesnes, beyond which his judges claimed indeed much authority, but possessed next to none. Our kings were sensible of these limitations, and bore them with impatience. But it was impossible to overturn, in a moment, what was so deeply rooted;

Extend the jurisdiction of the king's courts.

m The spirit of revenge was encouraged, not only by the manners, but, what is more remarkable, by the laws, of those ages. If any person thought the prosecution of an injury offered to his family too troublesome, or too dangerous, the Salique laws permitted him publicly to desist from demanding vengeance; but the same laws, in order to punish his cowardice, and want of affection to his family, deprived him of the right of succession. Henault's Abregé Chronol. p. 81. Among the Anglo-Saxons, we find a singular institution distinguished by the name of *sodalitium*, a voluntary association, the object whereof was the personal security of those who joined in it, and which the feebleness of government at that time rendered necessary. Among other regulations, which are contained in one of these still extant, the following deserves notice; "If any associate shall either eat or drink with a person who has killed any member of the *sodalitium*, unless in the presence of the king, the bishop, or the count, and unless he can prove that he did not know the person, let him pay a great fine." Hickes, Dissert. Epistolar. apud Thesaur. Ling. Septentr. vol. i. p. 21.

or to strip the nobles, at once, of privileges which they had held so long, and which were wrought almost into the frame of the feudal constitution. To accomplish this, however, was an object of uniform and anxious attention to all our princes. James I. led the way here, as well as in other instances, towards a more regular and perfect police. He made choice, among the estates of parliament, of a certain number of persons, whom he distinguished by the names of *Lords of Session*, and appointed them to hold courts for determining civil causes three times in the year, and forty days at a time, in whatever place he pleased to name. Their jurisdiction extended to all matters which formerly came under the cognizance of the king's council, and being a committee of parliament, their decisions were final. James II. obtained a law, annexing all regalities, which should be forfeited to the crown, and declaring the right of jurisdiction to be unalienable for the future. James III. imposed severe penalties upon those judges appointed by the barons, whose decisions should be found on a review to be unjust; and, by many other regulations, endeavoured to extend the authority of his own court.[n] James IV. on pretence of remedying the inconveniences arising from the short terms of the Court of Session, appointed other judges called *Lords of Daily Council.* The *Session* was an ambulatory court, and met seldom; the *Daily Council* was fixed, and sat constantly at Edinburgh: and though not composed of members of parliament, the same powers which the Lords of Session enjoyed were vested in it. At last James V. erected a new court that still subsists, and which he named the *College of Justice*, the judges or *senators* of which were called *Lords of Council and Session.* This court not only exercised the same jurisdiction which formerly belonged to the Session and Daily Council, but new rights were added. Privileges of great importance were granted to its members, its forms were prescribed, its terms fixed, and regularity, power, and splendour conferred upon it.[o] The persons constituted judges in all these different courts had, in many respects, the advantage of those who presided in the courts of the barons: they were more eminent for their skill in law, their rules of proceeding were more uniform, and their decisions more consistent. Such judicatories became the objects of confidence, and of veneration. Men willingly submitted their property to their determination, and their encroachments on the jurisdictions of the nobles were popular, and for that reason successful. By devices of a similar nature, the jurisdiction of the nobles in criminal causes was restrained, and the authority of the Court of *Justiciary* extended. The crown, in this particular, gaining insensibly upon the nobles, recovered more ample authority; and the king, whose jurisdiction once resembled that of a baron, rather than that of a sovereign,[p] came more and more to be considered as the head of the community, and the supreme dispenser of justice to his people. These acquisitions of our kings, however, though comparatively great, were in reality inconsiderable; and, notwithstanding all their efforts, many of the separate jurisdictions possessed by the nobles remained in great vigour; and their final abolition was reserved to a distant and more happy period.

Each of our kings pursued some plan of humbling the nobles.

But besides these methods of defending their prerogative and humbling the aristocracy, which may be considered as common to all our princes, we shall find, by taking a view of their reigns, that almost every one of our kings, from Robert Bruce to James V., had formed some particular system for depressing the authority of the nobles, which was the object both of their jealousy and terror. This conduct of our monarchs, if we rest satisfied with the accounts of their historians, must be considered as flowing entirely from their resentment against particular noblemen; and all their attempts to humble them must be viewed as the sallies of private passion, not as the consequences of any general plan of policy. But, though some of their actions may be imputed to those passions, though the different genius of the men, the temper of the times, and the state of the nation, necessarily occasioned great variety in their schemes; yet, without being chargeable with excessive refinement, we may affirm that their end was uniformly the same; and that the project of reducing the power of the aristocracy, sometimes avowed, and pursued with vigour; sometimes concealed, or seemingly suspended; was never altogether abandoned.

This proved by a review of the events in their reigns.

Robert Bruce

No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generosity bestowed on them the lands of the vanquished. Property has seldom undergone greater or more sudden revolutions, than those to which it was subject at that time in Scotland. Edward I. having forfeited the

n Act 26, p. 1469. Act 94, p. 1493. Act 99, p. 1487.

o Keith, App. 74, &c.

p The most perfect idea of the feudal system of government may be attained by attending to the state of Germany, and to the History of France. In the former, the feudal institutions still subsist with great vigour; and though altogether abolished in the latter, the public records have been so carefully preserved, that the French lawyers and antiquaries have been enabled, with more certainty and precision than those of any other country in Europe, to trace its rise, its progress, and revolutions. In Germany, every principality may be considered as a fief, and all its great princes as vassals, holding of the emperor. They possess all the feudal privileges; their fiefs are perpetual; their jurisdictions within their own territories separate and extensive; and the great offices of the empire are all hereditary, and annexed to particular families. At the same time the emperor retains many of the prerogatives of the feudal monarchs. Like them, his claims and pretensions are innumerable, and his power small; his jurisdiction within his own demesnes or hereditary countries is complete; beyond the bounds of these it is almost nothing; and so permanent are feudal principles, that although the feudal system be overturned in almost every particular state in Germany, and although the greater part of its princes have become absolute, the original feudal constitution of the empire still remains, and ideas peculiar to that form of government direct all its operations, and determine the rights of all its princes. Our observations with regard to the limited jurisdiction of kings under the feudal governments, are greatly illustrated by what happened in France. The feebleness and dotage of the descendants of Charlemagne encouraged the peers to usurp an independent jurisdiction. Nothing remained in the hands of the crown; all was seized by them. When Hugh Capet ascended the throne, A. D. 987, he kept possession of his private patrimony the Comté of Paris; and all the jurisdiction which the kings his successors exercised for some time, was within its territories. There were only four towns in France, where he could establish *Grands Baillis*, or royal judges; all the other lands, towns, and bailliages, belonged to the nobles. The methods to which the French monarchs had recourse for extending their jurisdiction, were exactly similar to those employed by our princes. Henault's Abrege, p. 617, &c. De l'Esprit des Loix, liv. xxx. ch. 20, &c.

estates of most of the ancient Scottish barons, granted them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable ; and many possessed their lands by titles extremely defective. During one of those truces between the two nations, occasioned rather by their being weary of war than desirous of peace, Robert formed a scheme for checking the growing power and wealth of the nobles. He summoned them to appear and to show by what rights they held their lands. They assembled accordingly, and the question being put, they started up at once, and drew their swords, "By these," said they, "we acquired our lands, and with these we will defend them." The king, intimidated by their boldness, prudently dropped the project. But so deeply did they resent this attack upon their order, that, notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David II. David his son, at first an exile in France, afterward a prisoner in England, and involved in continual war with Edward III., had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of the nobility.

Robert II. Our historians have been more careful to relate the military than the civil transactions of the reign of Robert II. Skirmishes and inroads of little consequence they describe minutely ; but with regard to every thing that happened during several years of tranquillity, they are altogether silent.

Robert III. The feeble administration of Robert III. must likewise be passed over slightly. A prince of a mean genius, and of a frail and sickly constitution, was not a fit person to enter the lists with active and martial barons, or to attempt wresting from them any of their rights.

James I. The civil transactions in Scotland are better known since the beginning of the reign of James I., and a complete series of our laws supplies the defects of our historians. The English made some amends for their injustice in detaining that prince a prisoner, by their generous care of his education. During his long residence in England, he had an opportunity of observing the feudal system in a more advanced state, and refined from many of the imperfections which still adhered to it in his own kingdom. He saw there, nobles great, but not independent; a king, powerful, though far from absolute : he saw a regular administration of government ; wise laws enacted ; and a nation flourishing and happy, because all ranks of men were accustomed to obey them. Full of these ideas, he returned into his native country, which presented to him a very different scene. The royal authority, never great, was now contemptible, by having been so long delegated to regents. The ancient patrimony and revenues of the crown were almost totally alienated. During his long absence the name of king was little known, and less regarded. The licence of many years had rendered the nobles independent. Universal anarchy prevailed. The weak were exposed to the rapine and oppression of the strong. In every corner some barbarous chieftain ruled at pleasure, and neither feared the king, nor pitied the people.[q]

James was too wise a prince to employ open force to correct such inveterate evils. Neither the men nor the times would have borne it. He applied the gentler and less offensive remedy of laws and statutes. In a parliament held immediately after his return, he gained the confidence of his people, by many wise laws, tending visibly to re-establish order, tranquillity, and justice, in the kingdom. But, at the same time that he endeavoured to secure these blessings to his subjects, he discovered his intention to recover those possessions of which the crown had been unjustly bereaved ; and for that purpose obtained an act, by which he was empowered to summon such as had obtained crown lands during the three last reigns, to produce the rights by which they held them.[r] As this statute threatened the property of the nobles, another which passed in a subsequent parliament aimed a dreadful blow at their power. By it the leagues and combinations which we have already described, and which rendered the nobles so formidable to the crown, were declared unlawful.[s] Encouraged by this success in the beginning of his enterprise, James's next step was still bolder and more decisive. During the sitting of parliament, he seized, at once, his cousin Murdo duke of Albany, and his sons ; the earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany and his sons, and Lennox. These were tried by their peers, and condemned ; for what crime is now unknown. Their execution struck the whole order with terror, and their forfeiture added considerable possessions to the crown. He seized, likewise, the earldoms of Buchan and Strathern, upon different pretexts ; and that of Mar fell to him by inheritance. The patience and inactivity of the nobles, while the king was proceeding so rapidly towards aggrandizing the crown, are amazing. The only obstruction he met with was from a slight insurrection headed by the duke of Albany's youngest son, and that was easily suppressed. The splendour and presence of a king, to which the great men had been long unaccustomed, inspired reverence : James was a prince of great abilities, and conducted his operations with much prudence. He was in friendship with England, and closely allied with the

q A cotemporary monkish writer describes these calamities very feelingly, in his rude Latin. In diebus illis, non erat lex in Scotia, sed quilibet potentiorum juniorem oppresset ; et totum regnum fuit unum latrocinium ; homicidia, deprædationes, incendia, et cætera maleficia remanserunt impunita ; et justitia relegata extra terminos regni exulavit. Chartular. Morav. apud Innes Essay, vol. i. p. 272.

r Act 9, p. 1424.

s Act 30, p. 1421.

French king: he was adored by the people, who enjoyed unusual security and happiness under his administration: and all his acquisitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by decisions of law; and, being founded on circumstances peculiar to the persons who suffered, might excite murmurs and apprehensions, but afforded no colourable pretext for a general rebellion. It was not so with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a measure that irritated the whole body of the nobility, and which the events show either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar, earl of March, had taken arms against Robert III., the king's father; but that crime had been pardoned, and his lands restored by Robert duke of Albany. James, on pretext that the regent had exceeded his power, and that it was the prerogative of the king alone to pardon treason, or to alienate lands annexed to the crown, obtained a sentence, declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the great men held lands by no other right than what they derived from grants of the two dukes of Albany. Such a decision, though they had reason to expect it in consequence of the statute which the king had obtained, occasioned a general alarm. Though Dunbar was, at present, the only sufferer, the precedent might be extended, and their titles to possessions which they considered as the rewards of their valour, might be subjected to the review of courts of law, whose forms of proceeding, and jurisdiction, were in a martial age little known, and extremely odious. Terror and discontent spread fast upon this discovery of the king's intentions; the common danger called on the whole order to unite, and to make one bold stand, before they were stripped successively of their acquisitions, and reduced to a state of poverty and insignificance. The prevalence of these sentiments among the nobles encouraged a few desperate men, the friends or followers of those who had been the chief sufferers under the king's administration, to form a conspiracy against his life. The first uncertain intelligence of this was brought him, while he lay in his camp before Roxburgh castle. He durst not confide in nobles to whom he had given so many causes of disgust, but instantly dismissed them and their vassals, and, retiring to a monastery near Perth, was soon after murdered there in the most cruel manner. All our historians mention with astonishment this circumstance, of the king's disbanding his army at a time when it was so necessary for his preservation. A king, say they, surrounded with his barons, is secure from secret treason, and may defy open rebellion. But those very barons were the persons whom he chiefly dreaded; and it is evident from this review of his administration, that he had greater reason to apprehend danger, than to expect defence, from their hands. It was the misfortune of James, that his maxims and manners were too refined for the age in which he lived. Happy! had he reigned in a kingdom more civilized; his love of peace, of justice, and of elegance, would have rendered his schemes successful; and, instead of perishing because he had attempted too much, a grateful people would have applauded and seconded his efforts to reform and improve them.

James II.

Crichton, the most able man of those who had the direction of affairs during the minority of James II. had been the minister of James I. and well acquainted with his resolution of humbling the nobility. He did not relinquish the design, and he endeavoured to inspire his pupil with the same sentiments. But what James had attempted to effect slowly, and by legal means, his son and Crichton pursued with the impetuosity natural to Scotsmen, and with the fierceness peculiar to that age. William the sixth earl of Douglas was the first victim to their barbarous policy. That young nobleman, (as we have already observed,) contemning the authority of an infant prince, almost openly renounced his allegiance, and aspired to independence. Crichton, too high-spirited to bear such an insult, but too weak to curb or bring to justice so powerful an offender, decoyed him by many promises to an interview in the castle of Edinburgh, and, notwithstanding these, murdered both him and his brother. Crichton, however, gained little by this act of treachery, which rendered him universally odious. William the eighth earl of Douglas was no less powerful, and no less formidable to the crown. By forming the league which we already mentioned with the earl of Crawford and other barons, he had united against his sovereign almost one-half of his kingdom. But his credulity led him into the same snare which had been fatal to the former earl. Relying on the king's promises, who had now attained to the years of manhood, and having obtained a safe-conduct under the great seal, he ventured to meet him in Stirling castle. James urged him to dissolve that dangerous confederacy into which he had entered; the earl obstinately refused: "If you will not," said the enraged monarch, drawing his dagger, "this shall;" and stabbed him to the heart. An action so unworthy of a king filled the nation with astonishment and with horror. The earl's vassals ran to arms with the utmost fury, and dragging the safe-conduct, which the king had granted and violated, at a horse's tail, they marched towards Stirling, burnt the town, and threatened to besiege the castle. An accommodation, however, ensued; on what terms is not known. But the king's jealousy, and the new earl's power and resentment, prevented it from being of long continuance. Both took the field at the head of their armies, and met near Abercorn. That of the earl, composed chiefly of borderers, was far superior to the king's, both in number and in valour; and a single battle must, in all

probability, have decided whether the house of Stuart or of Douglas was henceforth to possess the throne of Scotland. But, while his troops impatiently expected the signal to engage, the earl ordered them to retire to their camp; and sir James Hamilton of Cadyow, the person in whom he placed the greatest confidence, convinced of his want of genius to improve an opportunity, or of his want of courage to seize a crown, deserted him that very night. This example was followed by many; and the earl, despised or forsaken by all, was soon driven out of the kingdom, and obliged to depend for his subsistence on the friendship of the king of England. The ruin of this great family, which had so long rivalled and overawed the crown, and the terror with which such an example of unsuccessful ambition filled the nobles, secured the king, for some time, from opposition; and the royal authority remained uncontrolled and almost absolute. James did not suffer this favourable interval to pass unimproved; he procured the consent of parliament to laws more advantageous to the prerogative, and more subversive of the privileges of the aristocracy, than were ever obtained by any former or subsequent monarch of Scotland.

By one of these, not only all the vast possessions of the earl of Douglas were annexed to the crown, but all prior and future alienations of crown-lands were declared to be void, and the king was empowered to seize them at pleasure, without any process or form of law, and oblige the possessors to refund whatever they had received from them.[t] A dreadful instrument of oppression in the hands of a prince!

Another law prohibited the wardenship of the marches to be granted hereditarily; restrained, in several instances, the jurisdiction of that office; and extended the authority of the king's courts.[u]

By a third, it was enacted that no *regality*, or exclusive right of administering justice within a man's own lands, should be granted in time to come, without the consent of parliament;[x] a condition which implied almost an express prohibition. Those nobles who already possessed that great privilege, would naturally be solicitous to prevent it from becoming common, by being bestowed on many. Those who had not themselves attained it, would envy others the acquisition of such a flattering distinction, and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and those obtained since the death of the last king were revoked.[y]

Each of these statutes undermined some of the great pillars on which the power of the aristocracy rested. During the remainder of his reign, this prince pursued the plan which he had begun, with the utmost vigour; and had not a sudden death, occasioned by the splinter of a cannon which burst near him at the siege of Roxburgh, prevented his progress, he wanted neither genius nor courage to perfect it: and Scotland might, in all probability, have been the first kingdom in Europe which would have seen the subversion of the feudal system.

James III. discovered no less eagerness than his father or grandfather to humble the nobility; but far inferior to either of them in abilities and address, he adopted a plan extremely impolitic, and his reign was disastrous, as well as his end tragical. Under the feudal governments, the nobles were not only the king's ministers, and possessed of all the great offices of power or of trust; they were likewise his companions and favourites, and hardly any but them approached his person, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unusual distance, and bestowed every mark of confidence and affection upon a few mean persons, of professions so dishonourable, as ought to have rendered them unworthy of his presence. Shut up with these in his castle of Stirling, he seldom appeared in public, and amused himself in architecture, music, and other arts, which were then little esteemed. The nobles beheld the power and favour of these minions with indignation. Even the sanguinary measures of his father provoked them less than his neglect. Individuals alone suffered by the former; by the latter, every man thought himself injured, because all were contemned. Their discontent was much heightened by the king's recalling all rights to crown-lands, hereditary offices, regalities, and every other concession which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themselves, secret intrigues with England, and all the usual preparatives for civil war, were the effects of their resentment. Alexander duke of Albany, and John earl of Mar, the king's brothers, two young men of turbulent and ambitious spirits, and incensed against James, who treated them with the same coldness as he did the other great men, entered deeply into all their cabals. The king detected their designs before they were ripe for execution, and seizing his two brothers, committed the duke of Albany to Edinburgh castle. The earl of Mar, having remonstrated with too much boldness against the king's conduct, was murdered, if we may believe our historians, by his command. Albany, apprehensive of the same fate, made his escape out of the castle, and fled into France. Concern for the king's honour, or indignation at his measures, were perhaps the motives which first induced him to join the malcontents. But James's attachment to favourites rendering him every day more odious to the nobles, the prospect of the advantages which might be derived from their general disaffection, added to the resentment which he felt on account of his brother's death, and his own injuries, soon inspired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward IV. of England,

James III.

t Act 41, P. 1455. u Ibid. Act 42. x Ibid. Act 43. y Act 44.

in which he assumed the name of Alexander king of Scots; and in return for the assistance which was promised him towards dethroning his brother, he bound himself, as soon as he was put in possession of the kingdom, to swear fealty and do homage to the English monarch, to renounce the ancient alliance with France, to contract a new one with England, and to surrender some of the strongest castles and most valuable counties in Scotland.[z] That aid, which the duke so basely purchased at the price of his own honour, and the independence of his country, was punctually granted him, and the duke of Gloucester with a powerful army conducted him towards Scotland. The danger of a foreign invasion obliged James to implore the assistance of those nobles whom he had so long treated with contempt. Some of them were in close confederacy with the duke of Albany, and approved of all his pretensions. Others were impatient for any event which would restore their order to its ancient pre-eminence. They seemed, however, to enter with zeal into the measures of their sovereign for the defence of the kingdom against its invaders,[a] and took the field, at the head of a powerful army of their followers, but with a stronger disposition to redress their own grievances than to annoy the enemy; and with a fixed resolution of punishing those minions, whose insolence they could no longer tolerate. This resolution they executed in the camp near Lauder, with a military despatch and rigour. Having previously concerted their plan, the earls of Angus, Huntly, Lennox, followed by almost all the barons of chief note in the army, forcibly entered the apartment of their sovereign, seized all his favourites except one Ramsay, whom they could not tear from the king, in whose arms he took shelter, and, without any form of trial, hanged them instantly over a bridge. Among the most remarkable of those who had engrossed the king's affection, were Cochrane a mason, Hommil a tailor, Leonard a smith, Rogers a musician, and Torsifan a fencing-master. So despicable a retinue discovers the capriciousness of James's character, and accounts for the indignation of the nobles, when they beheld the favour, due to them, bestowed on such unworthy objects.

James had no reason to confide in an army so little under his command, and dismissing it, shut himself up in the castle of Edinburgh. After various intrigues, Albany's lands and honours were at length restored to him, and he seemed even to have regained his brother's favour, by some important services. But their friendship was not of long duration. James abandoned himself, once more, to the guidance of favourites: and the fate of those who had suffered at Lauder did not deter others from courting that dangerous pre-eminence. Albany, on pretext that an attempt had been made to take away his life by poison, fled from court, and, retiring to his castle at Dunbar, drew thither a greater number of barons than attended on the king himself. At the same time he renewed his former confederacy with Edward; the earl of Angus openly negociated that infamous treaty; other barons were ready to concur with it; and if the sudden death of Edward had not prevented Albany's receiving any aid from England, the crown of Scotland would probably have been the reward of this unworthy combination with the enemies of his country. But, instead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not reside there in safety; and, flying first to England and then to France, he seems from that time to have taken no part in the affairs of his native country. Imboldened by his retreat, the king and his ministers multiplied the insults which they offered to the nobility. A standing guard, a thing unknown under the feudal governments, and inconsistent with the familiarity and confidence with which monarchs then lived amidst their nobles, was raised for the king's defence, and the command of it given to Ramsay, lately created earl of Bothwell, the same person who had so narrowly escaped when his companions were put to death at Lauder. As if this precaution had not been sufficient, a proclamation was issued, forbidding any person to appear in arms within the precincts of the court;[b] which, at a time when no man of rank left his own house without a numerous retinue of armed followers, was, in effect, debarring the nobles from all access to the king. James, at the same time, became fonder of retirement than ever, and, sunk in indolence or superstition, or attentive only to amusements, devolved his whole authority upon his favourites. So many injuries provoked the most considerable nobles to take arms, and having persuaded or obliged the duke of Rothesay, the king's eldest son, a youth of fifteen, to set himself at their head, they openly declared their intention of depriving James of a crown, of which he had discovered himself to be so unworthy. Roused by this danger, the king quitted his retirement, took the field, and encountered them near Bannockburn; but the valour of the borderers, of whom the army of the malcontents was chiefly composed, soon put his troops to flight, and he himself was slain in the pursuit. Suspicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are visible in his whole conduct; but the character of a cruel and unrelenting tyrant seems to be unjustly affixed to him by our historians. His neglect of the nobles irritated, but did not weaken them; and their discontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were sufficient to have disturbed a more vigorous administration, and to have rendered a prince of superior talents unhappy.

The indignation which many persons of rank expressed against the conduct of the conspirators,

z Abercr. Mart. Atch. vol. ii. p. 443.

a Black Acts, fol. 65. b Ferrerius, 398.

together with the terror of the sentence of excommunication which the pope pronounced against them, obliged them to use their victory with great moderation and humanity. Being conscious how detestable the crime of imbruing their hands in the blood of their sovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for the treatment of the father, by their loyalty and duty towards the son. They placed him instantly on the throne, and the whole kingdom soon united in acknowledging his authority.

James IV.

James IV. was naturally generous and brave; he felt, in a high degree, all the passions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During his reign, the ancient and hereditary enmity between the king and nobles seems almost entirely to have ceased. He envied not their splendour, because it contributed to the ornament of his court; nor did he dread their power, which he considered as the security of his kingdom, not as an object of terror to himself. This confidence on his part met with the proper return of duty and affection on theirs; and, in his war with England, he experienced how much a king, beloved by his nobles, is able to perform. Though the ardour of his courage, and the spirit of chivalry, rather than the prospect of any national advantage, induced him to declare war against England, such was the zeal of his subjects for the king's glory, that he was followed by as gallant an army as ever any of his ancestors had led upon English ground. But though James himself formed no scheme dangerous or detrimental to the aristocracy, his reign was distinguished by an event extremely fatal to it; and one accidental blow humbled it more than all the premeditated attacks of preceding kings. In the rash and unfortunate battle of Flowden, a brave nobility chose rather to die than to desert their sovereign. Twelve earls, thirteen lords, five eldest sons of noblemen, and an incredible number of barons, fell with the king.[c] The whole body of the nobles long and sensibly felt this disaster; and if a prince of full age had then ascended the throne, their consternation and feebleness would have afforded him advantages which no former monarch ever possessed.

James V.

But James V. who succeeded his father, was an infant of a year old; and though the office of regent was conferred upon his cousin the duke of Albany, a man of genius and enterprise, a native of France, and accustomed to a government where the power of the king was already great; though he made many bold attempts to extend the royal authority; though he put to death lord Home, and banished the earl of Angus, the two noblemen of greatest influence in the kingdom, the aristocracy lost no ground under his administration. A stranger to the manners, the laws, and the language of the people whom he was called to rule, he acted, on some occasions, rather like a viceroy of the French king, than the governor of Scotland; but the nobles asserted their own privileges, and contended for the interest of their country, with a boldness which convinced him of their independence, and of the impotence of his own authority. After several unsuccessful struggles, he voluntarily retired to France; and the king being then in his thirteenth year, the nobles agreed that he should assume the government, and that eight persons should be appointed to attend him by turns, and to advise and assist him in the administration of public affairs. The earl of Angus, who was one of that number, did not long remain satisfied with such divided power. He gained some of his colleagues removed others, and intimidated the rest. When the term of his attendance expired, he still retained authority, to which all were obliged to submit, because none of them were in a condition to dispute it. The affection of the young king was the only thing wanting, to fix and perpetuate his power. But an active and high-spirited prince submitted, with great impatience, to the restraint in which he was kept. It ill suited his years, or disposition, to be confined as a prisoner within his own palace; to be treated with no respect, and to be deprived of all power. He could not, on some occasions, conceal his resentment and indignation. Angus foresaw that he had much to dread from these; and as he could not gain the king's heart, he resolved to make sure of his person. James was continually surrounded by the earl's spies and confidents; many eyes watched all his motions, and observed every step he took. But the king's eagerness to obtain liberty, eluded all their vigilance. He escaped from Falkland, and fled to the castle of Stirling, the residence of the queen his mother, and the only place of strength in the kingdom which was not in the hand of the Douglases. The nobles, of whom some were influenced by their hatred to Angus, and others by their respect for the king, crowded to Stirling, and his court was soon filled with persons of the greatest distinction. The earl, though astonished at this unexpected revolution, resolved at first to make one bold push for recovering his authority, by marching to Stirling at the head of his followers; but he wanted either courage or strength to execute this resolution. In a parliament held soon after, he and his adherents were attainted, and, after escaping from many dangers, and enduring much misery, he was at length obliged to fly into England for refuge.

James had now not only the name, but, though extremely young, the full authority, of a king. He was inferior to no prince of that age in gracefulness of person, or in vigour of mind. His understanding was good, and his heart warm; the former capable of great improvement, and the latter susceptible of the best impressions. But, according to the usual fate of princes who are called to the

c Aber. ii. 540.

throne in their infancy, his education had been neglected. His private preceptors were more ready to flatter than to instruct him. It was the interest of those who governed the kingdom, to prevent him from knowing too much. The earl of Angus, in order to divert him from business, gave him an early taste for such pleasures as afterwards occupied and engrossed him more than became a king. Accordingly, we discover in James all the features of a great but uncultivated spirit. On the one hand, violent passions, implacable resentment, an immoderate desire of power, and the utmost rage at disappointment. On the other, love to his people, zeal for the punishment of private oppressors, confidence in his favourites, and the most engaging openness and affability of behaviour.

What he himself had suffered from the exorbitant power of the nobles, led him early to imitate his predecessors, in their attempts to humble them. The plan he formed for that purpose was more profound, more systematic, and pursued with greater constancy and steadiness, than that of any of his ancestors: and the influence of the events in his reign upon those of the subsequent period, renders it necessary to explain his conduct at greater length, and to enter into a more minute detail of his actions. He had penetration enough to discover those defects in the schemes adopted by former kings, which occasioned their miscarriage. The examples of James I. had taught him, that wise laws operate slowly on a rude people, and that the fierce spirit of the feudal nobles was not to be subdued by these alone. The effects of the violent measures of James II. convinced him, that the oppression of one great family is apt either to excite the suspicion and resentment of the other nobles, or to enrich with its spoils some new family, which would soon adopt the same sentiments, and become equally formidable to the crown. He saw, from the fatal end of James III. that neglect was still more intolerable to the nobles than oppression, and that the ministry of new men and favourites was both dishonourable and dangerous to a prince. At the same time, he felt that the authority of the crown was not sufficient to counterbalance the power of the aristocracy, and that without some new accession of strength, he could expect no better success in the struggle than his ancestors. In this extremity, he applied himself to the clergy, hoping that they would both relish the plan, and concur, with all their influence, in enabling him to put it in execution. Under the feudal government, the church, being reckoned a third estate, had its representatives in parliament; the number of these was considerable, and they possessed great influence in that assembly. The superstition of former kings, and the zeal of many ages of ignorance, had bestowed on ecclesiastics a great proportion of the national wealth; and the authority which they acquired by the reverence of the people, was superior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithstanding their attention to extend their usurpations, had neglected Scotland as a distant and poor kingdom, and permitted its kings to exercise powers which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishoprics and abbeys;[d] and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it, by promoting his designs. Happily for him, the nobles had not yet recovered the blow which fell on their order at Flowden; and if we may judge either from their conduct, or from the character given of them by sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity or with vigour. Many of the clergy, on the other hand, were distinguished by their great abilities, and no less by their ambition. Various causes of disgust subsisted between them and the martial nobles, who were apt to view the pacific character of ecclesiastics with some degree of contempt, and who envied their power and wealth. By acting in concert with the king, they not only would gratify him, but avenge themselves, and hoped to aggrandize their own order, by depressing those who were their sole rivals. Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the earl of Angus out of the kingdom; and, sensible that a person so far superior to the other nobles in abilities, might create many obstacles which would retard or render ineffectual all his schemes, he solemnly swore, that he would never permit him to return into Scotland; and, notwithstanding the repeated solicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stirling, and other castles, and to fill his magazines with arms and ammunition. Having taken these precautions by way of defence, he began to treat the nobility with the utmost coldness and reserve. Those offices, which they were apt, from long possession, to consider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and, together with a few gentlemen of inferior rank, to whom he had communicated his schemes, were intrusted with the management of all public affairs. These ministers were chosen with judgment; and cardinal Beatoun, who soon became the most eminent among them, was a man of superior genius. These served the king with fidelity; they carried on his measures with vigour, with reputation, and with success. James no longer concealed his distrust of the nobles, and suffered no opportunity of mortifying them to escape. Slight offences were aggravated into real crimes, and punished with severity. Every accu-

[d] Epist. Reg. Scot. i. 197, &c. Act 125, p. 1540.

sation against persons of rank was heard with pleasure, every appearance of guilt was examined with rigour, and every trial proved fatal to those who were accused; the banishing Hepburn earl of Bothwell for reasons extremely frivolous, beheading the eldest son of lord Forbes without sufficient evidence of his guilt, and the condemning lady Glamis, a sister of the earl of Angus, to be burnt for the crime of witchcraft, of which even that credulous age believed her innocent, are monuments both of the king's hatred of the nobility, of the severity of his government, and of the stretches he made towards absolute power. By these acts of authority, he tried the spirit of the nobles, and how much they were willing to bear. Their patience increased his contempt for them, and added to the ardour and boldness with which he pursued his plan. Meanwhile they observed the tendency of his schemes with concern, and with resentment; but the king's sagacity, the vigilance of his ministers, and the want of a proper leader, made it dangerous to concert any measures for their defence, and impossible to act with becoming vigour. James and his counsellors, by a false step which they took, presented to them, at length, an advantage which they did not fail to improve.

Motives, which are well known, had prompted Henry VIII. to disclaim the pope's authority, and to seize the revenues of the regular clergy. His system of reformation satisfied none of his subjects. Some were enraged because he had proceeded so far, others murmured because he proceeded no farther. By his imperious temper, and alternate persecutions of the zealots for popery, and the converts to the protestant opinions, he was equally formidable to both. Henry was afraid that this general dissatisfaction of his people might encourage his enemies on the continent to invade his kingdom. He knew that both the pope and the emperor courted the friendship of the king of Scots, and endeavoured to engage him in an alliance against England. He resolved, therefore, to disappoint the effects of their negociations, by entering into a closer union with his nephew. In order to accomplish this, he transmitted to James an elaborate memorial, presenting the numerous encroachments of the see of Rome upon the rights of sovereigns;[e] and that he might induce him more certainly to adopt the same measures for abolishing papal usurpation, which had proved so efficacious in England, he sent ambassadors into Scotland, to propose a personal interview with him at York. It was plainly James's interest to accept this invitation; the assistance of so powerful an ally, the high honours which were promised him, and the liberal subsidies he might have obtained, would have added no little dignity to his domestic government, and must have greatly facilitated the execution of his favourite plan. On the other hand, a war with England, which he had reason to apprehend if he rejected Henry's offers of friendship, was inconsistent with all his views. This would bring him to depend on his barons; an army could not be raised without their assistance: to call nobles incensed against their prince into the field, was to unite his enemies, to make them sensible of their own strength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all these consequences might follow a breach with England, listened at first to Henry's proposal, and consented to the interview at York. But the clergy dreaded a union which must have been established on the ruins of the church. Henry had taken great pains to infuse into his nephew his own sentiments concerning religion, and had frequently solicited him, by ambassadors, to renounce the usurped dominion of the pope, which was no less dishonourable to princes than grievous to their subjects. The clergy had hitherto, with great address, diverted the king from regarding these solicitations. But in an amicable conference, Henry expected, and they feared, that James would yield to his entreaties, or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that the pride and ambition of ecclesiastics raised the indignation of the nobles; that their indecent lives gave offence to the people; that the protestant opinions were spreading fast throughout the nation; and that a universal defection from the established church would be the consequence of giving the smallest degree of encouragement to these principles. For these reasons, they employed all their credit with the king, and had recourse to every artifice and insinuation, in order to divert him from a journey, which must have been so fatal to their interest. They endeavoured to inspire him with fear, by magnifying the danger to which he would expose his person by venturing so far into England, without any security but the word of a prince, who, having violated every thing venerable and sacred in religion, was no longer to be trusted; and by way of compensation for the sums which he might have received from Henry, they offered an annual donative of fifty thousand crowns; they promised to contribute liberally towards carrying on a war with England, and flattered him with the prospect of immense riches, arising from the forfeiture of persons who were to be tried and condemned as heretics. Influenced by these considerations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch resented the affront, by declaring war against Scotland. His army was soon ready to invade the kingdom. James was obliged to have recourse to the nobles, for the defence of his dominions. At his command, they assembled their followers, but with the same dispositions which had animated their ancestors in the reign of James III. and with a full resolution of

[e] Stripe, Eccles. Mem. 1. App 155.

imitating their example, by punishing those to whom they imputed the grievances of which they had reason to complain; and if the king's ministers had not been men of abilities, superior to those of James III., and of considerable interest even with their enemies, who could not agree among themselves what victims to sacrifice, the camp of Fala would have been as remarkable as that of Lauder, for the daring encroachments of the nobility on the prerogative of the prince. But though his ministers were saved by this accident, the nobles had soon another opportunity of discovering to the king their dissatisfaction with his government, and their contempt of his authority. Scarcity of provisions, and the rigour of the season, having obliged the English army, which had invaded Scotland, to retire, James imagined that he could attack them, with great advantage, in their retreat; but the principal barons, with an obstinacy and disdain which greatly aggravated their disobedience, refused to advance a step beyond the limits of their own country. Provoked by this insult to himself, and suspicious of a new conspiracy against his ministers, the king instantly disbanded an army which paid so little regard to his orders, and returned abruptly into the heart of the kingdom.

An ambitious and high-spirited prince could not brook such a mortifying affront. His hopes of success had been rash, and his despair upon a disappointment was excessive. He felt himself engaged in an unnecessary war with England, which, instead of yielding him the laurels and triumphs that he expected, had begun with such circumstances, as encouraged the insolence of his subjects, and exposed him to the scorn of his enemies. He saw how vain and ineffectual all his projects to humble the nobles had been, and that, though in times of peace a prince may endeavour to depress them, they will rise, during war, to their former importance and dignity. Impatience, resentment, indignation, filled his bosom by turns. The violence of these passions altered his temper, and, perhaps, impaired his reason. He became pensive, sullen, and retired. He seemed, through the day, to be swallowed up in profound meditation, and, through the night, he was disturbed by those visionary terrors which make impression upon a weak understanding only, or a disordered fancy. In order to revive the king's spirits, an inroad on the western borders was concerted by his ministers, who prevailed upon the barons in the neighbouring provinces to raise as many troops as were thought necessary, and to enter the enemy's country. But nothing could remove the king's aversion to his nobility, or diminish his jealousy of their power. He would not even intrust them with the command of the forces which they had assembled; that was reserved for Oliver Sinclair his favourite, who no sooner appeared to take possession of the dignity conferred upon him, than rage and indignation occasioned a universal mutiny in the army. Five hundred English, who happened to be drawn up in sight, attacked the Scots in this disorder. Hatred to the king, and contempt of their general, produced an effect to which there is no parallel in history. They overcame the fear of death, and the love of liberty: and ten thousand men fled before a number so far inferior, without striking a single blow. No man was desirous of a victory which would have been acceptable to the king, and to his favourite; few endeavoured to save themselves by flight; the English had the choice of what prisoners they pleased to take; and almost every person of distinction, who was engaged in the expedition, remained in their hands.[f] This astonishing event was a new proof to the king of the general disaffection of the nobility, and a new discovery of his own weakness and want of authority. Incapable of bearing these repeated insults, he found himself unable to revenge them. The deepest melancholy and despair succeeded to the furious transports of rage, which the first account of the rout of his army occasioned. All the violent passions, which are the enemies of life, preyed upon his mind, and wasted and consumed a youthful and vigorous constitution. Some authors of that age impute his untimely death to poison; but the diseases of the mind, when they rise to a height, are often mortal; and the known effects of disappointment, anger, and resentment, upon a sanguine and impetuous temper, sufficiently account for his unhappy fate. "His death (says Drummond) proveth his mind to have been raised to an high strain, and above mediocrity; he could die, but could not digest a disaster." Had James survived this misfortune, one of two things must have happened: either the violence of his temper would have engaged him openly to attack the nobles, who would have found in Henry a willing and powerful protector, and have derived the same assistance from him, which the malcontents, in the succeeding reign, did from his daughter Elizabeth; in that case a dangerous civil war must have been the certain consequence. Or, perhaps, necessity might have obliged him to accept of Henry's offers, and be reconciled to his nobility. In that event the church would have fallen a sacrifice to their union; a reformation, upon Henry's plan, would have been established by law: a great part of the temporalities of the church would have been seized; and the friendship of the king and barons would have been cemented by dividing its spoils.

Such were the efforts of our kings towards reducing the exorbitant power of the nobles. If they were not attended with success, we must not, for that reason, conclude that they were not conducted with prudence. Every circumstance seems to have combined against the crown. Accidental events concurred with political causes, in rendering the

[f] According to an account of this event in the Hamilton MSS. about thirty were killed, above a thousand were taken prisoners; and among them, a hundred and fifty persons of condition. Vol. ii. 286. The small number of the English prevented their taking more prisoners.

best-concerted measures abortive. The assassination of one king, the sudden death of another, and the fatal despair of a third, contributed no less than its own natural strength, to preserve the aristocracy from ruin.

The extraordinary influence of the Scottish kings in parliament.

Amidst these struggles, the influence which our kings possessed in their parliaments, is a circumstance seemingly inexplicable, and which merits particular attention. As these assemblies were composed chiefly of the nobles, they, we are apt to imagine, must have dictated all their decisions; but, instead of this, every king found them obsequious to his will, and obtained such laws, as he deemed necessary for extending his authority. All things were conducted there with despatch and unanimity; and, in none of our historians, do we find an instance of any opposition formed against the court in parliament, or mention of any difficulty in carrying through the measures which were agreeable to the king. In order to account for this singular fact, it is necessary to inquire into the origin and constitution of parliament.

The reasons of it.

The genius of the feudal government, uniform in all its operations, produced the same effects in small as in great societies; and the territory of a baron was, in miniature, the model of a kingdom. He possessed the right of jurisdiction, but those who depended on him being free men, and not slaves, could be tried by their peers only; and, therefore, his vassals were bound to attend his courts, and to assist both in passing and executing his sentences. When assembled on these occasions, they established, by mutual consent, such regulations as tended to the welfare of their small society; and often granted voluntarily such supplies to their *superior*, as his necessities required. Change now a single name; in place of baron, substitute king, and we behold a parliament in its first rudiments, and observe the first exertions of those powers, which its members now possess as judges, as legislators, and as dispensers of the public revenues. Suitable to this idea, are the appellations of the *king's court*,[g] and of the *king's great council*, by which parliaments were anciently distinguished; and suitable to this, likewise, were the constituent members of which it was composed. In all the feudal kingdoms, such as held of the king *in chief* were bound, by the condition of their tenure, to attend and to assist in his courts. Nor was this esteemed a privilege, but a service.[h] It was exacted likewise of bishops, abbots, and the greater ecclesiasties, who, holding vast possessions of the crown, were deemed subject to the same burden. Parliaments did not continue long in this state. Cities gradually acquired wealth, a considerable share of the public taxes were levied on them, the inhabitants grew into estimation, and, being enfranchised by the sovereign, a place in parliament was the consequence of their liberty, and of their importance. But as it would have been absurd to confer such a privilege, or to impose such a burden, on a whole community, every borough was permitted to choose one or two of its citizens to appear in the name of the corporation; and the idea of *representation* was first introduced in this manner. An innovation, still more important, naturally followed. The vassals of the crown were originally few in number, and extremely powerful; but as it is impossible to render property fixed and permanent, many of their possessions came, gradually, and by various methods of alienation, to be split and parcelled out into different hands. Hence arose the distinction between the *greater* and the *lesser barons*. The former were those who retained their original fiefs undivided, the latter were the new and less potent vassals of the crown. Both were bound, however, to perform all feudal services, and, of consequence, to give attendance in parliament. To the lesser barons, who formed no inconsiderable body, this was an intolerable grievance. Barons sometimes denied their tenure, boroughs renounced their right of electing, charters were obtained containing an exemption from attendance; and the anxiety with which our ancestors endeavoured to get free from the obligation of sitting in parliament, is surpassed by that only with which their posterity solicit to be admitted there. In order to accommodate both parties at once, to secure to the king a sufficient number of members in his great council, and to save his vassals from an unnecessary burden, an easy expedient was found out. The obligation to personal attendance was continued upon the greater barons, from which the lesser barons were exempted, on condition of their electing, in each county, a certain number of *representatives*, to appear in their name. Thus a parliament became complete in all its members, and was composed of lords spiritual and temporal, of knights of the shires, and of burgesses. As many causes contributed to bring government earlier to perfection in England than in Scotland; as the rigour of the feudal institutions abated sooner, and its defects were supplied with greater facility in the one kingdom than in the other, England led the way in all these changes, and burgesses and knights of the shire appeared in the parliaments of that nation, before they were heard of in ours. Burgesses were first admitted into the Scottish parliaments by Robert Bruce;[i] and A. D. 1326. in the preamble to the laws of Robert III., they are ranked among the constituent members of that assembly. The lesser barons were indebted to James I. for a statute exempting them from personal attendance, and permitting them to elect representatives: the exemption was eagerly laid hold on; but the privilege was so little valued, that except one or two instances, it lay neglected during one hundred and sixty years; 1427.

g Du Cange, Voc. Curia.
h Du Cange, Voc. Placitum, col. 519. Magna Charta, art. 14. Act Jac. I. 1425. cap. 52.

i Abercromby, i. 635.

and James VI. first obliged them to send representatives regularly to parliament.[k]

A Scottish parliament, then, consisted anciently of great barons, of ecclesiasties, and a few representatives of boroughs. Nor were these divided, as in England, into two houses, but composed one assembly, in which the Lord Chancellor presided.[l] In rude ages, when the science of government was extremely imperfect among a martial people, unacquainted with the arts of peace, strangers to the talents which make a figure in debate, and despising them, parliaments were not held in the same estimation as at present; nor did haughty barons love those courts, in which they appeared with such evident marks of inferiority. Parliaments were often hastily assembled, and it was, probably, in the king's power, by the manner in which he issued his writs for that purpose, to exclude such as were averse from his measures. At a time when deeds of violence were common, and the restraints of law and decency were little regarded, no man could venture with safety to oppose the king in his own court. The great barons, or lords of parliament, were extremely few; even so late as the beginning of the reign of James VI.[m] they amounted only to fifty-three. The ecclesiastics equalled them in number, and being devoted implicitly to the crown, for reasons which have been already explained, rendered all hopes of victory in any struggle desperate. Nor were the nobles themselves so anxious as might be imagined, to prevent acts of parliament favourable to the royal prerogative; conscious of their own strength, and of the king's inability to carry these acts into execution without their concurrence, they trusted that they might either elude or venture to contemn them; and the statute revoking the king's property, and annexing alienated jurisdictions to the crown, repeated in every reign, and violated and despised as often, is a standing proof of the impotence of laws, when opposed to power. So many concurring causes are sufficient, perhaps, to account for the ascendant which our kings acquired in parliament. But, without having recourse to any of these, a single circumstance, peculiar to the constitution of the Scottish parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, seemingly so repugnant to all our reasonings concerning the weakness of the king, and the power of the nobles.

As far back as our records enable us to trace the constitution of our parliaments, we find a committee distinguished by the name of *Lords of Articles*. It was their business to prepare and to digest all matters which were to be laid before the parliament. There was rarely any business introduced into parliament, but what had passed through the channel of this committee; every motion for a new law was first made there, and approved of or rejected by the members of it; what they approved was formed into a bill, and presented to parliament; and it seems probable, that what they rejected could not be introduced into the house. This committee owed the extraordinary powers vested in it, to the military genius of the ancient nobles; too impatient to submit to the drudgery of civil business, too impetuous to observe the forms, or to enter into the details, necessary in conducting it, they were glad to lay that burden upon a small number, while they themselves had no other labour than simply to give, or to refuse, their assent to the bills which were presented to them. The lords of articles, then, not only directed all the proceedings of parliament, but possessed a negative before debate. That committee was chosen and constituted in such a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable, that our kings once had the sole right of nominating the lords of articles.[n] They came afterwards to be elected by the parliament, and consisted of an equal number out of each estate, and most commonly of eight temporal and eight spiritual lords, of eight representatives of boroughs, and of the eight great officers of the crown. Of this body, the eight ecclesiasties, together with the officers of the crown, were entirely at the king's devotion, and it was scarce possible that the choice could fall on such temporal lords and burgesses as would unite in opposition to his measures. Capable either of influencing their election, or of gaining them when elected, the king commonly found the lords of articles no less obsequious to his will, than his own privy council; and, by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it; and what may seem altogether incredible, the most limited prince in Europe actually possessed, in one instance, a prerogative which the most absolute could never attain.[o]

State of Europe at the beginning of the sixteenth century.

To this account of the internal constitution of Scotland, it will not be improper to add a view of the political

k Essays on Brit. Antiquit. Ess. II. Dalrymp. Hist. of Feud. Prop. ch. 8.

l In England, the peers and commons seem early to have met in separate Houses; and James I., who was fond of imitating the English in all their customs, had probably an intention of introducing some considerable distinction between the greater and lesser barons in Scotland; at least he determined that their consultations should not be carried on under the direction of the same president; for by his law, A. D. 1327, it is provided, "that out of the commissioners of all the shires shall be chosen a wise and expert man, called the common speaker of the parliament, who shall propose all and sundry needs and causes pertaining to the commons in the parliament or general council." No such speaker, it would seem, was ever chosen; and by a subsequent law the Chancellor was declared perpetual president of parliament.

m And. Coll. vol. i. pref. 40.

n It appears from authentic records, that a parliament was appointed to be held March 12, 1566, and that the lords of articles were chosen and met on the 7th, five days before the assembling of parliament. If they could be regularly elected so long before the meeting of parliament, it is natural to conclude, that the prince alone possessed the right of electing them. There are two different accounts of the manner of their election at that time, one by Mary herself, in a letter to the archbishop of Glasgow; "We, accompanied with our nobility for the time, past to the Tolbooth of Edinburgh, for holding of our parliament on the 7th day of this instant, and elected the lords articulars." If we explain these words, according to the strict grammar, we must conclude that the queen herself elected them. It is, however, more probable that Mary meant to say, that the nobles then present with her, viz. her privy councillors, and others, elected the lords of articles. Keith's Hist. of Scotland, p. 331. The other account is lord Ruthven's, who expressly affirms that the queen herself elected them. Keith's Append. 126. Whether we embrace the one or other of these opinions, is of no consequence. If the privy councillors and nobles attending the court had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the sole nomination of them.

o Having deduced the history of the Committee of Lords of Articles as low as the subject of this preliminary book required, it may be agreeable, perhaps, to some of my readers, to know the subsequent variations in this singular institution, and the political use which our kings made of these. When parliaments became more numerous and more considerable by the admission of the representatives of the lesser barons, the preserving their influence over the lords of articles became, likewise, an object of greater importance to our kings. James VI. on pretence that the lords of articles

state of Europe at that period, where the following history commence. A thorough knowledge of that general system, of which every kingdom in Europe forms a part, is not less requisite towards understanding the history of a nation, than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions; but without the former, foreign transactions must be altogether mysterious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

The subversion of the feudal government in France, and its declension in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconsiderable when broken, and parcelled out among nobles, acquired firmness and strength by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raised, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable; and cavalry, in which the strength of European armies had hitherto consisted, though proper enough for the short and voluntary excursions of barons who served at their own expense, were found to be unfit either for making or defending any important conquest.

It was in Italy that the powerful monarchs of France and Spain and Germany first appeared to make a trial of their new strength. The division of that country into many small states, the luxury of the people, and their effeminate aversion to arms, invited their more martial neighbours to an easy prey. The Italians, who had been accustomed to mock-battles only, and to decide their interior quarrels by innocent and bloodless victories, were astonished, when the French invaded their country, at the sight of real war; and, as they could not resist the torrent, they suffered it to take its course, and to spend its rage. Intrigue and policy supplied the want of strength. Necessity and self-preservation led that ingenious people to the great secret of modern politics, by teaching them how to balance the power of one prince, by throwing that of another into the opposite scale. By this happy device, the liberty of Italy was long preserved. The scales were poised by very skilful hands; the smallest variations were attended to, and no prince was allowed to retain any superiority that could be dangerous.

A system of conduct, pursued with so much success in Italy, was not long confined to that country of political refinement. The maxim of preserving a balance of power is founded so much upon obvious reasoning, and the situation of Europe rendered it so necessary, that it soon became a matter of chief attention to all wise politicians. Every step any prince took was observed by all his neighbours. Ambassadors, a kind of honourable spies, authorized by the mutual jealousy of kings, resided almost constantly at every different court, and had it in charge to watch all its motions. Dangers were foreseen at a greater distance, and prevented with more ease. Confederacies were formed to humble any power which rose above its due proportion. Revenge or self-defence were no longer the only causes of hostility, it became common to take arms out of policy; and war, both in its commencement and in its operations, was more an exercise of the judgment than of the passions of men. Almost every war in Europe became general, and the most inconsiderable states acquired importance, because they could add weight to either scale.

Francis I., who mounted the throne of France in the year one thousand five hundred and fifteen, and Charles V., who obtained the imperial crown in the year one thousand five hundred and nineteen, divided between them the strength and affections of all Europe. Their perpetual enmity was not owing solely either to personal jealousy, or to the caprice of private passion, but was founded so much in nature and true policy, that it subsisted between their posterity for several ages. Charles succeeded to all the dominions of the house of Austria. No family had ever gained so much by wise and fortunate marriages. By acquisitions of this kind, the Austrian princes rose, in a short time, from obscure counts of Hapsbourg, to be archdukes of Austria and kings of Bohemia, and were in possession of the imperial dignity by a sort of hereditary right. Besides these territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the house of Burgundy. The Burgundian provinces engrossed, at that time, the riches and commerce of one-half of Europe; and he drew from them, on many occasions, those immense

could not find leisure to consider the great multitude of affairs laid before them, obtained an act, appointing four persons to be named out of each *estate*, who should meet twenty days before the commencement of parliament,* to receive all supplications, &c. and rejecting what they thought frivolous, should engross in a book what they thought worthy the attention of the lords of articles. No provision is made in the act for the choice of this select body, and the king would, of course, have claimed that privilege. In 1633, when Charles I. was beginning to introduce those innovations which gave so much offence to the nation, he dreaded the opposition of his parliament, and in order to prevent that, an artifice was made use of to secure the lords of articles for the crown. The temporal peers were appointed to choose eight bishops, and the bishops eight peers; these sixteen met together, and elected eight knights of the shire, and eight burgesses, and to these the crown officers were added as usual. If we can only suppose eight persons of so numerous a body, as the peers of Scotland were become by that time, attached to the court, these, it is obvious, would be the men whom the bishops would choose, and of consequence the whole lords of articles were the tools and creatures of the king. This practice, so

* Act 222, p. 594.

inconsistent with liberty, was abolished during the civil war; and the statute of James VI. was repealed. After the restoration, parliaments became more servile than ever. What was only a temporary device, in the reign of Charles I., was then converted into a standing law. "For my part," says the author from whom I have borrowed many of these particulars, "I should have thought it less criminal in our restoration parliament, to have openly bestowed upon the king a negative before debate, than in such an underhand artificial manner, to betray their constituents and the nation." Essays on Brit. Antiq. 55. It is probable, however, from a letter of Randolph's to Cecil, 10th Aug. 1560, printed in the Appendix, that this parliament had some appearance of ancient precedent to justify their unworthy conduct. Various questions concerning the constituent members of the Scottish parliament; concerning the æra at which the representatives of boroughs were introduced into that assembly; and concerning the origin and power of the committee of lords of articles, occur, and have been agitated with great warmth. Since the first publication of this work, all these disputed points have been considered with calmness and accuracy in Mr. Wight's Inquiry into the Rise and Progress of Parliament, &c. 4to. edit. p. 17, &c.

sums, which no people without trade and liberty are able to contribute. Spain furnished him a gallant and hardy infantry, to whose discipline he was indebted for all his conquests. At the same time, by the discovery of the new world, a vein of wealth was opened to him, which all the extravagance of ambition could not exhaust. These advantages rendered Charles the first prince in Europe; but he wished to be more, and openly aspired to universal monarchy. His genius was of that kind which ripens slowly, and lies long concealed; but it grew up, without observation, to an unexpected height and vigour. He possessed, in an eminent degree, the characteristic virtues of all the different races of princes to whom he was allied. In forming his schemes, he discovered all the subtilty and penetration of Ferdinand his grandfather; he pursued them with that obstinate and inflexible perseverance which has ever been peculiar to the Austrian blood; and, in executing them, he could employ the magnanimity and boldness of his Burgundian ancestors. His abilities were equal to his power, and neither of them would have been inferior to his designs, had not Providence, in pity to mankind, and in order to preserve them from the worst of all evils, universal monarchy, raised up Francis I. to defend the liberty of Europe. His dominions were less extensive, but more united, than the emperor's. His subjects were numerous, active, and warlike, lovers of glory, and lovers of their king. To Charles, power was the only object of desire, and he pursued it with an unwearied and joyless industry. Francis could mingle pleasure and elegance with his ambition; and, though he neglected some advantages, which a more phlegmatic or more frugal prince would have improved, an active and intrepid courage supplied all his defects, and checked or defeated many of the emperor's designs.

The rest of Europe observed all the motions of these mighty rivals with a jealous attention. On the one side, the Italians saw the danger which threatened Christendom, and, in order to avert it, had recourse to the expedient which they had often employed with success. They endeavoured to divide the power of the two contending monarchs into equal scales, and, by the union of several small states, to counterpoise him whose power became too great. But what they concerted with much wisdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences against the encroachments of military power.

On the other side, Henry VIII. of England held the balance with less delicacy, but with a stronger hand. He was the third prince of the age in dignity and in power; and the advantageous situation of his dominions, his domestic tranquillity, his immense wealth, and absolute authority, rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation; he knew it to be his interest to keep the balance even, and to restrain both, by not joining entirely with either of them. But he was seldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the passions of the man were an overmatch for the maxims of the king. Vanity and resentment were the great springs of all his undertakings, and his neighbours easily found the way, by touching these, to force him upon many rash and inconsistent enterprises. His reign was a perpetual series of blunders in politics; and while he esteemed himself the wisest prince in Europe, he was a constant dupe to those who found it necessary, and could submit, to flatter him.

In this situation of Europe, Scotland, which had hitherto wasted her strength in the quarrels between France and England, emerged from her obscurity, took her station in the system, and began to have some influence upon the fate of distant nations. Her assistance was frequently of consequence to the contending parties, and the balance was often so nicely adjusted, that it was in her power to make it lean to either side. The part assigned her, at this juncture, was to divert Henry from carrying his arms into the continent. That prince having routed the French at Guinegat and invested Terouënne, Francis attempted to divide his forces, by engaging James IV. in that unhappy expedition which ended with his life. For the same reason Francis encouraged and assisted the duke of Albany to ruin the families of Angus and Home, which were in the interest of England, and would willingly have persuaded the Scots to revenge the death of their king, and to enter into a new war with that kingdom. Henry and Francis having united not long after against the emperor, it was the interest of both kings, that the Scots should continue inactive; and a long tranquillity was the effect of their union. Charles endeavoured to break this, and to embarrass Henry by another inroad of the Scots. For this end he made great advances to James V. flattering the vanity of the young monarch, by electing him a knight of the Golden Fleece, and by offering him a match in the imperial family; while, in return for these empty honours, he demanded of him to renounce his alliance with France, and to declare war against England. But James, who had much to lose, and who could gain little by closing with the emperor's proposals, rejected them with decency, and, keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole strength.

Henry himself began his reign by imitating the example of his ancestors with regard to Scotland. He held its power in such extreme contempt, that he was at no pains to gain its friendship; but, on the contrary, he irritated the whole nation, by reviving the antiquated pretensions of the crown of England to the sovereignty over Scotland. But his own experience, and the examples of his enemies, gave him a higher idea of its importance. It was impossible to defend an open and extensive frontier against the incursions of an active and martial

people. During any war on the continent, this obliged him to divide the strength of his kingdom. It was neeessary to maintain a kind of army of observation in the north of England; and, after all preeautions, the Scottish borderers, who were superior to all mankind in the praetice of irregular war, often made successful inroads, and spread terror and desolation over many counties. He fell, at last, upon the true secret of policy, with respect to Seotland, which his predecessors had too little penetration to discover, or too much pride to employ. The situation of the country, and the bravery of the people, made the eonquest of Scotland impossible; but the national poverty, and the violence of faction, rendered it an easy matter to divide and to govern it. He abandoned, therefore, the former design, and resolved to employ his utmost address in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a subsidy. But, in all ages, the same arguments have been good in courts, and of weight with ministers, factious leaders, and favourites. What were the arguments by which Henry brought over so many to his interest during the minority of James V. we know by the original warrant still extant,[p] for remitting eonsiderable sums into Scotland. By a proper distribution of these, many persons of note were gained to his party, and a faction, which held secret correspondenee with England, and received all its directions from thence, appears henceforward in our domestie contests. In the sequel of the history, we shall find Henry labouring to extend his influenee in Scotland. His suceessors adopted the same plan, and improved upon it. The affairs of the two kingdoms beeame interwoven, and their interests were often the same. Elizabeth divided her attention almost equally between them, and the authority which she inherited in the one, was not greater than that whieh she acquired in the other.

BOOK II.

Birth of Mary, Dec. 8. 1542, and state of the kingdom.

MARY, queen of Scots, the daughter of James V. and Mary of Guise, was born a few days before the death of her father. The situation in whieh he left the kingdom alarmed all ranks of men with the prospect of a turbulent and disastrous reign. A war against England had been undertaken without necessity, and earried on without sueeess. Many persons of the first rank had fallen into the hands of the English, in the unfortunate rout near the firth of Solway, and were still prisoners at London. Among the rest of the nobles there was little union either in their views or in their affeetions; and the religious disputes, oecasioned by the opinions of the reformers, growing every day more violent, added to the rage of those faetions whieh are natural to a form of government nearly aristocratieal.

The government of a queen was unknown in Seotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was still more destitute of real authority; and the prospect of a long and feeble minority invited to faction by the hope of impunity. James had not even provided the common remedy against the disorders of a minority, by committing to proper persons the care of his daughter's education, and the administration of affairs in her name. Though he saw the clouds gathering, and foretold that they would quickly burst into a storm, he was so little able to disperse them, or to defend his daughter and kingdom against the imminent calamities, that in mere despair, he abandoned them both to the merey of fortune, and left open to every pretender the offiee of regent, which he could not fix to his own satisfaetion.

Pretensions of cardinal Beatoun to the regency.

Cardinal Beatoun, who had for many years been considered as prime minister, was the first that claimed that high dignity; and in support of his pretensions, he produced a testament,[a] which he himself had forged in the name of the late king; and without any other right, instantly assumed the title of regent. He hoped, by the assistance of the clergy, the countenance of Franee, the connivanee of the queen dowager, and the support of the whole popish faction, to hold by force what he had seized on by fraud. But Beatoun had enjoyed power too long to be a favourite of the nation. Those among the nobles who wished for a reformation in religion dreaded his severity, and others considered the elevation of a churchman to the highest office in the kingdom as a depression of themselves. At their instigation, James Hamilton, earl of Arran, and next heir to the queen, roused himself from his inaetivity, and was prevailed on to aspire to that station to which proximity of blood gave him a natural title. The nobles, who were assembled for that purpose, unanimously conferred on him the office of regent, and the public voice applauded their choice.[b]

Earl of Arran chosen regent.

Character of Beatoun;

No two men ever differed more widely in disposition and charaeter than the earl of Arran and cardinal Beatoun. The eardinal was by nature of immoderate ambition; by long experience he had aequired address and refinement; and insolenee grew upon him from eontinual sueeess. His high station in the church placed him in the way of great civil employments; his abilities were equal to the greatest of these; nor did he reckon any of them to be above his merit. As his own eminence was founded upon the power of the church of Rome, he was a zealous defender of that superstition,

p Burn. Hist. Ref. vol. i. p. 7.
a Sadler's Lett. 161. Haynes, State Papers, 436.

b Epist. Reg. Scot. vol. ii. p. 303.

and for the same reason an avowed enemy to the doctrine of the reformers. Political motives alone determined him to support the one, or to oppose the other. His early application to public business kept him unacquainted with the learning and controversies of the age; he gave judgment, however, upon all points in dispute, with a precipitancy, violence, and rigour, which contemporary historians mention with indignation.

of Arran.

The character of the earl of Arran was, in almost every thing, the reverse of Beatoun's. He was neither infected with ambition, nor inclined to cruelty: the love of ease extinguished the former, the gentleness of his temper preserved him from the latter. Timidity and irresolution were his predominant failings, the one occasioned by his natural constitution, and the other arising from a consciousness that his abilities were not equal to his station. With these dispositions he might have enjoyed and adorned private life; but his public conduct was without courage, or dignity, or consistence; the perpetual slave of his own fears, and, by consequence, the perpetual tool of those who found their advantage in practising upon them. But, as no other person could be set in opposition to the cardinal, with any probability of success, the nation declared in his favour with such general consent, that the artifices of his rival could not withstand its united strength.

Schemes of Henry VIII. with regard to Scotland.

The earl of Arran had scarce taken possession of his new dignity, when a negociation was opened with England, which gave birth to events of the most fatal consequence to himself and to the kingdom. After the death of James, Henry VIII. was no longer afraid of any interruption from Scotland to his designs against France; and immediately conceived hopes of rendering this security perpetual, by the marriage of Edward his only son with the young queen of Scots. He communicated his intentions to the prisoners taken at Solway, and prevailed on them to favour it, by the promise of liberty, as the reward of their success. In the mean time he permitted them to return into Scotland, that, by their presence in the parliament which the regent had called, they might be the better able to persuade their countrymen to fall in with his proposals. A cause intrusted to such able and zealous advocates, could not well miss of coming to a happy issue. All those who feared the cardinal, or who desired a change in religion, were fond of an alliance, which afforded protection to the doctrine which they had embraced, as well as to their own persons, against the rage of that powerful and haughty prelate.

Ill conducted by himself.

But Henry's rough and impatient temper was incapable of improving this favourable conjuncture. Address and delicacy in managing the fears, and follies, and interests of men, were arts with which he was utterly unacquainted. The designs he had formed upon Scotland were obvious from the marriage which he had proposed, and he had not dexterity enough to disguise or to conceal them. Instead of yielding to the fear or jealousy of the Scots, what time and accident would soon have enabled him to recover, he at once alarmed and irritated the whole nation, by demanding that the queen's person should be immediately committed to his custody, and that the government of the kingdom should be put into his hands during her minority.

Odious to the Scots, though in part accepted by them.

Henry could not have prescribed more ignominious conditions to a conquered people, and it is no wonder they were rejected, with indignation, by men who scorned to purchase an alliance with England at the price of their own liberty. The parliament of Scotland, however, influenced by the nobles who returned from England, desirous of peace with that kingdom, and delivered, by the regent's confining the cardinal as a prisoner, from an opposition to which he might have given rise, consented to a treaty of marriage and of union, but upon terms somewhat more equal. After some dark and unsuccessful intrigues, by which his ambassador endeavoured to carry off the young queen and cardinal Beatoun into England, Henry was obliged to give up his own proposals, and to accept of theirs. On his side he consented that the queen should continue to reside in Scotland, and himself remain excluded from any share in the government of the kingdom. On the other hand, the Scots agreed to send their sovereign into England as soon as she attained the full age of ten years, and instantly to deliver six persons of the first rank to be kept as hostages by Henry till the queen's arrival at his court.

March 12, 1543.

Favoured by the regent.

The treaty was still so manifestly of advantage to England, that the regent lost much of the public confidence by consenting to it. The cardinal, who had now recovered liberty, watched for such an opportunity of regaining credit, and he did not fail to cultivate and improve this to the utmost. He complained loudly that the regent had betrayed the kingdom to its most inveterate enemies, and sacrificed its honour to his own ambition. He foretold the extinction of the true catholic religion, under the tyranny of an excommunicated heretic; but, above all, he lamented to see an ancient kingdom consenting to its own servitude, descending into the ignominious station of a dependent province; and, in one hour, the weakness or treachery of a single man surrendering every thing for which the Scottish nation had struggled and fought during so many ages. These remonstrances of the cardinal were not without effect. They were addressed to prejudices and passions which are deeply rooted in the human heart. The same hatred to the ancient enemies of their country, the same jealousy of national honour, and pride of independence, which, at the beginning of the present century, went near to prevent the Scots from consenting to a union with England, upon terms of great advantage, did, at

Opposed by the cardinal.

that time, induce the whole nation to declare against the alliance which had been concluded. In the one period, a hundred and fifty years of peace between the two nations, the habit of being subjected to the same king, and governed by the same maxims, had considerably abated old animosities, and prepared both people for incorporating. In the other, injuries were still fresh, the wounds on both sides were open, and, in the warmth of resentment, it was natural to seek revenge, and to be averse from reconcilement. At the union in one thousand seven hundred and seven, the wisdom of parliament despised the groundless murmurs occasioned by antiquated prejudices; but in one thousand five hundred and forty-three, the complaints of the nation were better founded, and urged with a zeal and unanimity, which it is neither just nor safe to disregard. A rash measure of the English monarch added greatly to the violence of this national animosity. The Scots, relying on the treaty of marriage and union, fitted out several ships for France, with which their trade had been interrupted for some time. These were driven by stress of weather to take refuge in different ports of England; and Henry, under pretext that they were carrying provisions to a kingdom with which he was at war, ordered them to be seized and condemned as lawful prizes.[c] The Scots, astonished at this proceeding of a prince, whose interest it was manifestly, at that juncture, to court and to soothe them, felt it not only as an injury but as an insult, and expressed all the resentment natural to a high-spirited people.[d] Their rage rose to such a height, that the English ambassador could hardly be protected from it. One spirit seemed now to animate all orders of men. The clergy offered to contribute a great sum towards preserving the church from the dominion of a prince, whose system of reformation was so fatal to their power. The nobles, after having mortified the cardinal so lately in such a cruel manner, were now ready to applaud and to second him, as the defender of the honour and liberty of his country.

He excites almost the whole nation against the English.

Argyll, Huntly, Bothwell, and other powerful barons, declared openly against the alliance with England. By their assistance, the cardinal seized on the persons of the young queen and her mother, and added to his party the splendour and authority of the royal name.[e] He received, at the same time, a more real accession to his strength, by the arrival of Matthew Stewart, earl of Lennox, whose return from France he had earnestly solicited. This young nobleman was the hereditary enemy of the house of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from succeeding to the crown, but to deprive him of the possession of his private fortune. The cardinal flattered his vanity with the prospect of marrying the queen dowager, and affected to treat him with so much respect, that the regent became jealous of him as a rival in power.

This suspicion was artfully heightened by the abbot of Paisley, who returned into Scotland some time before the earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit; a warm partisan of France, and a zealous defender of the established religion. He took hold of the regent by the proper handle, and endeavoured to bring about a change in his sentiments, by working upon his fears. The desertion of the nobility, the disaffection of the clergy, and the rage of the people; the resentment of France, the power of the cardinal, and the pretensions of Lennox, were all represented with aggravation, and with their most threatening aspect.

Meanwhile, the day appointed for the ratification of the treaty with England, and the delivery of the hostages, approached, and the regent was still undetermined in his own mind. He acted to the last with that irresolution and inconsistence which is peculiar to weak men when they are so unfortunate as to have the chief part in the conduct of difficult affairs. On the 25th of August, he ratified a treaty with Henry,[f] and proclaimed the cardinal, who still continued to oppose it, an enemy to his country. On the third of September he secretly withdrew from Edinburgh, met with the cardinal at Callendar, renounced the friendship of England, and declared for the interests of France.[g]

Obliges the regent to renounce the friendship with England,

Henry, in order to gain the regent, had not spared the most magnificent promises. He had offered to give the princess Elizabeth in marriage to his eldest son, and to constitute him king of that part of Scotland which lies beyond the river Forth. But, upon finding his interest in the kingdom to be less considerable than he had imagined, the English monarch began to treat him with little respect. The young queen was now in the custody of his enemies, who grew every day more numerous and more popular. They formed a separate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection, and the nation, out of hatred to the English, would have united in their defence. In this situation, the regent

c Keith, 32, 34. Epist. Reg. Scot. ii. App. 311. Hamilton MSS. vol. i. p. 389.

d In the MS. Collection of papers belonging to the duke of Hamilton, sir Ralph Sadler describes the spirit of the Scots as extremely outrageous. In his letter from Edinburgh, September 1, 1543, he says: "The stay of the ships has brought the people of this town, both men and women, and especially the merchants, into such a rage and fury, that the whole town is commoved against me, and swear great oaths, if their ships are not restored, that they would have their amends of me and mine, and that they would set my house here on fire over my head, so that one of us should not escape alive; and also it hath much incensed and provoked the people against the governor, saying, that he hath coloured a peace with your Majesty only to undo them. This is the unreasonableness of the people which live here in such a beastly liberty, that they neither regard God nor governor; nor yet justice, or any good policy, doth take place among them; assuring your Highness that, unless the ships be delivered, there will be none abiding here for me without danger." Vol. i. 451. In his letter of September 5, he writes, that the rage of the people still continued so violent, "that neither I nor any of my folks dare go out of my doors; and the provost of the town, who hath much ado to stay them from assaulting me in my house, and keepeth watch therefore nightly, hath sent to me sundry times, and prayed me to keep myself and my folks within, for it is scant in his power to repress or resist the fury of the people. They say plainly, I shall never pass out of the town alive, except they have their ships restored. This is the rage and beastliness of this nation, which God keep all honest men from." Ib. 471.

e Keith's Hist. of Scotl. 30.

f Rymer, Fœd. xv. p. 4.

g Sadler, 339, 356. Hamilton MSS. i. 470, &c.

could not retain his authority, without a sudden change of his measures; and though he endeavoured by ratifying the treaty, to preserve the appearances of good faith with England, he was obliged to throw himself into the arms of the party which adhered to France.

and to persecute the reformers.

Soon after this sudden revolution in his political principles, the regent changed his sentiments concerning religion. The spirit of controversy was then new and warm; books of that kind were eagerly read by men of every rank; the love of novelty, or the conviction of truth, had led the regent to express great esteem for the writings of the reformers, and having been powerfully supported by those who had embraced their opinions, he, in order to gratify them, entertained, in his own family, two of the most noted preachers of the protestant doctrine, and in his first parliament consented to an act, by which the laity were permitted to read the Scriptures in a language which they understood.[h] Truth needed only a fair hearing to be an overmatch for error. Absurdities, which had long imposed on the ignorance and credulity of mankind, were detected and exposed to public ridicule; and, under the countenance of the regent, the reformation made great advances. The cardinal observed its progress with concern, and was at the utmost pains to obstruct it. He represented to the regent his great imprudence in giving encouragement to opinions so favourable to Lennox's pretensions; that his own legitimacy depended upon the validity of a sentence of divorce, founded on the pope's authority; and that by suffering it to be called in question, he weakened his own title to the succession, and furnished his rival with the only argument by which it could be rendered doubtful.[i] These insinuations made a deep impression on the regent's timorous spirit, who, at the prospect of such imaginary danger, was as much startled as the cardinal could have wished; and his zeal for the protestant religion was not long proof against his fear. He publicly abjured the doctrine of the reformers in the Franciscan church at Stirling, and declared not only for the political, but the religious, opinions of his new confidents.

The protestant doctrine did not suffer much by his apostasy. It had already taken so deep root in the kingdom, that no discouragement or severity could extirpate it. The regent indeed consented to every thing that the zeal of the cardinal thought necessary for the preservation of the established religion. The reformers were persecuted with all the cruelty which superstition inspires into a barbarous people. Many were condemned to that dreadful death, which the church has appointed for the punishment of its enemies; but they suffered with a spirit so nearly resembling the patience and fortitude of the primitive martyrs, that more were converted than terrified by such spectacles.

Beatoun engrosses the chief direction of affairs.

The cardinal, however, was now in possession of every thing his ambition could desire; and exercised all the authority of a regent, without the envy of the name. He had nothing to fear from the earl of Arran, who having by his inconsistency forfeited the public esteem, was contemned by one half the nation, and little trusted by the other. The pretensions of the earl of Lennox were the only thing which remained to embarrass him. He had very successfully made use of that nobleman to work upon the regent's jealousy and fear, but as he no longer stood in need of such an instrument, he was willing to get rid of him with decency. Lennox soon began to suspect his intention; promises, flattery, and respect, were the only returns he had hitherto received for substantial services; but at last the cardinal's artifices could no longer be concealed, and Lennox, instead of attaining power and dignity himself, saw that he had been employed only to procure these for another. Resentment and disappointed ambition urged him to seek revenge on that cunning prelate, who, by sacrificing his interest, had so ungenerously purchased the earl of Arran's friendship. He withdrew, for that reason, from court, and declared for the party at enmity with the cardinal, which, with open arms, received a convert who added so much lustre to their cause.

The two factions which divided the kingdom were still the same, without any alterations in their views or principles; but, by one of those strange revolutions, which were frequent in that age, they had, in the course of a few weeks, changed their leaders. The regent was at the head of the partisans of France and the defenders of popery, and Lennox in the same station with the advocates for the English alliance, and a reformation in religion. The one laboured to pull down his own work, which the other upheld with the same hand that had hitherto endeavoured to destroy it.

Lennox's impatience for revenge got the start of the cardinal's activity. He surprised both him and the regent by a sudden march to Edinburgh with a numerous army; and might easily have crushed them, before they could prepare for their defence. But he was weak enough to listen to proposals for an accommodation; and the cardinal amused him so artfully, and spun out the treaty to such a length, that the greater part of the earl's troops, who served, as is usual wherever the feudal institutions prevailed, at their own expense, deserted him; and in concluding a peace, instead of giving the law, he was obliged to receive it. A second attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut to pieces, and the

h Keith, p. 36, 37.

i The pretensions of the earl of Lennox to the succession were thus founded; Mary, the daughter of James II. was married to James, lord Hamilton, whom James III. created earl of Arran on that account. Elizabeth, a daughter of that marriage, was the wife of Matthew, earl of Lennox, and the present earl was her grandson. The regent was likewise the grandson of the princess Mary. But his father having married Janet Beatoun the regent's mother, after he had obtained a divorce from Elizabeth Home his former wife, Lennox pretended that the sentence of divorce was unjust, and that the regent being born while Elizabeth Home was still alive, ought to be considered as illegitimate. Crawf. Peer. 192.

rest dispersed; and with the poor remains of a ruined party, he must either have submitted to the conqueror, or have fled out of the kingdom, if the approach of an English army had not brought him a short relief.

Henry invades Scotland.

Henry was not of a temper to bear tamely the indignity with which he had been treated, both by the regent and parliament of Scotland, who, at the time when they renounced their alliance with him, had entered into a new and stricter confederacy with France. The rigour of the season retarded for some time the execution of his vengeance. But, in the spring, a considerable body of infantry, which was destined for France, received orders to sail for Scotland, and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected such a visit. They had trusted that the French war would find employment for all Henry's forces, and, from an unaccountable security, were wholly unprovided for the defence of the kingdom. The earl of Hertford, a leader fatal to the Scots in that age, commanded his army, and landed it, without opposition,

May 3, 1544.

a few miles from Leith. He was quickly master of that place; and marching directly to Edinburgh, entered it with the same ease. After plundering the adjacent country, the richest and most open in Scotland, he set on fire both these towns, and upon the approach of some troops gathered together by the regent, put his booty on board the fleet, and with his land-forces retired safely to the English borders; delivering the kingdom in a few days from the terror of an invasion, concerted with little policy, carried on at great expense, and attended with no advantage. If Henry aimed at the conquest of Scotland, he gained nothing by this expedition; if the marriage he had proposed was still in his view, he lost a great deal. Such a rough courtship, as the earl of Huntly humorously called it, disgusted the whole nation; their aversion for the match grew into abhorrence; and, exasperated by so many indignities, the Scots were never at any period more attached to France, or more alienated from England.[k]

The earl of Lennox alone, in spite of the regent and French king, continued a correspondence with England, which ruined his own interest, without promoting Henry's.[l] Many of his own vassals, preferring their duty to their country before their affection to him, refused to concur in any design to favour the public enemy. After a few feeble and unsuccessful attempts to disturb the regent's administration, he was obliged to fly for safety to the court of England, where Henry rewarded services which he had the inclination, but not the power, to perform, by giving him in marriage his niece the Lady Margaret Douglas. This unhappy exile, however, was destined to be the father of a race of kings. He saw his son Lord Darnley mount the throne of Scotland, to the perpetual exclusion of that rival who now triumphed in his ruin. From that time his posterity have held the sceptre in two kingdoms, by one of which he was cast out as a criminal, and by the other received as a fugitive.

A peace concluded.

Meanwhile hostilities were continued by both nations, but with little vigour on either side. The historians of that age relate minutely the circumstances of several skirmishes and inroads which, as they did not produce any considerable effect, at this distance of time deserve no remembrance.[m] At last an end was put to this languid and inactive war, by a peace, in which England, France, and Scotland were comprehended. Henry laboured to exclude the Scots from the benefit of this treaty, and to reserve them for that vengeance which his attention to the affairs of the continent had hitherto delayed. But although a peace with England was of the last consequence to

k The violence of national hatred between the English and Scots in the sixteenth century was such as can hardly be conceived by their posterity. A proof of the fierce resentment of the Scots is contained in the note on page 29. The instructions of the privy council of England to the earl of Hertford, who commanded the fleet and army which invaded Scotland, A. D. 1544, are dictated by a national animosity no less excessive. I found them in the collection of papers belonging to the duke of Hamilton, and they merit publication, as they exhibit a striking picture of the spirit of that period.

The Lords of the Council to the Earl of Hertford, Lieutenant in Scotland, April 10, 1544.

The instruction begins with observing, that the king had originally intended to fortify Leith and keep possession of it, but, after mature deliberation, he had finally determined not to make any settlement in Scotland at present, and therefore he is not directed to make any fortification at Leith, or any other place:

"But only for that journey to put all to fire and sword, burn Edinburgh town, so used and defaced, that when you have gotten what you can of it, it may remain for ever a perpetual memory of the vengeance of God lightened upon it, for their falsehood and disloyalty. Do what you can out of hand, and without long tarrying to beat down or overthrow the castle; sack houses and as many towns and villages about Edinburgh, as ye may conveniently. Sack Leith, and subvert it, and all the rest, putting man, woman, and child to fire and sword, without exception, when any resistance shall be made against you; and this done, pass over to the Fife-land, and extend like extremities and destruction to all towns and villages whereunto you may reach conveniently; not forgetting, amongst all the rest, so to spoil and turn upside down the cardinal's town of St. Andrew's as the upper sort may be the nether, and not one *stoke* stand upon another, sparing no creature alive within the same, specially such as either in friendship or blood be allied unto the cardinal; and if ye see any likelyhood to win the castle, give some stout essay to the same, and if it be your fortune to get it, raze and destroy it piece-meal; and after this sort, spending one month there, spoiling and destroying as aforesaid, with the wise foresight, that his Majesty doubteth not ye will use, that your enemies take no advantage of you, and that you enterprise nothing but what you shall see may be easily achieved, his Majesty thinketh verily, and so all we, ye shall find this *journey* succeedeth this way most to his Majesty's honour," &c.

These barbarous orders seem to have been executed with a rigorous and unfeeling exactness, as appears from a series of letters from lord Hertford, in the same collection, giving a full account of all his operations in Scotland. They contain several curious particulars, not mentioned by the writers or that age, and with which both the historians of the city of Edinburgh were unacquainted: but they are of too great length to be inserted here.

l Rymer, xv. p. 22.

m Though this war was distinguished by no important or decisive action, it was, however, extremely ruinous to individuals. There still remain two original papers, which give us some idea of the miseries to which some of the most fertile counties in the kingdom were exposed, by the sudden and destructive incursions of the borderers. The first seems to be the report made to Henry by the English wardens of the marches for the year 1544, and contains their exploits from the 2d of July to the 17th of November. The account it gives of the different inroads, or *forrays*, as they are called, is very minute; and in conclusion, the sum total of mischief they did is thus computed:

Towns, towers, stedes, barnekyns, parish-churches, bastel-houses, cast down or burnt	192
Scots slain	403
Prisoners taken	816
Nolt, i. e. horned cattle, taken	10,386
Sheep	12,492
Nags and geldings	1,296
Goats	200
Bolls of corn	850

Insight gear, i. e. household furniture, not reckoned.

Haynes's State Papers, 43.

The other contains an account of an inroad by the earl of Hertford, between the 8th and 23d of September, 1545; the narrative is more general, but it appears that he had burnt, razed, and destroyed, in the counties of Berwick and Roxburgh only,

Monasteries and Friar-houses	7
Castles, towers, and piles	16
Market-towns	5
Villages	243
Milns	13
Hospitals	3

All these were cast down or burnt. Haynes, 52. As the Scots were no less skilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconsiderable; and that their *raids* were no less wasteful than the *forrays* of the English.

Francis I. whom the emperor was preparing to attack with all his forces, he was too generous to abandon allies who had served him with fidelity, and he chose rather to purchase Henry's friendship with disadvantage to himself, than to leave them exposed to danger. By yielding some things to the interest, and more to the vanity, of that haughty prince; by submission, flattery, and address, he at length prevailed to have the Scots included in the peace agreed upon.

The murder of Beatoun.

An event which happened a short time before the conclusion of this peace, rendered it more acceptable to the whole nation. Cardinal Beatoun had not used his power with moderation, equal to the prudence by which he attained it. Notwithstanding his great abilities, he had too many of the passions and prejudices of an angry leader of a faction, to govern a divided people with temper. His resentment against one party of the nobility, his insolence towards the rest, his severity to the reformers, and, above all, the barbarous and illegal execution of the famous George Wishart, a man of honourable birth and of primitive sanctity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public wish by his destruction. Private revenge, inflamed and sanctified by a false zeal for religion, quickly supplied this want. Norman Lesly, the eldest son of the earl of Rothes, had been treated by the cardinal with injustice and contempt. It was not the temper of the man, or the spirit of the times, quietly to digest an affront. As the profession of his adversary screened him from the effects of what is called an honourable resentment, he resolved to take that satisfaction which he could not demand. This resolution deserves as much censure, as the singular courage and conduct with which he put it in execution excite wonder. The cardinal at that time resided in the castle of St. Andrew's, which he had fortified at great expense, and, in the opinion of the age, had rendered it impregnable. His retinue was numerous, the town at his devotion, and the neighbouring country full of his dependants. In this situation, sixteen persons undertook to surprise his castle, and to assassinate himself; and their success was equal to the boldness of the attempt. Early in the morning they seized on the gate of the castle, which was set open to the workmen who were employed in finishing the fortifications; and having placed sentries at the door of the cardinal's apartment, they awakened his numerous domestics one by one, and turning them out of the castle, they without noise or tumult, or violence to any other person, delivered their country, though by a most unjustifiable action, from an ambitious man, whose pride was insupportable to the nobles, as his cruelty and cunning were great checks to the reformation.

May 20, 1546.

His death was fatal to the catholic religion, and to the French interest in Scotland. The same zeal for both continued among a great party in the nation, but when deprived of the genius and authority of so skilful a leader, operated with less effect. Nothing can equal the consternation which a blow so unexpected occasioned among such as were attached to him; while the regent secretly enjoyed an event, which removed out of his way a rival who had not only eclipsed his greatness, but almost extinguished his power. Decency, however, the honour of the church, the importunity of the queen dowager and her adherents, his engagements with France, and, above all these, the desire of recovering his eldest son, whom the cardinal had detained for some time at St. Andrew's, in pledge of his fidelity, and who, together with the castle, had fallen into the hands of the conspirators, induced him to take arms, in order to revenge the death of a man whom he hated.

The regent attempts in vain to seize the murderers.

He threatened vengeance, but was unable to execute it. One part of military science, the art of attacking fortified places, was then imperfectly understood in Scotland. The weapons, the discipline, and impetuosity of the Scots, rendered their armies as unfit for sieges, as they were active in the field. A hundred and fifty men, which was the greatest number the conspirators ever assembled, resisted all the efforts of the regent for five months,[n] in a place which a single battalion, with a few battering cannon, would now reduce in a few hours. This tedious siege was concluded by a truce. The regent undertook to procure for the conspirators an absolution from the pope, and a pardon in parliament; and upon obtaining these they engaged to surrender the castle, and to set his son at liberty.

It is probable, that neither of them were sincere in this treaty. On both sides they sought only to amuse and to gain time. The regent had applied to France for assistance, and expected soon to have the conspirators at mercy. On the other hand, if Lesly and his associates were not at first incited by Henry to murder the cardinal, they were in the sequel powerfully supported by him. Notwithstanding the silence of contemporary historians, there are violent presumptions of the former; of the latter there is undoubted certainty.[o] During the siege, the conspirators had received from England supplies both of money and provisions; and as Henry was preparing to renew his proposals concerning the marriage and the union he had projected, and to second his negociations with a numerous army, they hoped, by concurring with him, to be in a situation in which they would no longer need a pardon, but might claim a reward.[p]

The death of Henry blasted all these hopes. It happened in the beginning of next year, after a reign of greater splendour than

Jan. 28, 1547.

n Epist. Reg. Scot. 2. 379. o Keith, 60.

p In the first edition of this work, I expressed my suspicion of a correspondence between the murderers of cardinal Beatoun and Henry VIII., prior to their committing that crime. In the papers of duke Hamilton is contained the clearest evidence of this, which I publish not only to establish that fact, but as an additional confirmation of the remarks which I made upon the frequency of assassination in that age, and the slight opinion which men entertained concerning it.

true glory; bustling, rather than aetive; oppressive in domestic govcrnmcnt, and in foreign politics wild and irregular. But the vices of this prince were morc beneficial to mankind than thc virtues of others. His rapaciousness, his profusion, and even his tyranny, by depressing the ancient nobility, and by adding new property and power to the commons, laid or strengthened the foundations of the English liberty. His other passions contributed no less towards the downfall of popery, and the establishment of religious freedom in the nation. His rcsentment led him to abolish the power, and his covetousness to seize the wealth, of the church; and, by withdrawing these supports, made it easy, in the following reign, to overturn the whole fabric of superstition.

Francis I. did not long survive a prince, who had been alternately his rival and his friend; but his successor Henry II. was not neglectful of the French interest in Scotland. He sent a considerable body of men, under the command of Leon Strozzi, to thę rcgent's assistance. By their long experience in the Italian and German wars, the Frcnch had become as dexterous in the conduct of sieges, as the Scots were ignorant; and as the boldness and despair of the conspirators could not defend them against the superior art of these new assailants, they, after a short resistance, surrendered to Strozzi, who engaged, in the name of the king his master, for the security of their lives; and, as his prisoners, transported them into France. The castle itself, the monument of Beatoun's power and vanity, was demolished in obedience to the canon law, which, with admirable policy, denounces its anathemas even against the houses in which the sacred blood of a cardinal happens to be shed, and ordains them to be laid in ruins.[q]

Troops arrive from France.

Force the castle of St. Andrew's to surrender.

The archbishopric of St. Andrews was bestowed by the regent upon his natural brother John Hamilton, abbot of Paisley.

New breach with England.

The delay of a few weeks would have saved the conspirators. Those ministers of Henry VIII. who had the chief direction of affairs during the minority of his son Edward VI. conducted themselves with regard to Scotland by the maxims of their late master, and resolved to frighten the Scots into a treaty, which they had not abilities or address to bring about by any other method.

The Earl of Hertford to the king's Majesty, Newcastle, April 17, 1544.

Pleaseth your Highness to understand, that this day arrived with me, the earl of Hertford, a Scottishman called Wishart, and brought me a letter from the lord of Brinstone, [*i. e.* Chrichton laird of Brunstan,] which I send your Highness herewith, and according to his request, have taken order for the repair of the said Wishert to your Majesty by post, both for the delivery of such letters as he hath to your majesty from the said Brinstone, and also for the declaration of his credence, which as I perceive by him consisteth in two points, one that the lord of Grange, late treasurer of Scotland, the master of Rothes, the earl of Rothes' eldest son, and John Charteris, would attempt either to apprehend or slay the cardinal, at some time when he shall pass through the Fifeland, as he doth sundry times in his way to St. Andrew's, and in case they can so apprehend him will deliver him unto your Majesty, which attemplate, he saith, they would enterprize, if they knew your Majesty's pleasure therein, and what supportation and mainteinance your Majesty would minister unto them, after the execution of the same, in case they should be pursued by any of their enemies; the other is, that in case your Majesty would grant unto them a convenient entertainment to keep 1000 or 1500 men in wages for a month or two, they journeying with the power of the earl Marshal, the said Mr of Rothes, the Laird of Calder, and the other the lord friends, will take upon them, at such time as your Majesty's army shall be in Scotland, to destroy the abbey and town of Arbroath, being the cardinal's, and all the other bishops' houses and countries on that side of the water thereabout, and to apprehend all those which they say be the principal impugnators of amity between England and Scotland; for which they should have a good opportunity, as they say, when the power of the said bishops and abbots shall resort towards Edinburgh to resist your Majesty's army. And for the execution of these things, the said Wishart saith, that the earl marshal aforenamed and others will capitulate with your Majesty in writing under their hands and seals, afore they shall desire any supply or aid of money at your Majesty's hands. This is the effect of his credence, with sundry other advertisements of the great division that is at this present within the realm of Scotland, which we doubt not he will declare unto your Majesty at good length. Hamilton MSS. vol. iii. p. 38.

N. B. This is the letter of which Dr. Mackenzie, vol. iii. p. 18, and bishop Keith, Hist. p. 44, published a fragment. It does not authorize us to conclude that Mr. George Wishart, known by the name of the martyr, was the person who resorted to the earl of Hertford. It was more probably John Wishart, of Pitarrow, the chief of that name, a man of abilities, zealously attached to the reformed doctrine, and deeply engaged in all the intrigues and operations of that busy period. Keith, 96, 117, 119, 315.

q Burn. Hist. Ref. 1. 338.

r Epist. Reg. Scot. 2. 359.

But before we proceed to relate the events which their invasion of Scotland occasioned, we shall stop to take notice of a circumstance unobserved by contemporary historians, but extremely remarkable for the discovery it makes of the sentiments and spirit which then prevailed among the Scots. The conspirators against cardinal Beatoun found the regent's eldest son in the castle of St. Andrew's; and as they needed the protection of the English, it was to be feared that they might endeavour to purchase it, by delivering to them this important prize. The presumptive heir to the crown in the hands of the avowed enemies of the kingdom, was a dreadful prospect. In order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpose, they excluded "the regent's eldest son from all right of succession, public or private, so long as he should be detained a prisoner, and substituted in his place his other brothers, according to their seniority, and in failure of them, those who were next heirs to the regent."[r] Succession by hereditary right is an idea so obvious and so popular, that a nation seldom ventures to make a breach in it, but in cases of extreme necessity. Such a necessity did the parliament discover in the present situation. Hatred to England, founded on the memory of past hostilities, and heightened by the smart of recent injuries, was the national passion. This dictated that uncommon statute, by which the order of lineal succession was so remarkably broken. The modern theories, which represent this right as divine and unalienable, and that ought not to be violated upon any consideration whatsoever, seem to have been then altogether unknown.

Scotland invaded by the English.

In the beginning of September, the carl of Hertford, now duke of Somerset, and protector of England, entered Scotland at the head of eighteen thousand men; and, at the same time, a fleet of sixty ships appeared on the coast to second his land forces. The Scots had for some time observed this storm gathering, and were prepared for it. Their army was almost double to that of the enemy, and posted to the greatest advantage on a rising ground above Musselburgh, not far from the banks of the river Esk. Both these circumstances alarmed the duke of Somerset, who saw his danger, and would willingly have extricated himself out of it, by a new overture of peace, on conditions extremely reasonable. But this modera-

tion being imputed to fear, his proposals were rejected with the scorn which the confidence of success inspires; and, if the conduct of the regent, who commanded the Scottish army, had been, in any degree, equal to his confidence, the destruction of the English must have been inevitable. They were in a situation precisely similar to that of their countrymen, under Oliver Cromwell, in the following century. The Scots had chosen their ground so well, that it was impossible to force them to give battle; a few days had exhausted the forage and provision of a narrow country; the fleet could only furnish a scanty and precarious subsistence; a retreat, therefore, was necessary; but disgrace, and perhaps ruin, were the consequences of retreating.

On both these occasions, the national heat and impetuosity of the Scots saved the English, and precipitated their own country into the utmost danger. The undisciplined courage of the private men became impatient at the sight of an enemy. The general was afraid of nothing, but that the English might escape from him by flight; and, leaving his strong camp, he attacked the duke of Somerset near Pinkey, with no better success than his rashness deserved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his side. The Scottish army consisted almost entirely of infantry, whose chief weapon was a long spear, and for that reason their files were very deep, and their ranks close. They advanced towards the enemy in three great bodies, and, as they passed the river, were considerably exposed to the fire of the English fleet, which lay in the bay of Musselburgh, and had drawn near the shore. The English cavalry, flushed with an advantage which they had gained in a skirmish some days before, began the attack with more impetuosity than good conduct. A body so firm and compact as the Scots easily resisted the impression of cavalry, broke them, and drove them off the field. The English infantry, however, advanced; and the Scots were at once exposed to a flight of arrows, to a fire in flank from four hundred foreign fusileers, who served the enemy, and to their cannon, which were planted behind the infantry on the highest part of the eminence. The depth and closeness of their order making it impossible for the Scots to stand long in this situation, the earl of Angus, who commanded the vanguard, endeavoured to change his ground, and to retire towards the main body. But his friends, unhappily, mistook his motion for a flight, and fell into confusion. At that very instant, the broken cavalry, having rallied, returned to the charge; the foot pursued the advantage they had gained; the prospect of victory redoubled the ardour of both: and, in a moment, the rout of the Scottish army became universal and irretrievable. The encounter in the field was not long or bloody; but, in the pursuit, the English discovered all the rage and fierceness which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inspire. The pursuit was continued for five hours, and to a great distance. All the three roads by which the Scots fled, were strewed with spears, and swords, and targets, and covered with the bodies of the slain. Above ten thousand men fell on this day, one of the most fatal Scotland had ever seen. A few were taken prisoners, and among these some persons of distinction. The protector had it now in his power to become master of a kingdom, out of which, not many hours before, he was almost obliged to retire with infamy.[s]

Battle of Pinkey. September 10, 1547.

But this victory, however great, was of no real utility, for want of skill or of leisure to improve it. Every new injury rendered the Scots more averse from a union with England; and the protector neglected the only measure which would have made it necessary for them to have given their consent to it. He amused himself in wasting the open country, and in taking or building several petty castles; whereas, by fortifying a few places which were accessible by sea, he would have laid the kingdom open to the English, and, in a short time, the Scots must either have accepted of his terms, or have submitted to his power. By such an improvement of it, the victory at Dunbar gave Cromwell the command of Scotland. The battle of Pinkey had no other effect but to precipitate the Scots into new engagements with France. The situation of the English court may, indeed, be pleaded in excuse for the duke of Somerset's conduct. That cabal of his enemies, which occasioned his tragical end, was already formed; and while he triumphed in Scotland, they secretly undermined his power and credit at home. Self-preservation, therefore, obliged him to prefer his safety before his fame, and to return without reaping the fruits of his victory. At this time, however, the cloud blew over; the conspiracy by which he fell was not yet ripe for execution; and his presence suspended its effects for some time. The supreme power still remaining in his hands, he employed it to recover

Their victory of little benefit to the English.

s The following passage, in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commission with Cecil, as judge-martial of the army, and printed in 1548, deserves our notice; as it gives a just idea of the military discipline of the Scots at that time. "But what after I learned, specially touching their order, their armour, and their manner as well of going to offend, as of standing to defend, I have thought necessary here to utter. Hackbutters have they few or none, and appoint their fight most commonly always a-foot. They come to the field well furnished all with jack and skull, dagger and buckler, and swords all broad and thin, of exceeding good temper, and universally so made to slice, that as I never saw none so good, so I think it hard to devise the better. Hereto every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thrust so near in the fore rank, shoulder and shoulder together, with their pikes in both their hands straight afore them, and their followers in that order so hard at their backs laying their pikes over their foregoers' shoulders, that, if they do assail undiscovered, no force can well withstand them. Standing at defence, they thrust shoulders likewise so nigh together, the foreranks well nigh to kneeling, stoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of their pike against their right foot, and the other against the enemy breast-high; their followers crossing their pike-points with them forward; and thus each with other so nigh as space and place will suffer, through the whole ward, so thick, that as easily shall a bare finger pierce through the skin of an angry hedge-hog, as any encounter the front of their pikes." Other curious particulars are found in this journal, from which Sir John Hayward has borrowed his account of this expedition. Life of Edward VI. 279, &c.

The length of the Scotch pike or spear was appointed by Act 44. p. 1471, to be six ells; i. e. eighteen feet six inches.

April 1548. the opportunity which he had lost. A body of troops, by his command, seized and fortified Haddington, a place which, on account of its distance from the sea, and from any English garrison, could not be defended without great expense and danger.

Forces the Scots into a closer union with France,

Meanwhile the French gained more by the defeat of their allies, than the English by their victory. After the death of cardinal Beatoun, Mary of Guise, the queen dowager, took a considerable share in the direction of affairs. She was warmly attached by blood, and by inclination, to the French interest; and, in order to promote it, improved with great dexterity every event which occurred. The spirit and strength of the Scots were broken at Pinkey; and in an assembly of nobles which met at Stirling to consult upon the situation of the kingdom, all eyes were turned towards France, no prospect of safety appearing but in assistance from that quarter. But Henry II. being then at peace with England, the queen represented that they could not expect him to take part in their quarrel, but upon views of personal advantage; and that without extraordinary concessions in his favour, no assistance, in proportion to their present exigencies, could be obtained. The prejudices of the nation powerfully seconded these representations of the queen. What often happens to individuals, took place among the nobles in this convention; they were swayed entirely by their passions; and in order to gratify them, they deserted their former principles, and disregarded their true interest. In the violence of resentment, they forgot that zeal for the independence of Scotland, which had prompted them to reject the proposals of Henry VIII.; and by offering, voluntarily, their young queen in marriage to the dauphin, eldest son of Henry II.; and, which was still more, by proposing to send her immediately into France to be educated at his court, they granted, from a thirst of vengeance, what formerly they would not yield upon any consideration of their own safety. To gain at once such a kingdom as Scotland, was a matter of no small consequence to France. Henry, without hesitation, accepted the offers of the Scottish ambassadors, and prepared for the vigorous defence of his new acquisition. Six thousand veteran soldiers, under the command of Monsieur Dessé, assisted by some of the best officers who were formed in the long wars of Francis I., arrived at Leith. They served two campaigns in Scotland, with a spirit equal to their former fame. But their exploits were not considerable. The Scots, soon becoming jealous of their designs, neglected to support them with proper vigour. The caution of the English, in acting wholly upon the defensive, prevented the French from attempting any enterprise of consequence; and obliged them to exhaust their strength in tedious sieges, undertaken under many disadvantages. Their efforts, however, were not without some benefit to the Scots, by compelling the English to evacuate Haddington, and to surrender several small forts which they possessed in different parts of the kingdom.

and to offer their queen in marriage to the dauphin.

But the effects of these operations of his troops were still of greater importance to the French king. The diversion which they occasioned enabled him to wrest Boulogne out of the hands of the English; and the influence of his army in Scotland obtained the concurrence of parliament with the overtures which had been made to him, by the assembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education in the court of France. In vain did a few patriots remonstrate against such extravagant concessions, by which Scotland was reduced to be a province of France; and Henry, from an ally, raised to be master of the kingdom: by which the friendship of France became more fatal than the enmity of England; and every thing was fondly given up to the one, that had been bravely defended against the other. A point of so much consequence was hastily decided in a parliament assembled in the camp before Haddington: the intrigues of the queen dowager, the zeal of the clergy, and resentment against England, had prepared a great party in the nation for such a step; the French general and ambassador, by their liberality and promises, gained over many more. The regent himself was weak enough to stoop to the offer of a pension from France, together with the title of duke of Chatelherault in that kingdom. A considerable majority declared for the treaty, and the interest of a faction was preferred before the honour of the nation.

The treaty for that purpose concluded.

June 5, 1548.

Having hurried the Scots into this rash and fatal resolution, the source of many calamities to themselves and to their sovereign, the French allowed them no time for reflection or repentance. The fleet which had brought over their forces was still in Scotland, and without delay convoyed the queen into France. Mary was then six years old, and by her education in that court, one of the politest but most corrupted in Europe, she acquired every accomplishment that could add to her charms as a woman, and contracted many of those prejudices which occasioned her misfortunes as a queen.

Mary sent to be educated in France.

From the time that Mary was put into their hands, it was the interest of the French to suffer war in Scotland to languish. The recovery of the Boulonnois was the object which the French king had most at heart; but a slight diversion in Britain was sufficient to divide the attention and strength of the English, whose domestic factions deprived both their arms and councils of their accustomed vigour. The government of England had undergone a great revolution. The duke of Somerset's power had been acquired with too much violence, and was exercised with too little moderation, to be of long continuance. Many good qualities, added to great love of his

country, could not atone for his ambition in usurping the sole direction of affairs. Some of the most eminent courtiers combined against him; and the earl of Warwick their leader, no less ambitious, but more artful, than Somerset, conducted his measures with so much dexterity as to raise himself upon the ruins of his rival. Without the invidious name of protector, he succeeded to all the power and influence of which Somerset was deprived, and he quickly found peace to be necessary for the establishment of his new authority, and the execution of the vast designs he had conceived.

Peace concluded.

Henry was no stranger to Warwick's situation, and improved his knowledge of it to good purpose, in conducting the negociations for a general peace. He prescribed what terms he pleased to the English minister, who scrupled at nothing, however advantageous to that monarch and his allies. England consented to restore Boulogne and its dependencies to France, and gave up all pretensions to a treaty of marriage with the queen of Scots, or to the conquest of her country. A few small forts, of which the English troops had hitherto kept possession, were razed; and peace between the two kingdoms was established on its ancient foundation.

March 24, 1550.

Both the British nations lost power, as well as reputation, by this unhappy quarrel. It was on both sides a war of emulation and resentment, rather than of interest; and was carried on under the influence of national animosities, which were blind to all advantages. The French, who entered into it with greater coolness, conducted it with more skill; and by dexterously availing themselves of every circumstance which occurred, recovered possession of an important territory which they had lost, and added to their monarchy a new kingdom. The ambition of the English minister betrayed to them the former; the inconsiderate rage of the Scots against their ancient enemies bestowed on them the latter; their own address and good policy merited both.

The Scots become jealous of the French.

Immediately after the conclusion of the peace, the French forces left Scotland, as much to their own satisfaction as to that of the nation. The Scots soon found, that the calling to their assistance a people more powerful than themselves, was a dangerous expedient. They beheld, with the utmost impatience, those who had come over to protect the kingdom, taking upon them to command in it; and on many occasions they repented the rash invitation which they had given. The peculiar genius of the French nation heightened this disgust, and prepared the Scots to throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are in the present, one of the most polished nations in Europe. But it is to be observed, in all their expeditions into foreign countries, whether towards the south or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own customs, because they want knowledge and taste to discover the reasonableness and propriety of customs which differ from them. Nations, which hold the first rank in politeness, are frequently no less tenacious out of pride. The Greeks were so in the ancient world; and the French are the same in the modern. Full of themselves; flattered by the imitation of their neighbours; and accustomed to consider their own modes as the standards of elegance; they scorn to disguise, or to lay aside, the distinguishing manners of their own nation, or to make any allowance for what may differ from them among others. For this reason, the behaviour of their armies has, on every occasion, been insupportable to strangers, and has always exposed them to hatred, and often to destruction. In that age, they overran Italy four several times by their valour, and lost it as often by their insolence. The Scots, naturally an irascible and high-spirited people, and who, of all nations, can least bear the most distant insinuation of contempt, were not of a temper to admit all the pretensions of such assuming guests. The symptoms of alienation were soon visible; they seconded the military operations of the French troops with the utmost coldness; their disgust grew insensibly to a degree of indignation that could hardly be restrained; and on occasion of a very slight accident, broke out with fatal violence. A private French soldier engaging in an idle quarrel with a citizen of Edinburgh, both nations took arms with equal rage, in defence of their countrymen. The provost of Edinburgh, his son, and several citizens of distinction, were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithstanding the ancient alliance of France and Scotland, and the long intercourse of good offices between the two nations, an aversion for the French took its rise at this time among the Scots, the effects whereof were deeply felt, and operated powerfully through the subsequent period.

Progress of the reformation.

From the death of cardinal Beatoun, nothing has been said of the state of religion. While the war with England continued, the clergy had no leisure to molest the protestants, and they were not yet considerable enough to expect any thing more than connivance and impunity. The new doctrines were still in their infancy; but during this short interval of tranquillity, they acquired strength, and advanced by large and firm steps towards a full establishment in the kingdom. The first preachers against popery in Scotland, of whom several had appeared during the reign of James V., were more eminent for zeal and piety, than for learning. Their acquaintance with the principles of the reformation was partial, and at second hand; some of them had been educated in England: all of them had borrowed their notions from the books published there; and in the first dawn of the new light, they did not venture far

before their leaders. But in a short time the doctrines and writings of the foreign reformers became generally known; the inquisitive genius of the age pressed forward in quest of truth; the discovery of one error opened the way to others; the downfall of one impostor drew many after it; the whole fabric, which ignorance and superstition had erected in times of darkness, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extensive views, than any of his predecessors in Scotland, possessed a natural intrepidity of mind, which set him above fear. He began his public ministry at St. Andrew's in the year one thousand five hundred and forty seven, with that success which always accompanies a bold and popular eloquence. Instead of amusing himself with lopping the branches, he struck directly at the root of popery, and attacked both the doctrine and discipline of the established church, with a vehemence peculiar to himself, but admirably suited to the temper and wishes of the age.

An adversary so formidable as Knox would not have easily escaped the rage of the clergy, who observed the tendency and progress of his opinions with the utmost concern. But, at first, he retired for safety into the castle of St. Andrew's, and, while the conspirators kept possession of it, preached publicly under their protection. The great revolution in England, which followed upon the death of Henry VIII., contributed no less than the zeal of Knox towards demolishing the popish church in Scotland. Henry had loosened the chains, and lightened the yoke, of popery. The ministers of his son Edward VI. cast them off altogether, and established the protestant religion upon almost the same footing whereon it now stands in that kingdom. The influence of this example reached Scotland, and the happy effects of ecclesiastical liberty in one nation, inspired the other with an equal desire of recovering it. The reformers had, hitherto, been obliged to conduct themselves with the utmost caution, and seldom ventured to preach, but in private houses, and at a distance from court; they gained credit, as happens on the first publication of every new religion, chiefly among persons in the lower and middle rank of life. But several noblemen, of the greatest distinction, having, about this time, openly espoused their principles, they were no longer under the necessity of acting with the same reserve; and with more security and encouragement, they had likewise greater success. The means of acquiring and spreading knowledge became more common, and the spirit of innovation, peculiar to that period, grew every day bolder and more universal.

Happily for the reformation, this spirit was still under some restraint. It had not yet attained firmness and vigour sufficient to overturn a system founded on the deepest policy, and supported by the most formidable power. Under the present circumstances, any attempt towards action must have been fatal to the protestant doctrines; and it is no small proof of the authority, as well as penetration of the heads of the party, that they were able to restrain the zeal of a fiery and impetuous people, until that critical and mature juncture, when every step they took was decisive and successful.

Meanwhile their cause received reinforcement from two different quarters whence they never could have expected it. The ambition of the house of Guise, and the bigotry of Mary of England, hastened the subversion of the papal throne in Scotland; and, by a singular disposition of Providence, the persons who opposed the reformation in every other part of Europe with the fiercest zeal, were made instruments for advancing it in that kingdom.

The queen dowager aspires to the office of regent.

Mary of Guise possessed the same bold and aspiring spirit which distinguished her family. But in her it was softened by the female character, and accompanied with great temper and address. Her brothers, in order to attain the high objects at which they aimed, ventured upon such daring measures as suited their great courage. Her designs upon the supreme power were concealed with the utmost care, and advanced by address and refinements more natural to her sex. By a dexterous application of those talents, she had acquired a considerable influence on the councils of a nation hitherto unacquainted with the government of women; and, without the smallest right to any share in the administration of affairs, had engrossed the chief direction of them into her own hands. But she did not long rest satisfied with the enjoyment of this precarious power, which the fickleness of the regent, or the ambition of those who governed him, might so easily disturb; and she began to set on foot new intrigues, with a design of undermining him, and of opening to herself a way to succeed him in that high dignity. Her brothers entered warmly into this scheme, and supported it with all their credit at the court of France. The French king willingly concurred in a measure, by which he hoped to bring Scotland entirely under management, and, in any future broil with England, to turn its whole force against that kingdom.

In order to arrive at the desired elevation, the queen dowager had only one of two ways to choose; either violently to wrest the power out of the hands of the regent, or to obtain it by his consent. Under a minority, and among a warlike and factious people, the former was a very uncertain and dangerous experiment. The latter appeared to be no less impracticable. To persuade a man voluntarily to abdicate the supreme power; to descend to a level with those above whom he was raised; and to be content with the second place where he hath held a first, may well pass for a wild and chimerical project. This, however, the queen attempted; and

the prudence of the attempt was sufficiently justified by its success.

The regent's inconstancy and irresolution, together with the calamities which had befallen the kingdom under his administration, raised the prejudices both of the nobles and of the people against him, to a great height; and the queen secretly fomented these with much industry. All who wished for a change met with a gracious reception in her court, and their spirit of disaffection was nourished by such hopes and promises, as in every age impose on the credulity of the factious. The favourers of the reformation being the most numerous and spreading body of the regent's enemies, she applied to them with a particular attention; and the gentleness of her disposition, and seeming indifference to the religious points in dispute, made all her promises of protection and indulgence pass upon them for sincere. Finding so great a part of the nation willing to fall in with her measures, the queen set out for France, under pretence of visiting her daughter, and took along with her those noblemen who possessed the greatest power and credit among their countrymen. Softened by the pleasures of an elegant court, flattered by the civilities of the French king, and the caresses of the house of Guise, and influenced by the seasonable distribution of a few favours, and the liberal promise of many more, they were brought to approve of all the queen's pretensions.

Courts the reformers.

Oct. 1550.

While she advanced by these slow but sure steps, the regent either did not foresee the danger which threatened him, or neglected to provide against it. The first discovery of the train which was laid, came from two of his own confidents, Carnegie of Kinnaird, and Panter bishop of Ross, whom the queen had gained over to her interest, and then employed as the most proper instruments for obtaining his consent. The overture was made to him in the name of the French king, enforced by proper threatenings, in order to work upon his natural timidity, and sweetened by every promise that could reconcile him to a proposal so disagreeable. On the one hand, the confirmation of his French title, together with a considerable pension, the parliamentary acknowledgment of his right of succession to the crown, and a public ratification of his conduct during his regency, were offered him. On the other hand, the displeasure of the French king, the power and popularity of the queen dowager, the disaffection of the nobles, with the danger of an after-reckoning, were represented in the strongest colours.

It was not possible to agree to a proposal so extraordinary and unexpected, without some previous struggle; and, had the archbishop of St. Andrew's been present to fortify the irresolute and passive spirit of the regent, he, in all probability, would have rejected it with disdain. Happily for the queen, the sagacity and ambition of that prelate could, at this time, be no obstruction to her views. He was lying at the point of death, and in his absence the influence of the queen's agents on a flexible temper counterbalanced several of the strongest passions of the human mind, and obtained his consent to a voluntary surrender of the supreme power.

After gaining a point of such difficulty with so much ease, the queen returned into Scotland, in full expectation of taking immediate possession of her new dignity. But by this time the archbishop of St. Andrews had recovered of that distemper, which the ignorance of the Scottish physicians had pronounced to be incurable. This he owed to the assistance of the famous Cardan, one of those irregular adventurers in philosophy, of whom Italy produced so many about this period. A bold genius led him to some useful discoveries, which merit the esteem of a more discerning age; a wild imagination engaged him in those chimerical sciences, which drew the admiration of his contemporaries. As a pretender to astrology and magic, he was revered and consulted by all Europe; as a proficient in natural philosophy he was but little known. The archbishop, it is probable, considered him as a powerful magician, when he applied to him for relief; but it was his knowledge as a philosopher which enabled him to cure his disease.

Dec. 1551.

Together with his health, the archbishop recovered the entire government of the regent, and quickly persuaded him to recall that dishonourable promise, which he had been seduced by the artifices of the queen to grant. However great her surprise and indignation were, at this fresh instance of his inconstancy, she was obliged to dissemble, that she might have leisure to renew her intrigues with all parties; with the protestants, whom she favoured and courted more than ever; with the nobles, to whom she rendered herself agreeable by various arts; and with the regent himself, in order to gain whom, she employed every argument. But, whatever impressions her emissaries might have made on the regent, it was no easy matter to overreach or to intimidate the archbishop. Under his management, the negociations were spun out to a great length, and his brother maintained his station with that address and firmness, which its importance so well merited. The universal defection of the nobility, the growing power of the protestants, who all adhered to the queen dowager, the reiterated solicitations of the French king, and, above all, the interposition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom she pleased to be regent,[u] obliged him at last to resign that high office, which he had held many years. He obtained, however, the same advanta-

Prevails on the regent to resign his office.

t Cardan himself was more desirous of being considered as an astrologer than a philosopher; in his book *De Genituris*, we find a calculation of the archbishop's nativity, from which he pretends both to have predicted his disease, and to have effected his cure. He received from the archbishop a reward of 1800 crowns; a great sum in that age. *De Vita sua*, p. 32.

u Lesley, de Reb. Gest. Scot. ap. Jeb. 1. 187.

geous terms for himself, which had been formerly stipulated.

She obtains the regency.

It was in the parliament which met on the tenth of April one thousand five hundred and fifty-four, that the earl of Arran executed this extraordinary resignation; and at the same time Mary of Guise was raised to that dignity which had been so long the object of her wishes. Thus, with their own approbation, a woman and a stranger was advanced to the supreme authority over a fierce and turbulent people, who seldom submitted, without reluctance, to the legal and ancient government of their native monarchs.

Reformation continues to make great progress. July 6, 1553.

While the queen dowager of Scotland contributed so much towards the progress of the reformation by the protection which she afforded it, from motives of ambition, the English queen, by her indiscreet zeal, filled the kingdom with persons active in promoting the same cause. Mary ascended the throne of England on the death of her brother Edward, and soon after married Philip II. of Spain. To the persecuting spirit of the Romish superstition, and the fierceness of that age, she added the private resentment of her own and of her mother's sufferings, with which she loaded the reformed religion; and the peevishness and severity of her natural temper carried the acrimony of all these passions to the utmost extreme. The cruelty of her persecution equalled the deeds of those tyrants who have been the greatest reproach to human nature. The bigotry of her clergy could scarce keep pace with the impetuosity of her zeal. Even the unrelenting Philip was obliged, on some occasions, to mitigate the rigour of her proceedings. Many among the most eminent reformers suffered for the doctrines which they had taught; others fled from the storm. To the greater part of these, Switzerland and Germany opened a secure asylum; and not a few, out of choice or necessity, fled into Scotland. What they had seen and felt in England, did not abate the warmth and zeal of their indignation against popery. Their attacks were bolder and more successful than ever; and their doctrines made a rapid progress among all ranks of men.

These doctrines, calculated to rectify the opinions, and to reform the manners, of mankind, had hitherto produced no other effects; but they soon began to operate with greater violence, and proved the occasion, not only of subverting the established religion, but of shaking the throne and endangering the kingdom. The causes which facilitated the introduction of these new opinions into Scotland, and which disseminated them so fast through the nation, merit, on that account, a particular and careful inquiry. The reformation is one of the greatest events in the history of mankind, and, in whatever point of light we view it, is instructive and interesting.

A view of the political causes which contributed towards that.

The revival of learning in the fifteenth and sixteenth centuries roused the world from that lethargy in which it had been sunk for many ages. The human mind felt its own strength, broke the fetters of authority by which it had been so long restrained, and, venturing to move in a larger sphere, pushed its inquiries into every subject, with great boldness and surprising success.

No sooner did mankind recover the capacity of exercising their reason, than religion was one of the first objects which drew their attention. Long before Luther published his famous Theses, which shook the papal throne, science and philosophy had laid open to many of the Italians the imposture and absurdity of the established superstition. That subtle and refined people, satisfied with enjoying those discoveries in secret, were little disposed to assume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wise, while vulgar minds must be overawed and governed by popular errors. But, animated with a more noble and disinterested zeal, the German theologian boldly erected the standard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all succeeding ages.

The occasion of Luther's being first disgusted with the tenets of the Romish church, and how, from a small rupture, the quarrel widened into an irreparable breach, is known to every one who has been the least conversant in history. From the heart of Germany his opinions spread, with astonishing rapidity, all over Europe; and, wherever they came, endangered or overturned the ancient but ill-founded system. The vigilance and address of the court of Rome, co-operating with the power and bigotry of the Austrian family, suppressed these notions on their first appearance, in the southern kingdoms of Europe. But the fierce spirit of the north, irritated by multiplied impositions, could neither be mollified by the same arts, nor subdued by the same force; and, encouraged by some princes from piety, and by others out of avarice, it easily bore down the feeble opposition of an illiterate and immoral clergy

The superstition of popery seems to have grown to the most extravagant height in those countries which are situated towards the different extremities of Europe. The vigour of imagination, and sensibility of frame, peculiar to the inhabitants of southern climates, rendered them susceptible of the deepest impressions of superstitious terror and credulity. Ignorance and barbarity were no less favourable to the progress of the same spirit among the northern nations. They knew little, and were disposed to believe every thing. The most glaring absurdities did not shock their gross understandings, and the most improbable fictions were received with implicit assent and admiration.

Accordingly, that form of popery which prevailed in Scotland was of the most bigoted and illiberal kind. Those doctrines which are most apt to shock the human understanding, and those legends which furthest exceed belief, were proposed to the people

without any attempt to palliate or disguise them; nor did they ever call in question the reasonableness of the one, or the truth of the other.

The power and wealth of the church kept pace with the progress of superstition; for it is the nature of that spirit to observe no bounds in its respect and liberality towards those whose character it esteems sacred. The Scottish kings early demonstrated how much they were under its influence, by their vast additions to the immunities and riches of the clergy. The profuse piety of David I., who acquired on that account the name of saint, transferred almost the whole crown lands, which were at that time of great extent, into the hands of ecclesiastics. The example of that virtuous prince was imitated by his successors. The spirit spread among all orders of men, who daily loaded the priesthood with new possessions. The riches of the church all over Europe were exorbitant; but Scotland was one of those countries wherein they had furthest exceeded the just proportion. The Scottish clergy paid one half of every tax imposed on land; and as there is no reason to think that in that age they would be loaded with any unequal share of the burden, we may conclude that, by the time of the reformation, little less than one half of the national property had fallen into the hands of a society, which is always acquiring, and can never lose.

The nature, too, of a considerable part of their property extended the influence of the clergy. Many estates throughout the kingdom held of the church; church lands were let in lease at an easy rent, and were possessed by the younger sons and descendants of the best families.[x] The connexion between *superior* and *vassal*, between landlord and tenant, created dependences, and gave rise to a union of great advantage to the church; and in estimating the influence of the popish ecclesiastics over the nation, these, as well as the real amount of their revenues, must be attended to, and taken into the account.

This extraordinary share in the national property was accompanied with proportionable weight in the supreme council of the kingdom. At a time when the number of the temporal peers was extremely small, and when the lesser barons and representatives of boroughs seldom attended parliaments, the ecclesiastics formed a considerable body there. It appears from the ancient rolls of parliament, and from the manner of choosing the lords of articles, that the proceedings of that high court must have been, in a great measure, under their direction.[y]

The reverence due to their sacred character, which was often carried incredibly far, contributed not a little towards the growth of their power. The dignity, the titles, and precedence of the popish clergy, are remarkable, both as causes and effects of that dominion which they had acquired over the rest of mankind. They were regarded by the credulous laity as beings of a superior species; they were neither subject to the same laws, nor tried by the same judges.[z] Every guard that religion could supply, was placed round their power, their possessions, and their persons; and endeavours were used, not without success, to represent them all as equally sacred.

The reputation for learning, which, however inconsiderable, was wholly engrossed by the clergy, added to the reverence which they derived from religion. The principles of sound philosophy, and of a just taste, were altogether unknown; in place of these were substituted studies barbarous and uninstructive; but as the ecclesiastics alone were conversant in them, this procured them esteem; and a very slender portion of knowledge drew the admiration of rude ages, which knew little. War was the sole profession of the nobles, and hunting their chief amusement; they divided their time between these: unacquainted with the arts, and unimproved by science, they disdained any employment foreign from military affairs, or which required rather penetration and address, than bodily vigour. Wherever the former were necessary, the clergy were intrusted; because they alone were properly qualified for the trust. Almost all the high offices in civil government devolved, on this account, into their hands. The lord chancellor was the first subject in the kingdom, both in dignity and in power. From the earliest ages of the monarchy, to the death of cardinal Beatoun, fifty-four persons had held that high office; and of these forty-three had been ecclesiastics.[a] The lords of session were supreme judges in all matters of civil right; and, by its original constitution, the president and one-half of the senators in this court were churchmen.

To all this we may add, that the clergy being separated from the rest of mankind by the law of celibacy, and undistracted by those cares, and unencumbered with those burdens, which occupy and oppress other men, the interest of their order became their only object, and they were at full leisure to pursue it.

The nature of their functions gave them access to all persons, and at all seasons. They could employ all the motives of fear and of hope, of terror and of consolation, which operate most powerfully on the human mind. They haunted the weak and the credulous; they besieged the beds of the sick and of the dying; they suffered few to go out of the world without leaving marks of their liberality to the church, and taught them to compound with the Almighty for their sins, by bestowing riches upon those who called themselves his servants.

When their own industry, or the superstition of

x Keith, 521. Note *b*.

y Spots. Hist. of the Church of Scotland, 449.

z How far this claim of the clergy to exemption from lay jurisdiction extended, appears from a remarkable transaction in the parliament held in 1546. When that court was proceeding to the forfeiture of the murderers of cardinal Beatoun, and were about to include a priest, who was one of the assassins, in the general sentence of condemnation, odious as the crime was to ecclesiastics, a delegate appeared in the name of the clerical courts, and *repledged* or claimed exemption of him from the judgment of parliament, *as a spiritual man*. This claim was sustained; and his name is not inserted in the act of forfeiture. Epist. Reg. Scot. ii. 350. 361.

a Crawf. Offic. of State.

mankind, failed of producing this effect, the ecclesiastics had influence enough to call in the aid of law. When a person died *intestate*, the disposal of his effects was vested in the bishop of the diocese, after paying his funeral charges and debts, and distributing among his kindred the sums to which they were respectively entitled; it being presumed that no christian would have chosen to leave the world without destining some part of his substance to pious uses.[b] As men are apt to trust to the continuance of life with a fond confidence, and childishly shun every thing that forces them to think of their mortality, many die without settling their affairs by will; and the right of administration in that event, acquired by the clergy, must have proved a considerable source both of wealth and of power to the church.

At the same time, no matrimonial or testamentary cause could be tried but in the spiritual courts, and by laws which the clergy themselves had framed. The penalty, too, by which the decisions of these courts were enforced, added to their authority. A sentence of excommunication was no less formidable than a sentence of outlawry. It was pronounced on many occasions, and against various crimes: and, besides excluding those upon whom it fell from christian privileges, it deprived them of all their rights as men, or as citizens; and the aid of the secular power concurred with the superstition of mankind, in rendering the thunders of the church no less destructive than terrible.

To these general causes may be attributed the immense growth both of the wealth and power of the popish church; and, without entering into any more minute detail, this may serve to discover the foundations on which a structure so stupendous was erected.

But though the laity had contributed, by their own superstition and profuseness, to raise the clergy from poverty and obscurity to riches and eminence, they began, by degrees, to feel and to murmur at their encroachments. No wonder haughty and martial barons should view the power and possessions of the church with envy; and regard the lazy and inactive character of churchmen with the utmost contempt; while, at the same time, the indecent and licentious lives of the clergy gave great and just offence to the people, and considerably abated the veneration which they were accustomed to yield to that order of men.

Immense wealth, extreme indolence, gross ignorance, and, above all, the severe injunction of celibacy, had concurred to introduce this corruption of morals among many of the clergy, who, presuming too much upon the submission of the people, were at no pains either to conceal or to disguise their own vices. According to the accounts of the reformers, confirmed by several popish writers, the most open and scandalous dissoluteness of manners prevailed among the Scottish clergy.[c] Cardinal Beatoun, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the earl of Crawford's son;[d] and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate.[e]

Men of such characters ought, in reason, to have been alarmed at the first clamours raised against their own morals, and the doctrines of the church, by the protestant preachers; but the popish ecclesiastics, either out of pride or ignorance, neglected the proper methods for silencing them. Instead of reforming their lives, or disguising their vices, they affected to despise the censures of the people. While the reformers, by their mortifications and austerities, endeavoured to resemble the first propagators of christianity, the popish clergy were compared to all those persons who are most infamous in history for the enormity and scandal of their crimes.

On the other hand, instead of mitigating the rigour, or colouring over the absurdity, of the established doctrines; instead of attempting to found them upon Scripture, or to reconcile them to reason; they left them without any other support or recommendation, than the authority of the church, and the decrees of councils. The fables concerning purgatory, the virtues of pilgrimage, and the merits of the saints, were the topics on which they insisted in their discourses to the people; and the duty of preaching being left wholly to monks of the lowest and most illiterate orders, their compositions were still more wretched and contemptible, than the subjects on which they insisted. While the reformers were attended by crowded and admiring audiences, the popish preachers were either universally deserted, or listened to with scorn.

The only device which they employed in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unsuccessful. As many doctrines of their church had derived their credit at first from the authority of false miracles, they now endeavoured to call in these to their aid.[f] But such lying wonders, as were beheld with unsuspicious admiration, or heard with implicit faith, in times of darkness and of ignorance, met with a very different reception in a more enlightened period. The vigilance of the reformers detected these impostures, and exposed not only them, but the cause which needed the aid of such artifices, to ridicule.

b Essays on Brit. Antiq. 174. Annals of Scotland, by Sir David Dalrymple, vol. i. Append. No. ii.

c Winzet. ap. Keith, Append. 202, 205. Lesley de Reb. Gest. Scot. 232.

d The marriage articles, subscribed with his own hand, in which he calls her *my daughter*, are still extant. Keith, p. 42.

e A remarkable proof of the dissolute manners of the clergy is found in the public records. A greater number of letters of *legitimation* was granted during the first thirty years after the reformation, than during the whole period that has elapsed since that time. These were obtained by the sons of the popish clergy. The ecclesiastics, who were allowed to retain their benefices, alienated them to their children; who when they acquired wealth, were desirous that the stain of illegitimacy might no longer remain upon their families. In *Keith's Catalogue of the Scottish Bishops*, we find several instances of such alienations of church lands, by the popish incumbents to their natural children.

f Spotswood, 69.

As the popish ecclesiastics became more and more the objects of hatred and of contempt, the discourses of the reformers were listened to as so many calls to liberty; and, besides the pious indignation which they excited against those corrupt doctrines which had perverted the nature of true christianity, besides the zeal which they inspired for the knowledge of truth and the purity of religion, they gave rise also, among the Scottish nobles, to other views and passions. They hoped to shake off the yoke of ecclesiastical dominion, which they had long felt to be oppressive, and which they now discovered to be unchristian. They expected to recover possession of the church revenues, which they were now taught to consider as alienations made by their ancestors, with a profusion no less undiscerning than unbounded. They flattered themselves, that a check would be given to the pride and luxury of the clergy, who would be obliged, henceforward, to confine themselves within the sphere peculiar to their sacred character. An aversion from the established church, which flowed from so many concurring causes, which was raised by considerations of religion, heightened by motives of policy, and instigated by prospects of private advantage, spread fast through the nation, and excited a spirit, that burst out, at last, with irresistible violence.

Religious considerations alone were sufficient to have roused this spirit. The points in controversy with the church of Rome were of so much importance to the happiness of mankind, and so essential to christianity, that they merited all the zeal with which the reformers contended in order to establish them. But the reformation having been represented as the effect of some wild and enthusiastic frenzy in the human mind, this attempt to account for the eagerness and zeal with which our ancestors embraced and propagated the protestant doctrines, by taking a view of the political motives alone which influenced them, and by showing how naturally these prompted them to act with so much ardour, will not, perhaps, be deemed an unnecessary digression. We now return to the course of the history.

1554. The queen regent begins her administration with some unpopular measures.

The queen's elevation to the office of regent seems to have transported her, at first, beyond the known prudence and moderation of her character. She began her administration, by conferring upon foreigners several offices of trust and of dignity; a step which, both from the inability of strangers to discharge these offices with propriety, and from the envy which their preferment excites among the natives, is never attended with good consequences. Vilmort was made comptroller, and intrusted with the management of the public revenues; Bonot was appointed governor of Orkney; and Rubay honoured with the custody of the great seal, and the title of vice-chancellor.[g] It was with the highest indignation that the Scots beheld offices of the greatest eminence and authority dealt out among strangers.[h] By these promotions they conceived the queen to have offered an insult both to their understandings and to their courage: to the former, by supposing them unfit for those stations which their ancestors had filled with so much dignity; to the latter, by imagining that they were tame enough not to complain of an affront, which, in no former age, would have been tolerated with impunity.

While their minds were in this disposition, an incident happened which inflamed their aversion from French councils to the highest degree. Ever since the famous contest between the houses of Valois and Plantagenet, the French had been accustomed to embarrass the English, and to divide their strength by the sudden and formidable incursions of their allies, the Scots. But, as these inroads were seldom attended with any real advantage to Scotland, and exposed it to the dangerous resentment of a powerful neighbour, the Scots began to grow less tractable than formerly, and scrupled any longer to serve an ambitious ally at the price of their own quiet and security. The change, too, which was daily introducing in the art of war, rendered the assistance of the Scottish forces of less importance to the French monarch. For these reasons, Henry having resolved upon a war with Philip II. and foreseeing that the queen of England would take part in her husband's quarrel, was extremely solicitous to secure in Scotland the assistance of some troops, which would be more at his command than an undisciplined army, led by chieftains who were almost independent. In prosecution of this design, but under pretence of relieving the nobles from the expense and danger of defending the borders, the queen regent proposed in parliament, to register the value of lands throughout the kingdom, to impose on them a small tax, and to apply that revenue towards maintaining a body of regular troops in constant pay. A fixed tax upon land, which the growing expense of government hath introduced into almost every part of Europe, was unknown at that time, and seemed altogether inconsistent with the genius of feudal policy. Nothing could be more shocking to a generous and brave nobility, than the intrusting to mercenary hands the defence of those territories which had been acquired or preserved by the blood of their ancestors. They received this proposal with the utmost dissatisfaction. About three hundred of the lesser barons repaired in a body to the queen regent, and represented their sense of the intended innovation, with that manly and determined boldness which is natural to a free people in a martial age. Alarmed at a remonstrance delivered in so firm a tone, and supported by such formidable numbers, the queen prudently abandoned a scheme, which she found to be universally odi-

1555.

g Lesley de Reb. Gest. Scot. 189.

h The resentment of the nation against the French rose to such a height, that an act of parliament was passed on purpose to restrain or moderate it. Parl. 6, Q. Mary, c. 60.

ous. As the queen herself was known perfeetly to understand the eireumstances and temper of the nation, this measure was imputed wholly to the suggestions of her foreign counsellors; and the Scots were ready to proceed to the most violent extremities against them.

Attempts to engage the kingdom in a war with England.

The Freneh, instead of extinguishing, added fuel to the flame. They had now commeneed hostilities against Spain, and Philip had prevailed on the queen of England to reinforee his army with a eonsiderable body of her troops. In order to deprive him of this aid, Henry had recourse, as he projected, to the Scots; and attempted to excite them to invade England. But as Scotland had nothing to dread from a princess of Mary's character, who, far from any ambitious scheme of disturbing her neighbours, was wholly occupied in endeavouring to reclaim her heretieal subjects; the nobles, who were assembled by the queen regent at Newbattle, listened to the solieitations of the French monarch with extreme eoldness, and prudently declined engaging the kingdom in an enterprise so dangerous and unneeessary. What she could not obtain by persuasion, the queen regent brought about by a stratagem. Notwithstanding the peace which subsisted between the two kingdoms, she eommanded her French soldiers to rebuild a small fort near Berwick, whieh was appointed, by the last treaty, to be razed. The garrison of Berwick sallied out, interrupted the work, and ravaged the adjacent country. This insult roused the fiery spirit of the Scots, and their promptness to revenge the least appearance of national injury, dissipated, in a moment, the wise and pacific resolutions which they had so lately formed. War was determined, and orders instantly given for raising a numerous army. But before their forees could assemble, the ardour of their indignation had time to eool, and the English having discovered no intention to push the war with vigour, the nobles resumed their pacific system, and resolved to stand altogether upon the defensive. They

1556.

marehed to the banks of the Tweed, they prevented the incursions of the enemy; and having done what they thought suffieient for the safety and honour of their country, the queen eould not induee them, either by her entreaties or her artifiees, to advance another step.

While the Scots persisted in their inactivity, D'Oysel, the commander of the French troops, who possessed entirely the confidence of the queen regent, endeavoured, with her connivance, to engage the two nations in hostilities. Contrary to the orders of the Scottish general, he marched over the Tweed with his own soldiers, and invested Werk castle, a garrison of the English. The Scots, instead of seconding his attempt, were enraged at his presumption. The queen's partiality towards France had long been suspected; but it was now visible that she wantonly saerificed the peace and safety of Scotland to the interests of that ambitious and assuming ally. Under the feudal governments, it was in camps that subjects were aeeustomed to address the boldest remonstranees to their sovereigns. While arms were in their hands, they felt their own strength; and at that time all their representations of grievanees carried the authority of commands. On this occasion, the resentment of the nobles broke out with such violence, that the queen, perceiving all attempts to engage them in action to be vain, abruptly dismissed her army, and retired with the utmost shame and disgust; having discovered the impotenee of her authority, without affecting any thing which could be of advantage to France.[i]

It is observable, that this first instance of contempt for the regent's authority ean, in no degree, be imputed to the influence of the new opinions in religion. As the queen's pretensions to the regency had been principally supported by those who favoured the reformation, and as she still needed them for a counterpoise to the archbishop of St. Andrew's, and the partisans of the house of Hamilton, she continued to treat them with great respect, and admitted them to no inconsiderable share in her favour and confidenee. Kirkaldy of Grange and the other surviving conspirators against cardinal Beatoun, were, about this time, recalled by her from banishment; and, through her connivance, the protestant preachers enjoyed an interval of tranquillity, which was of great advantage to their cause. Soothed by these instances of the queen's moderation and humanity, the protestants left to others the office of remonstrating; and the leaders of the opposite factions set them the first example of disputing the will of their sovereign.

The queen's marriage with the dauphin.

As the queen regent felt how limited and precarious her authority was while it depended on the poise of these contrary factions, she endeavoured to establish it on a broader and more secure foundation, by hastening the eonclusion of her daughter's marriage with the dauphin. Amiable as the queen of Scots then was, in the bloom of youth, and considerable as the territories were, which she would have added to the French monarchy, reasons were not wanting to dissuade Henry from completing his first plan of marrying her to his son. The constable Montmorency had employed all his interest to defeat an alliance which reflected so much lustre on the princes of Lorrain. He had represented the impossibility of maintaining order and tranquillity among a turbulent people, during the absence of their sovereign; and for that reason had advised Henry to bestow the young queen upon one of the princes of the blood, who, by residing in Scotland, might preserve that kingdom a useful ally to France, which, by a nearer union to the crown, would become a mutinous and ungovernable province.[k] But at this time the constable was a prisoner in the hands of the Spaniards; the princes

i Strype's Memor. iii. Append. 274. Lesley, 196.

k Melv. Mem. 15.

of Lorrain were at the height of their power; and their influence, seconded by the charms of the young queen, triumphed over the prudent but envious remonstrances of their rival.

Dec. 14. 1557. The French king accordingly applied to the parliament of Scotland, which appointed eight of its members[1] to represent the whole body of the nation, at the marriage of the queen. Among the persons on whom the public choice conferred this honourable character, were some of the most avowed and zealous advocates for the reformation; by which may be estimated the degree of respect and popularity which that party had now attained in the kingdom. The instructions of the parliament to those commissioners still remain,[m] and do honour to the wisdom and integrity of that assembly. At the same time that they manifested, with respect to the articles of marriage, a laudable concern for the dignity and interest of their sovereign, they employed every precaution which prudence could dictate, for preserving the liberty and independence of the nation, and for securing the succession of the crown in the house of Hamilton.

Artifices of the French in the marriage treaty.

With regard to each of these, the Scots obtained whatever satisfaction their fear or jealousy could demand. The young queen, the dauphin, and the king of France, ratified every article with the most solemn oaths, and confirmed them by deeds in form under their hands and seals. But on the part of France, all this was one continued scene of studied and elaborate deceit. Previous to these public transactions with the Scottish deputies, Mary had been persuaded to subscribe privately three deeds, equally unjust and invalid; by which, failing the heirs of her own body, she conferred the kingdom of Scotland, with whatever inheritance or succession might accrue to it, in free gift upon the crown of France, declaring all promises to the contrary, which the necessity of her affairs, and the solicitations of her subjects, had extorted, or might extort, from her, to be void and of no obligation.[n] As it gives us a proper idea of the character of the French court under Henry II., we may observe that the king himself, the keeper of the great seals, the duke of Guise, and the cardinal of Lorrain, were the persons engaged in conducting this perfidious and dishonourable project. The queen of Scots was the only innocent actor in that scene of iniquity. Her youth, her inexperience, her education in a foreign country, and her deference to the will of her uncles, must go far towards vindicating her, in the judgment of every impartial person, from any imputation of blame on that account.

This grant, by which Mary bestowed the inheritance of her kingdom upon strangers, was concealed with the utmost care from her subjects. They seem, however, not to have been unacquainted with the intention of the French to overturn the settlement of the succession in favour of the duke of Chatelherault. The zeal with which the archbishop of St. Andrew's opposed all the measures of the queen regent, evidently proceeded from the fears and suspicions of that prudent prelate on this head.[o]

April 14, 1558. The marriage, however, was celebrated with great pomp; and the French, who had hitherto affected to draw a veil over their designs upon Scotland, began now to unfold their intentions without any disguise. In the treaty of marriage, the deputies had agreed that the dauphin should assume the name of king of Scotland. This they considered only as an honorary title; but the French laboured to annex to it some solid privileges and power. They insisted that the dauphin's title should be publicly recognised; that the *crown matrimonial* should be conferred upon him; and that all the rights pertaining to the husband of a queen should be vested in his person. By the laws of Scotland, a person who married an heiress, kept possession of her estate during his own life, if he happened to survive her and the children born of the marriage.[p] This was called the *courtesy of Scotland*. The French aimed at applying this rule, which takes place in private inheritances, to the succession of the kingdom; and that seems to be implied in their demand of the *crown matrimonial*, a phrase peculiar to the Scottish historians, and which they have neglected to explain.[q] As the French had reason to expect difficulties in carrying through this measure, they began with sounding the deputies, who were then at Paris. The English, in the marriage-articles between their queen and Philip of Spain, had set an example to the age, of that prudent jealousy and reserve with which a foreigner should be admitted so near the throne. Full of the same ideas, the Scottish deputies had, in their oath of allegiance to the dauphin, expressed themselves with remarkable caution.[r] Their answer was in the same spirit, respectful, but firm; and discovered a fixed resolution of consenting to nothing that tended to introduce any alteration in the order of succession to the crown.

Four of the deputies[s] happening to die before they returned into Scotland, this accident was universally imputed to the effects of poison, which was supposed to have been given them by the emissaries of the house of Guise. The historians of all nations discover an amazing credulity with respect

1 Viz. The archbishop of Glasgow, the bishop of Ross, the bishop of Orkney, the earls of Rothes and Cassils, lord Fleming, lord Seton, the Prior of St. Andrew's, and John Erskine of Dun.

m Keith, Append. 13.

n Corpus Diplomat. tom. v. 21. Keith, 73.

o About this time the French seem to have had some design of reviving the earl of Lennox's pretensions to the succession, in order to intimidate and alarm the duke of Chatelherault. Haynes, 215, 219. Forbes's Collect. vol. i. 189.

p Reg. Mag. lib. ii. 58.

q As far as I can judge, the husband of the queen, by the grant of the *crown matrimonial*, acquired a right to assume the title of king, to have his name stamped upon the current coin, and to sign all public instruments together with the queen. In consequence of this, the subjects took an oath of fidelity to him. Keith, Append. 20. His authority became, in some measure, co-ordinate with that of the queen; and without his concurrence, manifested by signing his name, no public deed seems to have been considered as valid. By the oath of fidelity of the Scotch commissioners to the dauphin, it is evident that, in their opinion, the rights belonging to the *crown matrimonial* subsisted only during the continuance of the marriage. Keith, Append. 20. But the conspirators against Rizzio bound themselves to procure a grant of the *crown matrimonial* to Darnley, during all the days of his life. Keith, Append. 120. Good. i. 227.

r Keith, Append. 20.

s The bishop of Orkney, the earl of Rothes, the earl of Cassils, and lord Fleming.

to rumours of this kind, which are so well calculated to please the malignity of some men, and to gratify the love of the marvellous which is natural to all, that in every age they have been swallowed without examination, and believed contrary to reason. No wonder the Scots should easily give credit to a suspicion, which received such strong colours of probability, both from their own resentment, and from the known character of the princes of Lorrain, so little scrupulous about the justice of the ends which they pursued, or of the means which they employed. For the honour of human nature, however, it must be observed, that as we can discover no motive which could induce any man to perpetrate such a crime, so there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animosities and prejudices, were incapable of examining the circumstances of the case with calmness, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this detestable action; and it is obvious how much this tended to increase the aversion for them, which was growing among all ranks of men.

The regent prevails on the parliament to grant it, Nov. 29.

Notwithstanding the cold reception which their proposal concerning the *crown matrimonial* met with from the Scottish deputies, the French ventured to move it in parliament. The partisans of the house of Hamilton, suspicious of their designs upon the succession, opposed it with great zeal. But a party, which the feeble and unsteady conduct of their leader had brought under much disreputation, was little able to withstand the influence of France, and the address of the queen regent, seconded, on this occasion, by all the numerous adherents of the reformation. Besides, that artful princess dressed out the French demands in a less offensive garb, and threw in so many limitations as seemed to render them of small consequence. These either deceived the Scots, or removed their scruples; and in compliance to the queen, they passed an act, conferring the *crown matrimonial* on the dauphin; and with the fondest credulity, trusted to the frail security of words and statutes, against the dangerous encroachments of power.[t]

Continues to court the protestants.

The concurrence of the protestants with the queen regent, in promoting a measure so acceptable to France, while the popish clergy, under the influence of the archbishop of St. Andrew's, opposed it with so much violence,[u] is one of those singular circumstances in the conduct of parties, for which this period is so remarkable. It may be ascribed, in some degree, to the dexterous management of the queen, but chiefly to the moderation of those who favoured the reformation. The protestants were by this time almost equal to the catholics, both in power and in number; and, conscious of their own strength, they submitted with impatience to that tyrannical authority with which the ancient laws armed the ecclesiastics against them. They longed to be exempted from this oppressive jurisdiction, and publicly to enjoy the liberty of professing those opinions, and of exercising that worship, which so great a part of the nation deemed to be founded in truth, and to be acceptable to the Deity. This indulgence, to which the whole weight of priestly authority was opposed, there were only two ways of obtaining. Either violence must extort it from the reluctant hand of their sovereign, or by prudent compliances they might expect it from her favour or her gratitude. The former is an expedient for the redress of grievances, to which no nation has recourse suddenly; and subjects seldom venture upon resistance, which is their last remedy, but in cases of extreme necessity. On this occasion the reformers wisely held the opposite course, and by their zeal in forwarding the queen's designs, they hoped to merit her protection. This disposition the queen encouraged to the utmost, and amused them so artfully with many promises, and some concessions, that, by their assistance, she surmounted in parliament the force of a national and laudable jealousy, which would otherwise have swayed with the greater number.

Another circumstance contributed somewhat to acquire the regent such considerable influence in this parliament. In Scotland, all the bishoprics, and those abbeys which conferred a title to a seat in parliament, were in the gift of the crown.[x] From the time of her accession to the regency, the queen had kept in her own hands almost all those which became vacant, except such as were, to the great disgust of the nation, bestowed upon foreigners. Among these, her brother the cardinal of Lorrain had obtained the abbeys of Kelso and Melrose, two of the most wealthy foundations in the kingdom.[y] By this conduct, she thinned the ecclesiastical bench,[z] which was entirely under the influence of the archbishop of St. Andrew's, and which by its numbers and authority, usually had great weight in the house, so as to render any opposition it could give at that time of little consequence.

The earl of Argyll, and James Stewart, prior of St. Andrew's, one the most powerful, and the other the most popular, leader of the protestants, were appointed to carry the crown and other ensigns of royalty to the dauphin. But from this they were diverted by the part they were called to act in a more interesting scene, which now begins to open.

Elizabeth succeeds to the crown of England.

Before we turn towards this, it is necessary to observe, that on the seventeenth of November, one thousand five hundred and fifty-eight, Mary of England finished

t The act of parliament is worded with the utmost care, with a view to guard against any breach of the order of succession. But the duke, not relying on this alone, entered a solemn protestation to secure his own right. Keith, 76. It is plain that he suspected the French of having some intention to set aside his right of succession; and, indeed, if they had no design of that kind, the eagerness with which they urged their demand was childish.

u Melv. 47.

x See Book I.

y Lesley, 202.

z It appears from the rolls of this parliament, which Lesley calls a very full one, that only seven bishops and sixteen abbots were present.

her short and inglorious reign. Her sister Elizabeth took possession of the throne without opposition; and the protestant religion was, once more, established by law in England. The accession of a queen, who, under very difficult circumstances, had given strong indications of those eminent qualities, which, in the sequel, rendered her reign so illustrious, attracted the eyes of all Europe. Among the Scots, both parties observed her first motions with the utmost solicitude, as they easily foresaw that she would not remain long an indifferent spectator of their transactions.

Under many discouragements and much oppression, the reformation advanced towards a full establishment in Scotland. All the low country, the most populous, and at that time the most warlike, part of the kingdom, was deeply tinctured with the protestant opinions; and if the same impressions were not made in the more distant counties, it was owing to no want of the same dispositions among the people, but to the scarcity of preachers, whose most indefatigable zeal could not satisfy the avidity of those who desired their instructions. Among a people bred to arms, and as prompt as the Scots to act with violence; and in an age when religious passions had taken such strong possession of the human mind, and moved and agitated it with so much violence, the peaceable and regular demeanour of so numerous a party is astonishing. From the death of Mr. Patrick Hamilton, the first who suffered in Scotland for the protestant religion, thirty years had elapsed, and, during so long a period, no violation of public order or tranquillity had proceeded from that sect;[a] and though roused and irritated by the most cruel excesses of ecclesiastical tyranny, they did, in no instance, transgress those bounds of duty which the law prescribes to subjects. Besides the prudence of their own leaders, and the protection which the queen regent, from political motives, afforded them, the moderation of the archbishop of St. Andrew's encouraged this pacific disposition. That prelate, whose private life contemporary writers tax with great irregularities,[b] governed the church, for some years, with a temper and prudence of which there are few examples in that age. But some time before the meeting of the last parliament, the archbishop departed from those humane maxims by which he had hitherto regulated his conduct; and, whether in spite to the queen, who had entered into so close a union with the protestants, or in compliance with the importunities of his clergy, he let loose all the rage of persecution against the reformed; sentenced to the flames an aged priest who had been convicted of embracing the protestant opinions; and summoned several others suspected of the same crime, to appear before a synod of the clergy, which was soon to convene at Edinburgh.

Nothing could equal the horror of the protestants at this unexpected and barbarous execution, but the zeal with which they espoused the defence of a cause that now seemed devoted to destruction. They had immediate recourse to the queen regent; and as her success in the parliament, which was then about to meet, depended on their concurrence, she not only sheltered them from the impending storm, but permitted them the exercise of their religion with more freedom than they had hitherto enjoyed. Unsatisfied with this precarious tenure by which they held their religious liberty, the protestants laboured to render their possession of it more secure and independent. With this view they determined to petition the parliament for some legal protection against the exorbitant and oppressive jurisdiction of the ecclesiastical courts, which, by their arbitrary method of proceeding, founded in the canon law, were led to sentences the most shocking to humanity, by maxims the most repugnant to justice. But the queen, who dreaded the effect of a debate on this delicate subject, which could not fail of exciting high and dangerous passions, prevailed on the leaders of the party, by new and more solemn promises of her protection, to desist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not entire redress, at least some mitigation, of their grievances.

They applied to another assembly, to a convocation of the popish clergy, but with the same ill success which hath always attended every proposal for reformation, addressed to that order of men. To abandon usurped power, to renounce lucrative error, are sacrifices, which the virtue of individuals has, on some occasions, offered to truth; but from any society of men no such effort can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour of the convocation in the present conjuncture. All the demands of the protestants were rejected with contempt; and the popish clergy, far from endeavouring, by any prudent concessions, to sooth and reconcile such a numerous body, asserted the doctrines of their church, concerning some of the most exceptionable articles, with an ill-timed rigour, which gave new offence.[c]

1559. During the sitting of the convocation, the protestants first began to suspect some change in the regent's disposition towards them. Though joined with them for many years by interest, and united, as they conceived, by the strongest ties of affection and of gratitude, she discovered, on this occasion, evident symptoms, not only of coldness, but of a growing disgust and aversion. In order to account for this, our historians do little more than produce the trite observations

a The murder of cardinal Beatoun was occasioned by private revenge; and being contrived and executed by sixteen persons only, cannot with justice be imputed to the whole protestant party.

b Knox, Buchanan, Keith, 203.

c Keith, 81.

concerning the influence of prosperity to alter the character and to corrupt the heart. The queen, say they, having reached the utmost point to which her ambition aspired, no longer preserved her accustomed moderation, but, with an insolence usual to the fortunate, looked down upon those by whose assistance she had been enabled to rise so high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's disposition, that we must search for the motives of her present conduct. These were derived from another, and a more remote, source, which, in order to clear the subsequent transactions, we shall endeavour to open with some care.

Ambitious views of the princes of Lorrain.

The ambition of the princes of Lorrain had been no less successful than daring; but all their schemes were distinguished by being vast and unbounded. Though strangers at the court of France, their eminent qualities had raised them, in a short time, to a height of power superior to that of all other subjects, and had placed them on a level even with the princes of the blood themselves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and they were elevated to a near alliance with it, by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they set on foot her claim to the crown of England, which was founded on pretences not unplausible.

The tragical amours and marriages of Henry VIII. are known to all the world. Moved by the caprices of his love, or of his resentment, that impatient and arbitrary monarch had divorced or beheaded four of the six queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantastic inconsistence which distinguishes his character, he, in his last will, whereby he was empowered to settle the order of succession, called both of them to the throne upon the death of their brother Edward; and, at the same time, passing by the posterity of his eldest sister, Margaret queen of Scotland, he appointed the line of succession to continue in the descendants of his younger sister, the duchess of Suffolk.

In consequence of this destination, the validity whereof was admitted by the English, but never recognised by foreigners, Mary had reigned in England without the least complaint of neighbouring princes. But the same causes which facilitated her accession to the throne, were obstacles to the elevation of her sister Elizabeth, and rendered her possession of it precarious and insecure. Rome trembled for the catholic faith, under a protestant queen of such eminent abilities. The same superstitious fears alarmed the court of Spain. France beheld with concern a throne, to which the queen of Scots could form so many pretensions, occupied by a rival, whose birth, in the opinion of all good catholics, excluded her from any legal right of succession. The impotent hatred of the Roman pontiff, or the slow councils of Philip II., would have produced no sudden or formidable effect. The ardent and impetuous ambition of the princes of Lorrain, who at that time governed the court of France, was more decisive, and more to be dreaded. Instigated by them, Henry, soon after the death of Mary, persuaded his daughter-in-law, and her husband, to assume the title of king and queen of England. They affected to publish this to all Europe. They used that style and appellation in public papers, some of which still remain.[d] The arms of England were engraved on their coin and plate, and borne by them on all occasions. No preparations, however, were made to support this impolitic and premature claim. Elizabeth was already seated on her throne; she possessed all the intrepidity of spirit, and all the arts of policy, which were necessary for maintaining that station. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of Elizabeth could be approached. It was on that side, therefore, that the princes of Lorrain determined to make their attack;[e] and, by using the name and pretensions of the Scottish queen, they hoped to rouse the English catholics, formidable at that time by their zeal and numbers, and exasperated to the utmost against Elizabeth, on account of the change which she had made in the national religion.

They persuade Mary to assume the title of queen of England.

Resolve to invade England.

It was in vain to expect the assistance of the Scottish protestants to dethrone a queen, whom all Europe began to consider the most powerful guardian and defender of the reformed faith. To break the power and reputation of that party in Scotland became, for this reason, a necessary step towards the invasion of England. With this the princes of Lorrain resolved to open their scheme. And as persecution was the only method for suppressing religious opinions known in that age, or dictated by the despotic and sanguinary spirit of the Romish superstition, this, in its utmost violence, they determined to employ. The earl of Argyll, the prior of St. Andrew's, and other leaders of the party, were marked out by them for immediate destruction;[f] and they hoped, by punishing them, to intimidate their followers. Instructions for this purpose were sent from France to the queen regent. That humane and sagacious princess condemned a measure which was equally violent and impolitic. By long residence in Scotland, she had become acquainted with the eager and impatient temper of the nation; she well knew the power, the number, and popu-

In order to this, necessary to check the reformation in Scotland.

d Anders. Diplom. Scot. Nos. 68 and 164.
e Forbes's Collect. i. 253, 269, 279, 404.

f Ibid. i. 152.

larity of the protestant leaders; and had been a witness to the intrepid and unconquerable resolution which religious fervour could inspire. What then could be gained by rousing this dangerous spirit, which hitherto all the arts of policy had scarcely been able to restrain? If it once broke loose, the authority of a regent would be little capable to subdue, or even to moderate, its rage. If, in order to quell it, foreign forces were called in, this would give the alarm to the whole nation, irritated already at the excessive power which the French possessed in the kingdom, and suspicious of all their designs. Amidst the shock which this might occasion, far from hoping to exterminate the protestant doctrine, it would be well if the whole fabric of the established church were not shaken, and perhaps overturned from the foundation. These prudent remonstrances made no impression on her brothers; precipitant, but inflexible in all their resolutions, they insisted on the full and rigorous execution of their plan. Mary, passionately devoted to the interest of France, and ready, on all occasions, to sacrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit submission;[g] and, contrary to her own judgment, and to all the rules of sound policy, she became the instrument of exciting civil commotions in Scotland, the fatal termination of which she foresaw and dreaded.

The regent alters her conduct with regard to the protestants.

From the time of the queen's competition for the regency with the duke of Chatelherault, the popish clergy, under the direction of the archbishop of St. Andrew's, had set themselves in opposition to all her measures. Her first step towards the execution of her new scheme, was to regain their favour. Nor was this reconcilement a matter of difficulty. The popish ecclesiastics, separated from the rest of mankind by the law of celibacy, one of the boldest and most successful efforts of human policy; and combined among themselves in the closest and most sacred union, have been accustomed, in every age, to sacrifice all private and particular passions to the dignity and interest of their order. Delighted on this occasion with the prospect of triumphing over a faction, the encroachments of which they had long dreaded, and animated with the hopes of re-establishing their declining grandeur on a firmer basis, they, at once, cancelled the memory of past injuries, and engaged to second the queen in all her attempts to check the progress of the reformation. The queen being secure of their assistance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and, at the same time, she issued a proclamation, enjoining all persons to observe the approaching festival of Easter according to the Romish ritual.

As it was no longer possible to mistake the queen's intentions, the protestants, who saw the danger approach, in order to avert it, employed the earl of Glencairn, and sir Hugh Campbell of London, to expostulate with her concerning this change towards severity, which their former services had so little merited, and which her reiterated promises gave them no reason to expect. She, without disguise or apology, avowed to them her resolution of extirpating the reformed religion out of the kingdom. And, upon their urging her former engagements with an uncourtly but honest boldness, she so far forgot her usual moderation, as to utter a sentiment, which, however apt those of royal condition may be to entertain it, prudence should teach them to conceal as much as possible. "The promises of princes," says she, "ought not to be too carefully remembered, nor the performance of them exacted, unless it suits their own conveniency."

Summons their preachers to appear before her.

The indignation which betrayed the queen into this rash expression, was nothing in comparison of that with which she was animated, upon hearing that the public exercise of the reformed religion had been introduced into the town of Perth. At once she threw off the mask, and issued a mandate, summoning all the protestant preachers in the kingdom to a court of justice, which was to be held at Stirling on the tenth of May. The protestants, who, from their union, began, about this time, to be distinguished by the name of the Congregation, were alarmed, but not intimidated, by this danger; and instantly resolved not to abandon the men to whom they were indebted for the most valuable of all blessings, the knowledge of truth. At that time there prevailed in Scotland, with respect to criminal trials, a custom, introduced at first by the institutions of vassalage and clanship, and tolerated afterwards under a feeble government; persons accused of any crime were accompanied to the place of trial by a retinue of their friends and adherents, assembled for that purpose from every quarter of the kingdom. Authorized by this ancient practice, the reformed convened in great numbers to attend their pastors to Stirling. The queen dreaded their approach with a train so numerous, though unarmed; and, in order to prevent them from advancing, she empowered John Erskine of Dun, a person of eminent authority with the party, to promise in her name, that she would put a stop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erskine, being convinced himself of the queen's sincerity, served her with the utmost zeal; and the protestants, averse from proceeding to any act of violence, listened with pleasure to so pacific a proposition. The preachers, with a few leaders of the party, remained at Perth: the multitude which had gathered from different parts of the kingdom dispersed, and retired to their own habitations.

Breaks a promise on which they had relied.

But, notwithstanding this solemn promise, the queen, on the tenth of

[g] Melv. 48. Mem. de Castelnau, ap. Jebb, vol. ii. 446.

May, proceeded to call to trial the persons who had been summoned, and, upon their non-appearance, the rigour of justice took place, and they were pronounced outlaws. By this ignoble artifice, so incompatible with regal dignity, and so inconsistent with that integrity which should prevail in all transactions between sovereigns and their subjects, the queen forfeited the esteem and confidence of the whole nation. The protestants, shocked no less at the indecency with which she violated the public faith, than at the danger which threatened themselves, prepared boldly for their own defence. Erskine, enraged at having been made the instrument for deceiving his party, instantly abandoned Stirling, and repairing to Perth, added to the zeal of his associates, by his representations of the queen's inflexible resolution to suppress religion.[h]

This occasions an insurrection at Perth.

The popular rhetoric of Knox powerfully seconded his representations; he having been carried a prisoner into France, together with the other persons taken in the castle of St. Andrew's, soon made his escape out of that country; and residing sometimes in England, sometimes in Scotland, had at last been driven out of both kingdoms, by the rage of the popish clergy, and was obliged to retire to Geneva. Thence he was called by the leaders of the protestants in Scotland; and, in compliance with their solicitations, he set out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried instantly to Perth, to share with his brethren in the common danger, or to assist them in the common cause. While their minds were in that ferment, which the queen's perfidiousness and their own danger occasioned, he mounted the pulpit, and, by a vehement harangue against idolatry, inflamed the multitude with the utmost rage. The indiscretion of a priest, who, immediately after Knox's sermon, was preparing to celebrate mass, and began to decorate the altar for that purpose, precipitated them into immediate action. With tumultuary but irresistible violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monasteries, they, in a few hours, laid those sumptuous fabrics almost level with the ground. This riotous insurrection was not the effect of any concert, or previous deliberation; censured by the reformed preachers, and publicly condemned by persons of most power and credit with the party, it must be regarded merely as an accidental eruption of popular rage.[i]

The regent marches against them.

But to the queen dowager these proceedings appeared in a very different light. Besides their manifest contempt for her authority, the protestants had violated every thing in religion which she deemed venerable or holy; and on both these accounts she determined to inflict the severest vengeance on the whole party. She had already drawn the troops in French pay to Stirling; with these, and what Scottish forces she could levy of a sudden, she marched directly to Perth, in hopes of surprising the protestant leaders before they could assemble their followers, whom, out of confidence in her disingenuous promises, they had been rashly induced to dismiss. Intelligence of these preparations and menaces was soon conveyed to Perth. The protestants would gladly have soothed the queen, by addresses both to herself and to the persons of greatest credit in her court; but, finding her inexorable, they, with great vigour, took measures for their own defence. Their adherents, animated with zeal for religion, and eager to expose themselves in so good a cause, flocked in such numbers to Perth, that they not only secured the town from danger, but within a few days were in a condition to take the field, and to face the queen, who advanced with an army seven thousand strong.

Neither party, however, was impatient to engage. The queen dreaded the event of a battle with men whom the fervour of religion raised above the sense of fear or danger. The protestants beheld with regret the earl of Argyll, the prior of St. Andrew's, and some other eminent persons of their party, still adhering to the queen; and, destitute of their aid and counsel, declined hazarding an action, the ill success of which might have proved the ruin of their cause. The prospect of an accommodation was for these reasons highly acceptable to both sides: Argyll and the prior, who were the queen's commissioners for conducting the negociation, seem to have been sincerely desirous of reconciling the contending factions; and the earl of Glencairn arriving unexpectedly with a powerful reinforcement to the Congregation, augmented the queen's eagerness for peace. A treaty was accordingly concluded, in which it was stipulated that both armies should be disbanded, and the gates of Perth set open to the queen; that indemnity should be granted to the inhabitants of that city; and to all others concerned in the late insurrection; that no French garrison should be left in Perth, and no French soldier should approach within three miles of that place; and that a parliament should immediately be held, in order to compose whatever difference might still remain.[k]

A treaty concluded.

The leaders of the Congregation, distrustful of the queen's sincerity, and sensible that concessions, flowing not from inclination, but extorted by the necessity of her affairs, could not long remain in force, entered into a new association, by which they bound themselves, on the first infringement of the present treaty, or on the least appearance of danger to their religion, to re-assemble their followers, and to take arms in defence of what they deemed the cause of God and of their country.[l]

May 29.

The queen, by her conduct, demonstrated these precautions to be the re-

Broken by the regent.

h Keith, p. 84.

i Knox, Hist. 127, 128.

k Keith, 89.

l Knox, 238.

sult of no groundless or unnecessary fear. No sooner were the protestant forces dismissed, than she broke every article in the treaty. She introduced French troops into Perth, fined some of the inhabitants, banished others, removed the magistrates out of office, and, on her return to Stirling, she left behind her a garrison of six hundred men, with orders to allow the exercise of no other religion than the Roman catholic. The situation of Perth, a place at that time of some strength, and a town among the most proper of any in the kingdom for the station of a garrison, seems to have allured the queen to this unjustifiable and ill-judged breach of public faith; which she endeavoured to colour, by alleging that the body of men left at Perth was entirely composed of native Scots, though kept in pay by the king of France.

The queen's scheme began gradually to unfold; it was now apparent, that not only the religion, but the liberties, of the kingdom were threatened; and that the French troops were to be employed as instruments for subduing the Scots, and wreathing the yoke about their necks. Martial as the genius of the Scots then was, the poverty of their country made it impossible to keep their armies long assembled; and even a very small body of regular troops might have proved formidable to the nation, though consisting wholly of soldiers. But what number of French forces were then in Scotland, at what times, and under what pretext they returned, after having left the kingdom in one thousand five hundred and fifty, we cannot with any certainty determine. Contemporary historians often select with little judgment the circumstances which they transmit to posterity; and with respect to matters of the greatest curiosity and importance, leave succeeding ages altogether in the dark. We may conjecture, however, from some passages in Buchanan, that the French, and Scots in French pay, amounted at least to three thousand men, under the command of Monsieur D'Oysel, a creature of the house of Guise; and they were soon augmented to a much more formidable number.

The queen, encouraged by having so considerable a body of well-disciplined troops at her command, and instigated by the violent councils of D'Oysel, had ventured, as we have observed, to violate the treaty of Perth, and, by that rash action, once more threw the nation into the most dangerous convulsions. The earl of Argyll and the prior of St. Andrew's instantly deserted a court where faith and honour seemed to them to be no longer regarded; and joined the leaders of the Congregation, who had retreated to the eastern part of Fife. The barons from the neighbouring counties repaired to them, the preachers roused the people to arms, and wherever they came, the same violent operations which accident had occasioned at Perth, were now encouraged out of policy. The enraged multitude was let loose, and churches and monasteries, the monuments of ecclesiastic pride and luxury, were sacrificed to their zeal.

The protestants again take arms.

In order to check their career, the queen, without losing a moment, put her troops in motion; but the zeal of the congregation got the start once more of her vigilance and activity. In that warlike age, when all men were accustomed to arms, and on the least prospect of danger were ready to run to them, the leaders of the protestants found no difficulty to raise an army. Though they set out from St. Andrew's with a slender train of a hundred horse, crowds flocked to their standards from every corner of the country through which they marched; and before they reached Falkland, a village only ten miles distant, they were able to meet the queen with superior force.[m]

The queen, surprised at the approach of so formidable a body, which was drawn up by its leaders in such a manner as added greatly in appearance to its numbers, had again recourse to negociation. She found, however, that the preservation of the protestant religion, their zeal for which at first roused the leaders of the Congregation to take arms, was not the only object they had now in view. They were animated with the warmest love of civil liberty, which they conceived to be in imminent danger from the attempts of the French forces: and these two passions mingling, added reciprocally to each other's strength. Together with more enlarged notions in religion, the reformation filled the human mind with more liberal and generous sentiments concerning civil government. The genius of popery is extremely favourable to the power of princes. The implicit submission to all her decrees, which is exacted by the Romish church, prepares and breaks the mind for political servitude; and the doctrines of the reformers, by overturning the established system of superstition, weakened the firmest foundations of civil tyranny. That bold spirit of inquiry, which led men to reject theological errors, accompanied them in other sciences, and discovered every where the same manly zeal for truth. A new study, introduced at the same time, added greater force to the spirit of liberty. Men became more acquainted with the Greek and Roman authors, who described exquisite models of free government, far superior to the inaccurate and oppressive system established by the feudal law; and produced such illustrious examples of public virtue, as wonderfully suited both the circumstances and spirit of that age. Many among the most eminent reformers were themselves considerable masters in ancient learning; and all of them eagerly adopted the maxims and spirit of the ancients, with regard to government.[n] The most ardent love of liberty

They aim at redressing civil as well as religious grievances.

m Knox, 141.

n The excessive admiration of ancient policy was the occasion of Knox's famous book concerning the *Government of Women*, wherein conformable to the maxims of the ancient legislators, which modern experience has proved to be ill founded, he pronounces the elevation of women to the supreme authority, to be utterly destructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The same observation may be made with regard to Buchanan's Dialogue, *De Jure Regni apud Scotos*. It is founded, not on the maxims of feudal, but of ancient republican, government.

accompanied the protestant religion throughout all its progress; and wherever it was embraced, it roused an independent spirit, which rendered men attentive to their privileges as subjects, and jealous of the encroachments of their sovereigns. Knox, and the other preachers of the reformation, infused generous sentiments concerning government into the minds of their hearers; and the Scottish barons, naturally free and bold, were prompted to assert their rights with more freedom and boldness than ever. Instead of obeying the queen regent, who had enjoined them to lay down their arms, they demanded not only the redress of their religious grievances, but, as a preliminary toward settling the nation, and securing its liberties, required the immediate expulsion of the French troops out of Scotland. It was not in the queen's power to make so important a concession without the concurrence of the French monarch; and as some time was requisite in order to obtain that, she hoped, during this interval, to receive such reinforcements from France, as would insure the accomplishment of that design which she had twice attempted with an equal strength. Meanwhile, she agreed to a concession of arms for eight days, and before the expiration of these, engaged to transport the French troops to the south side of the Forth; and to send commissioners to St. Andrew's, who should labour to bring all differences to an accommodation. As she hoped, by means of the French troops, to overawe the protestants in the southern counties, the former article in the treaty was punctually executed; the latter, having been inserted merely to amuse the Congregation, was no longer remembered.

June 13.

A second treaty violated.

By these reiterated and wanton instances of perfidy, the queen lost all credit with her adversaries; and no safety appearing in any other cause, they again took arms with more inflamed resentment, and with bolder and more extensive views. The removing of the French forces had laid open to them all the country situated between Forth and Tay. The inhabitants of Perth alone remaining subjected to the insolence and exactions of the garrison which the queen had left there, implored the assistance of the Congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town in terms of the former treaty, they prepared to besiege it in form. The queen employed the earl of Huntley and lord Erskine to divert them from this enterprise. But her wonted artifices were now of no avail; repeated so often, they could deceive no longer; and, without listening to her offers, the protestants continued the siege, and soon obliged the garrison to capitulate.

After the loss of Perth, the queen endeavoured to seize Stirling, a place of some strength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the congregation, having intelligence of her design, prevented the execution of it, by a hasty march thither with part of their forces. The inhabitants, heartily attached to the cause, set open to them the gates of their town. Thence they advanced, with the same rapidity, towards Edinburgh, which the queen, on their approach, abandoned with precipitation and retired to Dunbar.

Rapid march and success of the protestants.

The protestant army, wherever it came, kindled or spread the ardour of reformation, and the utmost excesses of violence were committed upon churches and monasteries. The former were spoiled of every decoration, which was then esteemed sacred; the latter were laid in ruins. We are apt, at this distance of time, to condemn the furious zeal of the reformers, and to regret the overthrow of so many stately fabrics, the monuments of our ancestors' magnificence, and among the noblest ornaments of the kingdom. But amidst the violence of a reformation, carried on in opposition to legal authority, some irregularities were unavoidable; and perhaps no one could have been permitted more proper to allure and interest the multitude, or more fatal to the grandeur of the established church. How absurd soever, and ill-founded, the speculative errors of popery may be, some inquiry and attention are requisite towards discovering them. The abuses and corruptions which had crept into the public worship of that church, lay more open to observation, and by striking the senses, excited more universal disgust. Under the long reign of heathenism, superstition seemed to have exhausted its talent of invention, so that when a superstitious spirit seized christians, they were obliged to imitate the heathen, in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and simple worship of the primitive christians, there succeeded a species of splendid idolatry, nearly resembling those pagan originals whence it had been copied. The contrariety of such observances to the spirit of christianity, was almost the first thing, in the Romish system, which awakened the indignation of the reformers, who, applying to these the denunciations in the Old Testament against idolatry, imagined that they could not endeavour at suppressing them with too much zeal. No task could be more acceptable to the multitude, than to overturn those seats of superstition; they ran with emulation to perform it, and happy was the man whose hand was most adventurous and successful in executing a work deemed so pious. Nor did their leaders labour to restrain this impetuous spirit of reformation. Irregular and violent as its sallies were, they tended directly to that end which they had in view; for, by demolishing the monasteries throughout the kingdom, and setting at liberty their wretched inhabitants, they hoped to render it impossible ever to rebuild the one, or to re-assemble the other.

But amidst these irregular proceedings, a circumstance which does honour to the conduct and humanity of the leaders of the Congregation deserves notice. They so far restrained the rage of their

followers, and were able so to temper their heat and zeal, that few of the Roman catholics were exposed to any personal insult, and not a single man suffered death.[o]

At the same time we discover, by the facility with which these great revolutions were effected, how violently the current of national favour ran toward the reformation. No more than three hundred men marched out of Perth, under the earl of Argyll and prior of St. Andrews,[p] with this inconsiderable force they advanced. But wherever they came the people joined them in a body; their army was seldom less numerous than five thousand men; the gates of every town were thrown open to receive them; and, without striking a single blow, they took possession of the capital of the kingdom.

June 29.

This rapid and astonishing success seems to have encouraged the reformers to extend their views, and to rise in their demands. Not satisfied with their first claim of toleration for their religion, they now openly aimed at establishing the protestant doctrine on the ruins of popery. For this reason they determined to fix their residence at Edinburgh; and, by their appointment, Knox, and some other preachers, taking possession of the pulpits, which had been abandoned by the affrighted clergy, declaimed against the errors of popery with such fervent zeal as could not fail of gaining many proselytes.

In the mean time, the queen, who had prudently given way to a torrent which she could not resist, observed with pleasure that it now began to subside. The leaders of the Congregation had been above two months in arms, and by the expenses of a campaign protracted so long beyond the usual time of service in that age, had exhausted all the money which a country where riches did not abound had been able to supply. The multitude, dazzled with their success, and concluding the work to be already done, retired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was transacted at Edinburgh was soon known at Dunbar. The queen, regulating her own conduct by the situation of her adversaries, artfully amused them with the prospect of an immediate accommodation; while, at the same time, she by studied delays spun out the negociations for that purpose to such a length, that, in the end, the party dwindled to an inconsiderable number; and, as if peace had been already re-established, became careless of military discipline. The queen, who watched for such an opportunity, advanced unexpectedly, by a sudden march in the night, with all her forces, and appearing before Edinburgh, filled that city with the utmost consternation. The protestants, weakened by the imprudent dispersion of their followers, durst not encounter the French troops in the open field; and were even unable to defend an ill-fortified town against their assaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own associates. But the queen, in spite of all their resistance, would have easily forced her way into the town, if the seasonable conclusion of a truce had not procured her admission without the effusion of blood.

A third treaty.

Their dangerous situation easily induced the leaders of the congregation to listen to any overtures of peace; and as the queen was looking daily for the arrival of a strong reinforcement from France, and expected great advantages from a cessation of arms, she also agreed to it upon no unequal conditions. Together with a suspension of hostilities, from the twenty-fourth of July to the tenth of January, it was stipulated in this treaty, that, on the one hand, the protestants should open the gates of Edinburgh next morning to the queen regent; remain in dutiful subjection to her government; abstain from all future violation of religious houses; and give no interruption to the established clergy, either in the discharge of their functions, or in the enjoyment of their benefices. On the other hand, the queen agreed to give no molestation to the preachers or professors of the protestant religion; to allow the citizens of Edinburgh, during the cessation of hostilities, to enjoy the exercise of religious worship according to the form most agreeable to the conscience of each individual; and to permit the free and public profession of the protestant faith, in every part of the kingdom.[q] The queen, by these liberal concessions in behalf of their religion, hoped to soothe the protestants, and expected, from indulging their favourite passion, to render them more compliant with respect to other articles, particularly the expulsion of the French troops out of Scotland. The anxiety which the queen expressed for retaining this body of men, rendered them more and more the objects of national jealousy and aversion. The immediate expulsion of them was therefore demanded anew, and with greater warmth; but the queen, taking advantage of the distress of the adverse party, eluded the request, and would consent to nothing more, than that a French garrison should not be introduced into Edinburgh.

The desperate state of their affairs imposed on the Congregation the necessity of agreeing to this article, which, however, was very far from giving them satisfaction. Whatever apprehensions the Scots had conceived, from retaining the French forces in the kingdom, were abundantly justified during the late commotions. A small body of those troops, maintained in constant pay, and rendered formidable by regular discipline, had checked the progress of a martial people, though animated with zeal both for religion and liberty. The smallest addition to their number, and a considerable one was daily

o Lesley, ap. Jebb, vol. i. 231. p Keith, 94.

q Keith, 98. Maitland, Hist. of Edin. 15, 17.

expected, might prove fatal to the public liberty, and Scotland might be exposed to the danger of being reduced from an independent kingdom, to the mean condition of a province, annexed to the dominions of its powerful ally.

In order to provide against this imminent calamity, the duke of Chatelherault, and earl of Huntly, immediately after concluding the truce, desired an interview with the chiefs of the Congregation. These two noblemen, the most potent at that time in Scotland, were the leaders of the party which adhered to the established church. They had followed the queen, during the late commotions, and having access to observe more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country surmounted all other considerations, and determined them rather to endanger the religion which they professed, than to give their aid towards the execution of her pernicious designs. They proceeded further, and promised to Argyll, Glencairn, and the prior of St. Andrew's, who were appointed to meet them, that if the queen should, with her usual insincerity, violate any article in the treaty of truce, or refuse to gratify the wishes of the whole nation, by dismissing her French troops, they would then instantly join with their countrymen in compelling her to a measure, which the public safety, and the preservation of their liberties, rendered necessary.[r]

About this time died Henry II. of France; just when he had adopted a system with regard to the affairs of Scotland, which would, in all probability, have restored union and tranquillity to that kingdom.[s] Towards the close of his reign, the princes of Lorrain began visibly to decline in favour, and the constable Montmorency, by the assistance of the duchess of Valentinois, recovered that ascendant over the spirit of his master, which his great experience, and his faithful, though often unfortunate, services seemed justly to merit. That prudent minister imputed the insurrections in Scotland wholly to the duke of Guise and the cardinal of Lorrain, whose violent and precipitant councils could not fail of transporting, beyond all bounds of moderation, men whose minds were possessed with that jealousy which is inseparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. Montmorency, in order to convince Henry that he did not load his rivals with any groundless accusation, prevailed to have Melvil,[t] a Scottish gentleman of his retinue, despatched into his native country, with instructions to observe the motions both of the regent and of her adversaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's report.

July 8.

Did history indulge herself in these speculations, it would be amusing to inquire what a different direction might have been given by this resolution to the national spirit; and to what a different issue Melvil's report, which would have set the conduct of the malcontents in the most favourable light, might have conducted the public disorders. Perhaps, by gentle treatment, and artful policy, the progress of the reformation might have been checked, and Scotland brought to depend upon France. Perhaps, by gaining possession of this avenue, the French might have made their way into England, and, under colour of supporting Mary's title to the crown, they might not only have defeated all Elizabeth's measures in favour of the reformation, but have re-established the Roman catholic religion, and destroyed the liberties of that kingdom. But, into this boundless field of fancy and conjecture, the historian must make no excursions; to relate real occurrences, and to explain their real causes and effects, is his peculiar and only province.

Accession of Francis II. to the crown of France.

The tragical and untimely death of the French monarch put an end to all moderate and pacific measures with regard to Scotland. The duke of Guise, and the cardinal his brother, upon the accession of Francis II., a prince void of genius, and without experience, assumed the chief direction of French affairs. Allied so nearly to the throne, by the marriage of their niece the queen of Scots with the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain inactive in their hands. The same vast schemes of ambition, which they had planned out under the former reign, were again resumed; and they were enabled, by possessing such ample authority, to pursue them with more vigour and greater probability of success. They beheld, with infinite regret, the progress of the protestant religion in Scotland; and, sensible what an insurmountable obstacle it would prove to their designs, they bent all their strength to check its growth, before it rose to any greater height. For this purpose they carried on their preparations with all possible expedition, and encouraged the queen their sister to expect, in a short time, the arrival of an army so powerful as the zeal of their adversaries, however desperate, would not venture to oppose.

Nor were the lords of the Congregation either ignorant of those violent counsels which prevailed in the court of France since the death of Henry, or careless of providing against the danger which threatened them from that quarter. The success of their cause, as well as their personal safety, depending entirely on the unanimity and vigour of their own resolutions, they endeavoured to guard against division, and to cement together more closely, by entering into a stricter bond of confederacy and mutual defence. Two persons concurred in this new association, who brought a great accession both of reputation and of power to the party. These were the duke of Chatelherault, and his

r Knox, 151.

s Melv. 49.

t The author of the Memoirs.

eldest son the earl of Arran. This young nobleman, having resided some years in France, where he commanded the Scottish guards, had imbibed the protestant opinions concerning religion. Hurried along by the heat of youth and the zeal of a proselyte, he had uttered sentiments with respect to the points in controversy, which did not suit the temper of a bigoted court, intent at that juncture on the extinction of the protestant religion; in order to accomplish which, the greatest excesses of violence were committed. The church was suffered to wreak its utmost fury upon all who were suspected of heresy. Courts were erected in different parts of France, to take cognizance of this crime, and by their sentences several persons of distinction were condemned to the flames.

But, in order to inspire more universal terror, the princes of Lorrain resolved to select, for a sacrifice, some persons whose fall might convince all ranks of men, that neither splendour of birth, nor eminence in station, could exempt from punishment those who should be guilty of this unpardonable transgression. The earl of Arran was the person destined to be the unhappy victim.[u] As he was allied to one throne, and the presumptive heir to another; as he possessed the first rank in his own country, and enjoyed an honourable station in France; his condemnation could not fail of making the desired impression on the whole kingdom. But the cardinal of Lorrain having let fall some expressions, which raised Arran's suspicions of the design, he escaped the intended blow by a timely flight. Indignation, zeal, resentment, all prompted him to seek revenge upon these persecutors of himself and of the religion which he professed; and as he passed through England, on his return to his native country, Elizabeth, by hopes and promises, inflamed those passions, and sent him back into Scotland, animated with the same implacable aversion to France, which possessed a great part of his countrymen. He quickly communicated these sentiments to his father the duke of Chatelherault, who was already extremely disgusted with the measures carrying on in Scotland; and as it was the fate of that nobleman to be governed in every instance by those about him, he now suffered himself to be drawn from the queen regent; and, having joined the Congregation, was considered, from that time, as the head of the party.

Earl of Arran joins the protestants.

But with respect to him, this distinction was merely nominal. James Stewart, prior of St. Andrew's, was the person who moved and actuated the whole body of the protestants, among whom he possessed that unbounded confidence, which his strenuous adherence to their interest and his great abilities so justly merited. He was the natural son of James V. by a daughter of lord Erskine; and as that amorous monarch had left several others a burden upon the crown, they were all destined for the church, where they could be placed in stations of dignity and affluence. In consequence of this resolution, the priory of St. Andrews had been conferred upon James: but, during so busy a period, he soon became disgusted with the indolence and retirement of a monastic life; and his enterprising genius called him forth to act a principal part on a more public and conspicuous theatre. The scene in which he appeared required talents of different kinds: military virtue, and political discernment, were equally necessary in order to render him illustrious. These he possessed in an eminent degree. To the most unquestionable personal bravery, he added great skill in the art of war, and in every enterprise his arms were crowned with success. His sagacity and penetration in civil affairs enabled him, amidst the reeling and turbulence of factions, to hold a prosperous course; while his boldness in defence of the reformation, together with the decency, and even severity, of his manners, secured him the reputation of being sincerely attached to religion, without which it was impossible in that age to gain an ascendant over mankind.

It was not without reason that the queen dreaded the enmity of a man so capable to obstruct her designs. As she could not, with all her address, make the least impression on his fidelity to his associates, she endeavoured to lessen his influence, and to scatter among them the seeds of jealousy and distrust, by insinuating that the ambition of the prior aspired beyond the condition of a subject, and aimed at nothing less than the crown itself.

An accusation so improbable gained but little credit. Whatever thoughts of this kind the presumption of unexpected success, and his elevation to the highest dignity in the kingdom, may be alleged to have inspired at any subsequent period, it is certain that at this juncture he could form no such vast design. To dethrone a queen, who was lineal heir to an ancient race of monarchs; who had been guilty of no action by which she could forfeit the esteem and affection of her subjects; who could employ in defence of her rights, the forces of a kingdom much more powerful than her own; and to substitute in her place a person whom the illegitimacy of his birth, by the practice of all civilized nations, rendered incapable of any inheritance either public or private; was a project so chimerical as the most extravagant ambition would hardly entertain, and could never conceive to be practicable. The promise, too, which the prior made to Melvil, of residing constantly in France, on condition the public grievances were redressed;[x] the confidence reposed in him by the duke of Chatelherault and his son, the presumptive heirs to the crown; and the concurrence of almost all the Scottish nobles, in promoting the measures by which he gave offence to the French court; go far towards his vindication from those illegal and criminal

u Thuan. lib. xxiv. p. 462. Edit. Francof.

x Melvil, 54.

designs, with the imputation of which the queen endeavoured at that time to load him.

Troops arrive from France, and fortify Leith.

The arrival of a thousand French soldiers compensated, in some degree, for the loss which the queen sustained by the defection of the duke of Chatelherault. These were immediately commanded to fortify Leith, in which place, on account of its commodious harbour, and its situation in the neighbourhood of Edinburgh, and in a plentiful country, the queen resolved to fix the head-quarters of her foreign forces. This unpopular measure, by the manner of executing it, was rendered still more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants, and, taking possession of the houses, which they had obliged them to abandon, presented to the view of the Scots two objects equally irritating and offensive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners settling with their wives and children in the heart of Scotland, growing into strength by daily reinforcements, and openly preparing a yoke, to which, without some timely exertion of national spirit, the whole kingdom must of necessity submit.

The protestants remonstrate against this.

It was with deep concern that the lords of the Congregation beheld this bold and decisive step taken by the queen regent: nor did they hesitate a moment, whether they should employ their whole strength, in one generous effort, to rescue their religion and liberty from impending destruction. But, in order to justify their own conduct, and to throw the blame entirely on their adversaries, they resolved to preserve the appearances of decency and respect towards their superiors, and to have no recourse to arms without the most urgent and apparent necessity.

Sept. 29.

They joined, with this view, in an address to the regent, representing, in the strongest terms, their dissatisfaction with the measures she was pursuing, and beseeching her to quiet the fears and jealousies of the nation by desisting from fortifying Leith. The queen, conscious of her present advantageous situation, and elated with the hopes of fresh succours, was in no disposition for listening to demands utterly inconsistent with her views, and urged with that bold importunity which is so little acceptable to princes.[y]

The regent disregards their remonstrances.

The suggestions of her French counsellors contributed, without doubt, to alienate her still further from any scheme of accommodation. As the queen was ready on all occasions to discover an extraordinary deference for the opinions of her countrymen, her brothers, who knew her secret disapprobation of the violent measures they were driving on, took care to place near her such persons as betrayed her, by their insinuations, into many actions, which her own unbiassed judgment would have highly condemned. As their success in the present juncture, when all things were hastening towards a crisis, depended entirely on the queen's firmness, the princes of Lorrain did not trust wholly to the influence of their ordinary agents; but, in order to add the greater weight to their councils, they called in aid the ministers of religion; and, by the authority of their sacred character, they hoped effectually to recommend to their sister that system of severity which they had espoused.[z] With this view, but under pretence of confounding the protestants by the skill of such able masters in controversy, they appointed several French divines to reside in Scotland. At the head of these, and with the character of legate from the pope, was Pellevé, bishop of Amiens, and afterwards archbishop and cardinal of Sens, a furious bigot,[a] servilely devoted to the house of Guise, and a proper instrument for recommending or executing the most outrageous measures.

Amidst the noise and danger of civil arms, these doctors had little opportunity to display their address in the use of their theological weapons. But they gave no small offence to the nation by one of their actions. They persuaded the queen to seize the church of St. Giles in Edinburgh, which had remained, ever since the late truce, in the hands of the protestants; and having, by a new and solemn consecration, purified the fabric from the pollution with which they supposed the profane ministrations of the protestants to have defiled it, they, in direct contradiction to one article in the late treaty, re-established there the rights of the Romish church. This, added to the indifference, and even contempt, with which the queen received their remonstrances, convinced the lords of the Congregation, that it was not only vain to expect any redress of their grievances at her hands, but absolutely necessary to take arms in their own defence.

They take arms in their own defence.

The eager and impetuous spirit of the nation, as well as every consideration of good policy, prompted them to take this bold step without delay. It was but a small part of the French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing fast, were still far from being complete. Under these circumstances of disadvantage, they conceived it possible to surprise the queen's party, and, by one sudden and decisive blow, to prevent all future bloodshed and contention. Full of these expectations, they advanced rapidly towards Edinburgh with a numerous army. But it was no easy matter to deceive an adversary as vigilant and attentive as the queen regent. With her usual sagacity, she both foresaw the danger, and took the only proper course to avoid it. Instead of keeping the field against enemies superior in num-

October 6.

y Haynes, 211.
z Lesley, 215. Castelnau, ap. Jebb, vol. ii. 446, 473.

a Davila, Brantome

ber, and formidable on a day of battle by the ardour of their courage, she retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfinished as the fortifications of that town then were, she did not dread the efforts of an army, provided neither with heavy cannon nor with military stores, and little acquainted with the method of attacking any place fortified with more art than those ancient towers erected all over the kingdom in defence of private property against the incursions of banditti.

Nor did the queen meanwhile neglect to have recourse to those arts which she had often employed to weaken or divide her adversaries. By private solicitations and promises she shook the fidelity or abated the ardour of some. By open reproach and accusation she blasted the reputation and diminished the authority of others. Her emissaries were every where at work, and, notwithstanding the zeal for religion and liberty which then animated the nation, they seem to have laboured not without success. We find Knox, about this period, abounding in complaints of the lukewarm and languid spirit which had begun to spread among his party.[b] But if their zeal slackened a little, and suffered a momentary intermission, it soon blazed up with fresh vigour, and rose to a greater height than ever.

Renew their remonstrances;

The queen herself gave occasion to this, by the reply which she made to a new remonstrance from the lords of the Congregation. Upon their arrival at Edinburgh, they once more represented to her the dangers arising from the increase of the French troops, the fortifying of Leith, and her other measures, which they conceived to be destructive to the peace and liberty of the kingdom; and in this address they spoke in a firmer tone, and avowed, more openly than ever, their resolution of proceeding to the utmost extremities, in order to put a stop to such dangerous encroachments. To a remonstrance of this nature, and urged with so much boldness, the queen replied in terms

but without success.

no less vigorous and explicit. She pretended that she was not accountable to the confederate lords for any part of her conduct; and upon no representation of theirs would she either abandon measures which she deemed necessary, or dismiss forces which she found useful, or demolish a fortification which might prove of advantage. At the same time she required them, on pain of treason, to disband the forces which they had assembled.

This haughty and imperious style sounded harshly to Scottish nobles, impatient, from their national character, of the slightest appearance of injury; accustomed, even from their own monarchs, to the most respectful treatment; and possessing, under an aristocratical form of government, such a share of power, as equalled at all times, and often controlled, that of the sovereign. They were sensible, at once, of the indignity offered to themselves, and alarmed with this plain declaration of the queen's intentions; and as there now remained but one step to take, they wanted neither public spirit nor resolution to take it.

Oct. 21. Deliberate concerning the course which they ought to take.

But, that they might not seem to depart from the established forms of the constitution, for which, even amidst their most violent operations, men always retain the greatest reverence, they assembled all the peers, barons, and representatives of boroughs, who adhered to their party. These formed a convention, which exceeded in number, and equalled in dignity, the usual meetings of parliament. The leaders of the congregation laid before them the declaration which the queen had given in answer to their remonstrance; represented the unavoidable ruin which the measures she therein avowed and justified would bring upon the kingdom; and, requiring their direction with regard to the obedience due to an administration so unjust and oppressive, they submitted to their decision a question, one of the most delicate and interesting that can possibly fall under the consideration of subjects.

This assembly proceeded to decide with no less despatch than unanimity. Strangers to those forms which protract business; unacquainted with the arts which make a figure in debate; and much more fitted for action than discourse; a warlike people always hasten to a conclusion, and bring their deliberations to the shortest issue. It was the work but of one day, to examine and to resolve this nice problem, concerning the behaviour of subjects towards a ruler who abuses his power. But, however abrupt their proceedings may appear, they were not destitute of solemnity. As the determination of the point in doubt was conceived to be no less the office of divines than of laymen, the former were called to assist with their opinion. Knox and Willox appeared for the whole order, and pronounced, without hesitation, both from the precepts and examples in Scripture, that it was lawful for subjects not only to resist tyrannical princes, but to deprive them of that authority, which, in their hands, becomes an instrument for destroying those whom the Almighty ordained them to protect. The decision of persons revered so highly for their sacred character, but more for their zeal and their piety, had great weight with the whole assembly. Not satisfied with the common indiscriminate manner of signifying consent, every person present was called in his turn to declare his sentiments, and rising up in order, all gave their suffrages, without one dissenting voice, for depriving the queen of the office of regent, which she exercised so much to the detriment of the kingdom.[c]

They deprive the queen of the office of regent.

The motives of their conduct.

This extraordinary sentence was owing no less to the love of liberty, than to zeal for religion. In the act of deprivation, religious grievances are slightly mentioned; and the dangerous encroachments of the queen upon the

b Knox, 180.

c Knox, 184.

civil constitution are produced, by the lords of the congregation, in order to prove their conduct to have been not only just but necessary. The introducing foreign troops into a kingdom at peace with all the world; the seizing and fortifying towns in different parts of the country; the promoting strangers to offices of great power and dignity; the debasing the current coin;[d] the subverting the ancient laws; the imposing of new and burdensome taxes; and the attempting to subdue the kingdom, and to oppress its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the strongest light. On all these accounts, the Congregation maintained, that the nobles, as counsellors by birth-right to their monarchs, and the guardians and defenders of the constitution, had a right to interpose; and therefore, by virtue of this right, in the name of the king and queen, and with many expressions of duty and submission towards them, they deprived the queen regent of her office, and ordained that, for the future, no obedience should be given to her commands.[e]

Violent as this action may appear, there wanted not principles in the constitution, nor precedents in the history, of Scotland to justify and to authorize it. Under the aristocratical form of government established among the Scots, the power of the sovereign was extremely limited. The more considerable nobles were themselves petty princes, possessing extensive jurisdictions, almost independent of the crown, and followed by numerous vassals, who in every contest espoused their chieftain's quarrel, in opposition to the king. Hence the many instances of the impotence of regal authority, which are to be found in the Scottish history. In every age, the nobles not only claimed, but exercised, the right of controlling the king. Jealous of their privileges, and ever ready to take the field in defence of them, every error in administration was observed, every encroachment upon the rights of the aristocracy excited indignation, and no prince ever ventured to transgress the boundaries which the law had prescribed to prerogative, without meeting resistance, which shook or overturned his throne. Encouraged by the spirit of the constitution, and countenanced by the example of their ancestors, the lords of the Congregation thought it incumbent on them, at this juncture, to inquire into the mal-administration of the queen regent, and to preserve their country from being enslaved or conquered, by depriving her of the power to execute such a pernicious scheme.

The act of deprivation, and a letter from the lords of the Congregation to the queen regent, are still extant.[f] They discover not only that masculine and undaunted spirit, natural to men capable of so bold a resolution; but are remarkable for a precision and vigour of expression, which we are surprised to meet with in an age so unpolished. The same observation may be made with respect to the other public papers of that period. The ignorance or bad taste of an age may render the compositions of authors by profession obscure, or affected, or absurd; but the language of business is nearly the same at all times; and wherever men think clearly, and are thoroughly interested, they express themselves with perspicuity and force.

d The standard of money in Scotland was continually varying. In the 16th of James V., A. D. 1529, a pound weight of gold, when coined, produced 108 pounds of current money. But under the queen regent's administration, A. D. 1556, a pound weight of gold, although the quantity of alloy was considerably increased, produced £144, current money. In 1529, a pound weight of silver, when coined, produced £9: 2s.; but in 1556, it produced £13, current money. Ruddiman. Præfat. ad Anders. Diplomat. Scotiæ, p. 80, 81, from which it appears, that this complaint, which the malcontents often repeated, was not altogether destitute of foundation.

e M. Castelnau, after condemning the dangerous councils of the princes of Lorrain, with regard to the affairs of Scotland, acknowledges, with his usual candour, that the Scots declared war against the queen regent, rather from a desire of vindicating their civil liberties, than from any motive of religion. Mem. 446.

f Knox, 184.

a Burn. Hist. Ref. 3. Append. 278. Keith, Append. 21.

BOOK III.

The congregation in difficulties.

THE lords of the Congregation soon found that their zeal had engaged them in an undertaking, which it was beyond their utmost ability to accomplish. The French garrison, despising their numerous but irregular forces, refused to surrender Leith, and to depart out of the kingdom; nor were these sufficiently skilful in the art of war to reduce the place by force, or possessed of the artillery, or magazines, requisite for that purpose; and their followers, though of undaunted courage, yet, being accustomed to decide every quarrel by a battle, were strangers to the fatigues of a long campaign, and soon became impatient of the severe and constant duty which a siege requires. The queen's emissaries, who found it easy to mingle with their countrymen, were at the utmost pains to heighten their disgust, which discovered itself at first in murmurs and complaints, but, on occasion of the want of money for paying the army, broke out into open mutiny. The most eminent leaders were hardly secure from the unbridled insolence of the soldiers; while some of inferior rank, interposing too rashly in order to quell them, fell victims to their rage. Discord, consternation, and perplexity, reigned in the camp of the reformers. The duke, their general, sunk, with his usual timidity, under the terror of approaching danger, and discovered manifest symptoms of repentance for his rashness in espousing such a desperate cause.

Apply to Elizabeth for assistance.

In this situation of their affairs, the Congregation had recourse to Elizabeth, from whose protection they could derive their only reasonable hope of success. Some of their more sagacious leaders, having foreseen that the party might probably be involved in great difficulties, had early endeavoured to secure a resource in any such exigency, by entering into a secret correspondence with the court of England.[a] Elizabeth, aware of the dangerous designs which

the princes of Lorrain had formed against her crown, was early sensible of how much importance it would be, not only to check the progress of the French in Scotland, but to extend her own influence in that kingdom;[b] and perceiving how effectually the present insurrections would contribute to retard or defeat the schemes formed against England, she listened with pleasure to these applications of the malcontents, and gave them private assurances of powerful support to their cause. Randolph,[c] an agent extremely proper for conducting any dark intrigue, was despatched into Scotland, and residing secretly among the lords of the Congregation, observed and quickened their motions. Money seemed to be the only thing they wanted at that time; and it was owing to a seasonable remittance from England,[d] that the Scottish nobles had been enabled to take the field, and to advance towards Leith. But as Elizabeth was distrustful of the Scots, and studious to preserve appearances with France, her subsidies were bestowed at first with extreme frugality. The subsistence of an army, and the expenses of a siege, soon exhausted the penurious supply, to which the lords of the Congregation could make little addition from their own funds; and the ruin and dispersion of the party must have instantly followed.

She sends them a small sum of money,

In order to prevent this, Cockburn of Ormiston was sent, with the utmost expedition, to the governors of the town and castle of Berwick. As Berwick was at that time the town of greatest importance on the Scottish frontier, sir Ralph Sadler and sir James Crofts, persons of considerable figure, were employed to command there, and were intrusted with a discretionary power of supplying the Scottish malcontents, according to the exigency of their affairs. From them Cockburn received four thousand crowns,

which is intercepted.

but little to the advantage of his associates. The earl of Bothwell, by the queen's instigation, lay in wait for him on his return, dispersed his followers, wounded him, and carried off the money.

This unexpected disappointment proved fatal to the party. In mere despair some of the more zealous attempted to assault Leith; but the French beat them back with disgrace, seized their cannon, and, pursuing them to the gates of Edinburgh, were on the point of entering along with them. All the terror and confusion which the prospect of pillage or of massacre can excite in a place taken by storm, filled the city on this occasion. The inhabitants fled from the enemy by the opposite gate; the forces of the Congregation were irresolute and dismayed; and the queen's partisans in the town openly insulted both. At last, a few of the nobles ventured to face the enemy, who, after plundering some houses in the suburbs, retired with their booty, and delivered the city from this dreadful alarm.

A second skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to intercept a convoy of provisions which was designed for Edinburgh. The lords of the Congregation, having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing which could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the over-caution of the French, that any of the party escaped being cut in pieces.

They retire from Leith in confusion.

On this second blow, the hopes and spirits of the Congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a great distance from the enemy. In vain did the prior of St. Andrew's and a few others oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause. At midnight they set out from Edinburgh in great confusion, and marched without halting till they arrived at Stirling.[e]

Nov. 6.

During this last insurrection, the great body of the Scottish nobility joined the congregation. The lords Seton and Borthwick were the only persons of rank who took arms for the queen, and assisted her in defending Leith.[f] Bothwell openly favoured her cause, but resided at his own house. The earl of Huntly, conformable to the crafty policy which distinguished his character, amused the leaders of the Congregation, whom he had engaged to assist, with many fair promises, but never joined them with a single man.[g] The earl of Morton, a member of the Congregation, fluctuated in a state of irresolution, and did not act heartily for the common cause. Lord Erskine, governor of Edinburgh castle, though a protestant, maintained a neutrality, which he deemed becoming the dignity of his office; and having been intrusted by parliament with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands.

A few days before the retreat of the Congregation, the queen suffered an irreparable loss by the defection of her principal secretary, William Maitland of Lethington. His zeal for the reformed religion, together with his warm remonstrances against the violent measures which the queen was carrying on, exposed him so much to her resentment, and to that of her

Maitland revolts from the queen dowager.

b See Append. No. I.
c Keith, Append. 59
d Knox, 214. Keith, Append. 44.
e Keith, Append. 21—45.
f Keith, Append. 31.
g Keith, Append. 33. Knox, 222.

French counsellors, that he, suspecting his life to be in danger, withdrew secretly from Leith, and fled to the lords of the Congregation;[h] and they with open arms received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and, at a time of life when his countrymen of the same quality were following the pleasures of the chace, or serving as adventurers in the armies of France, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in pursuing bold designs, and was no less master of that political dexterity which is necessary for carrying them on with success. But these qualities were deeply tinctured with the neighbouring vices. His address sometimes degenerated into cunning; his acuteness bordered upon excess; his invention, over-fertile, suggested to him, on some occasions, chimerical systems of policy, too refined for the genius of his age or country; and his enterprising spirit engaged him in projects vast and splendid, but beyond his utmost power to execute. All the contemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greatest superiority of penetration and abilities.

The precipitate retreat of the Congregation increased to such a degree the terror and confusion which had seized the party at Edinburgh, that before the army reached Stirling, it dwindled to an inconsiderable number. The spirit of Knox, however, still remained undaunted and erect, and having mounted the pulpit, he addressed to his desponding hearers an exhortation, which wonderfully animated and revived them. The heads of this discourse are inserted in his History,[i] and afford a striking example of the boldness and freedom of reproof assumed by the first reformers, as well as a specimen of his own skill in choosing the topics most fitted to influence and rouse his audience.

The lords of the Congregation apply again to Elizabeth.

A meeting of the leaders being called, to consider what course they should hold, now that their own resources were all exhausted, and their destruction appeared to be unavoidable without foreign aid, they turned their eyes once more to England, and resolved to implore the assistance of Elizabeth, towards finishing an enterprise, in which they had so fatally experienced their own weakness, and the strength of their adversaries. Maitland, as the most able negociator of the party, was employed in this embassy. In his absence, and during the inactive season of the year, it was agreed to dismiss their followers, worn out by the fatigues of a campaign which had so far exceeded the usual time of service. But, in order to preserve the counties most devoted to their interest, the prior of St. Andrew's, with part of the leaders, retired into Fife. The duke of Chatelherault, with the rest, fixed his residence at Hamilton. There was little need of Maitland's address or eloquence to induce Elizabeth to take his country under her protection. She observed the prevalence of the French counsels, and the progress of their arms in Scotland, with great concern; and as she well foresaw the dangerous tendency of their schemes in that kingdom, she had already come to a resolution with regard to the part she herself would act, if their power there should grow still more formidable.

Motives which determined her to assist them.

In order to give the queen and her privy council a full and distinct view of any important matter which might come before them, it seems to have been the practice of Elizabeth's ministers to prepare memorials, in which they clearly stated the point under deliberation, laid down the grounds of the conduct which they held to be most reasonable, and proposed a method for carrying their plan into execution. Two papers of this kind, written by sir William Cecil with his own hand, and submitted by the queen to the consideration of her privy council, still remain;[k] they are entitled, "A short discussion of the weighty matter of Scotland," and do honour to the industry and penetration of that great minister. The motives which determined the queen to espouse so warmly the defence of the Congregation, are represented with perspicuity and force; and the consequences of suffering the French to establish themselves in Scotland, are predicted with great accuracy and discernment.

He lays it down as a principle, agreeably to the laws both of God and of nature, that every society hath a right to defend itself, not only from present dangers, but from such as may probably ensue; to which he adds, that nature and reason teach every prince to defend himself by the same means which his adversaries employ to distress him. Upon these grounds he establishes the right of England to interpose in the affairs of Scotland, and to prevent the conquest of that kingdom, at which the French openly aimed. The French, he observes, are the ancient and implacable enemies of England. Hostilities had subsisted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or sincere. No good effect was therefore to be expected from the peace lately agreed upon, which, being extorted by present necessity, would be negligently observed, and broken on the slightest pretences. In a very short time, France would recover its former opulence; and though now drained of men and money by a tedious and unsuccessful war, it would quickly be in a condition for acting, and the restless and martial genius of the people would render action necessary. The princes of Lorrain, who at that

h Knox, 192.

i Knox, 193.

k Burn. vol. iii. Append. 283. Forbes, i. 387, c. Keith, Append. 21.

time had the entire direction of French affairs, were animated with the most virulent hatred against the English nation. They openly called in question the legitimacy of the queen's birth, and, by advancing the title and pretensions of their niece the queen of Scotland, studied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the English from the treaty of Chateau en Cambresis, and endeavoured to conclude a separate peace with Spain. They had persuaded Henry II. to permit his daughter-in-law to assume the title and arms of Queen of England; and even since the conclusion of the peace, they had solicited at Rome, and obtained, a bull declaring Elizabeth's birth to be illegitimate. Though the wisdom and moderation of the constable Montmorency had for some time checked their career, yet these restraints being now removed by the death of Henry II. and the disgrace of his minister, the utmost excesses of violence were to be dreaded from their furious ambition, armed with sovereign power. Scotland is the quarter where they can attack England with most advantage. A war on the borders of that country exposes France to no danger, but one unsuccessful action there may hazard the crown, and overturn the government, of England. In political conduct, it is childish to wait till the designs of an enemy be ripe for execution. The Scottish nobles, after their utmost efforts, have been obliged to quit the field; and far from expelling the invaders of their liberties, they behold the French power daily increasing, and must at last cease from struggling any longer in a contest so unequal. The invading of England will immediately follow the reduction of the Scottish malcontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own kingdom, and expose it to the calamities of war, and the danger of conquest. Nothing therefore remained but to meet the enemy while yet at a distance from England, and, by supporting the Congregation with a powerful army, to render Scotland the theatre of the war, to crush the designs of the princes of Lorrain in their infancy, and, by such an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the consideration of an English monarch, wisdom and mature counsel were necessary in the first place, and afterwards vigour and expedition in conduct; the danger was urgent, and, by losing a single moment, might become unavoidable.[l]

These arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no less anxious to preserve the tranquillity and happiness of her subjects. From these motives she had acted, in granting the congregation an early supply of money; and from the same principles she determined, in their present exigency, to afford them more effectual aid. One of Maitland's attendants was instantly despatched into Scotland with the strongest assurances of her protection, and the lords of the Congregation were desired to send commissioners into England, to conclude a treaty, and to settle the operations of the campaign with the duke of Norfolk.[m]

The queen dowager meanwhile sends her French troops against them.

Meanwhile the queen regent, from whom no motion of the Congregation could long be concealed, dreaded the success of this negociation with the court of England, and foresaw how little she would be able to resist the united efforts of the two kingdoms. For this reason she determined, if possible, to get the start of Elizabeth; and by venturing, notwithstanding the inclemency of the winter season, to attack the malcontents in their present dispersed and helpless situation, she hoped to put an end to the war before the arrival of their English allies.

A considerable body of her French forces, who were augmented about this time by the arrival of the count de Martigues, with a thousand veteran foot, and some cavalry, were commanded to march to Stirling. Having there crossed the Forth, they proceeded along the coast of Fife, destroying and plundering, with excessive outrage, the houses and lands of those whom they deemed their enemies. Fife was the most populous and powerful county in the kingdom, and most devoted to the Congregation, who had hitherto drawn from thence their most considerable supplies, both of men and provisions; and therefore, besides punishing the disaffection of the inhabitants, by pillaging the country, the French proposed to seize and fortify St. Andrew's, and to leave in it a garrison sufficient to bridle the mutinous spirit of the province, and to keep possession of a port situated on the main ocean.[n]

But on this occasion, the prior of St. Andrew's, lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the Congregation, performed, by their bravery and good conduct, a service of the utmost importance to their party. Having assembled six hundred horse, they infested the French with continual incursions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harassed them with perpetual alarms, that they prevented them for more than three weeks from advancing.[o]

At last the prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St. Andrew's. They had advanced but a few miles, when, from an eminence, they descried a powerful fleet steering its course up the frith of

1560.

Jan. 23.

l The arguments which the Scots employed, in order to obtain Elizabeth's assistance, are urged with great force, in a paper of Maitland's. See Append. No. II.

m Keith, 114. Rymer, xv. p. 569.
n Haynes, 221, &c.
o Knox, 202.

Forth. As they knew that the marquis D'Elbeuf was at that time preparing to sail for Scotland with a numerous army, they hastily concluded that these ships belonged to them, and gave way to the most immoderate transports of joy, on the prospect of this long-expected succour. Their great guns were already fired to welcome their friends, and to spread the tidings and terror of their arrival among their enemies, when a small boat from the opposite coast landed, and blasted their premature and short-lived triumph, by informing them that it was the fleet of England which was in sight, intended for the aid of the Congregation, and was soon to be followed by a formidable land army.[p]

The English fleet arrives to their assistance.

Throughout her whole reign, Elizabeth was cautious, but decisive; and by her promptitude in executing her resolutions, joined to the deliberation with which she formed them, her administration became remarkable, no less for its vigour, than for its wisdom. No sooner did she determine to afford her protection to the lords of the Congregation, than they experienced the activity, as well as the extent, of her power. The season of the year would not permit her land army to take the field; but lest the French should, in the mean time, receive new reinforcements, she instantly ordered a strong squadron to cruise in the frith of Forth. She seems by her instructions to Winter, her admiral, to have been desirous of preserving the appearances of friendship towards the French.[q] But these were only appearances; if any French fleet should attempt to land, he was commanded to prevent it by every act of hostility and violence. It was the sight of this squadron which occasioned at first so much joy among the French, but which soon inspired them with such terror, as saved Fife from the effects of their vengeance. Apprehensive of being cut off from their companions on the opposite shore, they retreated towards Stirling with the utmost precipitation, and in a dreadful season, and through roads almost impassable, arrived at Leith, harassed and exhausted with fatigue.[r]

The English fleet cast anchor in the road of Leith, and continuing in that station till the conclusion of peace, both prevented the garrison of Leith from receiving succours of any kind, and considerably facilitated the operations of their own forces by land.

They conclude a treaty with England, Feb. 27.

Soon after the arrival of the English squadron, the commissioners of the congregation repaired to Berwick, and concluded with the duke of Norfolk a treaty, the bond of that union with Elizabeth, which was of so great advantage to the cause. To give a check to the dangerous and rapid progress of the French arms in Scotland, was the professed design of the contracting parties. In order to this, the Scots engaged never to suffer any closer union of their country with France; and to defend themselves to the uttermost against all attempts of conquest. Elizabeth, on her part, promised to employ in Scotland a powerful army for their assistance, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the English: whatever should be taken from the enemy was either to be razed, or kept by the Scots, at their choice; if any invasion should be made upon England, the Scots were obliged to assist Elizabeth with part of their forces; and, to ascertain their faithful observance of the treaty, they bound themselves to deliver hostages to Elizabeth, before the march of her army into Scotland; in conclusion, the Scots made many protestations of obedience and loyalty towards their own queen, in every thing not inconsistent with their religion, and the liberties of their country.[s]

The English army lays siege to Leith, April 2.

The English army, consisting of six thousand foot and two thousand horse, under the command of lord Gray of Wilton, entered Scotland early in the spring. The members of the congregation assembled from all parts of the kingdom to meet their new allies; and having joined them, with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field against an enemy so much superior in number. A strong body of troops, destined for their relief, had been scattered by a violent storm, and had either perished on the coast of France, or with difficulty had recovered the ports of that kingdom.[t] But they hoped to be able to defend Leith, till the princes of Lorrain should make good the magnificent promises of assistance, with which they daily encouraged them; or till scarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous, precaution for distressing an invading enemy, by burning and laying waste all the adjacent country.[u] The zeal, however, of the nation frustrated their intentions: eager to contribute towards removing their oppressors, the people produced their hidden stores to support their friends; the neighbouring counties supplied every thing necessary; and, far from wanting subsistence, the English found in their camp all sorts of provisions at a cheaper rate than had for some time been known in that part of the kingdom.[x]

On the approach of the English army the queen regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a siege, she committed herself to the protection of lord Erskine. This nobleman still preserved his neutrality, and by his integrity and love of his country, merited equally the esteem of both parties. He received the queen herself with the utmost ho-

p Knox, 203.
r Knox, 203.
q Keith, Appendix, 45. Haynes, 231.
s Knox, 217. Haynes, 253, &c.
t Mem. de Castel. 450.
u Knox, 225.
x Id. ibid.

nour and respect, but took care to admit no such retinue as might endanger his command of the castle.[y]

April 6. A few days after they arrived in Scotland, the English invested Leith. The garrison shut up within the town was almost half as numerous as the army which sat down before it, and by an obstinate defence protracted the siege to a great length. The circumstances of this siege, related by contemporary historians, men without knowledge or experience in the art of war, are often obscure and imperfect, and at this distance of time are not considerable enough to be entertaining.

April 15. At first the French endeavoured to keep possession of the Hawk Hill, a rising ground not far distant from the town, but were beat from it with great slaughter, chiefly by the furious attack of the Scottish cavalry. Within a few days the French had their full revenge; having sallied out with a strong body, they entered the English trenches, broke their troops, nailed part of their cannon, and killed at least double the number they had lost in the former skirmish. Nor were the English more fortunate in an attempt which they made to take the place by assault;

May 7. they were met with equal courage, and repulsed with considerable loss. From the detail of these circumstances by the writers of that age, it is easy to observe the different characters of the French and English troops. The former, trained to war, during the active reigns of Francis I. and Henry II., defended themselves not only with the bravery but with the skill of veterans. The latter, who had been more accustomed to peace, still preserved the intrepid and desperate valour peculiar to the nation, but discovered few marks of military genius or of experience in the practice of war. Every misfortune or disappointment during the siege must be imputed to manifest errors in conduct. The success of the besieged in their sally was owing entirely to the security and negligence of the English; many of their officers were absent; their soldiers had left their stations; and their trenches were almost without a guard.[z] The ladders which had been provided for the assault, wanted a great deal of the necessary length; and the troops employed in that service were ill supported. The trenches were opened at first in an improper place; and as it was found expedient to change the ground, both time and labour were lost. The inability of their own generals, no less than the strength of the French garrison, rendered the progress of the English wonderfully slow. The long continuance, however, of the siege, and the loss of part of their magazines by an accidental fire, reduced the French to extreme distress for want of provisions, which the prospect of relief made them bear with admirable fortitude.

While the hopes and courage of the French protracted the siege so far beyond expectation, the leaders of the Congregation were not idle. By new associations and confederacies, they laboured to unite their party more perfectly. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indissoluble. Among the subscribers of these papers we find the earl of Huntley, and some others, who had not hitherto concurred with the congregation in any of their measures.[a] Several of these lords, particularly the earl of Huntley, still adhered to the popish church; but, on this occasion, neither their religious sentiments, nor their former cautious maxims, were regarded; the torrent of national resentment and indignation against the French hurried them on.[b]

Death and character of the queen dowager, June 10.

The queen regent, the instrument, rather than the cause, of involving Scotland in those calamities under which it groaned at that time, died during the heat of the siege. No princess ever possessed qualities more capable of rendering her administration illustrious, or the kingdom happy. Of much discernment, and no less address; of great intrepidity and equal prudence; gentle and humane, without weakness; zealous for her religion, without bigotry; a lover of justice, without rigour. One circumstance, however, and that too the excess of a virtue, rather than any vice, poisoned all these great qualities, and rendered her government unfortunate, and her name odious. Devoted to the interest of France, her native country, and attached to the princes of Lorrain, her brothers, with most passionate fondness, she departed, in order to gratify them, from every maxim which her own wisdom or humanity would have approved. She outlived, in a great measure, that reputation and popularity which had smoothed her way to the highest station in the kingdom; and many examples of falsehood, and some of severity, in the latter part of her administration, alienated from her the affections of a people who had once placed in her an unbounded confidence. But, even by her enemies, these unjustifiable actions were imputed to the facility, not to the malignity, of her nature; and while they taxed her brothers and French counsellors with rashness and cruelty, they still allowed her the praise of prudence and of lenity.[c] A few days before her death, she desired an interview with the prior of St. Andrew's, the earl of Argyll, and other chiefs of the Congregation. To them she lamented the fatal issue of those violent counsels which she had been obliged to follow; and, with the candour natural to a generous mind, confessed the errors of her own administration, and begged forgiveness of those to whom they had been hurtful; but at the same time she warned them, amidst their struggles for liberty and the shock of

y Forbes's Collect. vol. i. 503. Keith, 122.
z Haynes, 294, 298, 305, &c.
a Burn. vol. iii. 287. Knox, 221. Haynes, 261, 263.
b The dread of the French power did on many occasions surmount the zeal which the catholic nobles had for their religion. Besides the presumptive evidence for this, arising from the memorial mentioned by Burnet, Hist. of the Reformation, vol. iii. 281, and published by him, App. p. 278; the instructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous papists thought the alliance with England to be necessary for preserving the liberty and independence of the kingdom. Keith, 158. Huntley himself began a correspondence with Elizabeth's ministers, before the march of the English army into Scotland. Haynes's State Papers, 261, 263. See Append. No. III.
c Buchanan, 324.

arms, not to lose sight of the loyalty and subjection which were due to their sovereign.[d] The remainder of her time she employed in religious meditations and exercises. She even invited the attendance of Willox, one of the most eminent among the reformed preachers, listened to his instructions with reverence and attention,[e] and prepared for the approach of death with a decent fortitude.

Motives of the French to conclude a peace.

Nothing could now save the French troops shut up in Leith, but the immediate conclusion of a peace, or the arrival of a powerful army from the continent. The princes of Lorrain amused their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and their courage; but, at last, the situation of France, rather than the terror of the English arms, or the remonstrances of the Scottish malcontents, constrained them, though with reluctance, to turn their thoughts towards pacific councils. The protestants in France were at that time a party formidable by their number, and more by the valour and enterprising genius of their leaders. Francis II. had treated them with extreme rigour, and discovered, by every step he took, a settled resolution to extirpate their religion, and to ruin those who professed it. At the prospect of this danger to themselves and to their cause, the protestants were alarmed, but not terrified. Animated with zeal, and inflamed with resentment, they not only prepared for their own defence, but resolved, by some bold action, to anticipate the schemes of their enemies; and as the princes of Lorrain were deemed the authors of all the king's violent measures, they marked them out to be the first victims of their indignation. Hence, and not from disloyalty to the king, proceeded the famous conspiracy of Amboise; and though the vigilance and good fortune of the princes of Lorrain discovered and disappointed that design, it was easy to observe new storms gathering in every province of the kingdom, and ready to burst out with all the fury and outrage of civil war. In this situation, the ambition of the house of Lorrain was called off from the thoughts of foreign conquests, to defend the honour and dignity of the French crown; and, instead of sending new reinforcements into Scotland, it became necessary to withdraw the veteran troops already employed in that kingdom.[f]

March 15.

The negociations for that purpose.

In order to conduct an affair of so much importance and delicacy, the princes of Lorrain made choice of Monluc, bishop of Valence, and of the Sieur de Randan. As both these, especially the former, were reckoned inferior to no persons of that age in address and political refinement, Elizabeth opposed to them ambassadors of equal abilities? Cecil, her prime minister, a man perhaps of the greatest capacity who had ever held that office; and Wotton, dean of Canterbury, grown old in the art of negociating under three successive monarchs. The interests of the French and English courts were soon adjusted by men of so great dexterity in business; and as France easily consented to withdraw those forces which had been the chief occasion of the war, the other points in dispute between that kingdom and England were not matters of tedious or of difficult discussion.

The grievances of the Congregation, and their demands upon their own sovereigns for redress, employed longer time, and required to be treated with a more delicate hand. After so many open attempts, carried on by command of the king and queen, in order to overturn the ancient constitution, and to suppress the religion which they had embraced, the Scottish nobles could not think themselves secure, without fixing some new barrier against the future encroachments of regal power. But the legal steps towards accomplishing this were not so obvious.

The French ambassadors considered the entering into any treaty with subjects, and with rebels, as a condescension unsuitable to the dignity of a sovereign; and their scruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not suggested an expedient, which seemed to provide for the security of the subject, without derogating from the honour of the prince. The Scottish nobles agreed, on this occasion, to pass from the point of right and privilege, and to accept the redress of their grievances as a matter of favour. Whatever additional security their anxiety for personal safety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And, lest concessions of this kind should seem precarious, and liable to be retracted by the same power which had made them, the French ambassador agreed to insert them in the treaty with Elizabeth, and thereby to bind the king and queen inviolably to observe them.[g]

Articles of the treaty.

In relating this transaction, contemporary historians have confounded the concessions of Francis and Mary to their Scottish subjects, with the treaty between France and England; the latter, besides the ratification of former treaties between the two kingdoms, and stipulations with regard to the time and manner of removing both armies out of Scotland, contained an article to which, as the source of many important events, we shall often have occasion to refer. The right of Elizabeth to her crown is thereby acknowledged in the strongest terms; and Francis and Mary solemnly engaged neither to assume the title, nor to bear the arms, of king and queen of England in any time to come.[h]

July 6.

Honourable as this article was for Elizabeth herself, the conditions she obtained for her allies the Scots were no less advantageous to them. Monluc and Randan consented, in the name of Francis and Mary, that the

d Lesley, de Rebus Gest. Scot. 222.
e Knox, 228.
f Lesley, 224.
g Keith, 134, &c.
h Keith, 134. Rymer, xv. p. 581, 591, &c. Haynes, 325—364.

French forces in Scotland should instantly be sent back into their own country, and no foreign troops be hereafter introduced into the kingdom without the knowledge and consent of parliament; that the fortifications of Leith and Dunbar should immediately be rased, and no new fort be erected without the permission of parliament; that a parliament should be held on the first day of August, and that assembly be deemed as valid in all respects as if it had been called by the express commandment of the king and queen; that, conformable to the ancient laws and customs of the country, the king and queen should not declare war or conclude peace without the concurrence of parliament; that during the queen's absence, the administration of government should be vested in a council of twelve persons, to be chosen out of twenty-four named by parliament, seven of which council to be elected by the queen, and five by the parliament; that hereafter the king and queen should not advance foreigners to places of trust or dignity in the kingdom, nor confer the offices of treasurer or comptroller of the revenues upon any ecclesiastic; that an act of oblivion, abolishing the guilt and memory of all offences committed since the sixth of March one thousand five hundred and fifty-eight, should be passed in the ensuing parliament, and be ratified by the king and queen; that the king and queen should not, under the colour of punishing any violation of their authority during that period, seek to deprive any of their subjects of the offices, benefices, or estates, which they now held; that the redress due to churchmen, for the injuries which they had sustained during the late insurrections, should be left entirely to the cognizance of parliament. With regard to religious controversies, the ambassadors declared that they would not presume to decide, but permitted the parliament, at their first meeting, to examine the points in difference, and to represent their sense of them to the king and queen.[i]

The effects of it.

To such a memorable period did the lords of the Congregation, by their courage and perseverance, conduct an enterprise which at first promised a very different issue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and, being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more considerable kingdom. The sovereign authority was by this treaty transferred wholly into the hands of the Congregation; that limited prerogative which the crown had hitherto possessed, was almost entirely annihilated; and the aristocratical power, which always predominated in the Scottish government, became supreme and incontrollable. By this treaty, too, the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminished; and not only were the present encroachments of that ambitious ally restrained, but, by confederating with England, protection was provided against any future attempt from the same quarter. At the same time, the controversies in religion being left to the consideration of parliament, the protestants might reckon upon obtaining whatever decision was most favourable to the opinions which they professed.

A few days after the conclusion of the treaty, both the French and English armies quitted Scotland.

A parliament held.

The eyes of every man in that kingdom were turned towards the approaching parliament. A meeting, summoned in a manner so extraordinary, at such a critical juncture, and to deliberate upon matters of so much consequence, was expected with the utmost anxiety.

A Scottish parliament suitable to the aristocratical genius of the government, was properly an assembly of the nobles. It was composed of bishops, abbots, barons, and a few commissioners of boroughs, who met altogether in one house. The lesser barons, though possessed of a right to be present, either in person or by their representatives, seldom exercised it. The expense of attending, according to the fashion of the times, with a numerous train of vassals and dependants; the inattention of a martial age to the forms and detail of civil government; but, above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of so little value, as to be almost neglected. It appears from the ancient rolls, that, during times of tranquillity, few commissioners of boroughs, and almost none of the lesser barons, appeared in parliament. The ordinary administration of government was abandoned, without scruple or jealousy, to the king and to the greater barons. But in extraordinary conjunctures, when the struggle for liberty was violent, and the spirit of opposition to the crown rose to a height, the burgesses and lesser barons were roused from their inactivity, and stood forth to vindicate the rights of their country. The turbulent reign of James III. affords examples in proof of this observation.[k] The public indignation against the rash designs of that weak and ill-advised prince, brought into parliament, besides the greater nobles and prelates, a considerable number of the lesser barons.

The same causes occasioned the unusual confluence of all orders of men to the parliament, which met on the first of August. The universal passion for liberty, civil and religious, which had seized the nation, suffered few persons to remain unconcerned spectators of an assembly, whose acts were likely to prove decisive with respect to both. From all corners of the kingdom men flocked in, eager and determined to aid with their voices in the senate, the same cause which they had defended with their swords in the field. Besides a full convention of peers, temporal and spiritual, there appeared the representatives of almost all the boroughs, and above a hundred barons, who, though of the lesser order, were gentlemen of the first rank and fortune in the nation.[l]

i Keith, 137, &c.

k Keith, 147.

l Keith, 146.

The parliament was ready to enter on business with the utmost zeal, when a difficulty was started concerning the lawfulness of the meeting. No commissioner appeared in the name of the king and queen, and no signification of their consent and approbation was yet received. These were deemed by many essential to the very being of a parliament. But in opposition to this sentiment, the express words of the treaty of Edinburgh were urged, by which this assembly was declared to be as valid, in all respects, as if it had been called and appointed by the express command of the king and queen. As the adherents of the congregation greatly outnumbered their adversaries, the latter opinion prevailed. Their boldest leaders, and those of most approved zeal, were chosen to be lords of the articles, who formed a committee of ancient use, and of great importance in the Scottish parliament.[m] The deliberations of the lords of the articles were carried on with the most unanimous and active zeal. The act of oblivion, the nomination of twenty-four persons, out of whom the council, intrusted with supreme authority, was to be elected; and every other thing prescribed by the late treaty, or which seemed necessary to render it effectual, passed without dispute or delay.

Its proceedings with regard to religion;

The article of religion employed longer time, and was attended with greater difficulty. It was brought into parliament by a petition from those who adopted the principles of the reformation. Many doctrines of the popish church were a contradiction to reason, and a disgrace to religion; its discipline had become corrupt and oppressive; and its revenues were both exorbitant and ill-applied. Against all these the protestants remonstrated with the utmost asperity of style, which indignation at their absurdity, or experience of their pernicious tendency, could inspire; and, encouraged by the number as well as zeal of their friends, to improve such a favourable juncture, they aimed the blow at the whole fabric of popery; and besought the parliament to interpose its authority for rectifying these multiplied abuses.[n]

Several prelates, zealously attached to the ancient superstition, were present in this parliament. But, during these vigorous proceedings of the protestants, they stood confounded and at gaze; and persevered in a silence which was fatal to their cause. They deemed it impossible to resist or divert that torrent of religious zeal, which was still in its full strength; they dreaded that their opposition would irritate their adversaries, and excite them to new acts of violence; they hoped that the king and queen would soon be at leisure to put a stop to the career of their insolent subjects, and that, after the rage and havoc of the present storm, the former tranquillity and order would be restored to the church and kingdom. They were willing, perhaps, to sacrifice the doctrine, and even the power of the church, in order to insure the safety of their own persons, and to preserve the possession of those revenues which were still in their hands. From whatever motives they acted, their silence, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the protestants, and encouraged them to proceed with more boldness and alacrity.[o]

The parliament did not think it enough to condemn those doctrines mentioned in the petition of the protestants; they moreover gave the sanction of their approbation to a confession of faith presented to them by the reformed teachers;[p] and composed, as might be expected from such a performance at that juncture, on purpose to expose the absurd tenets and practices of the Romish church. By another act, the jurisdiction of the ecclesiastical courts was abolished, and the causes which formerly came under their cognizance were transferred to the decision of civil judges.[q] By a third statute, the exercise of religious worship, according to the rites of the Romish church, was prohibited. The manner in which the parliament enforced the observation of this law discovers the zeal of that assembly; the first transgression subjected the offender to the forfeiture of his goods, and to a corporal punishment, at the discretion of the judge; banishment was the penalty of the second violation of the law; and a third act of disobedience was declared to be capital.[r] Such strangers were men at that time to the spirit of toleration, and to the laws of humanity; and with such indecent haste did the very persons who had just escaped the rigour of ecclesiastical tyranny, proceed to imitate those examples of severity of which they themselves had so justly complained.

with regard to the revenues of the church.

The vigorous zeal of the parliament overturned in a few days the ancient system of religion, which had been established so many ages. In reforming the doctrine and discipline of the church, the nobles kept pace with the ardour and expectations even of Knox himself. But their proceedings with respect to these were not more rapid and impetuous, than they were slow and dilatory when they entered on the consideration of ecclesiastical revenues. Among the lay members, some were already enriched with the spoils of the church, and others devoured in expectation the wealthy benefices which still remained untouched. The alteration in religion had afforded many of the dignified ecclesiastics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they instantly dispersed all over the kingdom, and commonly betook themselves to some secular employment. The abbot, if he had been so fortunate as to

m From an original letter of Hamilton, archbishop of St. Andrew's, it appears that the lords of articles were chosen in the manner afterwards appointed by an act of parliament, 1633. Keith, p. 487. Spottiswood seems to consider this to have been the common practice. Hist. 149.

n Knox, 237.
o Knox, 253.
p Knox, 253.
q Keith, 152.
r Knox, 254.

embrace the principles of the reformation from conviction, or so cunning as to espouse them out of policy, seized the whole revenues of the fraternity; and, except what he allowed for the subsistence of a few superannuated monks,[s] applied them entirely to his own use. The proposal made by the reformed teachers, for applying these revenues towards the maintenance of ministers, the education of youth, and the support of the poor, was equally dreaded by all these orders of men. They opposed it with the utmost warmth, and by their numbers and authority easily prevailed on the parliament to give no ear to such a disagreeable demand.[t] Zealous as the first reformers were, and animated with a spirit superior to the low considerations of interest, they beheld these early symptoms of selfishness and avarice among their adherents with amazement and sorrow; and we find Knox expressing the utmost sensibility of that contempt with which they were treated by many from whom he expected a more generous concern for the success of religion and the honour of its ministers.[u]

The validity of this parliament called in question.

A difficulty hath been started with regard to the acts of this parliament concerning religion. This difficulty, which at such a distance of time is of no importance, was founded on the words of the treaty of Edinburgh. By that, the parliament were permitted to take into consideration the state of religion, and to signify their sentiments of it to the king and queen. But, instead of presenting their desires to their sovereigns in the humble form of a supplication or address, the parliament converted them into so many acts; which, although they never received the royal assent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By those proceedings, it must, however, be confessed, that the parliament, or rather the nation, violated the last article in the treaty of Edinburgh, and even exceeded the powers which belong to subjects. But when once men have been accustomed to break through the common boundaries of subjection, and their minds are inflamed with the passions which civil war inspires, it is mere pedantry or ignorance to measure their conduct by those rules, which can be applied only where government is in a state of order and tranquillity. A nation, when obliged to employ such extraordinary efforts in defence of its liberties, avails itself of every thing which can promote this great end; and the necessity of the case, as well as the importance of the object, justify any departure from the common and established rules of the constitution.

Ambassadors sent by the parliament to France,

In consequence of the treaty of Edinburgh, as well as by the ordinary forms of business, it became necessary to lay the proceedings of parliament before the king and queen. For this purpose, sir James Sandilands of Calder, lord St. John, was appointed to repair to the court of France. After holding a course so irregular, the leaders of the Congregation had no reason to flatter themselves that Francis and Mary would ever approve their conduct, or confirm it by their royal assent. The reception of their ambassador was no other than they might have expected. He was treated by the king and queen with the utmost coldness, and dismissed without obtaining the ratification of the parliament's proceedings. From the princes of Lorrain, and their partisans, he endured all the scorn and insult which it was natural for them to pour upon the party he represented.[x]

and to Elizabeth.

Though the earls of Morton, Glencairn, and Maitland of Lethington, the ambassadors of the parliament, to Elizabeth their protectress, met with a very different reception; they were not more successful in one part of the negociation intrusted to their care. The Scots, sensible of the security which they derived from their union with England, were desirous of rendering it indissoluble. With this view they empowered these eminent leaders of their party to testify to Elizabeth their gratitude for that seasonable and effectual aid which she had afforded them, and at the same time to beseech her to render the friendship between the nations perpetual, by condescending to marry the earl of Arran, who, though a subject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown.

To the former part of this commission Elizabeth listened with the utmost satisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices; with regard to the latter, she discovered those sentiments to which she adhered throughout her whole reign. Averse from marriage, as some maintain through choice, but more probably out of policy, that ambitious princess would never admit any partner to the throne; but delighted with the entire and uncontrolled exercise of power, she sacrificed to the enjoyment of that, the hopes of transmitting her crown to her own posterity. The marriage with the earl of Arran could not be attended with any such extraordinary advantage, as to shake this resolution; she declined it therefore, but with many expressions of good-will towards the Scottish nation, and of respect for Arran himself.[y]

s Keith, 496. Append. 190, 191.
t See Append. No. IV.
u Knox, 239, 256.

x Knox, 255. Buch. 327. State papers published by lord Hardwicke, vol i. p. 125, &c.
y Burn. 3. Append. 308. Keith, 154, &c.

The death of Francis II.

Towards the conclusion of this year, distinguished by so many remarkable events, there happened one of great importance. On the fourth of December died Francis II. a prince of a feeble constitution, and of a mean understanding. As he did not leave any issue by the queen, no incident could have been more fortunate to those who, during the late commotions in Scotland, had taken part with the Congregation. Mary, by the charms of her beauty, had acquired an entire ascendant over her husband; and as she transferred all her influence to her uncles the princes of Lorrain, Francis followed them implicitly in whatever track they were pleased to lead him. The power of France, under such direction, alarmed the Scottish malcontents with apprehensions of danger, no less formidable than well-founded. The intestine disorders which raged in France, and the seasonable interposition of England in behalf of the Congregation, had hitherto prevented the princes of Lorrain from carrying their designs upon Scotland into execution. But, under their vigorous and decisive administration, it was impossible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of these events, the Scots would stand exposed to all the vengeance which the resentment of the French court could inflict. The blow, however long suspended, was unavoidable, and must fall at last with redoubled weight. From this prospect and expectation of danger, the Scots were delivered by the death of Francis: the ancient confederacy of the two kingdoms had already been broken, and by this event the chief bond of union which remained was dissolved. Catherine of Medicis, who, during the minority of Charles IX. her second son, engrossed the entire direction of the French councils, was far from any thoughts of vindicating the Scottish queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and inexperienced prince; but as the charms of the wife easily triumphed over the authority of the mother, Catherine could never forgive such a disappointment in her favourite passion, and beheld now, with secret pleasure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the sorrow which so sad a reverse of fortune could occasion, slighted by the queen-mother,[z] and forsaken by the tribe of courtiers, who appear only in the sunshine of prosperity, retired to Rheims, and there in solitude indulged her grief, or hid her indignation. Even the princes of Lorrain were obliged to contract their views; to turn them from foreign to domestic objects; and, instead of forming vast projects with regard to Britain, they found it necessary to think of acquiring and establishing an interest with the new administration.

Mary retires from the court of France.

It is impossible to describe the emotions of joy which, on all these accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced; and it is no wonder contemporary historians should ascribe it to the immediate care of Providence, which, by unforeseen expedients, can secure the peace and happiness of kingdoms, in those situations where human prudence and invention would utterly despair.[a]

Establishment of presbyterian church government.

About this time the protestant church of Scotland began to assume a regular form. Its principles had obtained the sanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant society. The model introduced by the reformers differed extremely from that which had been long established. The motives which induced them to depart so far from the ancient system deserve to be explained.

The licentious lives of the clergy, as has been already observed, seem to have been among the first things that excited any suspicion concerning the truth of the doctrines which they taught, and roused that spirit of inquiry which proved fatal to the popish system. As this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition, settled at last upon the offices which they enjoyed, —the effects of the reformation would naturally have extended not only to the doctrine, but to the form of government, in the popish church; and the same spirit which abolished the former, would have overturned the latter. But in the arrangements which took place in the different kingdoms and states of Europe in consequence of the reformation, we may observe something similar to what happened upon the first establishment of christianity in the Roman empire. In both periods, the form of ecclesiastical policy was modelled, in some measure, upon that of the civil government. When the christian church was patronized and established by the state, the jurisdiction of the various orders of the ecclesiastics, distinguished by the names of patriarchs, archbishops, and bishops, was made to correspond with the various divisions of the empire; and the ecclesiastic of chief eminence in each of these possessed authority, more or less extensive, in proportion to that of the civil magistrate who presided over the same district. When the reformation took place, the episcopal form of government, with its various ranks and degrees of subordination, appearing to be most consistent with the genius of monarchy, it was continued, with a few limitations, in several provinces of Germany, in England, and in the northern kingdoms. But in Switzerland and some

z Henault, 340. Castéln. 454.

a Knox, 259.

parts of the Low Countries, where the popular form of government allowed more full scope to the innovating genius of the reformation, all pre-eminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. As the model of episcopal government was copied from that of the christian church as established in the Roman empire, the situation of the primitive church, prior to its establishment by civil authority, seems to have suggested the idea, and furnished the model, of the latter system, which has since been denominated *Presbyterian*. The first christians, oppressed by continual persecutions, and obliged to hold their religious assemblies by stealth and in corners, were contented with a form of government extremely simple. The influence of religion concurred with the sense of danger, in extinguishing among them the spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among many protestants of that age with incredible submission, was the patron and restorer of this scheme of ecclesiastical polity. The church of Geneva, formed under his eye, and by his direction, was deemed the most perfect model of this government; and Knox, who, during his residence in that city, had studied and admired it, warmly recommended it to the imitation of his countrymen.

Among the Scottish nobility, some hated the persons, and others coveted the wealth, of the dignified clergy. By abolishing that order of men, the former indulged their resentment, and the latter hoped to gratify their avarice. The people, inflamed with the most violent aversion to popery, and approving of every scheme that departed furthest from the practice of the Romish church, were delighted with a system so admirably suited to their predominant passion: while the friends of civil liberty beheld with pleasure the protestant clergy pulling down with their own hands that fabric of ecclesiastical power which their predecessors had reared with so much art and industry; and flattered themselves that, by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government easily made its way among men thus prepared, by their various interests and passions, for its reception.

But, on the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form.[b] Instead of bishops, he proposed to establish ten or twelve superintendents in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the other clergy. They presided in the inferior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to sacred things only; they claimed no seat in parliament, and pretended no right to the dignity or revenues of the former bishops.

The number of inferior clergy, to whom the care of parochial duty could be committed, was still extremely small; they had embraced the principles of the reformation at different times, and from various motives; during the public commotions, they were scattered, merely by chance, over the different provinces of the kingdom, and in a few places only were formed into regular classes or societies. The first general assembly (Dec. 20.) of the church, which was held this year, bears all the marks of an infant and unformed society. The members were but few in number, and of no considerable rank; no uniform or consistent rule seems to have been observed in electing them. From a great part of the kingdom no representatives appeared. In the name of some entire counties, but one person was present; while, in other places, a single town or church sent several members. A convention, so feeble and irregular, could not possess extensive authority; and, conscious of their own weakness, the members put an end to their debates without venturing upon any decision of much importance.[c]

In order to give greater strength and consistence to the presbyterian plan, Knox, with the assistance of his brethren, composed the first book of discipline, which contains the model or platform of the intended policy.[d] They presented it to a convention of estates, which was held in the beginning of this year (1561. Jan. 15.). Whatever regulations were proposed with regard to ecclesiastical discipline and jurisdiction, would have easily obtained the sanction of that assembly; but a design to recover the patrimony of the church, which is there insinuated, met with a very different reception.

In vain did the clergy display the advantages which would accrue to the public, by a proper application of ecclesiastical revenues. In vain did they propose, by an impartial distribution of this fund, to promote true religion, to encourage learning, and to support the poor. In vain did they even intermingle threatenings of the divine displeasure against the unjust detainers of what was appropriated to a sacred use. The nobles held fast the prey which they had seized; and, bestowing upon the proposal the name of a *devout imagination*, they affected to consider it as a project altogether visionary, and treated it with the utmost scorn.[e]

This convention appointed the prior of St. Andrew's to repair to the queen, (The queen invited to return into Scotland.) and to invite her to return into her native country, and to assume the reins of government, which had been too long committed to other hands. Though some of her subjects dreaded her return, and others foresaw dangerous consequences with which it might be attended [f] the bulk of them

b Spotswood, 158. c Keith, 498. d Spots. 152. e Knox, 256. f See Append. No. V.

desired it with so much ardour, that the invitation was given with the greatest appearance of unanimity. But the zeal of the Roman catholics got the start of the prior in paying court to Mary; and Lesley, afterwards bishop of Ross, who was commissioned by them, arrived before him at the place of her residence.[g] Lesley endeavoured to infuse into the queen's mind suspicions of her protestant subjects, and to persuade her to throw herself entirely into the arms of those who adhered to her own religion. For this purpose, he insisted that she should land at Aberdeen; and, as the protestant doctrines had made no considerable progress in that part of the kingdom, he gave her assurance of being joined in a few days by twenty thousand men; and flattered her that, with such an army, encouraged by her presence and authority, she might easily overturn the reformed church, before it was firmly settled on its foundations.

But, at this juncture, the princes of Lorrain were not disposed to listen to this extravagant and dangerous proposal. Intent on defending themselves against Catherine of Medicis, whose insidious policy was employed in undermining their exorbitant power, they had no leisure to attend to the affairs of Scotland, and wished their niece to take possession of her kingdom with as little disturbance as possible. The French officers too, who had served in Scotland, dissuaded Mary from all violent measures; and by representing the power and number of the protestants to be irresistible, determined her to court them by every art; and rather to employ the leading men of that party as ministers, than to provoke them by a fruitless opposition to become her enemies.[h] Hence proceeded the confidence and affection with which the prior of St. Andrew's was received by the queen. His representation of the state of the kingdom gained great credit; and Lesley beheld with regret the new channel in which court favour was likely to run.

Another convention of estates was held in May. The arrival of an ambassador from France seems to have been the occasion of this meeting. He was instructed to solicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and to restore the popish ecclesiastics to the possession of their revenues and the exercise of their functions. It is no easy matter to form any conjecture concerning the intentions of the French court in making these extraordinary and ill-timed propositions. They were rejected with that scorn which might well have been expected from the temper of the nation.[i]

In this convention, the protestant clergy did not obtain a more favourable audience than formerly, and their prospect of recovering the patrimony of the church still remained as distant and uncertain as ever. But with regard to another point, they found the zeal of the nobles in no degree abated. The book of discipline seemed to require that the monuments of popery, which still remained in the kingdom, should be demolished;[k] and, though neither the same pretence of policy, nor the same ungovernable rage of the people, remained to justify or excuse this barbarous havoc, the convention, considering every religious fabric as a relic of idolatry, passed sentence upon them by an act in form; and persons the most remarkable for the activity of their zeal were appointed to put it in execution. Abbeys, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The storm of popular insurrection, though impetuous and irresistible, had extended only to a few counties, and soon spent its rage; but now a deliberate and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence.[l]

Mary begins to prepare for it.

In the mean time, Mary was in no haste to return into Scotland. Accustomed to the elegance, splendour, and gaiety of a polite court, she still fondly lingered in France, the scene of all these enjoyments, and contemplated with horror the barbarism of her own country, and the turbulence of her subjects, which presented her with a very different face of things. The impatience, however, of her people, the persuasions of her uncles, but, above all, the studied and mortifying neglect with which she was treated by the queen-mother, forced her to think of beginning this disagreeable voyage.[m] But while she was preparing for it, there were sown between her and Elizabeth the seeds of that personal jealousy and discord which imbittered the life and shortened the days of the Scottish queen.

Origin of the discord between her and Elizabeth.

The ratification of the late treaty of Edinburgh was the immediate occasion of this fatal animosity; the true cause of it lay much deeper. Almost every article in that treaty had been executed by both parties with a scrupulous exactness. The fortifications of Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malcontents were redressed, and they had obtained whatever they could demand for their future security. With regard to all these, Mary could have little reason to decline, or Elizabeth to urge, the ratification of the treaty.

The sixth article remained the only source of contest and difficulty. No minister ever entered more deeply into the schemes of his sovereign, or pursued them with more dexterity and success, than Cecil. In the conduct of the negociation at Edinburgh, the sound understanding of this able politician had proved greatly an overmatch for Monluc's refinements in intrigue, and had artfully induced the French ambassadors, not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but also to promise, that

g Lesley, 227.
i Knox, 269, 273.
h Melv. 61.
k Spotswood, 153.
l Spotswood, 174.
m Brantome, Jebb, vol. ii. 482.

in all times to come Mary should abstain from using the title, or bearing the arms, of those kingdoms.

The ratification of this article would have been of the most fatal consequence to Mary. The crown of England was an object worthy of her ambition. Her pretensions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was esteemed preferable to that of Elizabeth. Among the English themselves, the Roman catholics, who formed at that time a numerous and active party, openly espoused this opinion; and even the protestants, who supported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herself of all these advantages could not, in the course of things, be far distant, and many incidents might fall in, to bring this opportunity nearer than was expected. In these circumstances, Mary, by ratifying the article in dispute, would have lost the rank she had hitherto held among neighbouring princes; the zeal of her adherents must have gradually cooled; and she might have renounced, from that moment, all hopes of ever wearing the English crown.[n]

None of these beneficial consequences escaped the penetrating eye of Elizabeth, who, for this reason, had recourse to every thing by which she could hope either to soothe or frighten the Scottish queen into a compliance with her demands; and if that princess had been so unadvised as to ratify the rash concessions of her ambassadors, Elizabeth, by that deed, would have acquired an advantage, which under her management, must have turned to great account. By such a renunciation, the question with regard to the right of succession would have been left altogether open and undecided; and by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the authority of her parliament, she might have broken in upon the order of lineal succession, and transferred the crown to some other descendant of the royal blood. The former conduct she observed towards James VI. whom, during his whole reign, she held in perpetual fear and subjection. The latter and more rigorous method of proceeding would, in all probability, have been employed against Mary, whom, for many reasons, she both envied and hated.

Nor was this step beyond her power, unprecedented in the history, or inconsistent with the constitution, of England. Though succession by hereditary right be an idea so natural and so popular, that it has been established in almost every civilized nation, yet England affords many memorable instances of deviations from that rule. The crown of that kingdom having once been seized by the hand of a conqueror, this invited the bold and enterprising in every age to imitate such an illustrious example of fortunate ambition. From the time of William the Norman, the regular course of descent had seldom continued through three successive reigns. Those princes, whose intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal consideration. That great assembly claimed and actually possessed a power of altering the order of regal succession; and even so late as Henry VIII. an act of parliament had authorized that capricious monarch to settle the order of succession at his pleasure. The English, jealous of their religious liberty, and averse from the dominion of strangers, would have eagerly adopted the passions of their sovereign, and might have been easily induced to exclude the Scottish line from the right of succeeding to the crown. These seem to have been the views of both queens, and these were the difficulties which retarded the ratification of the treaty of Edinburgh.

But, if the sources of their discord were to be traced no higher than this treaty, an inconsiderable alteration in the words of it might have brought the present question to an amicable issue. The indefinite and ambiguous expression which Cecil had inserted into the treaty, might have been changed into one more limited but more precise; and Mary, instead of promising to abstain from bearing the title of queen of England, in all times to come, might have engaged not to assume that title during the life of Elizabeth, or the lives of her lawful posterity.[o]

Such an amendment, however, did not suit the views of either queen. Though Mary had been obliged to suspend for some time the prosecution of her title to the English crown, she had not, however, relinquished it. She determined to revive her claim on the first prospect of success, and was unwilling to bind herself, by a positive engagement, not to take advantage of any such fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recognized the right of her rival to ascend the throne after her decease. But neither the Scottish nor English queen durst avow these secret sentiments of their hearts. An open discovery of an inclination to disturb the tranquillity of England, or to wrest the sceptre out of Elizabeth's hands, might have proved fatal to Mary's pretensions. Any suspicion of a design to alter the order of succession, and to set aside the claim of the Scottish queen, would have exposed Eliza-

n Haynes, 373, &c.

o This expedient for terminating the difference between Elizabeth and Mary was so obvious, that it could not fail of presenting itself to the view of the English ministers. "There hath been a matter secretly thought of, (says Cecil in a letter to Throkmorton, July 14, 1561.) which I dare communicate to you, although I mean never to be an author thereof; and that is, if an accord might be made betwixt our mistress and the Scottish queen, that this should by parliament in Scotland, &c. surrender unto the queen's majesty all matters of claim, and unto the heirs of her body; and in consideration thereof, the Scottish queen's interest should be acknowledged in default of heirs of the body of the queen's majesty. Well, God send our mistress a husband, and by time a son, that we may hope our posterity shall have a masculine succession. This matter is too big for weak folks, and too deep for simple. The queen's majesty knoweth of it." Hardw. State Pap. i. 174. But with regard to every point relating to the succession, Elizabeth was so jealous and so apt to take offence, that her most confidential ministers durst not urge her to advance one step further than she herself chose to go. Cecil, mentioning some scheme about the succession, if the queen should not marry or leave issue, adds, with his usual caution: "This song hath many parts; but, for my part, I have no skill but in plain song." Ibid. 178.

beth to much and deserved censure, and have raised up against her many and dangerous enemies. These, however carefully concealed or artfully disguised, were, in all probability, the real motives which determined the one queen to solicit, and the other to refuse, the ratification of the treaty in its original form; while neither had recourse to that explication of it, which, to a heart unwarped by political interest, and sincerely desirous of union and concord, would have appeared so obvious and natural.

But, though considerations of interest first occasioned this rupture between the British queens, rivalship of another kind contributed to widen the breach, and female jealousy increased the violence of their political hatred. Elizabeth, with all those extraordinary qualities by which she equalled or surpassed such of her sex as have merited the greatest renown, discovered an admiration of her own person, to a degree which women of ordinary understandings either do not entertain, or prudently endeavour to conceal. Her attention to dress, her solicitude to display her charms, her love of flattery, were all excessive. Nor were these weaknesses confined to that period of life when they are more pardonable. Even in very advanced years, the wisest woman of that, or perhaps of any other, age, wore the garb, and affected the manners, of a girl.[p] Though Elizabeth was as much inferior to Mary in beauty and gracefulness of person, as she excelled her in political abilities and in the arts of government, she was weak enough to compare herself with the Scottish queen;[q] and as it was impossible she could be altogether ignorant how much Mary gained by the comparison, she envied and hated her as a rival by whom she was eclipsed. In judging of the conduct of princes, we are apt to ascribe too much to political motives, and too little to the passions which they feel in common with the rest of mankind. In order to account for Elizabeth's present as well as subsequent conduct towards Mary, we must not always consider her as a queen, we must sometimes regard her merely as a woman.

Elizabeth, though no stranger to Mary's difficulties with respect to the treaty, continued to urge her, by repeated applications, to ratify it.[r] Mary, under various pretences, still contrived to gain time, and to elude the request. But while the one queen solicited with persevering importunity, and the other evaded with artful delay, they both studied an extreme politeness of behaviour, and loaded each other with professions of sisterly love, with reciprocal declarations of unchangeable esteem and amity.

It was not long before Mary was convinced, that among princes these expressions of friendship are commonly far distant from the heart. In sailing from France to Scotland, the course lies along the English coast. In order to be safe from the insults of the English fleet, or, in case of tempestuous weather, to secure a retreat in the harbours of that kingdom, Mary sent M. D'Oysel to demand of Elizabeth a safe-conduct during her voyage. This request, which decency alone obliged one prince to grant to another, Elizabeth rejected, in such a manner as gave rise to no slight suspicion of a design, either to obstruct the passage, or to intercept the person, of the Scottish queen.[s]

Elizabeth refuses Mary a safe-conduct.

Mary, in a long conference with Throkmorton, the English ambassador in France, explained her sentiments concerning this ungenerous behaviour of his mistress, in a strain of dignified expostulation, which conveys an idea of her abilities, address, and spirit, as advantageous as any transaction in her reign. Mary was at that time only in her eighteenth year; and as Throkmorton's account of what passed in his interview with her, is addressed directly to Elizabeth,[t] that dexterous courtier, we may be well assured, did not embellish the discourse of the Scottish queen with any colouring too favourable.

Whatever resentment Mary might feel, it did not retard her departure from France. She was accompanied to Calais, the place where she embarked, in a manner suitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorrain, her uncles, with many of the most eminent among the French nobles, were in her retinue. Catherine, who secretly rejoiced at her departure, graced it with every circumstance of magnificence and respect. After bidding adieu to her mourning attendants, with a sad heart, and eyes bathed in tears, Mary left that kingdom, the short but only scene of her life in which fortune smiled upon her. While the French coast continued in sight, she intently gazed upon it, and musing, in a thoughtful posture, on that height of fortune whence she had fallen, and presaging, perhaps, the disasters and calamities which imbittered the remainder of her days, she sighed often, and cried out, "Farewell, France! Farewell, beloved country, which I shall never more behold!" Even when the darkness of the night had hid the land from her view, she would neither retire to the cabin, nor taste food, but commanding a couch to be placed on the deck, she there waited the return of day with the utmost impatience. Fortune soothed her on this occasion; the galley made little way during the night. In the morning, the coast of France was still within sight, and she continued to feed her melancholy with the prospect; and, as long as her eyes could distinguish it, to utter the same tender expressions of regret.[u] At last a brisk gale arose, by the favour of which for some days, and afterwards under the cover of a thick fog, Mary escaped the English fleet, which, as she apprehended, lay in wait in order to intercept her;[x] and

Mary begins her voyage.

p Johnston, Hist. Rer. Britan. 346, 347. Carte, vol. iii. 699. Catalogue of Royal and noble Authors, article *Essex*.
q Melvil, 98.
r Keith, 157, 160, &c.
s Keith, 171. Camden. See Appendix, No. VI.
t Cabbala, p. 374. Keith, 170, &c.
u Brantome, 483. He himself was in the same galley with the queen.
x Goodal, vol. i. 175. Camden insinuates, rather than affirms, that it was the object of the English fleet to intercept Mary. This, however, seems to be doubtful. Elizabeth positively asserts that, at the request of the king of Spain, she had fitted out a few ships of slender force, in order

on the nineteenth of August, after an absence of near thirteen years, landed safely at Leith in her native kingdom.

Arrives in Scotland.

Mary was received by her subjects with shouts and acclamations of joy, and with every demonstration of welcome and regard. But as her arrival was unexpected, and no suitable preparation had been made for it, they could not, with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-house with little pomp. The queen, accustomed from her infancy to splendour and magnificence, and fond of them, as was natural at her age, could not help observing the change in her situation, and seemed to be deeply affected with it.[y]

State of the kingdom at this time.

Never did any prince ascend the throne at a juncture which called for more wisdom in council, or more courage and steadiness in action. The rage of religious controversy was still unabated. The memory of past oppression exasperated the protestants; the smart of ancient injuries rendered the papists desperate; both were zealous, fierce, and irreconcilable. The absence of their sovereign had accustomed the nobles to independence; and, during the late commotions, they had acquired such an increase of wealth by the spoils of the church, as threw great weight into the scale of the aristocracy, which stood not in need of any accession of power. The kingdom had long been under the government of regents, who exercised a delegated jurisdiction, attended with little authority, and which inspired no reverence. A state of pure anarchy had prevailed for the two last years, without a regent, without a supreme council, without the power, or even the form, of a regular government.[z] A licentious spirit, unacquainted with subordination, and disdaining the restraints of law and justice, had spread among all ranks of men.

The influence of France, the ancient ally of the kingdom, was withdrawn or despised. The English, of enemies become confederates, had grown into confidence with the nation, and had gained an ascendant over all its councils. The Scottish monarchs did not derive more splendour or power from the friendship of the former, than they had reason to dread injury and diminution from the interposition of the latter. Every consideration, whether of interest or of self-preservation, obliged Elizabeth to depress the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the spirit of dissatisfaction among the people.

In this posture were the affairs of Scotland, when the administration fell into the hands of a young queen, not nineteen years of age, unacquainted with the manners and laws of her country, a stranger to her subjects, without experience, without allies, and almost without a friend.

On the other hand, in Mary's situation we find some circumstances, which, though they did not balance these disadvantages, contributed however to alleviate them; and, with skilful management, might have produced great effects. Her subjects, unaccustomed so long to the residence of their prince, were not only dazzled by the novelty and splendour of the royal presence, but inspired with awe and reverence. Besides the places of power and profit bestowed by the favour of a prince, his protection, his familiarity, and even his smiles, confer honour and win the hearts of men. From all corners of the kingdom, the nobles crowded to testify their duty and affection to their sovereign, and studied by every art to wipe out the memory of past misconduct, and to lay in a stock of future merit. The amusements and gaiety of her court, which was filled with the most accomplished of the French nobility, who had attended her, began to soften and to polish the rude manners of the nation. Mary herself possessed many of those qualifications which raise affection and procure esteem. The beauty and gracefulness of her person drew universal admiration, the elegance and politeness of her manners commanded general respect. To all the charms of her own sex, she added many of the accomplishments of the other. The progress she had made in all the arts and sciences, which were then deemed necessary or ornamental, was far beyond what is commonly attained by princes; and all her other qualities were rendered more agreeable by a courteous affability, which, without lessening the dignity of a prince, steals on the hearts of subjects with a bewitching insinuation.

From these circumstances, notwithstanding the threatening aspect of affairs at Mary's return into Scotland; notwithstanding the clouds which gathered on every hand, a political observer would have predicted a very different issue of her reign; and, whatever sudden gusts of faction he might have expected, he would never have dreaded the destructive violence of that storm which followed.

While all parties were contending who should discover the most dutiful attachment to the queen, the zealous and impatient spirit of the age broke out in a remarkable instance. On the Sunday after her arrival, the queen commanded mass to be celebrated in the chapel of her palace. The first rumour of this occasioned a secret murmuring among the protestants who attended the court; complaints and threatenings soon followed; the servants belonging to the chapel were insulted and abused; and, if the prior of St. Andrew's had not seasonably interposed, the rioters might have proceeded to the utmost excesses.[a]

It is impossible, at this distance of time, and under circumstances so very different, to conceive the violence of that zeal against popery, which then

to clear the narrow seas of pirates, which infested them; and she appeals for the truth of this to Mary's own ministers. App. No. VI. Cecil, in a letter to Throkmorton, Aug. 26, 1561, informs him, that "the queen's ships, which were upon the seas to cleanse them of pirates, saw her [i. e. Mary,] and saluted her galleys, and staying her ships, examined them of pirates, and dismissed them gently. One Scottish ship they detained as vehemently suspected of piracy." Hard. State Papers, i. 176. Castelnau, who accompanied Mary in this voyage, confirms the circumstance of her galleys being in sight of the English fleet. Mem. ap. Jebb. xi. 455.

y Brant. 484. z Keith, Appendix, 92. a Knox 284. Haynes, 372.

possessed the nation. Every instance of condescension to the papists was deemed an act of apostasy, and the toleration of a single mass pronounced to be more formidable to the nation than the invasion of ten thousand armed men.[b] Under the influence of these opinions, many protestants would have ventured to go dangerous lengths; and, without attempting to convince their sovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worshipping God in that manner which alone she thought acceptable to him. But the prior of St. Andrew's, and other leaders of the party, not only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domestics the undisturbed exercise of the catholic religion. Near a hundred years after this period, when the violence of religious animosities had begun to subside, when time and the progress of learning had enlarged the views of the human mind, an English House of Commons refused to indulge the wife of their sovereign in the private use of the mass. The protestant leaders deserve, on this occasion, the praise both of wisdom and of moderation for conduct so different. But, at the same time, whoever reflects upon the encroaching and sanguinary spirit of popery in that age, will be far from treating the fears and caution of the more zealous reformers as altogether imaginary, and destitute of any real foundation.

The leaders of the protestants, however, by this prudent compliance with the prejudices of their sovereign, obtained from her a proclamation highly favourable to their religion, which was issued six days after her arrival in Scotland. The reformed doctrine, though established over all the kingdom by the parliament, which met in consequence of the treaty of pacification, had never received the countenance or sanction of royal authority. In order to quiet the minds of those who had embraced that doctrine, and to remove any dread of molestation which they might entertain, Mary declared, "that until she should take final orders concerning religion, with advice of parliament, any attempt to alter or subvert the religion which she found universally practised in the realm, should be deemed a capital crime."[c] Next year a second proclamation to the same effect was published.[d]

Aug. 25.

She employs only protestants in the administration.

The queen, conformably to the plan which had been concerted in France, committed the administration of affairs entirely to protestants. Her council was filled with the most eminent persons of that party; not a single papist was admitted into any degree of confidence.[e] The prior of St. Andrew's and Maitland of Lethington seemed to hold the first place in the queen's affection, and possessed all the power as well as reputation of favourite ministers. Her choice could not have fallen upon persons more acceptable to her people; and, by their prudent advice, Mary conducted herself with so much moderation, and deference to the sentiments of the nation, as could not fail of gaining the affection of her subjects,[f] the firmest foundation of a prince's power, and the only genuine source of his happiness and glory.

Attempts to gain Elizabeth's favour.

A cordial reconcilement with Elizabeth was another object of great importance to Mary; and though she seems to have had it much at heart, in the beginning of her administration, to accomplish such a desirable conjunction, yet many events occurred to widen, rather than to close, the breach. The formal offices of friendship, however, are seldom neglected among princes; and Elizabeth, who had attempted so openly to obstruct the queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her safe return. Mary, that she might be on equal terms with her, sent Maitland to the English court, with many ceremonious expressions of regard for Elizabeth.[g] Both the ambassadors were received with the utmost civility; and on each side the professions of kindness, as they were made with little sincerity, were listened to with proportional credit.

Both were intrusted, however, with something more than mere matter of ceremony. Randolph urged Mary, with fresh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuse Elizabeth, by apologizing for the dilatory conduct of his mistress with regard to that point. The multiplicity of public affairs since her arrival in Scotland, the importance of the question in dispute, and the absence of many noblemen, with whom she was obliged in decency to consult, were the pretences offered in excuse for her conduct; the real causes of it were those which have already been mentioned. But, in order to extricate herself out of these difficulties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly she seemed determined never to give up. She instructed Maitland to signify her willingness to disclaim any right to the crown of England, during the life of Elizabeth, and the lives of her posterity; if, in failure of these, she were declared next heir by an act of parliament.[h]

Reasonable as this proposal might appear to Mary, who thereby precluded herself from disturbing Elizabeth's possession of the throne, nothing could be more inconsistent with Elizabeth's interest, or more contradictory to a passion which predominated in the character of that princess. Notwithstanding all the great qualities which threw such lustre on her reign, we may observe, that she was tinctured with a jealousy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her situation heightened, no doubt, and increased, but did not infuse, this passion. It descended to her from Henry VII. her

b Knox, 287.
c Keith, 504.
d Ibid. 510.
e Knox, 285.
f Lesley, 235.
g Keith, 181, &c.
h Camden, 387. Buch. 329.

grandfather, whom, in several features of his character, she nearly resembled. Like him, she suffered the title by which she held the crown to remain ambiguous and controverted, rather than submit it to parliamentary discussion, or derive any addition to her right from such authority. Like him, she observed every pretender to the succession, not only with that attention which prudence prescribes, but with that aversion which suspicion inspires. The present uncertainty with regard to the right of succession operated for Elizabeth's advantage, both on her subjects and on her rivals. Among the former, every lover of his country regarded her life as the great security of the national tranquillity; and chose rather to acknowledge a title which was dubious, than to search for one that was unknown. The latter, while nothing was decided, were held in dependence, and obliged to court her. The manner in which she received this ill-timed proposal of the Scottish queen, was no other than might have been expected. She rejected it in a peremptory tone, with many expressions of a resolution never to permit a point of so much delicacy to be touched.

Sept. 1. About this time the queen made her public entry into Edinburgh with great pomp. Nothing was neglected that could express the duty and affection of the citizens towards their sovereign. But, amidst these demonstrations of regard, the genius and sentiments of the nation discovered themselves in a circumstance, which, though inconsiderable, ought not to be overlooked. As it was the mode of the times to exhibit many pageants at every public solemnity, most of these, on this occasion, were contrived to be representations of the vengeance which the Almighty had inflicted upon idolaters.[i] Even while they studied to amuse and to flatter the queen, her subjects could not refrain from testifying their abhorrence of that religion which she professed.

Restrains the licence of the borderers. To restore the regular administration of justice, and to reform the internal policy of the country, became the next object of the queen's care. The laws enacted for preservation of public order, and the security of private property, were nearly the same in Scotland as in every other civilized country. But the nature of the Scottish constitution, the feebleness of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of these laws feeble, irregular, and partial. In the counties which border on England, this defect was most apparent, and the consequences of it most sensibly felt. The inhabitants, strangers to industry, averse from labour, and unacquainted with the arts of peace, subsisted chiefly by spoil and pillage; and, being confederated in septs or clans, committed these excesses not only with impunity, but even with honour. During the unsettled state of the kingdom from the death of James V., this dangerous licence had grown to an unusual height; and the inroads and rapine of those freebooters were become no less intolerable to their own countrymen than to the English. To restrain and punish these outrages, was an action equally popular in both kingdoms. The prior of St. Andrew's was the person chosen for this important service, and extraordinary powers, together with the title of the queen's lieutenant, were vested in him for that purpose.

Nothing can be more surprising to men accustomed to regular government, than the preparations made on this occasion. They were such as might be expected in the rudest and most imperfect state of society. The freeholders of eleven several counties, with all their followers completely armed, were summoned to assist the lieutenant in the discharge of his office. Every thing resembled a military expedition, rather than the progress of a court of justice.[k] The prior executed his commission with such vigour and prudence, as acquired him a great increase of reputation and popularity among his countrymen. Numbers of the banditti suffered the punishment due to their crimes; and, by the impartial and rigorous administration of justice, order and tranquillity were restored to that part of the kingdom.

The papists attempt, in vain, to get into favour with her. During the absence of the prior of St. Andrew's, the leaders of the popish faction seem to have taken some steps towards insinuating themselves into the queen's favour and confidence.[l] But the archbishop of St. Andrew's, the most remarkable person in the party for abilities and political address, was received with little favour at court; and, whatever secret partiality the queen might have towards those who professed the same religion with herself, she discovered no inclination at that time to take the administration of affairs out of the hands to which she had already committed it.

The cold reception of the archbishop of St. Andrew's was owing to his connection with the house of Hamilton; from which the queen was much alienated. The duke of Guise and the cardinal could never forgive the zeal with which the duke of Chatelherault and his son the earl of Arran had espoused the cause of the Congregation. Princes seldom view their successors without jealousy and distrust. The prior of St. Andrew's, perhaps, dreaded the duke as a rival in power. All these causes concurred in infusing into the queen's mind an aversion for that family. The duke, indulging his love of retirement, lived at a distance from court, without taking pains to insinuate himself into favour; and, though the earl of Arran openly aspired to marry the queen, he, by a most unpardonable act of imprudence, was the only nobleman of distinction who opposed Mary's enjoying the exercise of her religion; and, by rashly entering a public protestation against it, entirely forfeited her favour.[m] At the same time, the sordid parsimony of his father obliged him either

i Keith, 189. k Ibid. 198. l Ibid. 203. m Keith, 201, 204. Knox, 286.

to hide himself in some retirement, or to appear in a manner unbecoming his dignity as first prince of the blood, or his high pretensions as suitor to the queen.[n] His love, inflamed by disappointment, and his impatience, exasperated by neglect, preyed gradually on his reason; and after many extravagances, broke out at last in ungovernable frenzy.

Dec. 20. Towards the end of the year, a convention of estates was held, chiefly on account of ecclesiastical affairs. The assembly of the church, which sat at the same time, presented a petition, containing many demands with respect to the suppressing of popery, the encouraging the protestant religion, and the providing for the maintenance of the clergy.[o] The last was a matter of great importance, and the steps taken towards it deserve to be traced.

A new regulation concerning the revenues of the church.

Though the number of protestant preachers was now considerably increased, many more were still wanted, in every corner of the kingdom. No legal provision having been made for them, they had hitherto drawn a scanty and precarious subsistence from the benevolence of their people. To suffer the ministers of an established church to continue in this state of indigence and dependence, was an indecency equally repugnant to the principles of religion, and to the maxims of sound policy; and would have justified all the imputations of avarice with which the reformation was then loaded by its enemies. The revenues of the popish church were the only fund which could be employed for their relief; but, during the three last years, the state of these was greatly altered. A great majority of abbots, priors, and other heads of religious houses, had, either from a sense of duty, or from views of interest, renounced the errors of popery; and, notwithstanding this change in their sentiments, they retained their ancient revenues. Almost the whole order of bishops, and several of the other dignitaries, still adhered to the Romish superstition; and, though debarred from every spiritual function, continued to enjoy the temporalities of their benefices. Some laymen, especially those who had been active in promoting the reformation, had, under various pretensions, and amidst the licence of civil wars, got into their hands possessions which belonged to the church. Thus, before any part of the ancient ecclesiastical revenues could be applied towards the maintenance of the protestant ministers, many different interests were to be adjusted; many claims to be examined; and the prejudices and passions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquiesced in even by the popish clergy themselves. An exact account of the value of ecclesiastical benefices throughout the kingdom was appointed to be taken. The present incumbents, to whatever party they adhered, were allowed to keep possession: two-thirds of their whole revenue were reserved for their own use, the remainder was annexed to the crown; and out of that the queen undertook to assign a sufficient maintenance for the protestant clergy.[p]

As most of the bishops and several of the other dignitaries were still firmly attached to the popish religion, the extirpation of the whole order, rather than an act of such extraordinary indulgence, might have been expected from the zeal of the preachers, and from the spirit which had hitherto animated the nation. But, on this occasion, other principles obstructed the operations of such as were purely religious. Zeal for liberty, and the love of wealth, two passions extremely opposite, concurred in determining the protestant leaders to fall in with this plan, which deviated so manifestly from the maxims by which they had hitherto regulated their conduct.

If the reformers had been allowed to act without control, and to level all distinctions in the church, the great revenues annexed to ecclesiastical dignities could not, with any colour of justice, have been retained by those in whose hands they now were; but must either have been distributed amongst the protestant clergy, who performed all religious offices, or must have fallen to the queen, from the bounty of whose ancestors the greater part of them was originally derived. The former scheme, however suitable to the religious spirit of many among the people, was attended with manifold danger. The popish ecclesiastics had acquired a share in the national property, which far exceeded the proportion that was consistent with the happiness of the kingdom; and the nobles were determined to guard against this evil, by preventing the return of those possessions into the hands of the church. Nor was the latter, which exposed the constitution to more imminent hazard, to be avoided with less care. Even that circumscribed prerogative, which the Scottish kings possessed, was the object of jealousy to the nobles. If they had allowed the crown to seize the spoils of the church, such an increase of power must have followed that accession of property, as would have raised the royal authority above control, and have rendered the most limited prince in Europe the most absolute and independent. The reign of Henry VIII. presented a recent and alarming example of this nature. The wealth which flowed in upon that prince, from the suppression of the monasteries, not only changed the maxims of his government, but the temper of his mind; and he who had formerly submitted to his parliaments, and courted his people, dictated from that time to the former with intolerable insolence, and tyrannized over the latter with unprecedented severity. And if his policy had not been extremely short-sighted, if he had not squandered what he acquired, with a profusion equal to his rapaciousness, and which defeated his ambition, he might have established despotism in England, on a basis

n Keith, 196. o Ibid. 210. p Keith, 175. Knox, 194.

so broad and strong as all the efforts of the subjects would never have been able to shake. In Scotland, where the riches of the clergy bore as great a proportion to the wealth of the kingdom, the acquisition of church lands would have been of no less importance to the crown, and no less fatal to the aristocracy. The nobles, for this reason, guarded against such an increase of the royal power, and thereby secured their own independence.

Avarice mingled itself with their concern for the interest of their order. The re-uniting the possessions of the church to the crown, or the bestowing them on the protestant clergy, would have been a fatal blow, both to those nobles who had, by fraud or violence, seized part of these revenues, and to those abbots and priors who had totally renounced their ecclesiastical character. But as the plan which was proposed gave some sanction to their usurpation, they promoted it with their utmost influence. The popish ecclesiastics, though the lopping off a third of their revenues was by no means agreeable to them, consented, under their present circumstances, to sacrifice a part of their possessions, in order to purchase the secure enjoyment of the remainder; and, after deeming the whole irrecoverably lost, they considered whatever they could retrieve as so much gain. Many of the ancient dignitaries were men of noble birth; and as they no longer entertained hopes of restoring the popish religion, they wished their own relations, rather than the crown, or the protestant clergy, to be enriched with the spoils of the church. They connived, for this reason, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patrimony of the church among their own relations, and by granting *feus* and perpetual leases of lands and tithes, gave, to the utmost of their power, some colour of legal possession to what was formerly mere usurpation. Many vestiges of such alienation still remain.[q] The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually stripped the ecclesiastics of their richest and most valuable possessions. Even that third part, which was given up in order to silence the clamours of the protestant clergy, and to be some equivalent to the crown for its claims, amounted to no considerable sum. The *thirds* due by the more powerful nobles, especially by such as had embraced the reformation, were almost universally remitted. Others, by producing fraudulent rentals, by estimating the corn, and other payments in kind, at an undervalue, and by the connivance of collectors, greatly diminished the charge against themselves;[r] and the nobles had much reason to be satisfied with a device which, at so small expense, secured to them such valuable possessions.

The protestant clergy no gainers by it.

Nor were the protestant clergy considerable gainers by this new regulation; they found it to be a more easy matter to kindle zeal, than to extinguish avarice. Those very men, whom formerly they had swayed with absolute authority, were now deaf to all their remonstrances. The prior of St. Andrew's, the earl of Argyll, the earl of Morton, and Maitland, all the most zealous leaders of the Congregation, were appointed to assign, or, as it was called, to *modify*, their stipends. A hundred merks Scottish was the allowance which their liberality afforded to the generality of ministers. To a few three hundred merks were granted.[s] About twenty-four thousand pounds Scottish appears to have been the whole sum allotted for the maintenance of a national church established by law, and esteemed throughout the kingdom the true church of God.[t] Even this sum was paid with little exactness, and the ministers were kept in the same poverty and dependence as formerly.

1562. Dissensions among the nobles.

The gentleness of the queen's administration, and the elegance of her court, had mitigated, in some degree, the ferocity of the nobles, and accustomed them to greater mildness and humanity; while at the same time, her presence and authority were a check to their factious and tumultuary spirit. But, as a state of order and tranquillity was not natural to the feudal aristocracy, it could not be of long continuance; and this year became remarkable for the most violent eruptions of intestine discord and animosity.

Among the great and independent nobility of Scotland, a monarch could possess little authority, and exercise no extensive or rigorous jurisdiction. The interfering of interest, the unsettled state of property, the frequency of public commotions, and the fierceness of their own manners, sowed among the great families the seeds of many quarrels and contentions. These, as we have already observed, were frequently decided, not by law, but by violence. The offended baron, without having recourse to the monarch, or acknowledging his superior authority, assembled his own followers, and invaded the lands of his rival in a hostile manner. Together with his estate and honours, every nobleman transmitted some hereditary feud to his posterity, who were bound in honour to adopt and to prosecute it with unabated rancour.

Such a dissension had subsisted between the house of Hamilton and the earl of Bothwell, and was heightened by mutual injuries during the late commotions.[u] The earls of Arran and Bothwell happening to attend the court at the same time, their followers quarrelled in the streets of Edinburgh, and excited dangerous tumults in that city. At last, the mediation of their friends, particularly of Knox, brought about a reconcilement, but an unfortunate one to both these noblemen.[x]

February.

A few days after, Arran came to Knox, and with

q Keith, 507. Spotsw. 175.
r Keith, Append. 188. Spotsw. 183.
s Knox, 301.
t Keith, Append. 188.
u Keith, 215.
x Knox, 305.

the utmost terror and confusion, confessed first to him, and then to the prior of St. Andrew's, that, in order to obtain the sole direction of affairs, Bothwell, and his kinsmen the Hamiltons, had conspired to murder the prior, Maitland, and the other favourites of the queen. The duke of Chatelherault regarded the prior as a rival, who had supplanted him in the queen's favour, and who filled that place at the helm, which he imagined to be due to himself, as first prince of the blood. Bothwell, on account of the personal injuries which he had received from the prior during the hostile operations of the two contending parties, was no less exasperated against him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conspiracy existed only in the frantic and disordered imagination of the earl of Arran, it is impossible, amidst the contradiction of historians and the defectiveness of records, positively to determine. Among men inflamed with resentment and impatient for revenge, rash expressions might be uttered, and violent and criminal expedients proposed; and on that foundation, Arran's distempered fancy might rear the whole superstructure of a conspiracy. All the persons accused denied their guilt with the utmost confidence. But the known characters of the men, and the violent spirit of the age, added greatly to the probability of the accusation, and abundantly justify the conduct of the queen's ministers, who confined Bothwell, Arran, and a few of the ringleaders, in separate prisons, and obliged the duke to surrender the strong castle of Dumbarton, which he had held ever since the time of his resigning the office of regent.[y]

The earl of Huntley's enmity to the queen's ministers.

The designs of the earl of Huntley against the prior of St. Andrew's were deeper laid, and produced more memorable and more tragical events. George Gordon, earl of Huntley, having been one of the nobles who conspired against James III., and who raised his son James IV. to the throne, enjoyed a great share in the confidence of that generous prince.[z] By his bounty, great accessions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander the next earl, being appointed lord-lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court; and retiring to the north, where his estate and influence lay, resided there in a kind of princely independence. The chieftains in that part of the kingdom dreaded the growing dominion of such a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he secretly undermined, others he subdued by open force. His estate far exceeded that of any other subject, and his *superiorities* and jurisdictions extended over many of the northern counties. With power and possessions so extensive, under two long and feeble minorities, and amidst the shock of civil commotions, the earls of Huntley might have indulged the most elevated hopes. But happily for the crown, an active and enterprising spirit was not the characteristic of that family; and, whatever object their ambition might have in view, they chose rather to acquire it by political address, than to seize it openly and by force of arms.

The conduct of George the present earl, during the late commotions, had been perfectly suitable to the character of the family in that age, dubious, variable, and crafty. While the success of the lords of the Congregation was uncertain, he assisted the queen regent in her attempts to crush them. When their affairs put on a better aspect, he pretended to join them, but never heartily favoured their cause. He was courted and feared by each of the contending parties; both connived at his encroachments in the north; and, by artifice and force, which he well knew how to employ alternately, and in their proper places, he added every day to the exorbitant power and wealth which he possessed.

He observed the growing reputation and authority of the prior of St. Andrew's with the greatest jealousy and concern, and considered him as a rival who had engrossed that share in the queen's confidence, to which his own zeal for the popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occasioned by rivalship in power. The queen having determined to reward the services of the prior of St. Andrew's, by creating him an earl, she made choice of Mar, as the place whence he should take his title; and, that he might be better able to support his new honour, bestowed upon him at the same time the lands of that name. These were part of the royal demesnes,[a] but the earls of Huntley had been permitted, for several years, to keep possession of them.[b] On this occasion the earl not only complained, with some reason, of the loss which he sustained, but had real cause to be alarmed at the intrusion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppressed vassals to shake off his yoke. Feb. 1.

An incident, which happened soon after, increased and confirmed Huntley's suspicions. Sir John Gordon, his third son, and lord Ogilvie, had a dispute about the property of an estate. This dispute became a deadly quarrel. They happened unfortunately to meet in the streets of Edinburgh, and being both attended with armed followers, a scuffle ensued, in which lord Ogilvie was dangerously wounded by sir John. The magistrates seized both the offenders, and the queen commanded them to be strictly confined. Under any regular government, such a breach of public peace and order would expose the person offending to certain punishment. At this time some severity was necessary, in order to vindicate the queen's autho- June 27.

y Knox, 307, 308. z Crawf. Officers of state, 56.

a Crawf. Peer. 297. b Buch. 334.

rity from an insult, the most heinous which had been offered to it since her return into Scotland. But, in an age accustomed to licence and anarchy, even this moderate exercise of her power, in ordering them to be kept in custody, was deemed an act of intolerable rigour; and the friends of each party began to convene their vassals and dependents, in order to overawe, or to frustrate, the decisions of justice.[c] Meanwhile Gordon made his escape out of prison, and flying into Aberdeenshire, complained loudly of the indignity with which he had been treated; and as all the queen's actions were at this juncture imparted to the earl of Mar, this added not a little to the resentment which Huntley had conceived against that nobleman.

August. At the very time when these passions fermented, with the utmost violence, in the minds of the earl of Huntley and his family; the queen happened to set out on a progress into the northern parts of the kingdom. She was attended by the earls of Mar and Morton, Maitland, and other leaders of that party. The presence of the queen, in a country where no name greater than the earl of Huntley's had been heard of, and no power superior to his had been exercised, for many years, was an event of itself abundantly mortifying to that haughty nobleman. But while the queen was entirely under the direction of Mar, all her actions were more apt to be misrepresented, and construed into injuries; and a thousand circumstances could not but occur to awaken Huntley's jealousy, to offend his pride, and to inflame his resentment. Amidst the agitation of so many violent passions, some eruption was unavoidable.

On Mary's arrival in the north, Huntley employed his wife, a woman capable of executing the commission with abundance of dexterity, to soothe the queen, and to intercede for pardon to their son. But the queen peremptorily required that he should again deliver himself into the hands of justice, and rely on her clemency. Gordon was persuaded to do so; and being enjoined by the queen to enter himself prisoner into the castle of Stirling, he promised likewise to obey that command. Lord Erskine, Mar's uncle, was at that time governor of this fort. The queen's severity, and the place in which she appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons against him.

Meantime, sir John Gordon set out towards Stirling; but, instead of performing his promise to the queen, made his escape from his guards, and returned to take the command of his followers, who were rising in arms all over the north. These were destined to second and improve the blow, by which his father proposed, secretly and at once, to cut off Mar, Morton, and Maitland, his principal adversaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by some of those unforeseen accidents, which so often occur to disconcert the schemes, and to intimidate the hearts, of assassins.[d] Huntley's own house, at Strathbogie, was the last and most convenient scene appointed for committing the intended violence. But on her journey thither, the queen heard of young Gordon's flight and rebellion, and refusing, in the first transports of her indignation, to enter under the father's roof, by that fortunate expression of her resentment saved her ministers from unavoidable destruction.[e]

Take arms against the queen. The ill success of these efforts of private revenge precipitated Huntley into open rebellion. As the queen was entirely under the direction of his rivals, it was impossible to compass their ruin, without violating the allegiance which he owed his sovereign. On her arrival at Inverness, the commanding officer in the castle, by Huntley's orders, shut the gates against her. Mary was obliged to lodge in the town, which was open and defenceless; but this too was quickly surrounded by a multitude of the earl's followers.[f] The utmost consternation seized the queen, who was attended by a very slender train. She every moment expected the approach of the rebels, and some ships were already ordered into the river to secure her escape. The loyalty of the Munroes, Frasers, Mackintoshes, and some neighbouring clans, who took arms in her defence, saved her from this danger. By their assistance, she even forced the castle to surrender, and inflicted on the governor the punishment which his insolence deserved.

This open act of disobedience was the occasion of a measure more galling to Huntley than any the queen had hitherto taken. Lord Erskine having pretended a right to the earldom of Mar, Stewart resigned it in his favour; and at the same time Mary conferred upon him the title of earl of Murray, with the estate annexed to that dignity, which had been in the possession of the earl of Huntley since the year 1548.[g] From this encroachment upon his domains he concluded that his family was devoted to destruction; and, dreading to be stripped gradually of those possessions which, in reward of their services, the gratitude of the crown had bestowed on himself, or his ancestors, he no longer disguised his intentions, but, in defiance of the queen's proclamation, openly took arms. Instead of yielding those places of strength, which Mary required him to surrender, his followers dispersed or cut in pieces the parties which she despatched to take possession of them;[h] and he himself advancing with a considerable body of men towards Aberdeen, to which place the queen was now returned, filled her small court with consternation. Murray had only a handful of men in whom he could confide.[i] In order to form the appearance of an army, he was obliged to call in the assistance of the neighbouring

c Keith, 223.
d Keith, 230.
e Knox, 318.
f Crawf. Officers of State, 87, 93.
g Crawf. Peer. 359.
h Knox, 319.
i Keith, 230.

barons; but as most of these either favoured Huntley's designs, or stood in awe of his power, from them no cordial or effectual service could be expected.

Oct. 28. With these troops, however, Murray, who could gain nothing by delay, marched briskly towards the enemy. He found them at Coriehie, posted to great advantage. He commanded his northern associates instantly to begin the attack; but, on the first motion of the enemy, they treacherously turned their backs; and Huntley's followers, throwing aside their spears, and breaking their ranks, drew their swords, and rushed forward to the pursuit. It was then that Murray gave proof, both of steady courage and of prudent conduct. He stood immovable on a rising ground, with the small but trusty body of his adherents, who, presenting their spears to the enemy, received them with a determined resolution, which they little expected. The Highland broadsword is not a weapon fit to encounter the Scottish spear. In every civil commotion, the superiority of the latter has been evident, and has always decided the contest. On this occasion the irregular attack of Huntley's troops was easily repulsed by Murray's firm battalion. Before they recovered from the confusion occasioned by this unforeseen resistance, Murray's northern troops, who had fled so shamefully in the beginning of the action, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntley himself, who was extremely corpulent, was trodden to death in the pursuit. His sons, sir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his prisoners.

He is defeated by the earl of Murray.

The trial of men taken in actual rebellion against their sovereign was extremely short. Three days after the battle, sir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's designs, was seized in the south, and upon trial found guilty of treason; but, through the queen's clemency, the punishment was remitted. The first parliament proceeded against this great family with the utmost rigour of law, and reduced their power and fortune to the lowest ebb.[k]

As the fall of the earl of Huntley is the most important event of this year, it would have been improper to interrupt the narrative by taking notice of lesser transactions, which may now be related with equal propriety.

An interview between Elizabeth and Mary proposed.

In the beginning of summer, Mary, who was desirous of entering into a more intimate correspondence and familiarity with Elizabeth, employed Maitland to desire a personal interview with her, somewhere in the north of England. As this proposal could not be rejected with decency, the time, the place, and the circumstances of the meeting were instantly agreed upon. But Elizabeth was prudent enough not to admit into her kingdom a rival who outshone herself so far in beauty and gracefulness of person; and who excelled so eminently in all the arts of insinuation and address. Under pretence of being confined to London, by the attention which she was obliged to give to the civil wars in France, she put off the interview for that season,[l] and prevented her subjects from seeing the Scottish queen, the charms of whose appearance and behaviour she envied, and had some reason to dread.

June 2. Dec. 25. During this year, the assembly of the church met twice. In both these meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs against the negligence or avarice of those who had been appointed to collect and to distribute the small fund, appropriated for the maintenance of preachers.[m] A petition, craving redress of their grievances, was presented to the queen; but without any effect. There was no reason to expect that Mary would discover any forwardness to grant the request of such supplicants. As her ministers, though all most zealous protestants, were themselves growing rich on the inheritance of the church, they were equally regardless of the indigence and demands of their brethren.

1563. Negociations with regard to the queen's marriage.

Mary had now continued above two years in a state of widowhood. Her gentle administration had secured the hearts of her subjects, who were impatient for her marriage, and wished the crown to descend in the right line from their ancient monarchs. She herself was the most amiable woman of the age, and the fame of her accomplishments, together with the favourable circumstance of her having one kingdom

k This conspiracy of the earl of Huntley is one of the most intricate and mysterious passages in the Scottish history. As it was a transaction purely domestic, and in which the English were little interested, few original papers concerning it have been found in Cecil's collection, the great storehouse of evidence and information with regard to the affairs of this period. Buchanan supposes Mary to have formed a design about this time of destroying Murray, and of employing the power of the earl of Huntley for this purpose. But his account of this whole transaction appears to be so void of truth, and even of probability, as to deserve no serious examination. At that time Mary wanted power, and seems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheses have been advanced, in order to explain this matter; but they appear to be equally removed from truth.

1. It cannot well be conceived, that the queen's journey to the north was a scheme concerted by Murray, in order to ruin the earl of Huntley. 1. Huntley had resided at court almost ever since the queen's return. Keith, 198. Append. 175, &c. This was the proper place in which to have seized him. To attack him in Aberdeenshire, the seat of his power, and in the midst of his vassals, was a project equally absurd and hazardous. 2. The queen was not accompanied with a body of troops, capable of attempting any thing against Huntley by violence: her train was not more numerous than was usual in times of greatest tranquillity. Keith, 230. 3. There remain two original letters with regard to this conspiracy; one from Randolph the English resident, and another from Maitland, both directed to Cecil. They talk of Huntley's measures as notoriously treasonable. Randolph mentions his repeated attempts to assassinate Murray, &c. No hint is given of any previous resolution, formed by Mary's ministers, to ruin Huntley and his family. Had any such design ever existed, it was Randolph's duty to have discovered it; nor would Maitland have laboured to conceal it from the English secretary. Keith, 229, 232.

II. To suppose that the earl of Huntly had laid any plan for seizing the queen and her ministers, seems to be no less improbable. 1. On the queen's arrival in the north, he laboured, in good earnest, to gain her favour, and to obtain a pardon for his son. Knox, 318. 2. He met the queen, first at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any such treasonable resolution. Knox, 318. 3. His conduct was irresolute and wavering, like that of a man disconcerted by an unforeseen danger, not like one executing a concerted plan. 4. The most considerable persons of his clan submitted to the queen, and found surety to obey her commands. Keith, 226. Had the earl been previously determined to rise in arms against the queen, or to seize her ministers, it is probable he would have imparted it to his principal followers, nor would they have deserted him in this manner.

For these reasons I have, on the one hand, vindicated the earl of Murray from any deliberate intention of ruining the family of Gordon; and on the other hand, I have imputed the violent conduct of the earl of Huntley to a sudden start of resentment, without charging him with any premeditated purpose of rebellion.

l Keith, 216.

m Knox, 311, 323.

already in her possession, and the prospect of mounting the throne of another, prompted many different princes to solicit an alliance so illustrious. Scotland, by its situation, threw so much weight and power into whatever scale it fell, that all Europe waited with solicitude for Mary's determination; and no event in that age excited stronger political fears and jealousies; none interested more deeply the passions of several princes, or gave rise to more contradictory intrigues, than the marriage of the Scottish queen.

She is solicited by different princes.

The princes of the house of Austria remembered what vast projects the French had founded on their former alliance with the queen of Scots; and though the unexpected death, first of Henry and then of Francis, had hindered these from taking effect, yet if Mary should again make choice of a husband among the French princes, the same designs might be revived and prosecuted with better success.

By the archduke Charles.

In order to prevent this, the emperor entered into a negociation with the cardinal of Lorrain, who had proposed to marry the Scottish queen to the archduke Charles, Ferdinand's third son. The matter was communicated to Mary; and Melvil, who at that time attended the elector Palatine, was commanded to inquire into the character and situation of the archduke.[n]

By Don Carlos of Spain.

Philip II., though no less apprehensive of Mary's falling once more into the hands of France, envied his uncle Ferdinand the acquisition of so important a prize; and, as his own insatiable ambition grasped at all the kingdoms of Europe, he employed his ambassador at the French court to solicit the princes of Lorrain in behalf of his son Don Carlos, at that time the heir of all the extensive dominions which belonged to the Spanish monarchy.[o]

By the duke of Anjou.

Catherine of Medicis, on the other hand, dreaded the marriage of the Scottish queen with any of the Austrian princes, which would have added so much to the power and pretensions of that ambitious race. Her jealousy of the princes of Lorrain rendered her no less averse from an alliance which, by securing to them the protection of the emperor or king of Spain, would give new boldness to their enterprising spirit, and enable them to set the power of the crown, which they already rivalled, at open defiance: and as she was afraid that these splendid proposals of the Austrian family would dazzle the young queen, she instantly despatched Castelnau into Scotland, to offer her in marriage the duke of Anjou, the brother of her former husband, who soon after mounted the throne of France.[o]

Mary's deliberations concerning it.

Mary attentively weighed the pretensions of so many rivals. The archduke had little to recommend him, but his high birth. The example of Henry VIII. was a warning against contracting a marriage with the brother of her former husband; and she could not bear the thoughts of appearing in France, in a rank inferior to that which she had formerly held in that kingdom. She listened, therefore, with partiality, to the Spanish propositions, and the prospect of such vast power and dominions flattered the ambition of a young and aspiring princess.

Three several circumstances, however, concurred to divert Mary from any thoughts of a foreign alliance.

The first of these was the murder of her uncle the duke of Guise. The violence and ambition of that nobleman had involved his country in a civil war; which was conducted with furious animosity and various success. At last the duke laid siege to Orleans, the bulwark of the protestant cause; and he had reduced that city to the last extremity, when he was assassinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal of Lorrain, though subtle and intriguing, wanted that undaunted and enterprising courage, which rendered the ambition of his brother so formidable. Catherine, instead of encouraging the ambition, or furthering the pretensions, of her daughter-in-law, took pleasure in mortifying the one, and in disappointing the other. In this situation, and without such a protector, it became necessary for Mary to contract her views, and to proceed with caution; and, whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The views of Elizabeth.

The second circumstance which weighed with Mary, was the opinion of the queen of England. The marriage of the Scottish queen interested Elizabeth more deeply than any other prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried, and she discovered no small inclination to impose the same law on the queen of Scots. She had already experienced what use might be made of Mary's power and pretensions to invade her dominions, and to disturb her possession of the crown. The death of Francis II. had happily delivered her from this danger, which she determined to guard against for the future with the utmost care. As the restless ambition of the Austrian princes, the avowed and bigoted patrons of the catholic superstition, made her, in a particular manner, dread their neighbourhood, she instructed Randolph to remonstrate, in the strongest terms, against any alliance with them; and to acquaint Mary, that as she herself would consider such a match to be a breach of the personal friendship in which they were so happily united, so the English nation would regard it as the dissolution of that confederacy which now subsisted between the two kingdoms; that in order to preserve their own religion and liberties, they would in all probability,

n Melv. 63, 65. Keith, 239. See Append. No. VII.

o Casteln. 461. Addit. a Labour. 501, 503. p Castelnau, 461.

take some step prejudicial to her right of succession, which, as she well knew, they neither wanted power nor pretences to invalidate and set aside. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and, if well-founded, command it to be publicly recognised. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish queen to fall. The revealing of the secret was reserved for some future negociation. Meanwhile she threw out some obscure hints, that a native of Britain, or one not of princely rank, would be her safest and most inoffensive choice.[q] An advice, offered with such an air of superiority and command, mortified, no doubt, the pride of the Scottish queen. But under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival, whom, without manifest imprudence, she could not venture to offend.

The sentiments of her own subjects.

The inclination of her own subjects was another, and not the least considerable, circumstance, which called for Mary's attention at this conjuncture. They had been taught, by the fatal experiment of her former marriage, to dread a union with any great prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown should be strengthened by new dominions or alliances, they foresaw that the royal prerogative would soon be stretched beyond its ancient and legal limits. Their eagerness to prevent this could hardly fail of throwing them once more into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a measure so disagreeable to herself. It was easy for them to seize the person of the sovereign. By the assistance of the English fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the earl of Huntley, could give no obstruction to their designs. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifest from what she had already seen and experienced.

For these reasons Mary laid aside, at that time, all thoughts of foreign alliance, and seemed willing to sacrifice her own ambition, in order to remove the jealousies of Elizabeth, and to quiet the fears of her own subjects.

A parliament held, May 26.

The parliament met this year, for the first time since the queen's return into Scotland. Mary's administration had hitherto been extremely popular. Her ministers possessed the confidence of the nation; and by consequence, the proceedings of that assembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrew's was confirmed: the earl of Huntley, and several of his vassals and dependants, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of cardinal Beatoun, was reversed:[r] the act of oblivion, mentioned in the treaty of Edinburgh, received the royal sanction. But Mary, who had determined never to ratify that treaty, took care that this sanction should not be deemed any acknowledgment of its validity; she granted her consent merely in condescension to the lords in parliament, who on their knees besought her to allay the jealousies and apprehensions of her subjects, by such a gracious law.[s]

Nothing determined with regard to religion,

No attempt was made in this parliament to procure the queen's assent to the laws establishing the protestant religion. Her ministers, though zealous protestants themselves, were aware that this could not be urged without manifest danger and imprudence. She had consented through their influence to tolerate and protect the reformed doctrine. They had even prevailed on her to imprison and prosecute the archbishop of St. Andrew's, and prior of Withorn, for celebrating mass contrary to her proclamation.[t] Mary, however, was still passionately devoted to the Romish church; and though, from political motives, she had granted a temporary protection of opinions which she disapproved, there were no grounds to hope that she would agree to establish them for perpetuity. The moderation of those who professed it, was the best method for reconciling the queen to the protestant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at last she might yield to the wishes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be proposed in parliament; and to defeat all these, by such a fruitless and ill-timed application to the queen, would have been equally injurious to individuals, and detrimental to the public.

which offends the clergy,

The zeal of the protestant clergy was deaf to all these considerations of prudence or policy. Eager and impatient, it brooked no delay: severe and inflexible, it would condescend to no compliances. The leading men of that order insisted, that this opportunity of establishing religion by law was not to be neglected. They pronounced the moderation of the courtiers, apostasy; and their endeavours to gain the queen, they reckoned criminal and servile. Knox solemnly renounced the friendship of the earl of Murray, as a man devoted to Mary, and so blindly zealous for her service, as to become regardless of those objects which he had hitherto esteemed most sacred. This rupture, which is a strong proof of

q Keith, 242, 245. r Knox, 330. s Parl. 9 Q. Mary, c. 67. Spotsw. 188. t Keith, 239.

Murray's sincere attachment to the queen at that period, continued above a year and a half.[u]

The preachers being disappointed by the men in whom they placed the greatest confidence, gave vent to their indignation in their pulpits. These echoed more loudly than ever with declamations against idolatry; with dismal presages concerning the queen's marriage with a foreigner; and with bitter reproaches against those who, from interested motives, had deserted that cause which they once reckoned it their honour to support. The people, inflamed by such vehement declamations, which were dictated by a zeal more sincere than prudent, proceeded to rash and unjustifiable acts of violence. During the queen's absence, on a progress into the west, mass continued to be celebrated in her chapel at Holyrood-house. The multitude of those who openly resorted thither, gave great offence to the citizens of Edinburgh, who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the service, and filled such as were present with the utmost consternation. Two of the ringleaders in this tumult were seized, and a day appointed for their trial.[x]

and occasions a tumult among the people, August.

Knox, who deemed the zeal of these persons laudable, and their conduct meritorious, considered them as sufferers in a good cause; and in order to screen them from danger, he issued circular letters, requiring all who professed the true religion, or were concerned for the preservation of it, to assemble at Edinburgh, on the day of trial, that by their presence they might comfort and assist their distressed brethren.[y] One of these letters fell into the queen's hands. To assemble the subjects without the authority of the sovereign, was construed to be treason, and a resolution was taken to prosecute Knox for that crime, before the privy council. Happily for him, his judges were not only zealous protestants, but the very men who, during the late commotions, had openly resisted and set at defiance the queen's authority. It was under precedents, drawn from their own conduct, that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him without condemning themselves. After a long hearing, to the astonishment of Lethington and the other courtiers,[z] he was unanimously acquitted. Sinclair, Bishop of Ross, and president of the court of session, a zealous papist, heartily concurred with the other counsellors in this decision:[a] a remarkable fact, which shows the unsettled state of government in that age; the low condition to which regal authority was then sunk; and the impunity with which subjects might invade those rights of the crown which are now held sacred.

Knox tried on that account, but acquitted, October 8.

Dec. 15.

The marriage of the Scottish queen continued still to be the object of attention and intrigue. Though Elizabeth, even while she wished to direct Mary, treated her with a disgustful reserve; though she kept her, without necessity, in a state of suspense; and hinted often at the person whom she destined to be her husband, without directly mentioning his name; yet Mary framed all her actions to express such a prudent respect for the English queen, that foreign princes began to imagine she had given herself up implicitly to her direction.[b] The prospect of this union alarmed Catherine of Medicis. Though Catherine had taken pleasure all along in doing ill offices to the queen of Scots; though, soon after the duke of Guise's death, she had put upon her a most mortifying indignity, by stopping the payment of her dowry, by depriving her subject the duke of Chatelherault of his pension, and by bestowing the command of the Scottish guards on a Frenchman;[c] she resolved, however, to prevent this dangerous conjunction of the British queen. For this purpose she now employed all her art to appease Mary,[d] to whom she had given so many causes of offence. The arrears of her dowry were instantly paid; more punctual remittances were promised for the future; and offers made, not only to restore but to extend the privileges of the Scottish nation in France. It was easy for Mary to penetrate into the motives of this sudden change; she well knew the character of her mother-in law, and laid little stress upon professions of friendship which came from a princess of such a false and unfeeling heart.

1564. Negociations with regard to the queen's marriage.

The negociation with England, relative to the marriage, suffered no interruption from this application of the French queen. As Mary, in compliance with the wishes of her subjects, and pressed by the strongest motives of interest, determined speedily to marry, Elizabeth was obliged to break that unaccountable silence which she had hitherto affected. The secret was disclosed, and her favourite lord Robert Dudley, afterwards earl of Leicester, was declared to be the happy man whom she had chosen to be the husband of a queen courted by so many princes.[e]

March. Elizabeth recommends Leicester to her for a husband.

Elizabeth's wisdom and penetration were remarkable in the choice of her ministers; in distinguishing her favourites, those great qualities were less conspicuous. She was influenced in two cases so opposite, by merit of very different kinds. Their capacity for business, their knowledge, their prudence, were the talents to which alone she attended in choosing her ministers; whereas beauty and gracefulness of person, polished manners, and courtly address, were the accomplishments on which she bestowed her favour. She acted in the one case with the wisdom of a queen, in the other she discovered

u Knox, 331
y Ibid. 336.
a Knox, 343.
x Ibid. 335.
z Calderw. MS. Hist. i. 832.
b Keith, 248.
c Keith, 244.
e Keith, 251.
d See Append. No. VIII.

the weakness of a woman. To this Leicester owed his grandeur. Though remarkable neither for eminence in virtue nor superiority of abilities, the queen's partiality distinguished him on every occasion. She raised him to the highest honours, she bestowed on him the most important employments, and manifested an affection so disproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence.[f]

Mary offended at this.

The high spirit of the Scottish queen could not well bear the first overture of a match with a subject. Her own rank, the splendour of her former marriage, and the solicitations at this time of so many powerful princes, crowded into her thoughts, and made her sensibly feel how humbling and disrespectful Elizabeth's proposal was. She dissembled, however, with the English resident; and though she declared, in strong terms, what a degradation she would deem this alliance, which brought along with it no advantage that could justify such neglect of her own dignity, she mentioned the earl of Leicester, notwithstanding, in terms full of respect.[g]

Elizabeth's views in recommending him.

Elizabeth, we may presume, did not wish that the proposal should be received in any other manner. After the extraordinary marks she had given of her own attachment to Leicester, and while he was still in the very height of favour, it is not probable she could think seriously of bestowing him upon another. It was not her aim to persuade, but only to amuse, Mary.[h] Almost three years were elapsed since her return into Scotland; and though solicited by her subjects, and courted by the greatest princes in Europe, she had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. If at this time the English queen could have engaged Mary to listen to her proposal in favour of Leicester, her power over this creature of her own would have enabled her to protract the negociation at pleasure; and, by keeping her rival unmarried, she would have rendered the prospect of her succession less acceptable to the English.

Leicester's own situation was extremely delicate and embarrassing. To gain possession of the most amiable woman of the age, to carry away this prize from so many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a subject much more considerable than him. He saw all these advantages, no doubt; and in secret, they made their full impression on him. But, without offending Elizabeth, he durst not venture on the most distant discovery of his sentiments, or take any step towards facilitating his acquisition of objects so worthy of desire.

On the other hand, Elizabeth's partiality towards him, which she was at no pains to conceal,[i] might inspire him with hopes of attaining the supreme rank in a kingdom more illustrious than Scotland. Elizabeth had often declared that nothing but her resolution to lead a single life, and his being born her own subject, would have hindered her from choosing the earl of Leicester for a husband. Such considerations of prudence are, however, often surmounted by love; and Leicester might flatter himself, that the violence of her affection would at length triumph both over the maxims of policy and the scruples of pride. These hopes induced him, now and then, to conclude the proposal of his marriage with the Scottish queen to be a project for his destruction; and he imputed it to the malice of Cecil, who under the specious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary.[k]

A treaty of marriage proposed by one queen, who dreaded its success; listened to by another, who was secretly determined against it; and scarcely desired by the man himself, whose interest and reputation it was calculated, in appearance, to promote; could not, under so many unfavourable circumstances, be brought to a fortunate issue. Both Elizabeth and Mary continued, however, to act with equal dissimulation. The former, notwithstanding her fears of losing Leicester, solicited warmly in his behalf. The latter, though she began about this time to cast her eyes upon another subject of England, did not at once venture finally to reject Elizabeth's favourite.

Mary entertains thoughts of marrying lord Darnley.

The person towards whom Mary began to turn her thoughts, was Henry Stewart, lord Darnley, eldest son of the earl of Lennox. That nobleman, having been driven out of Scotland, under the regency of the duke of Chatelherault, had lived in banishment for twenty years. His wife, lady Margaret Douglas, was Mary's most dangerous rival in her claim upon the English succession. She was the daughter of Margaret, the eldest sister of Henry VIII., by the earl of Angus, whom that queen married after the death of her husband James IV. In that age, the right and order of succession was not settled with the same accuracy as at present. Time, and the decision of almost every case that can possibly happen, have at last introduced certainty into a matter, which naturally is subject to all the variety arising from the caprice of lawyers, guided by obscure, and often imaginary, analogies. The countess of Lennox, though born of a second marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the grand-daughter, of Margaret. This was not the only advantage over Mary which the countess of Lennox enjoyed. She was born in England, and, by a maxim of law in that country, with regard to private inheritances, "whoever is not born in England, or at least of parents who, at the time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in the kingdom."[l] This maxim, Hales, an English lawyer, produced in a treatise which he

f Camden, 549. g Keith, 252. h Melv. 104, 105. i Melv. 93, 94. k Ibid. 101. l Carte Hist. of Eng. vol. iii. 422.

published at this time, and endeavoured to apply it to the right of succession to the crown. In a private cause these pretexts might have given rise to a long and doubtful litigation; where a crown was at stake, such nice disputes and subtilties were to be avoided with the utmost care. If Darnley should happen to contract an alliance with any of the powerful families in England, or should publicly profess the protestant religion, these plausible and popular topics might be so urged, as to prove fatal to the pretensions of a foreigner and of a papist.

Mary was aware of all this; and in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correspondence with the family of Lennox. In the year one thousand five hundred and sixty-two,[m] both the earl and the lady Margaret were taken into custody by Elizabeth's orders, on account of their holding a secret correspondence with the Scottish queen.

Elizabeth secretly pleased with this.

From the time that Mary became sensible of the difficulties which would attend her marrying a foreign prince, she entered into a still closer connexion with the earl of Lennox,[n] and invited him to return into Scotland. This she endeavoured to conceal from Elizabeth; but a transaction of so much importance did not escape the notice of that discerning princess. She observed, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottish affairs. She was pleased to see the pride of the Scottish queen stoop at last to the thoughts of taking a subject to her bed. Darnley was in no situation to excite her jealousy or her fears. His father's estate lay in England, and by means of this pledge she hoped to keep the negociation entirely in her own hands, to play the same game of artifice and delay, which she had planned out, if her recommendation of Leicester had been more favourably received.

As, before the union of the two crowns, no subject of one kingdom could pass into the other without the permission of both sovereigns; no sooner did Lennox, under pretence of prosecuting his wife's claim upon the earldom of Angus, apply to Elizabeth for her licence to go into Scotland, than he obtained it. Together with it, she gave him letters, warmly recommending his person and cause to Mary's friendship and protection.[o] But at the same time, as it was her manner to involve all her transactions with regard to Scotland in some degree of perplexity and contradiction, she warned Mary, that this indulgence of Lennox might prove fatal to herself, as his return could not fail of reviving the ancient animosity between him and the house of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occasioned for some time a total interruption of all correspondence between the two queens.[p] Mary was not a little alarmed at this; she both dreaded the effects of Elizabeth's resentment, and felt sensibly the disadvantage of being excluded from a free intercourse with England, where her ambassadors had all along carried on, with some success, secret negociations, which increased the number of her partisans, and paved her way towards the throne. In order to remove the causes of the present difficulty, Melvil was sent express to the court of England. He found it no difficult matter to bring about a reconcilement; and soon re-established the appearance, but not the confidence, of friendship, which was all that had subsisted for some time between the two queens.

During this negociation, Elizabeth's professions of love to Mary, and Melvil's replies in the name of his mistress, were made in the language of the warmest and most cordial friendship. But what Melvil truly observes with respect to Elizabeth, may be extended, without injustice, to both queens. "There was neither plain dealing, nor upright meaning, but great dissimulation, envy, and fear."[q]

Lennox arrives in Scotland.

Lennox, however, in consequence of the licence which he had obtained, set out for Scotland, and was received by the queen, not only with the respect due to a nobleman so nearly allied to the royal family, but treated with a distinguished familiarity, which could not fail of inspiring him with more elevated hopes. The rumour of his son's marriage to the queen began to spread over the kingdom; and the eyes of all Scotland were turned upon him as the father of their future master. The duke of Chatelherault was the first to take the alarm. He considered Lennox as the ancient and hereditary enemy of the house of Hamilton; and, in his grandeur, saw the ruin of himself and his friends. But the queen interposed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences.[r]

The powerful family of Douglas no less dreaded Lennox's return, from an apprehension that he would wrest the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchase their friendship, by allowing his lady's claim upon the earldom of Angus to drop.[s]

December.

After these preliminary steps, Mary ventured to call a meeting of parliament. The act of forfeiture passed against Lennox in the year one thousand five hundred and forty-five was repealed, and he was publicly restored to the honours and estate of his ancestors.[t]

June 25. Dec. 25. The clergy suspicious of the queen's zeal for popery.

The ecclesiastical transactions of this year were not considerable. In the assemblies of the church, the same complaints of the increase of idolatry, the same representations concerning the poverty of the clergy, were renewed. The reply which the queen made

m Camd. 389. n Ibid. 396. o Keith, 255, 268.
p Keith, 253. Melv. 83. q Melv. 104.
r Keith, 259. s Ibid. 268. Note *b*.
t See Append. No. IX.

to these, and her promises of redress, were more satisfying to the protestants than any they had hitherto obtained.[u] But, notwithstanding her declarations in their favour, they could not help harbouring many suspicions concerning Mary's designs against their religion. She had never once consented to hear any preacher of the reformed doctrine. She had abated nothing of her bigoted attachment to the Romish faith. The genius of that superstition, averse at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated assurances of her resolution to re-establish the catholic church.[x] She had industriously avoided every opportunity of ratifying the acts of parliament one thousand five hundred and sixty, in favour of the reformation. Even the protection which, ever since her return, she had afforded the protestant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till she should take some final order in the matter of religion."[y] The vigilant zeal of the preachers was inattentive to none of these circumstances. The coldness of their principal leaders, who were at this time entirely devoted to the court, added to their jealousies and fears. These they uttered to the people, in language which they deemed suitable to the necessity of the times, and which the queen reckoned disrespectful and insolent. In a meeting of the general assembly, Maitland publicly accused Knox of teaching seditious doctrine, concerning the right of subjects to resist those sovereigns who trespass against the duty which they owe to the people. Knox was not backward to justify what he had taught; and upon this general doctrine of resistance, so just in its own nature, but so delicate in its application to particular cases, there ensued a debate, which admirably displays the talents and character of both the disputants; the acuteness of the former, embellished with learning, but prone to subtilty; the vigorous understanding of the latter, delighting in bold sentiments, and superior to all fear.[z]

1565. Dissimulation both of Elizabeth and Mary, with regard to her marriage.

Feb. 5.

Two years had already been consumed in fruitless negociations concerning the marriage of the Scottish queen. Mary had full leisure and opportunity to discern the fallacy and deceit of all Elizabeth's proceedings with respect to it. But, in order to set the real intentions of the English queen in a clear light, and to bring her to some explicit declaration of her sentiments, Mary at last intimated to Randolph, that, on condition her right of succession to the crown of England were publicly acknowledged, she was ready to yield to the solicitations of his mistress in behalf of Leicester.[a] Nothing could be further than this from the mind and intention of Elizabeth. The right of succession was a mystery, which, during her whole reign, her jealousy preserved untouched and unexplained. She had promised, however, when she first began to interest herself in the marriage of the Scottish queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

The facility with which lord Darnley obtained permission to visit the court of Scotland, was owing, in all probability, to that embarrassment. From the time of Melvil's embassy, the countess of Lennox had warmly solicited this liberty for her son. Elizabeth was no stranger to the ambitious hopes with which that young nobleman flattered himself. She had received repeated advices from her ministers of the sentiments which Mary began to entertain in his favour.[b] It was entirely in her power to prevent his stirring out of London. In the present conjuncture, however, nothing could be of more advantage to her than Darnley's journey into Scotland. She had already brought one actor upon the stage, who, under her management, had, for a long time, amused the Scottish queen. She hoped, no less absolutely, to direct the motions of Darnley, who was likewise her subject; and again to involve Mary in all the tedious intricacies of negociation. These motives determined Elizabeth and her ministers to yield to the solicitations of the countess of Lennox.

Darnley arrives in Scotland.

But this deep laid scheme was in a moment disconcerted. Such unexpected events, as the fancy of poets ascribes to love, are sometimes really produced by that passion. An affair which had been the object of so many political intrigues, and had moved and interested so many princes, was at last decided by the sudden liking of two young persons. Lord Darnley was at this time in the first bloom and vigour of youth. In beauty and gracefulness of person he surpassed all his contemporaries; he excelled eminently in such arts as add ease and elegance to external form, and which enabled it not only to dazzle, but to please.

Gains the queen's heart.

Mary was of an age and of a temper to feel the full power of these accomplishments. The impression which lord Darnley made upon her was visible from the time of their first interview. The whole business of the court was to amuse and entertain this illustrious guest;[c] and in all those scenes of gaiety, Darnley, whose qualifications were altogether superficial and showy, appeared to great advantage. His conquest of the queen's heart became complete; and inclination now prompted her to conclude her marriage, the first thoughts of which had been suggested by considerations merely political.

Feb. 13.

Elizabeth contributed, and perhaps not without design, to increase the violence of this passion. Soon after Darnley's arrival in Scotland, she, in return to that message whereby Mary had signified

u Keith, 533, 539.
v Keith, 504, 510.
x Carte, vol. iii. 415.
z Knox, 349.
a Keith, 269.
b Ibid. 259, 261, 266.
c Knox, 369.

her willingness to accept of Leicester, gave an answer in such terms as plainly unravelled her original intention in that intrigue.[d] She promised, if the Scottish queen's marriage with Leicester should take place, to advance him to great honours; but, with regard to Mary's title to the English succession, she would neither suffer any legal inquiry to be made concerning it, nor permit it to be publicly recognised, until she herself should declare her resolution never to marry. Notwithstanding Elizabeth's former promises, Mary had reason to expect every thing contained in this reply; her high spirit, however, could not bear with patience such a cruel discovery of the contempt, the artifice, and mockery, with which, under the veil of friendship, she had been so long abused. She burst into tears of indignation, and expressed with the utmost bitterness her sense of that disingenuous craft which had been employed to deceive her.[e]

The natural effect of this indignation was to add to the impetuosity with which she pursued her own scheme. Blinded by resentment as well as by love, she observed no defects in the man whom she had chosen; and began to take the necessary steps towards accomplishing her design, with all the impatience natural to those passions.

As Darnley was so nearly related to the queen, the canon law made it necessary to obtain the pope's dispensation before the celebration of the marriage. For this purpose she early set on foot a negociation with the court of Rome.[f]

The French court approve of the match.

She was busy at the same time in procuring the consent of the French king and his mother. Having communicated her design, and the motives which determined her choice, to Castelnau the French ambassador, she employed him, as the most proper person, to bring his court to fall in with her views. Among other arguments to this purpose, Castelnau mentioned Mary's attachment to Darnley, which he represented to be so violent and deep-rooted, that it was no longer in her own power to break off the match.[g] Nor were the French ministers backward in encouraging Mary's passion. Her pride would never stoop to an alliance with a subject of France. By this choice they were delivered from the apprehension of a match with any of the Austrian princes, as well as the danger of too close a union with Elizabeth; and as Darnley professed the Roman catholic religion, this suited the bigoted schemes which that court adopted.

Darnley disgusts several of the nobles,

While Mary was endeavouring to reconcile foreign courts to a measure which she had so much at heart, Darnley and his father, by their behaviour, were raising up enemies at home to obstruct it. Lennox had, during the former part of his life, discovered no great compass of abilities or political wisdom; and appears to have been a man of a weak understanding and violent passions. Darnley was not superior to his father in understanding, and all his passions were still more impetuous.[h] To these he added that insolence, which the advantage of external form, when accompanied with no quality more valuable, is apt to inspire. Intoxicated with the queen's favour, he began already to assume the haughtiness of a king, and to put on that imperious air, which majesty itself can scarcely render tolerable.

particularly Murray.

It was by the advice, or at least with the consent, of Murray and his party, that Lennox had been invited into Scotland;[i] and yet, no sooner did he acquire a firm footing in that kingdom, than he began to enter into secret cabals with those noblemen, who were known to be avowed enemies to Murray, and with regard to religion, to be either neutrals, or favourers of popery.[k] Darnley, still more imprudent, allowed some rash expressions concerning those favours which the queen's bounty had conferred upon Murray to escape him.[l]

But, above all these, the familiarity which Darnley cultivated with David Rizzio, contributed to increase the suspicion and disgust of the nobles.

The rise of Rizzio's favour.

The low birth and indigent condition of this man placed him in a station in which he ought naturally to have remained unknown to posterity. But what fortune called him to act and to suffer in Scotland, obliges history to descend from its dignity, and to record his adventures. He was the son of a musician in Turin, and having accompanied the Piedmontese ambassador into Scotland, gained admission into the queen's family by his skill in music. As his dependent condition had taught him suppleness of spirit and insinuating manners, he quickly crept into the queen's favour, and her French secretary happening to return at that time into his own country, was preferred by her into that office. He now began to make a figure in court, and to appear as a man of consequence. The whole train of suitors and expectants, who have an extreme sagacity in discovering the paths which lead most directly to success, applied to him. His recommendations were observed to have great influence over the queen, and he grew to be considered not only as a favourite, but as a minister. Nor was Rizzio careful to abate that envy which always attends such an extraordinary and rapid change of fortune. He studied, on the contrary, to display the whole extent of his favour: he affected to talk often and familiarly with the queen in public: he equalled the greatest and most opulent subjects, in richness of dress, and in the number of his attendants: he discovered, in all his behaviour, that assuming insolence, with which unmerited prosperity inspires an ignoble mind. It was with the utmost indignation that the nobles beheld the power, it was with the utmost difficulty that they tolerated the arrogance, of this unworthy minion. Even in the

d Keith, 270. App. 158. e Ibid. Append. 159.
f Camd. 396. g Casteln. 464.
h Keith, 272, 273. i Knox, 367. Keith, 274.
k Keith, 272. l Ibid. 274.

queen's presence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exasperated the Scots. They considered him, and not without reason, as a dangerous enemy to the protestant religion, and suspected that he held, for this purpose, a secret correspondence with the court of Rome.[m]

Darnley's connexion with him.

It was Darnley's misfortune to fall under the management of this man, who, by flattery and assiduity, easily gained on his vanity and inexperience. All Rizzio's influence with the queen was employed in his behalf, and contributed, without doubt, towards establishing him more firmly in her affections.[n] But whatever benefit Darnley might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was exposed, on account of his familiarity with such an upstart.

Though Darnley daily made progress in the queen's affection, she conducted herself, however, with such prudent reserve, as to impose on Randolph, the English resident, a man otherwise shrewd and penetrating. It appears from his letters at this period, that he entertained not the least suspicion of the intrigue which was carrying on; and gave his court repeated assurances, that the Scottish queen had no design of marrying Darnley.[o] In the midst of this security, Mary despatched Maitland to signify her intention to Elizabeth, and to solicit her consent to the marriage with Darnley. This embassy was the first thing which opened the eyes of Randolph.

April 18. Elizabeth declares against the queen's marriage with Darnley.

Elizabeth affected the greatest surprise at this sudden resolution of the Scottish queen, but without reason. The train was laid by herself, and she had no cause to wonder when it took effect. She expressed at the same time her disapprobation of the match in the strongest terms; and pretended to foresee many dangers and inconveniences arising from it, to both kingdoms. But this too was mere affectation. Mary had often and plainly declared her resolution to marry. It was impossible she could make any choice more inoffensive. The danger of introducing a foreign interest into Britain, which Elizabeth had so justly dreaded, was entirely avoided. Darnley, though allied to both crowns, and possessed of lands in both kingdoms, could be formidable to neither. It is evident from all these circumstances, that Elizabeth's apprehensions of danger could not possibly be serious; and that in all her violent declarations against Darnley, there was much more of grimace than of reality.[p]

There were not wanting, however, political motives of much weight, to induce that artful princess to put on the appearance of great displeasure. Mary, intimidated by this, might perhaps delay her marriage; which Elizabeth desired to obstruct with a weakness that little suited the dignity of her mind and the elevation of her character. Besides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and by declaring her dissatisfaction with Mary's conduct, she hoped to alarm that party in Scotland, which was attached to the English interest, and to encourage such of the nobles as secretly disapproved the match, openly to oppose it. The seeds of discord would by this means be scattered through that kingdom. Intestine commotions might arise. Amidst these Mary could form none of those dangerous schemes to which the union of her people might have prompted her. Elizabeth would become the umpire between the Scottish queen and her contending subjects; and England might look on with security, while a storm which she had raised, wasted the only kingdom which could possibly disturb its peace.

May 1.

In prosecution of this scheme, she laid before her privy council the message from the Scottish queen, and consulted them with regard to the answer she should return. Their determination, it is easy to conceive, was perfectly conformable to her secret views. They drew up a remonstrance against the intended match, full of the imaginary dangers with which that event threatened the kingdom.[q] Nor did she think it enough, to signify her disapprobation of the measure, either by Maitland, Mary's ambassador, or by Randolph, her own resident in Scotland; in order to add more dignity to the farce which she chose to act, she appointed sir Nicholas Throgmorton her ambassador extraordinary. She commanded him to declare, in the strongest terms, her dissatisfaction with the step which Mary proposed to take; and at the same time to produce the determination of the privy council as an evidence that the sentiments of the nation were not different from her own. Not long after, she confined the countess of Lennox as a prisoner, first in her house, and then sent her to the tower.[r]

Sends Throgmorton to obstruct it.

Intelligence of all this reached Scotland before the arrival of the English ambassador. In the first transports of her indignation, Mary resolved no longer to keep any measures with Elizabeth; and sent orders to Maitland, who accompanied Throgmorton, to return instantly to the English court, and in her name to declare to Elizabeth, that, after having been amused so long to so little purpose; after having been fooled and imposed on so grossly by her artifices; she was now resolved to gratify her own inclination, and to ask no other consent but that of her own subjects, in the choice of a husband. Maitland, with his usual sagacity, foresaw all the effects of such a rash and angry

m Buchan. 340. Melv. 107. n Melv. 111.
o Keith, 273. and Append. 159.
p Even the historians of that age acknowledge, that the marriage of the Scottish queen with a subject was far from being disagreeable to Elizabeth. Knox, 369, 373. Buchan. 339. Castelnau, who at that time was well acquainted with the intrigues of both the British courts, asserts, upon grounds of great probability, that the match was wholly Elizabeth's own work; Castel. 462. and that she rejoiced at the accomplishment of it, appears from the letters of her own ambassadors. Keith, 280, 288.
q Keith, 274. See Append. No. X. r Keith, Append. 161.

message, and ventured rather to incur the displeasure of his mistress, by disobeying her commands, than to be made the instrument of tearing asunder so violently the few remaining ties which still linked together the two queens.[s]

Mary herself soon became sensible of her error. She received the English ambassador with respect; justified her own conduct with deceney; and though unalterable in her resolution, she affected a wonderful solicitude to reconcile Elizabeth to the measure; and even pretended, out of complaisance towards her, to put off the consummation of the marriage for some months.[t] It is probable, however, that the want of the pope's dispensation, and the prospeet of gaining the consent of her own subjects, were the real motives of this delay.

Murray's aversion to Darnley.

This consent Mary laboured with the utmost industry to obtain. The earl of Murray was the person in the kingdom, whose concurrence was of the greatest importanee; but she had reason to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray pereeived that the queen's affections began gradually to be estranged from him. Darnley, Athol, Rizzio, all the court favourites, combined against him. His ambitious spirit could not brook this diminution of his power, which his former services had so little merited. He retired into the country, and gave way to rivals with whom he was unable to contend.[u] The return of the earl of Bothwell, his avowed enemy, who had been aceused of a design upon his life, and who had resided for some time in foreign countries, obliged him to attend to his own safety. No entreaty of the queen could persuade him to a reconcilement with that nobleman. He insisted on having him brought to a public trial, and prevailed by his importunity to have a day fixed for it. Bothwell durst not appear in opposition to a man, who came to the place of trial attended by five thousand of his followers on horseback. He was once more eonstrained to leave the kingdom; but, by the queen's command, the sentence of outlawry, which is incurred by non-appearanee, was not pronounced against him.[x]

May 8.

Mary, sensible, at the same time, of how much importanee it was to gain a subject so powerful and so popular as the earl of Murray, invited him back to court, and received him with many demonstrations of respect and eonfidence. At last she desired him to set an example to her other subjeets by subscribing a paper, containing a formal approbation of her marriage with Darnley. Murray had many reasons to hesitate, and even to withhold his assent. Darnley had not only undermined his credit with the queen, but discovered, on every occasion, a rooted aversion to his person. By consenting to his elevation to the throne, he would give him such an accession of dignity and power, as no man willingly bestows on an enemy. The unhappy eonsequences whieh might follow upon a breach with England, were likewise of eonsiderable weight with Murray. He had always openly preferred a confederacy with England, before the aneient alliance with France. By his means, chiefly, this change in the system of national politics had been brought about A league with England had been established; and he eould not think of sacrificing, to a rash and youthful passion, an alliance of so mueh utility to the kingdom; and whieh he and the other nobles were bound, by every obligation, to maintain.[y] Nor was the interest of religion forgotten on this oceasion. Mary, though surrounded by protestant eounsellors, had found means to hold a dangerous correspondence with foreign catholies. She had even eourted the pope's protection, who had sent her a subsidy of eight thousand crowns.[z] Though Murray had hitherto endeavoured to bridle the zeal of the reformed elergy, and to set the queen's conduet in the most favourable light, yet her obstinate adherenee to her own religion could not fail of alarming him, and by her resolution to marry a papist, the hope of reclaiming her, by an union with a protestant, was for ever cut off.[a] Each of these considerations had its influence on Murray, and all of them determined him to decline complying at that time with the queen's request.

May 14. A convention of the nobles approves of the marriage.

The convention of nobles, which was assembled a few days after, discovered a greater disposition to gratify the queen. Many of them, without hesitation, expressed their approbation of the intended match; but as others were startled at the same dangers which had alarmed Murray, or were influeneed by his example to refuse their consent, another convention was appointed at Perth, in order to deliberate more fully concerning this matter.[b]

Meanwhile Mary gave a public evidenee of her own inclination, by eonferring upon Darnley titles of honour peculiar to the royal family. The opposition she had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produeed their usual effect on her heart, they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection so excessive to the influence of witchcraft.[c] It was owing, however, to no other charm than the irresistible power of youth and beauty over a young and tender heart. Darnley grew giddy with his prosperity. Flattered by the love of a queen, and the applause of many among her subjects, his natural haughtiness and insolence beeame insupportable, and he eould no longer bear adviee, far less, eontradiction. Lord Ruthven, happening to be the first person who informed him that Mary, in order to soothe Elizabeth, had delayed for some time creating him duke of Albany, he, in a phrenzy of

s Keith, Append. 160.
t Keith, 278.
u Ibid. 272, 274. Append. 159.
x Keith, Append. 160.
y Keith, Append. 169.
z Keith, 295. Melv. 114.
a Keith, Append. 160.
b Keith, 283. Knox. 373.
c Keith, 283.

rage, drew his dagger, and attempted to stab him.[d] It required all Mary's attention to prevent his falling under that contempt to which such behaviour deservedly exposed him.

Mary's address in gaining her subjects.

In no scene of her life was ever Mary's own address more remarkably displayed. Love sharpened her invention, and made her study every method of gaining her subjects. Many of the nobles she won by her address, and more by her promises. On some she bestowed lands, to others she gave new titles of honour.[e] She even condescended to court the protestant clergy; and having invited three of their superintendants to Stirling, she declared, in strong terms, her resolution to protect their religion, expressed her willingness to be present at a conference upon the points in doctrine which were disputed between the protestants and papists, and went so far as to show some desire to hear such of their preachers as were most remarkable for their moderation.[f] By these arts the queen gained wonderfully upon the people, who, unless their jealousy be raised by repeated injuries, are always ready to view the actions of their sovereign with an indulgent eye.

On the other hand, Murray and his associates were plainly the dupes of Elizabeth's policy. She talked in so high a strain of her displeasure at the intended match; she treated lady Lennox with so much rigour; she wrote to the Scottish queen in such high terms; she recalled the earl of Lennox and his son in such a peremptory manner, and with such severe denunciations of her vengeance if they should presume to disobey;[g] that all these expressions of aversion fully persuaded them of her sincerity. This belief fortified their scruples with respect to the match, and encouraged them to oppose it. They began with forming among themselves bonds of confederacy and mutual defence; they entered into a secret correspondence with the English resident, in order to secure Elizabeth's assistance when it should become needful;[h] they endeavoured to fill the nation with such apprehensions of danger, as might counterbalance the influence of those arts which the queen had employed.

Schemes of Darnley and Murray against each other.

Besides these intrigues, there were secretly carried on, by both parties, dark designs of a more criminal nature, and more suited to the spirit of the age. Darnley, impatient of that opposition, which he imputed wholly to Murray, and resolving at any rate to get rid of such a powerful enemy, formed a plot to assassinate him, during the meeting of the convention at Perth. Murray, on his part, despairing of preventing the marriage by any other means, had, together with the duke of Chatelherault and the earl of Argyll, concerted measures for seizing Darnley, and carrying him a prisoner into England.

If either of these conspiracies had taken effect, this convention might have been attended with consequences extremely tragical; but both were rendered abortive, by the vigilance or good fortune of those against whom they were formed. Murray being warned of his danger by some retainers to the court, who still favoured his interest, avoided the blow by not going to Perth. Mary receiving intelligence of Murray's enterprise, retired with the utmost expedition, along with Darnley, to the other side of the Forth. Conscious, on both sides, of guilt, and inflamed with resentment, it was impossible they could either forget the violence which themselves had meditated, or forgive the injuries intended against them. From that moment all hope of reconcilement was at an end, and their mutual enmity burst out with every symptom of implacable hatred.[i]

Mary summons her vassals to take arms against Murray.

On Mary's return to Edinburgh, she summoned her vassals by proclamation, and solicited them, by her letters, to repair thither in arms, for the protection of her person against her foreign and domestic enemies.[k] She was obeyed with all the promptness and alacrity with which subjects run to defend a mild and popular administration. This popularity, however, she owed

d Keith, Append. 160. e Keith, 283. f Knox, 373.
g Keith, 285, 286. h Ibid. 289, 292, 298.

i The reality of these two opposite conspiracies has given occasion to many disputes and much contradiction. Some deny that any design was formed against the life of Murray; others call in question the truth of the conspiracy against Darnley. There seems, however, to be plausible reasons for believing that there is some foundation for what has been asserted with regard to both; though the zeal and credulity of party-writers have added to each many exaggerated circumstances. The following arguments render it probable that some violence was intended against Murray:

I. 1. This is positively asserted by Buchanan, 341. 2. The English resident writes to Cecil, that Murray was assuredly informed that a design was formed of murdering him at Perth, and mentions various circumstances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impossible that he could have written in this strain to such a discerning minister. Keith, 287. 3. Murray himself constantly and publicly persisted in affirming that such a design was formed against his life. Keith, App. 108. He was required by the queen to transmit in writing an account of the conspiracy which he pretended had been formed against his life. This he did accordingly; but "when it was brought to her majesty by her servants sent for that purpose, it appears *he* her highness and her council, that his purgation in that behalf was not so sufficient as the matter required." Keith, App. 109. He was therefore summoned to appear within three days before the queen in Holyrood-house; and, in order to encourage him to do so, a safe conduct was offered to him. Ibid. Though he had once consented to appear, he afterwards declined to do so. But whoever considers Murray's situation, and the character of those who directed Mary's councils at that time, will hardly deem it a decisive proof of his guilt, that he did not choose to risk his person on such security. 4. The furious passions of Darnley, the fierceness of his resentment, which scrupled at no violence, and the manners of the age, render the imputations of such a crime less improbable.

II. That Murray and his associates had resolved to seize Darnley in his return from Perth, appears with still greater certainty; 1. From the express testimony of Melvil, 112.; although Buchanan, p. 341. and Knox, p. 377. affect, without reason, to represent this as an idle rumour. 2. The question was put to Randolph, whether the governor of Berwick would receive Lennox and his son, if they were delivered at that place? His answer was, "that they would not refuse their own, i. e. their own subjects, in whatsoever sort they came unto us, i. e. whether they returned to England voluntarily, as they had been required, or were brought thither by force." This plainly shows, that some such design was in hand, and Randolph did not discourage it by the answer which he gave. Keith, 290. 3. The precipitation with which the queen retired, and the reason she gave for this sudden flight, are mentioned by Randolph. Keith, 291. 4. A great part of the Scottish nobles, and among these the earls of Argyll and Rothes, who were themselves privy to the design, assert the reality of the conspiracy. Good. vol. ii. 358.

All these circumstances rendered the truth of both conspiracies probable. But we may observe how far this proof, though drawn from public records, falls short, on both sides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conspiracy against Murray, differ widely in almost every circumstance. The accounts of the attempt upon Darnley are not more consistent. Melvil alleges, that the design of the conspirators was to carry Darnley a prisoner into England; the proposal made to Randolph agrees with this. Randolph says, that they intended to carry the queen to St. Andrew's and Darnley to Castle Campbell. The lords, in their declaration, affirm the design of the conspirators to have been to murder Darnley and his father, to confine the queen in Lochleven during life, and to usurp the government. To believe implicitly whatever they find in an ancient paper, is a folly to which, in every age, antiquaries are extremely prone. Ancient papers, however, often contain no more than the slanders of a party, and the lie of the day. The declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things asserted in it, are evidently false or exaggerated. Let Murray and his confederates be as ambitious as we can suppose, they must have had some pretences, and plausible ones too, before they could venture to imprison their sovereign for life, and to seize the reins of government; but, at that time, the queen's conduct had afforded no colourable excuse for proceeding to such extremities. It is likewise remarkable, that in all the proclamations against Murray, of which so many are published in Keith, Appendix, 108, &c. neither the violent attempt upon Darnley, nor that which he is alleged to have formed against the queen herself, are ever once mentioned.

k Keith, 298.

in a great measure to Murray, who had directed her administration with great prudence. But the crime of opposing her marriage obliterated the memory of his former services; and Mary, impatient of contradiction, and apt to consider those who disputed her will as enemies to her person, determined to let him feel the whole weight of her vengeance. For this purpose she summoned him to appear before her upon a short warning, to answer to such things as should be laid to his charge.[l] At this very time, Murray, and the lords who adhered to him, were assembled at Stirling, to deliberate what course they should hold in such a difficult conjuncture. But the current of popular favour ran so strongly against them, and notwithstanding some fears and jealousies, there prevailed in the nation such a general disposition to gratify the queen in a matter which so nearly concerned her, that, without coming to any other conclusion, than to implore the queen of England's protection, they put an end to their ineffectual consultations, and returned every man to his own house.

Together with this discovery of the weakness of her enemies, the confluence of her subjects from all corners of the kingdom afforded Mary an agreeable proof of her own strength. While the queen was in this prosperous situation, she determined to bring to a period an affair which had so long engrossed her heart and occupied her attention. On the twenty-ninth of July, she married lord Darnley. The ceremony was performed in the queen's chapel, according to the rites of the Romish church; the pope's bull dispensing with their marriage having been previously obtained.[m] She issued at the same time proclamations, conferring the title of king of the Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of king and queen.[n] Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to choose a husband without consent of parliament, was, in that age, a matter of some dispute;[o] that she had no right to confer upon him, by her private authority, the title and dignity of king, or by a simple proclamation to raise her husband to be the master of her people, seems to be beyond all doubt. Francis II. indeed, bore the same title. It was not, however, the gift of the queen, but of the nation; and the consent of parliament was obtained before he ventured to assume it. Darnley's condition as a subject, rendered it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation. But at that time the queen possessed so entirely the confidence of her subjects, that, notwithstanding all the clamours of the malcontents, no symptoms of general discontent appeared on that account.

Celebrates her marriage with Darnley.

Even amidst that scene of joy which always accompanies successful love, Mary did not suffer the course of her vengeance against the malcontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court under the severest penalties, and, upon his non-appearance, the rigour of justice took place, and he was declared an outlaw.[p] At the same time the queen set at liberty lord Gordon, who, ever since his father's insurrection in the year one thousand five hundred and sixty-two, had been detained a prisoner; she recalled the earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and she permitted Bothwell to return again into Scotland. The first and last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families, and the author of their own sufferings. This common hatred became the foundation of the strictest union with the queen, and gained them an ascendant over all her councils. Murray himself considered this confederacy with his avowed enemies, as a more certain indication than any measure she had yet taken, of her inexorable resentment.

The malcontents had not yet openly taken up arms.[q] But the queen having ordered her subjects to march against them, they were driven to the last extremity. They found themselves unable to make head against the numerous forces which Mary had assembled, and fled into Argyllshire, in expectation of aid from Elizabeth, to whom they had secretly despatched a messenger, in order to implore her immediate assistance.[r]

Marches against Murray and his associates.

Meanwhile, Elizabeth endeavoured to embarrass Mary, by a new declaration of disgust at her conduct. She blamed both her choice of lord Darnley, and the precipitation with which she had concluded the marriage. She required Lennox and Darnley, whom she still called her subjects, to return into England; and at the same time she warmly interceded in behalf of Murray, whose behaviour she represented to be not only innocent but laudable. This message, so mortifying to the pride of the queen, and so full of contempt for her husband, was rendered still more insupportable by the petulant and saucy demeanour of Tamworth, the person who delivered it.[s] Mary vindicated her own conduct with warmth, but with great strength of reason; and rejected the intercession in behalf of Murray, not

Elizabeth interposes in their favour.

l Keith, Append, 108. m Keith, 307.
n Anderson, i. 33. See Append. No. XI.
o Buchan. 341. p Keith, 309, 310.
q After their fruitless consultation at Stirling, the lords retired to their own houses. Keith, 304. Murray was still at St. Andrew's on July 22. Keith, 306. By the places of rendezvous appointed for the inhabitants of the different counties, August 4, it appears that the queen's intention was to march into Fife, the county in which Murray, Rothes, Kirkaldy, and other chiefs of the malcontents, resided. Keith, 310. Their flight into the west, Keith, 312. prevented this expedition, and the former rendezvous was altered. Keith, 310.
r Keith, 312. Knox, 380. s Camd. 398.

without signs of resentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom.[t]

She did not, on that account, intermit in the least the ardour with which she pursued Murray and his adherents.[u] They now appeared openly in arms; and having received a small supply in money from Elizabeth,[x] were endeavouring to raise their followers in the western counties. But Mary's vigilance hindered them from assembling in any considerable body. All her military operations at that time were concerted with wisdom, exeeuted with vigour, and attended with sueeess. In order to encourage her troops, she herself marched along with them, rode with loaded pistols,[y] and endured all the fatigues of war with admirable fortitude. Her alacrity inspired her forces with an invincible resolution, which, together with their superiority in number, deterred the malcontents from facing them in the field; but, having artfully passed the queen's army, they marched with great rapidity to Edinburgh, and endeavoured to rouse the inhabitants of that city to arms. The queen did not suffer them to remain long unmolested; and, on her approach, they were forced to abandon that plaee, and retire in confusion towards the western borders.[z]

Aug. 31.

They are obliged to retire into England.

As it was uncertain, for some time, what route they had taken, Mary employed that interval in providing for the security of the counties in the heart of the kingdom. She seized the places of strength which belonged to the rebels; and obliged the considerable barons in those shires which she most suspected, to join in assoeiations for her defence.[a] Having thus left all the country behind her in tranquillity, she, with an army eighteen thousand strong, marched towards Dumfries, where the rebels then were. During their retreat, they had sent letters to the queen, from almost every place where they halted, full of submission, and eontaining various overtures towards an accommodation. But Mary, who determined not to let slip such a favourable opportunity of erushing the mutinous spirit of her subjeets, rejected them with disdain. As she advanced, the malcontents retired; and having received no effectual aid from Elizabeth,[b] they despaired of any other means of safety, fled into England, and put themselves under the protection of the earl of Bedford, warden of the marches.

Oct. 20.

They meet with unexpected ill-treatment from Elizabeth.

Nothing which Bedford's personal friendship for Murray could supply, was wanting to render their retreat agreeable. But Elizabeth herself treated them with extreme negleet. She had fully gained her end, and, by their means, had exeited such discord and jealousies among the Seots, as would, in all probability, long distraet and weaken Mary's eouncils. Her business now was to save appearances, and to justify herself to the ministers of France and Spain, who accused her of fomenting the troubles in Scotland by her intrigues. The expedient she contrived for her vindication strongly displays her own charaeter, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray, and Hamilton, abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, instead of meeting with that welcome reception which was due to men, who out of confidence in her promises, and in order to forward her designs, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly consented to acknowledge, in the presence of the French and Spanish ambassadors, that Elizabeth had given them no eneouragement to take arms. No sooner did they make this deelaration, than she astonished them with this reply: "You have declared the truth; I am far from setting an example of rebellion to my own subjects, by countenancing those who rebel against their lawful prince. The treason of which you have been guilty is detestable; and as traitors I banish you from my presence."[c] Notwithstanding this scene of farce and of falsehood, so dishonourable to all the persons who acted a part in it, Elizabeth permitted the malcontents peaceably to reside in her dominions, supplied them secretly with money, and renewed her intereession with the Scottish queen in their favour.[d]

The advantage she had gained over them did not satisfy Mary; she resolved to follow the blow, and to prevent a party, which she dreaded, from ever recovering any footing in the nation. With this view, she called a meeting of parliament; and, in order that a sentence of forfeiture might be legally pronounced against the banished lords, she summoned them, by public proclamation, to appear before it.[e]

The duke of Chatelherault, on his humble applieation, obtained a separate pardon; but not without difficulty, as the king violently opposed it. He was obliged, however, to leave the kingdom, and to reside for some time in France.[f]

Dec. 1.

The numerous forces which Mary brought into the field, the vigour with which she acted, and the length of time she kept them in arms, resemble the efforts of a prince with revenues much more considerable than those which she possessed. But armies were then levied and maintained by princes at small charge. The vassal followed his superior, and the superior attended the monarch, at his own expense. Six hundred horsemen, however, and three companies of foot, besides her guards, received regular pay from the queen. This extraordinary

t Keith, Append. 99.
u The most considerable persons who joined Murray were, the duke of Chatelherault, the earls of Argyll, Glencairn, Rothes, lord Boyd and Ochiltree; the lairds of Grange, Cunninghamhead, Balcomie, Garmylie, Lawers, Bar, Dreghorn, Pitarrow, Comptroller, and the Tutor of Pitcur. Knox, 382.
x Knox, 380.
y Keith, Append. 164.
z Keith, 315.
a Ibid. 113.
b See Append. No. XII. XIII.
c Melv. 112.
d Knox, 389.
e Keith, 320.
f Knox, 389.

charge, together with the disbursements occasioned by her marriage, exhausted a treasury which was far from being rich. In this exigency, many devices were fallen upon for raising money. Fines were levied on the towns of St. Andrew's, Perth, and Dundee, which were suspected of favouring the malcontents. An unusual tax was imposed on the boroughs throughout the kingdom; and a great sum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourse to delays, and started difficulties, in order to evade it. These Mary construed to be acts of avowed disobedience, and instantly committed several of them to prison. But this severity did not subdue the undaunted spirit of liberty which prevailed among the inhabitants. The queen was obliged to mortgage to the city the *superiority* of the town of Leith, by which she obtained a considerable sum of money.[g] The thirds of ecclesiastical benefices proved another source whence the queen derived some supply. About this time we find the protestant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhausted a great part of that fund which was appropriated for their maintenance.[h]

Church affairs.

The assemblies of the church were not unconcerned spectators of the commotions of this turbulent year. In the meeting held the twenty-fourth of June, previous to the queen's marriage, several of the malcontent nobles were present, and seem to have had great influence on its decisions. The high strain in which the assembly addressed the queen, can be imputed only to those fears and jealousies with regard to religion, which they endeavoured to infuse into the nation. The assembly complained, with some bitterness, of the stop which had been put to the progress of the reformation by the queen's arrival in Scotland; they required not only the total suppression of the popish worship throughout the kingdom, but even in the queen's own chapel; and, besides the legal establishment of the protestant religion, they demanded that Mary herself should publicly embrace it. The queen, after some deliberation, replied, that neither her conscience nor her interest would permit her to take such a step. The former would for ever reproach her for a change which proceeded from no inward conviction; the latter would suffer by the offence which her apostasy must give to the king of France, and her other allies on the continent.[i]

It is remarkable, that the prosperous situation of the queen's affairs during this year, began to work some change in favour of her religion. The earls of Lennox, Athol, and Cassils, openly attended mass; she herself afforded the catholics a more avowed protection than formerly; and, by her permission, some of the ancient monks ventured to preach publicly to the people.[k]

g Knox 383, 336. h Maitl. Hist. of Edinburgh, 27.

BOOK IV.

1566. Mary's deliberations concerning the exiled nobles.

As the day appointed for the meeting of parliament approached, Mary and her ministers were employed in deliberating concerning the course which it was most proper to hold with regard to the exiled nobles. Many motives prompted her to set no bounds to the rigour of justice. The malcontents had laboured to defeat a scheme, which her interest conspired with her passions in rendering dear to her; they were the leaders of a party, whose friendship she had been obliged to court, while she held their principles in abhorrence; and they were firmly attached to a rival, whom she had good reason both to fear and to hate.

But, on the other hand, several weighty considerations might be urged. The noblemen, whose fate was in suspense, were among the most powerful subjects in the kingdom; their wealth great, their connexions extensive, and their adherents numerous. They were now at mercy, the objects of compassion, and suing for pardon with the most humble submission.

In those circumstances, an act of clemency would exalt the queen's character, and appear no less splendid among foreigners, than acceptable to her own subjects. Mary herself, though highly incensed, was not inexorable; but the king's rage was implacable and unrelenting. They were solicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the Congregation, were not forgetful of that ancient union with Murray and his fellow-sufferers; nor neglectful of their safety, which they deemed of great importance to the kingdom. Melvil, who at that time possessed the queen's confidence, seconded their solicitations. And Murray having stooped so low as to court Rizzio, that favourite, who was desirous of securing his protection against the king, whose displeasure he had lately incurred, seconded the intercessions of his other friends with the whole of his influence.[a] The interposition of sir Nicholas Throgmorton, who had lately been Elizabeth's ambassador in Scotland, in behalf of the exiles, was of more weight than all these, and attended with more success. Throgmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried on at the English court, in order to undermine the power and credit of that minister. He espoused, for this reason, the cause of the Scottish queen, towards whose title and pretensions the other was known to bear little favour; and ventured, in the present critical juncture, to write a letter to Mary, containing the most salutary advices with regard to her conduct. He recommended the pardoning of the earl of Murray and his associates, as a measure no

i Knox, 374, 376. k Ibid, 389, 390. a Melv. 125.

less prudent than popular. "An action of this nature," says he, "the pure effect of your majesty's generosity, will spread the fame of your lenity and moderation, and engage the English to look towards your accession to the throne, not only without prejudice, but with desire. By the same means, a perfect harmony will be restored among your own subjects, who, if any rupture should happen with England, will serve you with that grateful zeal which your clemency cannot fail of inspiring."[b]

She resolves to treat them with clemency.

These prudent remonstrances of Throgmorton, to which his reputation for wisdom, and known attachment to the queen, added great authority, made a deep impression on her spirit. Her courtiers cultivated this happy disposition, and prevailed on her, notwithstanding the king's inflexible temper, to sacrifice her own private resentment to the intercession of her subjects and the wishes of her friends.[c] With this view, the parliament, which had been called to meet on the fourth of February, was prorogued to the seventh of April;[d] and in the mean time she was busy in considering the manner and form in which she should extend her favour to the lords who were under disgrace.

Is diverted from this resolution by the solicitation of France, and her zeal for Popery. Feb. 3.

Though Mary discovered on this occasion a mind naturally prone to humanity and capable of forgiving, she wanted firmness, however, to resist the influence which was fatally employed to disappoint the effects of this amiable disposition. About this time, and at no great distance from each other, two envoys arrived from the French king. The former was intrusted with matters of mere ceremony alone; he congratulated the queen on her marriage, and invested the king with the ensigns of the order of St. Michael. The instructions of the latter related to matters of more importance, and produced greater effects.[e]

An interview between Charles IX. and his sister the queen of Spain had been often proposed; and after many obstacles arising from the opposition of political interest, was at last appointed at Bayonne. Catherine of Medicis accompanied her son; the duke of Alva attended his mistress. Amidst the scenes of public pomp and pleasure, which seemed to be the sole occupation of both courts, a scheme was formed, and measures concerted, for exterminating the Hugonots in France, the protestants in the Low Countries, and for suppressing the Reformation throughout all Europe.[f] The active policy of pope Pius IV. and the zeal of the cardinal of Lorrain, confirmed and encouraged dispositions so suitable to the genius of the Romish religion, and so beneficial to their own order.

It was an account of this holy league which the second French envoy brought to Mary, conjuring her at the same time, in the name of the king of France and the cardinal of Lorrain, not to restore the leaders of the protestants in her kingdom to power and favour, at the very time when the catholic princes were combined to destroy that sect in all the countries of Europe.[g]

Popery is a species of false religion, remarkable for the strong possession it takes of the heart. Contrived by men of deep insight in the human character, and improved by the experience and observation of many successive ages, it arrived at last to a degree of perfection which no former system of superstition had ever attained. There is no power in the understanding, and no passion in the heart, to which it does not present objects adapted to rouse and to interest them. Neither the love of pleasure which at that time prevailed in the court of France, nor the pursuits of ambition which occupied the court of Spain, had secured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly considered as peculiar to ecclesiastics; and kings and ministers thought themselves bound in conscience to extirpate the protestant doctrine. Mary herself was deeply tinctured with all the prejudices of popery; a passionate attachment to that superstition is visible in every part of her character, and runs through all the scenes of her life: she was devoted too with the utmost submission to the princes of Lorrain, her uncles; and had been accustomed from her infancy to listen to all their advices with a filial respect. The prospect of restoring the public exercise of her own religion, the pleasure of complying with her uncles, and the hopes of gratifying the French monarch, whom the present situation of her affairs in England made it necessary to court, counterbalanced all the prudent considerations which had formerly weighed with her. She instantly joined the confederacy which had been formed for the destruction of the protestants, and altered the whole plan of her conduct with regard to Murray and his adherents.[h]

To this fatal resolution may be imputed all the subsequent calamities of Mary's life. Ever since her return into Scotland, fortune may be said to have been propitious to her rather than adverse; and if her prosperity did not rise to any great height, it had, however, suffered no considerable interruption. A thick and settled cloud of adversity, with few gleams of hope, and none of real enjoyment, covers the remainder of her days.

A parliament called to attaint the exiled nobles;

The effects of the new system which Mary had adopted were soon visible. The time of the prorogation of parliament was shortened; and by a new proclamation the twelfth of March was fixed for its meeting.[i] Mary resolved, without any further delay, to proceed to the attainder of the rebel lords, and at the same time determined to take some steps towards the re-establishment of the Romish religion in Scotland.[k] The lords of the articles were chosen, as

b Melv. 119. c Ibid. 125. d Good. vol. i. 224.
e Keith, 325. Append. 167. f Thuan. lib. 37.
g Melv. 126. h See Append. No. XIV. i Keith, 326.

k It is not on the authority of Knox alone, that we charge the queen with the design of re-establishing the Roman catholic religion, or at least of exempting the professors of it from the rigour of those penal laws to which

usual, to prepare the business which was to come before the parliament. They were all persons in whom the queen could confide, and bent to promote her designs. The ruin of Murray and his party seemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which saved both. If we regard either the barbarity of that age, when such acts of violence were common, or the mean condition of the unhappy person who suffered, the event is little remarkable; but if we reflect upon the circumstances with which it was attended, or upon the consequences which followed it, it appears extremely memorable; and the rise and progress of it deserve to be traced with great care.

and prevented by the conspiracy against Rizzio.

Darnley loses the queen's affection.

Darnley's external accomplishments had excited that sudden and violent passion which raised him to the throne. But the qualities of his mind corresponded ill with the beauty of his person. Of a weak understanding, and without experience, conceited, at the same time, of his own abilities, and ascribing his extraordinary success entirely to his distinguished merit; all the queen's favour made no impression on such a temper. All her gentleness could not bridle his imperious and ungovernable spirit. All her attention to place about him persons capable of directing his conduct, could not preserve him from rash and imprudent actions.[l] Fond of all the amusements, and even prone to all the vices, of youth, he became by degrees careless of her person, and a stranger to her company. To a woman, and a queen, such behaviour was intolerable. The lower she had stooped in order to raise him, his behaviour appeared the more ungenerous, and criminal; and in proportion to the strength of her first affection, was the violence with which her disappointed passion now operated. A few months after the marriage their domestic quarrels began to be observed. The extravagance of Darnley's ambition gave rise to these. Instead of being satisfied with a share in the administration of government, or with the title of king, which Mary, by an unprecedented stretch of power, had conferred on him, he demanded the crown matrimonial with most insolent importunity.[m] Though Mary alleged that this gift was beyond her power, and that the authority of parliament must be interposed to bestow it, he wanted either understanding to comprehend, or temper to admit, so just a defence; and often renewed and urged his request.

Suspects Rizzio to be the cause of it.

Rizzio, whom the king had at first taken into great confidence, did not humour him in these follies. By this he incurred Henry's displeasure; and as it was impossible for Mary to behave towards her husband with the same affection which distinguished the first and happy days of their union, he imputed this coldness, not to his own behaviour, which had so well merited it, but to the insinuations of Rizzio. Mary's own conduct confirmed and strengthened these suspicions. She treated this stranger with a familiarity, and admitted him to a share in her confidence, to which neither his first condition, nor the office she had lately bestowed on him, gave him any title. He was perpetually in her presence, intermeddled in every business, and, together with a few favourites, was the companion of all her private amusements. The haughty spirit of Darnley could not bear the intrusion of such an upstart; and impatient of any delay, and unrestrained by any scruple, he instantly resolved to get rid of him by violence.

Rizzio hated by the friends of the exiled nobles.

At the same time another design, which took its rise from very different motives, was carrying on against the life of Rizzio. Morton, Ruthven, Lindsay, and Maitland, were the contrivers of it. In all former commotions they had been strictly united with Murray, though in the late insurrection they had deserted him for various reasons. Morton was nearly allied to the family of Angus; and, during the minority of the present earl, acted as chief of the name of Douglas. Ruthven was married to the king's aunt. Lindsay's wife was of the same blood. All these had warmly concurred with the queen in promoting a marriage which did so much honour to the house of Douglas, and naturally expected, that, under a king of their own blood, the chief management of affairs would be committed to them. Maitland, with his usual sagacity, foresaw that Murray's opposition to the match would prove dangerous and ineffectual; but whoever ruled at court, he hoped, by his dexterity and talents, to render himself necessary and of importance. They were all equally disappointed in their expectations. The king's headstrong temper rendered him incapable of advice. The queen could not help distrusting men who had been so long and so intimately connected with Murray, and gave herself up entirely to such counsellors as complied with all her inclinations. The return of that nobleman and his followers was therefore the only event which could restore Morton, Maitland, and their associates, to their former ascendant over the queen's councils. For this reason, nothing could be more mortifying to them than the resolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizzio, who, after he had engaged to aid Murray with all his interest, was now the most active instrument in promoting the mea-

they were subjected. He indeed asserts that the altars, which would have been erected in the church of St. Giles, were already provided, 394. 1. Mary herself, in a letter to the archbishop of Glasgow, her ambassador in France, acknowledges, "that in that parliament she intended to have done some good, with respect to restoring the old religion." Keith, 331. 2. The spiritual lords, i. e. the popish ecclesiastics, had, by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, Append. 167. 4. She allowed mass to be celebrated in different parts of the kingdom, ibid.; and declared that she would have mass free for all men that would hear it. Good. vol. i. 274. 5. Blackwood, who was furnished by the archbishop of Glasgow with materials for writing his *Martyre de Marie*, affirms, that the queen intended to have procured, in this parliament, if not the re-establishment of the catholic religion, at least something for the ease of catholics. Jebb, vol. ii. 204.

l Good. vol. i. 222.

m Keith, 329. Id. Ap. 165, 166. Knox, 404. The eagerness of the king to obtain the *Crown Matrimonial* is not surprising, when the extent of the powers which that title conveyed, as explained in the text and note, p. 44. is taken into consideration.

sures which were concerted for the ruin of that nobleman. This officious zeal completed the disgust which they had conceived against him, and inspired them with thoughts of vengeance, in nowise suitable to justice, to humanity, or to their own dignity.

They combine in order to murder him.

While they were ruminating upon their scheme, the king communicated his resolution to be avenged of Rizzio to lord Ruthven, and implored his assistance, and that of his friends, towards the execution of this design. Nothing could be more acceptable to them than this overture. They saw at once all the advantages they would reap, by the concurrence of such an associate. Their own private revenge upon Rizzio would pass, they hoped, for an act of obedience to the king; and they did not despair of obtaining the restoration of their banished friends, and security for the protestant religion, as the price of their compliance with his will.

But as Henry was no less fickle than rash, they hesitated for some time, and determined to advance no further, without taking every possible precaution for their own safety. They did not, in the mean time, suffer the king's resentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of insinuation and address, took the young prince under his management. He wrought upon his ruling passion, ambition to obtain the matrimonial crown. He represented Rizzio's credit with the queen to be the chief and only obstacle to his success in that demand. This minion alone, he said, possessed her confidence, and out of complaisance to him, her subjects, her nobility, and even her husband, were excluded from any participation of her secret councils. Under the appearance of a confidence merely political, he insinuated, and the king perhaps believed, that a familiarity of a quite different and very criminal nature might be concealed.[n] Such various and complicated passions raged in the king's bosom with the utmost fury. He became more impatient than ever of any delay, and even threatened to strike the intended blow with his own hand. At last, preliminaries were settled on both sides, and articles for their mutual security agreed upon. The king engaged to prevent the attainder of the banished lords, to consent to their return into Scotland, to obtain for them an ample remission of all their crimes, and to support, to the utmost of his power, the religion which was now established in the kingdom. On their parts, they undertook to procure the crown matrimonial for Henry, to secure his right of succession, if the queen should die before him without issue, and to defend that right to the uttermost, against whatever person should presume to dispute it; and if either Rizzio, or any other person, should happen to be killed in prosecuting the design, the king promised to acknowledge himself to be the author of the enterprise, and to protect those who were embarked in it.[o]

Perpetrate that crime in the queen's palace.

Nothing now remained but to concert the plan of operation, to choose the actors, and to assign them their parts in perpetrating this detestable crime. Every circumstance here paints and characterizes the manners and men of that age, and fills us with horror at both. The place chosen for committing such a deed was the queen's bed-chamber. Though Mary was now in the sixth month of her pregnancy, and though Rizzio might have been seized elsewhere without any difficulty, the king pitched upon this place, that he might enjoy the malicious pleasure of reproaching Rizzio with his crimes before the queen's face. The earl of Morton, the lord high chancellor of the kingdom, undertook to direct an enterprise, carried on in defiance of all the laws of which he was bound to be the guardian. The lord Ruthven, who had been confined to his bed for three months by a very dangerous distemper, and who was still so feeble that he could hardly walk, or bear the weight of his own armour, was intrusted with the executive part; and while he himself needed to be supported by two men, he came abroad to commit a murder in the presence of his sovereign.

On the ninth of March, Morton entered the court of the palace with a hundred and sixty men; and without noise, or meeting with any resistance, seized all the gates. While the queen was at supper with the countess of Argyll, Rizzio, and a few other persons, the king suddenly entered the apartment by a private passage. At his back was Ruthven, clad in complete armour, and with that ghastly and horrid look which long sickness had given him. Three or four of his most trusty accomplices followed him. Such an unusual appearance alarmed those who were present. Rizzio instantly apprehended that he was the victim at whom the blow was aimed; and in the utmost consternation retired behind the queen, of whom he laid hold, hoping that the reverence due to her person might prove some protection to him. The conspirators had proceeded too far to be restrained by any consideration of that kind. Numbers of armed men rushed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizzio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears,

n Of all our historians, Buchanan alone avowedly accuses Mary of a criminal love for Rizzio, 340, 344. Knox slightly insinuates that such a suspicion was entertained, 391. Melvil, in a conversation with the queen, intimates that he was afraid her familiarity with Rizzio might be liable to misconstruction, 110. The king himself seems, both by Melvil's account, and by his expostulation with the queen, which Ruthven mentions, to have given credit to these suspicions. Melv. 127. Keith, Append. 123, 124. That the king's suspicions were strong, is likewise evident from the paper published, Append. No. XV. But in opposition to these suspicions, and they are nothing more, we may observe that Raulet, the queen's French secretary, was dismissed from her service, and Rizzio advanced to that office, in December, 1564. Keith, 268. It was in consequence of this preferment, that he acquired his great credit with the queen. Melv. 107. Darnley arrived in Scotland about two months after. Keith, 269. The queen immediately conceived for him a passion, which had all the symptoms of genuine and violent love.—Rizzio aided this passion, and promoted the marriage with all his interest. Melv. 111. During some months after the marriage, the queen's fondness for Darnley continued. She soon proved with child. From this enumeration of circumstances, it appears almost impossible that the queen, unless we suppose her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizzio. But the silence of Randolph, the English resident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once insinuate that her confidence in Rizzio concealed any thing criminal, is in itself a sufficient vindication of her innocence.

o Good. vol. i. 266.

and entreaties, and threatenings to save her favourite. But notwithstanding all these, he was torn from her by violence, and before he could be dragged through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-six wounds.[p]

Athol, Huntley, Bothwell, and other confidants of the queen, who had apartments in the palace, were alarmed at the uproar, and filled with the utmost terror on their own account; but either no violence was intended against them, or the conspirators durst not shed the noblest blood in the kingdom in the same illegal manner with which they had ventured to take the life of a stranger. Some of them were dismissed, and others made their escape.

They confine the queen herself; The conspirators, in the mean time, kept possession of the palace, and guarded the queen with the utmost care. A proclamation was published by the king, prohibiting the parliament to meet on the day appointed; and measures were taken by him for preventing any tumult in the city.[q] Murray, Rothes, and their followers, being informed of every step taken against Rizzio, arrived at Edinburgh next evening. Murray was graciously received both by the king and queen; by the former on account of the articles which had been agreed upon between them; by the latter, because she hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizzio. Their power she still felt and dreaded; and the insult which they had offered to her authority, and even to her person, so far exceeded any crime she could impute to Murray, that, in hopes of wreaking her vengeance on them, she became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their safety. The queen, who scarce had the liberty of choice left, was persuaded to admit Morton and Ruthven into her presence, and to grant them the promise of pardon in whatever terms they should deem necessary for their own security.

but she gains the king, and makes her escape, The king, meanwhile, stood, astonished at the boldness and success of his own enterprise, and uncertain what course to hold. The queen observed his irresolution, and availed herself of it. She employed all her art to disengage him from his new associates. His consciousness of the insult which he had offered to so illustrious a benefactress, inspired him with uncommon facility and complaisance. In spite of all the warnings he received to distrust the queen's artifices, she prevailed on him to dismiss the guards which the conspirators had placed on her person; and that same night he made his escape along with her, attended by three persons only, and retired to Dunbar. The scheme of their flight had been communicated to Huntley and Bothwell, and they were quickly joined by them and several other of the nobles. Bothwell's estate lay in that corner of the kingdom, and his followers crowded to their chief in such numbers, as soon enabled the queen to set the power of the conspirators at defiance.

March 11.

This sudden flight filled them with inexpressible consternation. They had obtained a promise of pardon; and it now appeared from the queen's conduct, that nothing more was intended by this promise than to amuse them, and to gain time. They ventured, however, to demand the accomplishment of it; but their messenger was detained a prisoner, and the queen advancing towards Edinburgh, at the head of eight thousand men, talked in the highest strain of resentment and revenge. She had the address, at the same time, to separate Murray and his associates from the conspirators against Rizzio. Sensible that the union of these parties would form a confederacy which might prove formidable to the crown, she expressed great willingness to receive the former into favour; towards the latter she declared herself inexorable. Murray and his followers were no less willing to accept a pardon on her terms. The conspirators against Rizzio, deprived of every resource, and incapable of resistance, fled precipitately to Newcastle, having thus changed situations with Murray and his party, who left that place a few days before.

Is reconciled to the exiled nobles.

March 10. The conspirators against Rizzio fly into England.

No man so remarkable for wisdom, and even for cunning, as the earl of Morton, ever engaged in a more unfortunate enterprise. Deserted basely by the king, who now denied his knowledge of the conspiracy by public proclamations, and abandoned ungenerously by Murray and his party,[r] he was obliged to fly from his native country, to resign the highest office, and to part with one of the most opulent fortunes in the kingdom.

On her return to Edinburgh, Mary began to proceed against those concerned in the murder of Rizzio with the utmost rigour of law. But, in praise of her clemency, it must be observed, that only two persons, and these of no considerable rank, suffered for this crime.[s]

In this conspiracy there is one circumstance which, though somewhat detached, deserves not to be forgotten.—In the confederacy between the king and the conspirators, the real intention of which was assassination, the preserving of the reformed church is, nevertheless, one of the most considerable articles; and the same men, who were preparing to violate one of the first duties of morality, affected the highest regard for religion. History relates these extravagances of the human mind, without pretending to justify, or even to account for them; and regulating her own opinions by the eternal and immutable laws of justice and of virtue, points out such inconsistencies, as features of the age which she describes, and records them for the instruction of ages to come.

p See Appendix, No. XV. q Keith, Appendix, 126.

r Melv. 130. s Keith, Appendix, 130, 334

An account of the frequency of assassinations in that age.

As this is the second instance of deliberate assassination which has occurred, and as we shall hereafter meet with many other instances of the same crime, the causes which gave rise to a practice so shocking to humanity deserve our particular attention. Resentment is, for obvious and wise reasons, one of the strongest passions in the human mind. The natural demand of this passion is, that the person who feels the injury should himself inflict the vengeance due on that account. The permitting this, however, would have been destructive to society; and punishment would have known no bounds, either in severity or in duration. For this reason, in the very infancy of the social state, the sword was taken out of private hands, and committed to the magistrate. But at first, while laws aimed at restraining, they really strengthened, the principle of revenge. The earliest and most simple punishment for crimes was retaliation; the offender forfeited limb for limb, and life for life. The payment of a compensation to the person injured, succeeded to the rigour of the former institution. In both these, the gratification of private revenge was the object of law; and he who suffered the wrong was the only person who had a right to pursue, to exact, or to remit the punishment. While laws allowed such full scope to the revenge of one party, the interests of the other were not neglected. If the evidence of his guilt did not amount to a full proof, or if he reckoned himself to be unjustly accused, the person to whom a crime was imputed had a right to challenge his adversary to single combat, and, on obtaining the victory, vindicated his own honour. In almost every considerable cause, whether civil or criminal, arms were appealed to, in defence, either of the innocence, or the property, of the parties. Justice had seldom occasion to use her balance; the sword alone decided every contest. The passion of revenge was nourished by all these means, and grew, by daily indulgence, to be incredibly strong. Mankind became habituated to blood, not only in times of war, but of peace; and from this as well as other causes, contracted an amazing ferocity of temper and of manners. This ferocity, however, made it necessary to discourage the trial by combat; to abolish the payment of compensations in criminal cases; and to think of some milder method of terminating disputes concerning civil rights. The punishments for crimes became more severe, and the regulations concerning property more fixed; but the princes, whose province it was to inflict the one, and to enforce the other, possessed little power. Great offenders despised their authority; smaller ones sheltered themselves under the jurisdiction of those from whose protection they expected impunity. The administration of justice was extremely feeble and dilatory. An attempt to punish the crimes of a chieftain, or even of his vassals, often excited rebellions and civil wars. To nobles, haughty and independent, among whom the causes of discord were many and unavoidable, who were quick in discerning an injury, and impatient to revenge it; who deemed it infamous to submit to an enemy, and cowardly to forgive him; who considered the right of punishing those who had injured them, as a privilege of their order, and a mark of independence; such slow proceedings were extremely unsatisfactory. The blood of their adversary was, in their opinion, the only thing which could wash away an affront; where that was not shed, their revenge was disappointed, their courage became suspected, and a stain was left on their honour. That vengeance, which the impotent hand of the magistrate could not inflict, their own could easily execute. Under governments so feeble, men assumed, as in a state of nature, the right of judging and redressing their own wrongs; and thus assassination, a crime of all others the most destructive to society, came not only to be allowed, but to be reckoned honourable.

The history of Europe, during the fourteenth and fifteenth centuries, abounds with detestable instances of this crime. It prevailed chiefly among the French and Scots, between whom there was a close intercourse at that time, and a surprising resemblance in their national characters. In one thousand four hundred and seven, the only brother of the king of France was murdered publicly in the streets of Paris; and, so far was this horrible action from meeting with proper punishment, that an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulness of assassination. In one thousand four hundred and seventeen, it required all the eloquence and authority of the famous Gerson, to prevail on the council of Constance to condemn this proposition, "That there are some cases in which assassination is a virtue more meritorious in a knight than in a squire, and more meritorious in a king than in a knight."[t] The number of eminent persons who were murdered in France and Scotland, on account either of private, or political, or religious, quarrels, during the fifteenth and sixteenth centuries, is almost incredible. Even after those causes, which first gave rise to this barbarous practice, were removed; after the jurisdiction of magistrates, and the authority of laws, were better established, and become more universal; after the progress of learning and philosophy had polished the manners, and humanized the minds, of men, this crime continued in some degree. It was towards the close of the seventeenth century before it disappeared in France. The additional vigour, which the royal authority acquired by the accession of James VI. to the throne of England, seems to have put a stop to it in Scotland.

The influence, however, of any national custom, both on the understanding and on the heart, and how far it may go towards perverting or extinguish-

t L'Enfant, Hist. Conc. de Const.

ing moral principles of the greatest importance, is remarkable. The authors of those ages have perfectly imbibed the sentiments of their contemporaries, with regard to assassination; and they who had leisure to reflect and to judge, appear to be no more shocked at this crime, than the persons who committed it during the heat and impetuosity of passion. Buchanan describes the murder of cardinal Beatoun and of Rizzio, without expressing those feelings which are natural to a man, or that indignation which became an historian.[u] Knox, whose mind was fiercer and more unpolished, relates the death of Beatoun and of the duke of Guise, not only without censure, but with the utmost exultation.[x] On the other hand, the bishop of Ross mentions the assassination of the earl of Murray with some degree of applause.[y] Blackwood dwells upon it with the most indecent triumph, and ascribes it directly to the hand of God.[z] Lord Ruthven, the principal actor in the conspiracy against Rizzio, wrote an account of it some short time before his own death, and in all his long narrative there is not one expression of regret, or one symptom of compunction, for a crime no less dishonourable than barbarous.[a] Morton, equally guilty of the same crime, entertained the same sentiments concerning it; and in his last moments, neither he himself, nor the ministers who attended him, seem to have considered it as an action which called for repentance; even then he talks of *David's slaughter* as coolly as if it had been an innocent or commendable deed.[b] The vices of another age astonish and shock us; the vices of our own become familiar, and excite little horror.[c] I return from this digression to the course of the history.

The queen's hatred to Darnley increases.

The charm which had at first attached the queen to Darnley, and held them for some time in a happy union, was now entirely dissolved; and love no longer covering his follies and vices with its friendly veil, they appeared to Mary in their full dimension and deformity.[d] Though Henry published a proclamation, disclaiming any knowledge of the conspiracy against Rizzio, the queen was fully convinced, that he was not only accessary to the contrivance, but to the commission of that odious crime.[e] That very power which, with liberal and unsuspicious fondness, she had conferred upon him, he had employed to insult her authority, to limit her prerogative, and to endanger her person. Such an outrage it was impossible any woman could bear or forgive. Cold civilities, secret distrust, frequent quarrels, succeeded to their former transports of affection and confidence. The queen's favours were no longer conveyed through his hands. The crowd of expectants ceased to court his patronage, which they found to avail so little. Among the nobles, some dreaded his furious temper, others complained of his perfidiousness; and all of them despised the weakness of his understanding and the inconstancy of his heart. The people themselves observed some parts of his conduct which little suited the dignity of a king. Addicted to drunkenness, beyond what the manners of that age could bear, and indulging irregular passions, which even the licentiousness of youth could not excuse, he, by his indecent behaviour, provoked the queen to the utmost; and the passions which it occasioned often forced tears from her eyes, both in public and private.[f] Her aversion for him increased every day, and could be no longer concealed. He was often absent from court, appeared there with little splendour, and was trusted with no power. Avoided equally by those who endeavoured to please the queen, who favoured Morton and his associates, or who adhered to the house of Hamilton, he was left almost alone in a neglected and unpitied solitude.[g]

The rise of Bothwell's favour.

About this time a new favourite grew into great credit with the queen, and soon gained an ascendant over her heart, which encouraged his enterprising genius to form designs that proved fatal to himself, and the occasion of all Mary's subsequent misfortunes. This was James Hepburn, earl of Bothwell, the head of an ancient family, and by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. Even in that turbulent age, when so many vast projects were laid open to an aspiring mind, and invited it to action, no man's ambition was more daring than Bothwell's, or had recourse to bolder or more singular expedients for obtaining power.[h] When almost every person of distinction in the kingdom, whether papist or protestant, had joined the Congregation in opposing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed protestant, adhered to the queen regent, and acted with vigour on her side. The success which attended the arms of the Congregation having obliged him to retire into France, he was taken into the queen's service, and continued with her till the time of her return into Scotland.[i] From that period, every step of his conduct towards Mary was remarkably dutiful; and, amidst all the shiftings of faction, we scarcely ever find him holding any course which could be offensive to her. When Murray's proceedings with re-

u Buchan. 295, 345. x Knox, 334. y Anders. 3. 84.
z Jebb, 2, 263. a Keith, Append. 119. b Crawf. Mem. Append.
c In the first accounts of Rizzio's murder sent to England, there seems to have been mingled (as is usual in relating extraordinary events) some circumstances, which afterwards appeared to be false: among others, that a friar named *Black* had been slain at the same time with Rizzio. Packhurst, bishop of Norwich, in communicating this intelligence to his correspondent Bullinger, an eminent reformed divine of Zurich, expresses no condemnation of the murder of Rizzio, and exults over the supposed death of the friar, in terms which, in our times, will appear as shocking as they are puerile: "Fraterculus quidam, nomine *Black*, papistarum antesignanus, eodem tempore in aulâ occiditur: Sic niger hic nebulo, nigrâ quoque morte peremptus, invitus nigrum subito descendit in Orcum." Burn. Hist. of Reform. iii. App. 360.
d See Appendix, No. XVI. e Keith, 350.
f Keith, 329. g Melv. 131, &c.
h The enterprising spirit of Bothwell was so conspicuous as to procure him several marks of distinction during his residence in France. Hardwick's State Papers, i. 143. Throgmorton, the English ambassador at Paris, and one of the most sagacious ministers employed by Elizabeth, points him out as a person who was to be dreaded and observed. "The earl of Bothwell," says he in a letter, Nov. 28, 1560, "is departed to return into Scotland, and hath made boast that he will do great things, and live in Scotland in despite of all men. He is a glorious, rash, and hazardous *young* man; and therefore it were meet that his adversaries should both have an eye to him, and also keep him short." Ibid. p. 149.
i Anders. i. 90.

gard to her marriage gave umbrage to the queen, she recalled Bothwell from that banishment into which she had been obliged with reluctance to drive him, and considered his zeal and abilities as the most powerful supports of her authority. When the conspirators against Rizzio seized her person, he became the chief instrument of recovering her liberty, and served her, on that occasion, with so much fidelity and success, as made the deepest impression on her mind, and greatly increased the confidence which she had hitherto placed in him.[k] Her gratitude loaded him with marks of her bounty; she raised him to offices of profit and trust, and transacted no matter of importance without his advice.[l] By complaisance and assiduity he confirmed and fortified these dispositions of the queen in his favour, and insensibly paved the way towards that vast project, which his immoderate ambition had perhaps already conceived, and which, in spite of many difficulties, and at the expense of many crimes, he at last accomplished.

The hour of the queen's delivery now approached. As her palace was defended only by a slender guard, it seemed imprudent to expose her person, at this time, to the insults she might suffer in a kingdom torn by factions and prone to mutiny. For this reason the privy council advised the queen to fix her residence in the castle of Edinburgh, the strongest fortress in the kingdom, and the most proper place for the security of her person.[m] In order to render this security more perfect, Mary laboured to extinguish the domestic feuds which divided some of the principal nobles. Murray and Argyll were exasperated against Huntley and Bothwell, by reciprocal and repeated injuries. The queen, by her authority and entreaties, effected a reconcilement among them, and drew from them a promise to bury their discords in everlasting oblivion. This reconcilement Mary had so much at heart, that she made it the condition on which she again received Murray into favour.[n]

Birth of James VI.

On the nineteenth of June, Mary was delivered of her only son James, a prince whose birth was happy for the whole island, and unfortunate to her alone. His accession to the throne of England united the two divided kingdoms in one mighty monarchy, and established the power of Great Britain on a firm foundation; while she, torn early from her son by the cruelty of her fate, was never allowed to indulge those tender passions, nor to taste those joys which fill the heart of a mother.

Melvil was instantly despatched to London with an account of this event. It struck Elizabeth, at first, in a sensible manner; and the advantage and superiority which her rival had acquired by the birth of a son, forced tears from her eyes. But before Melvil was admitted to an audience, she had so far recovered the command of herself, as to receive him not only with decency but with excessive cheerfulness; and willingly accepted the invitation which Mary gave her, to stand godmother to her son.[o]

As Mary loved splendour and magnificence, she resolved to celebrate the baptism of the young prince with great pomp; and for that purpose sent invitations of the same kind to the French king, and to the duke of Savoy, the uncle of her former husband.

The queen continues to treat Darnley with indifference and neglect.

The queen, on her recovery, discovered no change in her sentiments with respect to the king.[p] The death of Rizzio, and the countenance he had given to an action so insolent and unjustifiable, were still fresh in her memory. She was frequently pensive and dejected.[q] Though Henry sometimes attended at court, and accompanied her in her progresses through different parts of the kingdom, he met with little reverence from the nobles, while Mary treated him with the greatest reserve, and did not suffer him to possess any authority.[r] The breach between them became every day more apparent.[s] Attempts were made towards a reconcilement, particularly by Castelnau, the French ambassador; but, after such a violent rupture, it was found no easy matter to bind the nuptial knot anew; and, though he prevailed on the king and queen to pass two nights together,[t] we may with great probability pronounce this appearance of union, to which Castelnau trusted, not to have been sincere; we know with certainty that it was not lasting.

Her attachment to Bothwell increases.

Bothwell, all this while, was the queen's prime confidant. Without his participation no business was concluded, and no favour bestowed. Together with this ascendant over her councils, Bothwell, if we may believe the contemporary historians, acquired no less sway over her heart. But at what precise time this ambitious lord first allowed the sentiments of a lover to occupy the place of that duty and respect which a subject owes his sovereign; or when Mary, instead of gratitude for his faithful services, felt a passion of another nature rising in her bosom, it is no easy matter to determine. Such delicate transitions of passion can be discerned only by those who are admitted near the persons of the parties, and who can view the secret workings of the heart with calm and acute observation. Neither Knox nor Buchanan enjoyed these advantages Their humble station allowed them only a distant access to the queen and her favourite. And the ardour of their zeal, as well as the violence of their prejudices, rendered their opinions rash, precipitate, and inaccurate. It is by the effects of this reciprocal passion, rather than by their accounts of it, that subsequent historians can judge of its reality.

Adventurous as Bothwell's project to gain the queen may appear, it was formed and carried on under very favourable circumstances. Mary was

k Anders. i. 92, 93. l Melv. 133. Knox, 396.
m Keith, 335. n Ibid. 336. Append. 139. o Melv. 138.
p See Append. No. XVII. q Melv. 148. r Keith, 350. Melv. 132.
s Keith, Append. 169. t Keith, 169.

Lib C.

young, gay, and affable. She possessed great sensibility of temper, and was capable of the utmost tenderness of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with insolence, and with brutality. All these she felt and resented. In this situation, the attention and complaisance of a man who had vindicated her authority and protected her person, who entered into all her views, who soothed all her passions, who watched and improved every opportunity of insinuating his design, and recommending his passion,[u] could hardly fail of making an impression on a heart of such a frame as Mary's.

The king resolves to leave Scotland.

The haughty spirit of Darnley, nursed up in flattery, and accustomed to command, could not bear the contempt under which he had now fallen, and the state of insignificance to which he saw himself reduced. But, in a country where he was universally hated or despised, he could never hope to form a party, which would second any attempt he might make to recover power. He addressed himself, therefore, to the pope, and to the kings of France and Spain, with many professions of his own zeal for the catholic religion, and with bitter complaints against the queen, for neglecting to promote that interest:[x] and, soon after, he took a resolution, equally wild and desperate, of embarking on board a ship which he provided, and of flying into foreign parts. It is almost impossible to form any satisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped, perhaps, to recommend himself to the catholic princes on the continent by his zeal for religion, and that they would employ their interest towards reinstating him in the possession of that power which he had lost. Perhaps he expected nothing more than the comfort of hiding the disgrace under which he was now fallen, among strangers, who had never been witnesses of his former prosperity.

His capricious behaviour.

He communicated the design to the French ambassador Le Croc, and to his father the earl of Lennox. They both endeavoured to dissuade him from it, but without success. Lennox, who seems, as well as his son, to have lost the queen's confidence, and who, about this time, was seldom at court, instantly communicated the matter to her by a letter. Henry, who had refused to accompany the queen from Stirling to Edinburgh, was likewise absent from court. He arrived there, however, on the same day she received the account of his intended flight. But he was more than usually wayward and peevish; and, scrupling to enter the palace unless certain lords who attended the queen were dismissed, Mary was obliged to meet him without the gates. At last he suffered her to conduct him into her own apartment. She endeavoured to draw from him the reasons of the strange resolution which he had taken, and to divert him from it. In spite, however, of all her arguments and entreaties, he remained silent and inflexible. Next day the privy council, by her direction, expostulated with him on the same head. He persisted, notwithstanding, in his sullenness and obstinacy; and neither deigned to explain the motives of his conduct, nor signified any intention of altering it. As he left the apartment, he turned towards the queen, and told her that she should not see his face again for a long time. A few days after, he wrote to Mary, and mentioned two things as grounds of his disgust. She herself, he said, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, so that he appeared in every place without the dignity and splendour of a king.

Mary endeavours to prevent his intended flight.

Nothing could be more mortifying to Mary, than this intended flight of the king's, which would have spread the infamy of their domestic quarrel all over Europe. Compassion for a monarch who would then appear to be forced into exile by her neglect and ill usage, might have disposed mankind to entertain sentiments concerning the causes of their discord, little to her advantage. In order, therefore, to prepossess the minds of her allies, and to screen her reputation from any censure with which Darnley might endeavour to load it, the privy council transmitted a narrative of this whole transaction both to the king and to the queen-mother of France. It was drawn with great art, and sets Mary's conduct in the most favourable point of view.[y]

About this time the licence of the borderers called for redress; and Mary resolving to hold a court of justice at Jedburgh, the inhabitants of several adjacent counties were summoned to attend their sovereign in arms, according to custom.[z] Bothwell was at that time lieutenant or warden of all the marches, an office among the most important in the kingdom; and, though usually divided into three distinct governments, bestowed by the queen's favour upon him alone. In order to display his own valour and activity in the discharge of this trust, he attempted to seize a gang of banditti, who, lurking among the marshes of Liddesdale, infested the rest of the country. But while he was laying hold upon one of those desperadoes, he was wounded by him in several places, so that his followers were obliged to carry him to Hermitage castle. Mary instantly flew thither, with an impatience which has been considered as marking the anxiety of a lover, but little suited the dignity of a queen.[a] Finding that Bothwell was threat-

Oct. 16.

u Anders. i. 93, 94.
x Knox, 399.
y Keith, 345, 347.
z Ibid. 353. Good. vol. i. 302.

a The distance between Jedburgh and Hermitage is eighteen Scottish miles, through a country almost impassable. The season of the year was far advanced. Bothwell seems to have been wounded in a scuffle, occasioned by the despair of a single man, rather than any open insurrection of the borderers. It does not appear that the queen was attended by any considerable train. Had any military operation been necessary, as is supposed, Good. vol. i. 304, it would have been extremely improper to risk the queen's person in an expedition against thieves. As soon as the queen found Bothwell to be in no danger, she instantly returned, and after this we hear no more of the insurrection, nor have we any proof that the rioters took refuge in England. As there is no further evidence with respect to the motives of this extraordinary journey, the reader must judge what degree of credit

ened with no dangerous symptom, she returned the same day to Jedburgh. The fatigue of such a journey, added to the anguish of mind she had suffered on Bothwell's account, threw her next morning into a violent fever.[b] Her life was despaired of, but her youth, and the vigour of her constitution, resisted the malignity of her disease. During the continuance of the queen's illness, the king, who resided at Stirling, never came near Jedburgh;[c] and when he afterwards thought fit to make his appearance there, he met with such a cold reception, as did not encourage him to make any long stay.[d] Mary soon recovered strength enough to return along the eastern borders to Dunbar.

Nov. 5.

While she resided in this place, her attention was turned towards England. Elizabeth, notwithstanding her promise, and even proclamations to the contrary, not only allowed, but encouraged, Morton and his associates to remain in England.[e] Mary, on the other hand, offered her protection to several English fugitives. Each queen watched the motions of the other with a jealous attention, and secretly countenanced the practices which were carrying on to disturb the administration of her rival.

The English parliament favours Mary's pretensions to the succession.

For this purpose Mary's ambassador, Robert Melvil, and her other emissaries, were extremely active and successful. We may ascribe, in a good degree, to their intrigues, that spirit which appeared in the parliament of England, and which raised a storm that threatened Elizabeth's domestic tranquillity, more than any other event of her reign, and required all her art and dexterity to allay it.

Elizabeth had now reigned eight years without discovering the least intention to marry. A violent distemper with which she had lately been seized, having endangered her life, and alarmed the nation with the prospect of all those calamities which are occasioned by a disputed and dubious succession, a motion was made, and eagerly listened to in both Houses, for addressing the queen to provide against any such danger in times to come, either by signifying her own resolution to marry, or by consenting to an act, establishing the order of succession to the crown.[f] Her love to her subjects, her duty to the public, her concern for posterity, it was asserted, not only called upon, but obliged, her to take one of these steps. The insuperable aversion which she had all along discovered for marriage, made it improbable that she would choose the former; and if she complied with the latter request, no title to the crown could, with any colour of justice, be set in opposition to that of the Scottish queen. Elizabeth was sagacious enough to see the remotest consequences of this motion, and observed them with the greatest anxiety. Mary, by refusing so often to ratify the treaty of Edinburgh, had plainly intimated a design of embracing the first promising opportunity for prosecuting her right to the English crown; and, by her secret negociations, she had gained many to favour her title.[g] All the Roman catholics ardently wished for her succession. Her gentleness and humanity had removed many of those apprehensions which the protestants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wrest the administration out of his hands, advanced the pretensions of the Scottish queen in opposition to him. The union of the two kingdoms was a desirable object to all wise men in both nations; and the birth of the young prince was a security for the continuance of this blessing, and gave hopes of its perpetuity.

Elizabeth's perplexity on that account.

Under these circumstances, and while the nation was in such a temper, a parliamentary declaration of Mary's title would have been highly detrimental to Elizabeth. The present unsettled state of the succession left much in her power. Her resentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto restrained and overawed the ambition of the Scottish queen. But if this check should be removed by the legal acknowledgment of her title, Mary would be more at liberty to pursue her dangerous designs, and to act without fear or reserve. Her partisans were already meditating schemes for insurrections in different parts of the kingdom;[h] and an act of parliament, recognising the rights of that princess, whose pretensions they favoured, would have been nothing less than a signal to arms; and, notwithstanding Elizabeth's just title to the affections of her subjects, might have shaken and endangered her throne.

Mary endeavours to improve this opportunity.

While this matter remained in suspense in both Houses, an account of it was transmitted to Mary by Melvil her ambassador. As she did not want advocates for her right, even among those who were near Elizabeth's person, she endeavoured to cultivate the disposition which appeared towards settling the right of succession in her favour, by a letter to the privy counsellors of England. She expressed in it a grateful sense of Elizabeth's friendship, which she ascribes chiefly to their good offices with their sovereign in her behalf. She declared her resolution to live in perpetual amity with England, without urging or pursuing her claim upon the crown any further than should be agreeable to the queen. But, at the same time, as her right of succession was undoubted, she hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her wrote to the English privy council in the same strain.[i] Mary artfully gave these letters the air of being nothing more than a declaration of her own and of her subjects' gratitude towards Elizabeth. But, as she could not be

is due to Knox and Buchanan, who ascribe it to the queen's love of Bothwell.

b Keith, 351, 352. c Ibid. Append. 133.

d Knox, 400. e Cald. vol. ii. p. 15.
f D'Ewes's Journ. of Parl. 105. g Melv. 136.
h Ibid. 147. i Keith, 354. Append. 136.

ignorant of the jealousy and fear with which Elizabeth observed the proceedings of parliament, a step so uncommon as this, of one prince's entering into public correspondence with the privy counsellors of another, could not be otherwise construed than as taken with an intention to encourage the spirit which had already been raised among the English. In this light it seems to have appeared to Elizabeth herself.[k] But the disposition of her people rendering it necessary to treat Mary's person with great decency, and her title with much regard, she mentioned it to her only in the softest language.

Elizabeth sooths and gains her parliament.

Nothing, however, could be a more cruel mortification to a princess of Elizabeth's character, than the temper which both Houses of parliament discovered on this occasion. She bent all her policy to defeat or elude the motion. After allowing the first heat of their zeal to evaporate, she called into her presence a certain number of each House. She soothed and caressed them; she threatened and promised; she remitted subsidies which were due, and refused those which were offered; and, in the end, prevailed to have this formidable motion put off for that session. Happily for her, the conduct of the Scottish queen, and the misfortunes which befell her, prevented the revival of such a motion in any future parliament.[l]

Meantime, in order to preserve the reputation of impartiality, and that she might not drive Mary into any desperate measure, she committed to the Tower one Thornton, who had published something derogatory to the right of the Scottish line;[m] and signified her displeasure against a member of the House of Commons, who seemed, by some words in a speech, to glance at Mary.[n]

An extraordinary step of Mary's in favour of popery.

Amidst all her other cares, Mary was ever solicitous to promote the interest of that religion which she professed. The re-establishment of the Romish doctrine seems to have been her favourite passion; and though the design was concealed with care and conducted with caution, she pursued it with a persevering zeal. At this time she ventured to lay aside somewhat of her usual reserve; and the aid which she expected from the popish princes, who had engaged in the league of Bayonne, encouraged her to take a step, which, if we consider the temper of the nation, appears to be extremely bold. Having formerly held a secret correspondence with the court of Rome, she now resolved to allow a nuncio from the pope publicly to enter her dominions. Cardinal Laurea, at that time bishop of Mondovi, was the person on whom Pius V. conferred this office, and along with him he sent the queen a present of twenty thousand crowns.[o] It is not the character of the papal court to open its treasury upon distant or imaginary hopes. The business of the nuncio into Scotland could be no other than to attempt a reconciliation of that kingdom to the Romish see. Thus Mary herself understood it; and, in her answer to a letter which she received from the pope, after expressing her grateful sense of his paternal care and liberality, she promises that she would bend her whole strength towards the re-establishment and propagation of the catholic faith; that she would receive the nuncio with every possible demonstration of respect, and concur with the utmost vigour, in all his designs, towards promoting the honour of God, and restoring peace to the kingdom; that she would celebrate the baptism of the prince according to the ceremonies which the Romish ritual prescribes, hoping that her subjects would be taught, by this example, again to reverence the sacraments of the church, which they had so long treated with contempt; and that she would be careful to instil early into her son the principles of a sincere love and attachment to the catholic faith.[p] But though the nuncio was already arrived at Paris, and had sent over one of his attendants with part of the money, the queen did not think the juncture proper for his reception. Elizabeth was preparing to send a magnificent embassy into Scotland, against the time of the prince's baptism, and, as it would have been improper to offend her, she wisely contrived, under various pretences, to detain Laurea at Paris.[q] The convulsions into which the kingdom was thrown soon after, made it impossible for him to pursue his journey any further.

At the very time that Mary was secretly carrying on these negociations for subverting the reformed church, she did not scruple publicly to employ her authority towards obtaining for its ministers a more certain and comfortable subsistence.[r] During this year, she issued several proclamations and acts of council for that purpose, and readily approved of every scheme which was proposed for the more effectual payment of their stipends. This part of her conduct does little honour to Mary's integrity: and, though justified by the example of princes, who often reckon falsehood and deceit among the necessary arts of government, and even authorized by the pernicious casuistry of the Roman church, which transfers breach of faith to heretics from the list of crimes to that of duties; such dissimulation, however, must be numbered among those blemishes which never stain a truly great and generous character.

December. Her aversion for the king excessive.

As neither the French nor Piedmontese ambassadors were yet arrived, the baptism of the prince was put off from time to time. Meanwhile, Mary fixed her residence at Craigmillar.[s] Such a retirement, perhaps, suited the present temper of her mind, and induced her to prefer it before her own palace of Holyrood-house. Her aversion for the king grew every day more confirmed, and was become altogether incurable. A

k Keith, 357.
l D'Ewes's Journ. 104–130. Camd. 399. Melv. 119. Haynes 446.
m Camd. 401.
n Haynes, 449.
o Vita Card. Laur. ap. Burn, vol. iii. p. 325.
p Conæi Vita Mariæ, ap. Jebb, vol. ii. p. 51.
q Keith, Append. 135.
r Keith, 561, 562. Knox, 401.
s Keith, 355.

deep melancholy succeeded to that gaiety of spirit which was natural to her. The rashness and levity of her own choice, and the king's ingratitude and obstinacy, filled her with shame and with despair. A variety of passions preyed at once on a mind, all whose sensations were exquisite, and all its emotions strong; and often extorted from her the last wish of the unfortunate, that life itself might come to an end.[t]

But as the earl of Bedford, and the count de Brienne, the English and French ambassadors, whom she had long expected, arrived about this time, Mary was obliged to suppress what passed in her bosom, and to set out for Stirling in order to celebrate the baptism of her son. Bedford was attended by a numerous and splendid train, and brought presents from Elizabeth, suitable to her own dignity, and the respect with which she affected, at that time, to treat the queen of Scots. Great preparations had been made by Mary, and the magnificence displayed by her on this occasion exceeded whatever had been formerly known in Scotland. The ceremony itself was performed according to the rites of the Romish church. But neither Bedford nor any of the Scottish nobles who professed the protestant religion, entered within the gates of the chapel.[u] The spirit of that age, firm and uncomplying, would not, upon any inducement, condescend to witness an action which it deemed idolatrous.

Dec. 17.

The king's capricious behaviour at the baptism of the prince.

Henry's behaviour at this juncture perfectly discovers the excess of his caprice, as well as of his folly. He chose to reside at Stirling, but confined himself to his own apartment; and, as the queen distrusted every nobleman who ventured to converse with him, he was left in absolute solitude. Nothing could be more singular, or was less expected, than his choosing to appear in a manner that both published the contempt under which he had fallen, and by exposing the queen's domestic unhappiness to the observation of so many foreigners, looked like a step taken on purpose to mortify and to offend her. Mary felt this insult sensibly; and, notwithstanding all her efforts to assume the gaiety which suited the occasion, and which was necessary for the polite reception of her guests, she was sometimes obliged to retire, in order to be at liberty to indulge her sorrow, and give vent to her tears.[x] The king still persisted in his design of retiring into foreign parts, and daily threatened to put it into execution.[y]

Elizabeth endeavours to accommodate her differences with Mary.

The ceremony of witnessing the prince's baptism was not the sole business of Bedford's embassy. His instructions contained an overture which ought to have gone far towards extinguishing those jealousies which had so long subsisted between the two queens. The treaty of Edinburgh, which had been so often mentioned, was the principal occasion of these. The spirit, however, which had risen to such a height in the late parliament, the power of the party which favoured the Scottish queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expressions in that treaty might afford her. Nothing was now demanded of Mary, but to renounce any title to the crown of England during Elizabeth's life and the lives of her posterity; who, on the other hand, engaged to take no step which might prove injurious to Mary's claim upon the succession.[z]

Mary could not, with decency, reject a proposition so equitable; she insisted, however, that Elizabeth should order the right upon which she claimed, to be legally examined and publicly recognised, and particularly that the testament of Henry VIII., whereby he had excluded the descendants of his eldest sister the queen of Scotland, from the place due to them in the order of succession, might be produced, and considered by the English nobility. Mary's ministers had credulously embraced an opinion, that this testament, which they so justly conceived to be injurious to their mistress, was a mere forgery; and, on different occasions, had urged Elizabeth to produce it. Mary would have suffered considerably by gaining this point. The original testament is still extant, and not the least doubt can be entertained of its genuineness and authenticity. But it was not Elizabeth's intention to weaken or to set aside the title of the house of Stuart. She aimed at nothing more, than to keep the question concerning the succession perplexed and undecided; and, by industriously eluding this request, she did, in one respect, real service to Mary's cause.[a]

A few days after the baptism of the prince, Morton and all the other conspirators against Rizzio obtained their pardon, and leave to return into Scotland. Mary, who had hitherto continued inexorable to every treaty in their behalf, yielded at last to the solicitations of Bothwell.[b] He could hope for no success in those bold designs on which

t Keith, pref. vii. u Ibid. 360. x Ibid. pref. vii.

y Camden affirms, 401. that Bedford was commanded by Elizabeth not to give Darnley the title of king. As this was an indignity not to be borne either by Mary or her husband, it hath been asserted to be the cause of the king's absence from the ceremony of his son's baptism. Keith, 360. Good. 319. But, 1. No such thing is to be found among Bedford's instructions, the original of which still remains. Keith, 355. 2. Bedford's advice to the queen by Melvil is utterly inconsistent with Camden's assertion. Melv. 153. Melvil's account is confirmed by Elizabeth's instructions to sir Henry Norris, where she affirms that she commanded Bedford to employ his best offices towards reconciling Mary to her husband, which she had attempted to no purpose. Digges's Compl. Ambas. p. 13. A paper published, Appendix, No. XVIII. proves the same thing. 3. Le Croc the French resident mentions the king's absence, but without giving that reason for it, which has been founded on Camden's words, though, if that had been the real one, it is hardly possible to conceive that he should have neglected to mention it. Le Croc's first letter is dated December 2, some time prior to the arrival of the earl of Bedford in Scotland; and when his instructions, either public or secret, could hardly be known. Le Croc plainly supposes that the discord between the king and queen was the cause of his absence from the baptism, and his account of this matter is that which I have followed. Keith, Pref. vii. 4. He informs his court, that on account of the difference betwixt the king and the queen, he had refused to hold any further correspondence with the former, though he appears, in many instances, to have been his great confidant. Ibid. 5. As the king was not present at the baptism, he seems to have been excluded from any share in the ordinary administration of business. Two acts of privy council, one on the 20th, and the other on the 21st, of December, are found in Keith, 562. They both run in the queen's name alone. The king seems not to have been present. This could not be owing to Elizabeth's instructions to Bedford.

z Keith, 356.

a Rymer, xv. p. 110. Keith, 358. Note *c*. Murden, 368.

b Good. vol. i. 140. Melv. 154.

his ambition resolved to venture, without drawing aid from every quarter. By procuring a favour for Morton and his associates, of which they had good reason to despair, he expected to secure a band of faithful and determined adherents.

The king still remained at Stirling in solitude and under contempt. His impatience in this situation, together with the alarm given him by the rumour of a design to seize his person, and confine him to prison,[c] was the occasion of his leaving that place in an abrupt manner, and retiring to his father at Glasgow.

June 25. Dec. 25. Church affairs.

Two assemblies of the church were held during this year. New complaints were made, and upon good grounds, of the poverty and contempt under which the protestant clergy were suffered to languish. Penurious as the allotment for their subsistence was, they had not received the least part of what was due for the preceding year.[d] Nothing less than a zeal, ready to endure and to suffer every thing for a good cause, could have persuaded men to adhere to a church so indigent and so neglected. The extraordinary expenses occasioned by the prince's baptism had exhausted the queen's treasury, and the sums appropriated for the subsistence of the clergy were diverted into other channels. The queen was therefore obliged to prevent the just remonstrances of the assembly, by falling on some new method for the relief of the church. Some symptoms of liberality, some stretch towards munificence, might have been expected in an assignment which was made with an intention of soothing and silencing the clergy. But both the queen and the nobles held fast the riches of the church which they had seized. A sum which, at the highest computation, can hardly be reckoned equal to nine thousand pounds sterling,[e] was deemed sufficient for the maintenance of a whole national church, by men who had lately seen single monasteries possessed of revenues far superior in value.

The ecclesiastics in that age bore the grievances which affected themselves alone with astonishing patience; but, wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudest manner, their apprehensions of danger. A just occasion of this kind was given them a short time before the meeting of the assembly. The usurped and oppressive jurisdiction of the spiritual courts had been abolished by the parliament in the year one thousand five hundred and sixty, and commissaries were appointed to hear and determine the causes which formerly came under their cognizance.[f] Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commissaries, and had given them instructions for directing their proceedings,[g] which are still of great authority in that court. From the time of their first appointment, these judges had continued in the uninterrupted exercise of their function, when of a sudden the queen issued a proclamation, restoring the archbishop of St. Andrews to his ancient jurisdiction, and depriving the commissaries of all authority.[h]

A motive, which cannot be justified, rendered the queen not unwilling to venture upon this rash action. She had been contriving for some time how to re-establish the popish religion; and the restoring the ancient ecclesiastics to their former jurisdiction seemed to be a considerable step towards that end. The motive which prompted Bothwell, to whose influence over the queen this action must be chiefly imputed,[i] was still more criminal. His enterprising ambition had already formed that bold design, which he soon after put in execution; and the use which we shall hereafter find him making of that authority which the popish ecclesiastics regained, discovers the reasons of his present conduct, in contributing to revive their power. The protestant clergy were not unconcerned spectators of an event which threatened their religion with unavoidable destruction; but, as they despaired of obtaining the proper remedy from the queen herself, they addressed a remonstrance to the whole body of the protestant nobility, full of that ardent zeal for religion, which the danger to which it was exposed at that time, seemed to require.[k] What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature.

1567. The king falls sick at Glasgow.

Immediately upon the king's leaving Stirling, and before he could reach Glasgow, he was seized with a dangerous distemper. The symptoms which attended it were violent and unusual, and in that age it was commonly imputed to the effects of poison.[l] It is impossible, amidst the contradictions of historians, to decide with certainty concerning its nature or its cause.[m] His life was in the utmost danger; but, after lingering for some weeks, the vigour of his constitution surmounted the malignity of his disease.

Neglected by Mary.

Mary's neglect of the king on this occasion was equal to that with which he had treated her during her illness at Jedburgh. She no longer felt that warmth of conjugal affection

c Keith, Pref. viii. d Ibid. 562.
e Keith, 562. f Ibid. 152. g Ibid. 251.
h Knox, 403. i Id. ibid. k Keith, 567.
l Melv. 154. Knox, 401.
m Buchanan and Knox are positive that the king had been poisoned. They mention the black and putrid pustules which broke out all over his body. Buchanan adds, that Abernethy, the king's physician, plainly declared that poison was the cause of these symptoms, and that the queen refused to allow her own physician to attend him. Buch. 349. Knox, 401. 2. Blackwood, Causin, &c. Jebb, vol. ii. 59. 214. assert, that the small-pox was the disease with which the king was seized. He is called a *pockish man* in the queen's letter. Good, vol. ii. 15. The reason given by *French Paris* for lodging the king at the Kirk of Field, viz. lest the young prince should catch the infection if he staid in the palace, seems to favour this opinion. Anders. vol. ii. 193. Carte mentions it as a proof of Mary's tenderness to her husband, that though she never had the small-pox herself, she ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not visiting him sooner; but Mary had the small-pox in her infancy. Sadler's Letters, p. 330. An additional proof of this is produced from a poem of Adrian Turnebus, by the publisher of ancient Scottish poems, p. 308. 3. Bishop Lesley affirms, that the king's disease was the French pox. Keith, 364, Note *b*. In that age, this disease was esteemed so contagious, that persons infected with it were removed without the walls of cities.

which prompts to sympathy, and delights in all those tender offices which soothe and alleviate sickness and pain. At this juncture, she did not even put on the appearance of this passion. Notwithstanding the king's danger, she amused herself with excursions to different parts of the country, and suffered near a month to elapse before she visited him at Glasgow. By that time the violence of the distemper was over, and the king, though weak and languishing, was out of all danger.

The breach between them irreparable.

The breach between Mary and her husband was not occasioned by any of those slight disgusts which interrupt the domestic union, without dissolving it altogether. Almost all the passions which operate with greatest violence on a female mind, and drive it to the most dangerous extremes, concurred in raising and fomenting this unhappy quarrel. Ingratitude for the favours she had bestowed, contempt of her person, violations of the marriage-vow, encroachments on her power, conspiracies against her favourites, jealousy, insolence, and obstinacy, were the injuries of which Mary had great reason to complain. She felt them with the utmost sensibility; and, added to the anguish of disappointed love, they produced those symptoms of despair which we have already described. Her resentment against the king seems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambassador in France, on the day before she set out for Glasgow, no tokens of sudden reconcilement appear. On the contrary, she mentions, with some bitterness, the king's ingratitude, the jealousy with which he observed her actions, and the inclination he discovered to disturb her government; and at the same time talks of all his attempts with the utmost scorn.[n]

Jan. 20.

Visits the king at Glasgow.

After this discovery of Mary's sentiments, at the time of her departure from Edinburgh to Glasgow, a visit to the king, which had been neglected when his situation rendered it most necessary, appears singular, and it could hardly be expected that any thing but marks of jealousy and distrust should appear in such an interview. This, however, was far from being the case; she not only visited Henry, but by all her words and actions, endeavoured to express an uncommon affection for him: and, though this made impression on the credulous spirit of her husband, no less flexible on some occasions, than obstinate on others; yet to those who are acquainted with the human heart, and who know how seldom and how slowly such wounds in domestic happiness are healed, this sudden transition will appear with a very suspicious air, and will be considered by them as the effect of artifice.

Her dissimulation.

But it is not on suspicion alone, that Mary is charged with dissimulation in this part of her conduct. Two of her famous letters to Bothwell were written during her stay at Glasgow, and fully lay open this scene of iniquity. He had so far succeeded in his ambitious and criminal design, as to gain an absolute ascendant over the queen; and, in a situation such as Mary's, merit not so conspicuous, services of far inferior importance, and address much less insinuating than Bothwell's, may be supposed to steal imperceptibly on a female heart, and entirely to overcome it. Unhappily, among those in the higher ranks of life, scruples with regard to conjugal fidelity are, often, neither many nor strong: nor did the manners of that court, in which Mary had been educated, contribute to increase or to fortify them. The amorous turn of Francis I. and Henry II., the licentiousness of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women who had not yet acquired that delicacy of sentiment, and those polished manners, which alone can render this liberty innocent, had introduced, among the French, an astonishing relaxation in domestic morals. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminishing that horror of vice which is natural to a virtuous mind. The king's behaviour would render the first approach of forbidden sentiments less shocking; resentment, and disappointed love, would be apt to represent whatever soothed her revenge, as justifiable on that account; and so many concurring causes might, almost imperceptibly, kindle a new passion in her heart.

The motives of it.

But, whatever opinion we may form with regard to the rise and progress of this passion, the letters themselves breathe all the ardour and tenderness of love. The affection which Mary there expresses for Bothwell, fully accounts for every subsequent part of her conduct; which, without admitting this circumstance, appears altogether mysterious, inconsistent, and inexplicable. That reconcilement with her husband, of which, if we allow it to be genuine, it is impossible to give any plausible account, is discovered, by the queen's own confession, to have been mere artifice and deceit. As her aversion for her husband, and the suspicious attention with which she observed his conduct, became universally known, her ears were officiously filled, as is usual in such cases, with groundless or aggravated accounts of his actions. By some she was told, that the king intended to seize the person of the prince his son, and in his name to usurp the government; by others she was assured that he resolved instantly to leave the kingdom; that a vessel was hired for this purpose, and lay in the river Clyde ready to receive him.[o] The last was what Mary chiefly dreaded. Henry's retiring into a foreign country must have been highly dishonourable to the queen, and would have entirely disconcerted Bothwell's measures. While he resided at Glasgow, at a distance from her, and in that part of the kingdom where the interest of his family was greatest, he might with more facility accomplish his

n Keith, Pref. viii.

o Keith, Pref. viii.

designs. In order, therefore, to prevent his executing any such wild scheme, it was necessary to bring him to some place where he would be more immediately under her own eye. For this purpose, she first employed all her art to regain his confidence, and then proposed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have easier access to the advice of physicians, and that she herself could attend him without being absent from her son.[p] The king was weak enough to suffer himself to be persuaded; and being still feeble, and incapable of bearing fatigue, was carried in a litter to Edinburgh.

Prevails on him to come to Edinburgh.

The place prepared for his reception was a house belonging to the provost of a collegiate church, called Kirk of Field. It stood almost upon the same spot where the house belonging to the principal of the university now stands. Such a situation, on a rising ground, and at that time in an open field, had all the advantages of healthful air to recommend it; but, on the other hand, the solitude of the place rendered it extremely proper for the commission of that crime, with a view to which it seems manifestly to have been chosen.

Mary continued to attend the king with the most assiduous care. She seldom was absent from him through the day; she slept two nights in the chamber under his apartment. She heaped on him so many marks of tenderness and confidence as in a great measure quieted those suspicions which had so long disturbed him. But while he was fondly indulging in dreams of the return of his former happiness, he stood on the very brink of destruction. On Sunday the ninth of February, about eleven at night, the queen left the Kirk of Field, in order to be present at a mask in the palace. At two next morning, the house in which the king lay was blown up with gunpowder. The noise and shock which this sudden explosion occasioned, alarmed the whole city. The inhabitants ran to the place whence it came. The dead body of the king, with that of a servant who slept in the same room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruise or mark of violence.

He is murdered there.

Such was the unhappy fate of Henry Stewart, lord Darnley, in the twenty-first year of his age. The indulgence of fortune, and his own external accomplishments, without any other merit, had raised him to a height of dignity of which he was altogether unworthy. By his folly and ingratitude, he lost the heart of a woman who doated on him to distraction. His insolence and inconstancy alienated from him such of the nobles as had contributed most zealously towards his elevation. His levity and caprice exposed him to the scorn of the people, who once revered him as the descendant of their ancient kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumstances of his murder, and the shameful remissness in neglecting to avenge it, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwise no title.

His character.

Every one's imagination was at work to guess who had contrived and executed this execrable deed. The suspicion fell, with almost general consent, on Bothwell;[q] and some reflections were thrown out, as if the queen herself were no stranger to the crime. Of Bothwell's guilt there remains the fullest evidence that the nature of the action will admit. The queen's known sentiments with regard to her husband, gave a great appearance of probability to the imputation with which she was loaded.[r]

Bothwell and the queen suspected of the murder.

Two days after the murder, a proclamation was issued by the queen, offering a considerable reward to any person who should discover those who had been guilty of such a horrid and detestable crime;[s] and though Bothwell was now one of the greatest subjects in the kingdom, formidable on account of his own power, and protected by the queen's favour, it was impossible to suppress the sentiments and indignation of the people. Papers were affixed to the most public places of the city, accusing him of the murder, and naming his accomplices; pictures appeared to the same purpose, and voices were heard in the middle of the night, charging him with that barbarous action. But the authors of these rumours did not confine their accusations to Bothwell alone; they insinuated that the queen herself was accessary to the crime.[t] This bold accusation, which so directly attacked Mary's reputation, drew the attention of her council; and, by engaging them in an inquiry after the authors of these libels, diverted them from searching for the murderers of the king.[u] It could scarce be expected that Mary herself would be extremely solicitous to discover those who had rid her of a husband, whom she had so violently hated. It was Bothwell's interest, who had the supreme direction of this, as well as of all other affairs, to stifle and suppress whatever evidence should be offered, and to cover, if possible, the whole transaction under the veil of darkness and of silence. Some inquiry, however, was made, and some persons called before the council; but the examination was conducted with the most indecent remissness, and in such a manner as to let in no light upon that scene of guilt.[x]

It was not her own subjects alone who suspected Mary of having been accessary to this unnatural crime; nor did an opinion, so dishonourable to her character, owe its rise and progress to the jealousy and malice of her factious nobles. The report of the manner and circumstances of the king's murder spread quickly over all Europe, and, even in that

p Good. vol. ii. 8. q Melv. 155. Anders. vol. ii. 156.
r See Dissertation concerning the murder of Henry Darnley, and the genuineness of Mary's letters to Bothwell, Appendix
s Anders. vol. i. 36. t Id. vol. ii. 156.
u Id. vol. i. 32. x Id. vol. iv. part ii. 167, 168.

age, which was accustomed to deeds of violence, it excited universal horror. As her unhappy breach with her husband had long been matter of public discourse, the first conjectures which were formed with regard to his death, were extremely to her disadvantage. Her friends, at a loss what apology to offer for her conduct, called on her to prosecute the murderers with the utmost diligence, and expected that the rigour of her proceedings would prove the best and fullest vindication of her innocence.[y]

Lennox accuses Bothwell of the king's murder.

Lennox at the same time incited Mary to vengeance with incessant importunity. This nobleman had shared in his son's disgrace, and being treated by Mary with neglect, usually resided at a distance from court. Roused, however, by an event no less shocking to the heart of a father, than fatal to all his schemes of ambition, he ventured to write to the queen, and to offer his advice with respect to the most effectual method for discovering and convicting those who had so cruelly deprived him of a son, and her of a husband. He urged her to prosecute those who were guilty with vigour, and to bring them to a speedy trial; he declared his own suspicion of Bothwell, and of those who were named as his accomplices; he required that, out of regard to decency, and in order to encourage evidence to appear against them, the persons accused of such an atrocious crime should be committed to custody, or at least excluded from her court and presence.[z]

Feb. 21.

Mary was then at Seatoun, whither she had retired after the burial of the king, whose body was deposited among the monarchs of Scotland, in a private but decent manner.[a] The former part of the earl's demand could not on any pretence be eluded; and it was resolved to bring Bothwell immediately to trial. But, instead of confining him to any prison, Mary admitted him into all her councils, and allowed a person, universally reputed the murderer of her husband, to enjoy all the security, the dignity, and the power of a favourite.[b] The offices which Bothwell already possessed, gave him the command of all the south of Scotland. The castle of Edinburgh, however, was a place of so much consequence, that he wished earnestly to have it in his own power. The queen, in order to prevail on the earl of Mar to surrender it, consented to put the person of the young prince in his hands, and immediately bestowed the government of that important fortress upon Bothwell.[c] So many steps in her conduct inconsistent with all the rules of prudence and of decency, must be imputed to an excess either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and striking proofs soon appeared.

Mary continues to favour him.

March 19.

No direct evidence had yet appeared against Bothwell; but as time might bring to light the circumstances of a crime in which so many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general suspicions, and uncertain surmises, could be produced by his accusers. For this reason, in a meeting of privy council held on the twenty-eighth of March, the twelfth of April was appointed for the day of trial. Though the law allowed, and the manner in which criminal causes were carried on in that age required, a much longer interval, it appears from several circumstances that this short space was considerably contracted, and that Lennox had only eleven days' warning to prepare for accusing a person so far superior to himself both in power and in favour.[d] No man could be less in a condition to contend with an antagonist who was thus supported. Though Lennox's paternal estate had been restored to him when he was recalled into Scotland, it seems to have been considerably impaired during his banishment. His vassals, while he resided in England, had been accustomed to some degree of independence, and he had not recovered that ascendant over them, which a feudal chief usually possessed. He had no reason to expect the concurrence of any of those factions into which the nobles were divided. During the short period of his son's prosperity, he had taken such steps as gave rise to an open breach with Murray and all his adherents. The partisans of the house of Hamilton were his hereditary and mortal enemies. Huntley was linked in the closest confederacy with Bothwell; and thus, to the disgrace of the nation, Lennox stood alone in a cause where both honour and humanity called so loudly on his countrymen to second him.

Hastens on his trial.

It is remarkable too, that Bothwell himself was present, and sat as a member in that meeting of privy council, which gave directions with regard to the time and manner of his own trial; and he still enjoyed not only full liberty, but was received into the queen's presence with the same distinguished familiarity as formerly.[e]

Nothing could be a more cruel disappointment to the wishes and resentment of a father, than such a premature trial; every step towards which seemed to be taken by directions from the person who was himself accused of the crime, and calculated on purpose to conceal rather than to detect his guilt. Lennox foresaw what would be the issue of this mock inquiry, and with how little safety to himself, or success to his cause,

Lennox craves a delay.

y Keith, Pref. ix.
z Keith, 369, &c.
a Anders. vol. i. 23.
b Ibid. vol. i. 40, &c.
c Ibid. vol. i. Pref. 64. Keith, 379.
d The act of privy council, appointing the day of Bothwell's trial, bears date March the 28th, which happened on a Thursday. Anders. vol. i. 50. The queen's warrant to the *messengers*, empowering them to summon Lennox to be present, is dated on the 29th. Anders. vol. ii. 97. He was summoned by public proclamation at the cross of Edinburgh on the same day. Ibid. 100. He was summoned at his dwelling-houses in Glasgow and Dumbarton the 30th of March, the 1st and 2d days of April. Ibid. 101. He was summoned at Perth, April 1st. Ibid. 102. Though Lennox resided at that time forty miles from Edinburgh, the citation might have been given him sooner. Such an unnecessary delay affords some cause for suspicion. It is true, Mary, in her letter, March 24th, invited Lennox to come to Edinburgh the ensuing week; this gave him warning some days sooner, that she intended to bring on the trial without delay. But the precise time could not be legally or certainly known to Lennox sooner than ten or twelve days before the day on which he was required to appear. By the law and practice of Scotland, at that time, parties were summoned, in cases of treason, forty days previous to the trial.
e Anders. vol. i. 50, 52.

he could venture to appear on the day prefixed. In his former letters, though under expressions the most respectful, some symptoms of his distrusting the queen may be discovered. He spoke out now in plain language. He complained of the injury done him, by hurrying on the trial with such illegal precipitation. He represented once more the indecency of allowing Bothwell not only to enjoy personal liberty, but to retain his former influence over her councils. He again required her, as she regarded her own honour, to give some evidence of her sincerity in prosecuting the murder, by confining the person who was on good grounds suspected to be the author of it; and, till that were done, he signified his own resolution not to be present at a trial, the manner and circumstances of which were so irregular and unsatisfactory.[f]

Applies for this purpose to Elizabeth.

He seems, however, to have expected little success from this application to Mary; and therefore at the same time besought Elizabeth to interpose in order to obtain such a delay as he demanded.[g] Nothing can be a stronger proof how violently he suspected the one queen, than his submitting to implore the aid of the other, who had treated his son with the utmost contempt, and himself and family with the greatest rigour. Elizabeth, who was never unwilling to interpose in the affairs of Scotland, wrote instantly to Mary, advised her to delay the trial for some time, and urged in such strong terms the same arguments which Lennox had used, as might have convinced her to what an unfavourable construction her conduct would be liable, if she persisted in her present method of proceeding.[h]

The trial proceeds.

Neither her entreaties, however, nor those of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with such a formidable retinue, that it would have been dangerous to condemn, and impossible to punish, him. Besides a numerous body of his friends and vassals, assembled according to custom, from different parts of the kingdom, he was attended by a band of hired soldiers, who marched with flying colours along the streets of Edinburgh.[i] A court of justice was held with the accustomed formalities. An indictment was presented against Bothwell, and Lennox was called upon to make good his accusation. In his name appeared Robert Cunningham, one of his dependants. He excused his master's absence, on account of the shortness of the time, which prevented his assembling his friends and vassals, without whose assistance he could not with safety venture to set himself in opposition to such a powerful antagonist. For this reason, he desired the court to stop proceeding, and protested, that any sentence which should be passed at that time ought to be deemed illegal and void. Bothwell, on the other hand, insisted that the court should instantly proceed to trial. One of Lennox's own letters, in which he craved of the queen to prosecute the murderers without delay, was produced. Cunningham's objections were overruled; and the jury, consisting of peers and barons of the first rank, found Bothwell not guilty of the crime.

Bothwell is acquitted.

No person appeared as an accuser, not a single witness was examined, nor any evidence produced against him. The jury, under these circumstances, could do nothing else but acquit him. Their verdict, however, was far from gratifying the wishes, or silencing the murmurs, of the people. Every circumstance in the trial gave grounds for suspicion, and excited indignation; and the judgment pronounced, instead of being a proof of Bothwell's innocence, was esteemed an argument of his guilt. Pasquinades and libels were affixed to different places, expressing the sentiments of the public with the utmost virulence of language.

The jury themselves seem to have been aware of the censure to which their proceedings would be exposed; and, at the same time that they returned their verdict acquitting Bothwell, the earl of Caithness protested, in their name, that no crime should be imputed to them on that account, because no accuser had appeared, and no proof was brought of the indictment. He took notice likewise, that the ninth instead of the tenth of February was mentioned in the indictment, as the day on which the murder had been committed: a circumstance which discovers the extreme inaccuracy of those who prepared the indictment; and at a time when men were disposed, and not without reason, to be suspicious of every thing, this small matter contributed to confirm and to increase their suspicions.[k]

Even Bothwell himself did not rely on the judgment which he had obtained in his favour as a full vindication of his innocence. Immediately after his acquittal, he, in compliance with a custom which was not then obsolete, published a writing, in which he offered to fight in single combat any gentleman of good fame, who should presume to accuse him of being accessary to the murder of the king.

Mary, however, continued to treat him as if he had been cleared by the most unexceptionable and satisfactory evidence. The ascendant he had gained over her heart, as well as over her councils, was more visible than ever; and Lennox, who could not expect that his own person could be safe in a country where the murderer of his son had been absolved, without regard to justice, and loaded with honours, in contempt of decency, fled with precipitation towards England.[l]

A parliament held, April 14.

Two days after the trial, a parliament was held, at the opening of which the queen distinguished Bothwell, by appointing him to carry the sceptre before her.[m] Most of the acts passed in this assembly were calculated on

f Anders. vol. i. 52.
g Good. vol. ii. 352.
h Anders. Pref. 60. See Appendix, No. XIX.
i Anders. vol. i. 135.
k Bothw. Trial, Anders. vol. ii. 97, &c.
l Keith, 378. Note *d*.
m Id. ibid.

purpose to strengthen his party, and to promote his designs. He obtained the ratification of all the possessions and honours which the partiality of the queen had conferred upon him; and the act to that effect contained the strongest declarations of his faithful services to the crown in all times past. The surrender of the castle of Edinburgh by Mar was confirmed. The law of attainder against Huntley was repealed, and he and his adherents were restored to the estates and honours of their ancestors. Several of those who had been on the jury which acquitted Bothwell, obtained ratifications of the grants made in their favour; and as pasquinades daily multiplied, a law passed, whereby those into whose hands any paper of that kind fell, were commanded instantly to destroy it; and if, through their neglect, it should be allowed to spread, they were subjected to a capital punishment, in the same manner as if they had been the original authors.[n]

Remarkable law in favour of the reformation.

But the absolute dominion which Bothwell had acquired over Mary's mind appeared in the clearest manner, by an act in favour of the protestant religion, to which at this time she gave her assent. Mary's attachment to the Romish faith was uniform and superstitious; she had never laid aside the design, nor lost the hopes, of restoring it. She had of late come under new engagements to that purpose, and in consequence of these had ventured upon some steps more public and vigorous than any she had formerly taken. But though none of these circumstances were unknown to Bothwell, there were powerful motives which prompted him at this juncture to conciliate the good-will of the protestants, by exerting himself in order to procure for them some additional security in the exercise of their religion. That which they enjoyed at present was very precarious, being founded entirely on the royal proclamation issued soon after the arrival of the queen in Scotland, which in express terms was declared to be only a temporary regulation. From that period, neither the solicitations of the general assemblies of the church, nor the entreaties of her people, could extort from Mary any concession in favour of the protestant religion, on which the professors might rest with greater confidence. This, however, by the more powerful influence of Bothwell, they now obtained. An act was passed in this parliament, repealing all the laws, canon, civil, and municipal, adverse to the reformed religion, and exempting such as had embraced it from the penalties to which they might have been subjected by these laws, either on account of their past conduct or present profession; declaring at the same time that their persons, estates, honours, and benefices, were taken under public protection against every court, civil or ecclesiastical, that might attempt to molest them on account of their religious sentiments. Thus the protestants, instead of holding their sacred rights by no better tenure than a declaration of royal indulgence, which might be revoked at pleasure, obtained legal and parliamentary protection in the exercise of their religion. By prevailing on the queen to assent to this law, Bothwell seems to have flattered himself that he would acquire such merit both with the clergy and with the people, as might induce them to favour his ambitious schemes, and to connive at what he had done, or might do, in order to accomplish them. The protestants accordingly, though this act was far from amounting to a legal establishment of the reformed faith, seem to have considered it as an additional security of such importance, that it was published among the laws enacted in a parliament held towards the close of this year, under very different leaders.[o]

Bothwell prevails on the nobles to recommend him as a husband to the queen.

Every step taken by Bothwell had hitherto been attended with all the success which his most sanguine wishes could expect. He had entirely gained the queen's heart; the murder of the king had excited no public commotion; he had been acquitted

n Keith, 380.

o I am indebted to the accuracy of sir David Dalrymple, for pointing out (Remarks on the History of Scotland, ch. 9.) a considerable error into which I had fallen with respect to this act, by supposing it to be so favourable to the doctrine of the reformation, that the parliament which met Dec. 15, could substitute nothing stronger or more explicit in its place, and thought it sufficient to ratify it word for word. This error I have now corrected; but, after considering the act with particular attention, though I am satisfied that it neither established the reformed religion as the religion of the state, nor abolished popery, yet it granted such new and legal security to the protestants, as was deemed, in that age, an acquisition of great value. The framers of the law seem manifestly to have viewed it in that light; after reciting, "that the queen, since her arrival, had attempted nothing contrary to the state of religion which she found publicly and universally standing, on which account she was most worthy to be served, honoured, and obeyed," &c.—the act goes on, "that as she intends to continue the same goodness and government in all times coming, the professors of the religion aforesaid may and shall have occasion to praise God for her happy and gracious government, &c.: and to effect that, the professors of the religion aforesaid, may assure themselves to be in full surety thereof, and of their lands, lives, &c. and may with the better will jeopard and hazard their lives and goods in her highness's service, against all enemies to her, and to the commonweal of this realm, &c. therefore our sovereign, with the advice of the whole estates in parliament, &c.;" then follow the statutory clauses mentioned in the text. The intention of passing the act is apparent, and it is drawn with great art. This art is peculiarly manifest in the concluding clause. In her first proclamation the queen had declared, that it should continue in force only until she should take final order concerning religion with the advice of parliament. In this act the intention of taking further order concerning religion is mentioned, probably with a view to please the queen; but it is worded with such studied dexterity, that the protection granted by this law is no longer to be regarded as temporary, or depending upon the queen taking such final order. Parl. 1 K. Ja. VI. c. 31. In the same light of an important acquisition of security to the reformed religion, this act is represented by the privy council in a proclamation issued May 23, 1567. Keith, 571. Mary's principal adherents, in a paper subscribed by them, Sept. 12, 1568, declare, that she, "by the advice of the three estates, had satisfied the desire of the whole nobility in an act concerning all the points of religion passed in the parliament held April 1567." Goodall, ii. 357. The same is asserted to be the intention and effect of this act in another public paper in the year 1570. Haynes, 621. This act is perfectly conformable to that system of policy by which Bothwell seems to have regulated his conduct both before and after this time, with a view of gaining the protestants, particularly the clergy, by acts of indulgence and favour. On the 3d of October, 1566, when Bothwell's credit was very considerable, the queen, in a meeting of privy council, where he was present, took measures for securing to the protestant clergy more regular payment of their stipends; and on the 20th of December of that year, granted an assignation of a considerable sum to be applied for the support of the ministry. Keith, 360, 361, 362. In a meeting of privy council, January 10, 1567, when all public transactions were entirely conducted by Bothwell, an act was passed in order to provide for the sustentation of ministers in boroughs, and Bothwell is named as one of the commissioners for carrying it into execution, with power to impose a tax on such boroughs as had no ministers, for raising a stipend. Keith, 570. In another meeting of privy council, May 23, 1567, the queen, after mentioning the declaration which she had made in the year 1561, of her resolution to maintain that religion which she found established in the kingdom, and after taking notice of what additional security it had acquired by the late act of April 19th, with a view of giving still further satisfaction to the protestants, she declared that all licences which had been obtained from her by any persons, permitting them to exercise the rites of popish worship, were now revoked and annulled. Keith, 570—572. It deserves to be remarked, that, favourable as all these acts were to the reformation, some bishops, *whose ardent zeal for the old doctrines history records*, were present in those meetings of privy council in which they were passed. From considering all these particulars, one need not wonder that a law "anent cassing, (as the title bears,) annulling, and abrogating of all laws, acts, and constitutions, canone, civile, and municipal, with other constitutions, contrare to the religion now professit within the realme," confirmed by the royal assent of the queen, should be published among the statutes securing the protestant religion. We find accordingly, in a very rare edition of the acts of parliament, imprintit at Edinburgh by Robert Lekprevik, printar to the king's majestie, 6 day of April 1568, the act of April 19, inserted among the acts of the regent's parliament in December.

by his peers of any share in that crime; and their decision had been in some sort ratified in parliament. But in a kingdom where the regal authority was so extremely limited, and the power of the nobles so formidable, he durst not venture on the last action, towards which all his ambitious projects tended, without their approbation. In order to secure this, he, immediately after the dissolution of parliament, invited all the nobles who were present to an entertainment. Having filled the house with his friends and dependants, and surrounded it with armed men,[p] he opened to the company his intention of marrying the queen, whose consent, he told them, he had already obtained; and demanded their approbation of this match, which, he said, was no less acceptable to their sovereign, than honourable to himself.[q] Huntley and Seatoun, who were privy to all Bothwell's schemes, promoted them with the utmost zeal; and the popish ecclesiastics, who were absolutely devoted to the queen, and ready to sooth all her passions, instantly declared their satisfaction with what he had proposed. The rest, who dreaded the exorbitant power which Bothwell had acquired, and observed the queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a measure which they could neither oppose nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promises and flattery, partly by terror and force, prevailed on all who were present to subscribe a paper which leaves a deeper stain than any occurrence in that age on the honour and character of the nation.

April 19.

This paper contained the strongest declarations of Bothwell's innocence, and the most ample acknowledgment of his good services to the kingdom. If any future accusation should be brought against him on account of the king's murder, the subscribers promised to stand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the queen as the most proper person she could choose for a husband; and if she should condescend to bestow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in opposing any person who endeavoured to obstruct it.[r] Among the subscribers of this paper we find some who were the queen's chief confidants, others who were strangers to her councils, and obnoxious to her displeasure; some who faithfully adhered to her through all the vicissitudes of her fortune, and others who became the principal authors of her sufferings; some passionately attached to the Romish superstition, and others zealous advocates for the protestant faith.[s] No common interest can be supposed to have united men of such opposite principles and parties, in recommending to their sovereign a step so injurious to her honour, and so fatal to her peace. This strange coalition was the effect of much artifice, and must be considered as the boldest and most masterly stroke of Bothwell's address. It is observable, that amidst all the altercations and mutual reproaches of the two parties which arose in the kingdom, this unworthy transaction is seldom mentioned. Conscious on both sides, that in this particular their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, seeming desirous that it should remain in darkness, or be buried in oblivion. But as so many persons who, both at that time and ever after, possessed the queen's favour, subscribed this paper, the suspicion becomes strong, that Bothwell's ambitious hopes were neither unknown to Mary, nor disapproved by her.[t]

These suspicions are confirmed by the most direct proof. Melvil at that time enjoyed a considerable share in her favour. He, as well as his brother, kept a secret correspondence in England with those who favoured her pretensions to that crown. The rumour of her intended marriage with Bothwell having spread early in that kingdom, excited universal indignation; and Melvil received a letter from thence, which represented, in the strongest terms, what would be the fatal effects of such an imprudent step. He put this letter into the queen's hands, and enforced it with the utmost warmth. She not only disregarded these remonstrances, but communicated the matter to Bothwell; and Melvil, in order to save his life, was obliged to fly from court, whither he durst not return till the earl's rage began to abate.[u] At the same time Elizabeth warned Mary of the danger and infamy to which she would expose herself by such an indecent choice; but an advice from her met with still less regard.[x]

Three days after the rising of parliament, Mary went from Edinburgh to Stirling, in order to visit the prince

Bothwell carries the queen by force to Dunbar.

p Good. vol. ii. 141. q Anders. vol. i. 94.
r Anders. vol. i. 177. s Keith, 382.

t Of all the different systems with regard to this transaction, that of Camden seems to be the least accurate, and the worst founded. He supposes that Bothwell was hated by Murray, Morton, &c. who had been his associates in the murder of the king, and that they now wanted to ruin him. He affirms, at the same time, that the subscriptions to this paper were obtained by them out of fear that Bothwell might sink in his hopes, and betray the whole bloody secret, 404. But besides the absurdity of supposing that any man's enemies would contribute towards raising him to such high dignity, on the uncertain hopes of being able afterwards to deprive him of it; besides the impossibility of accomplishing such a marriage, if it had been either unknown to the queen, or disagreeable to her; we may observe that this supposition is destroyed by the direct testimony of the queen herself, who ascribes the consent of the nobles to Bothwell's artifices, *who purchased it by giving them to understand that we were content therewith.* Anders. vol. i. 94, 99. It would have been no small advantage to Mary, if she could have represented the consent of the nobles to have been their own voluntary deed. It is still more surprising to find Lesley ascribing this paper to Murray and his faction. Anders. vol. i. 26. The bishop himself was one of the persons who subscribed it, Keith, 383. The king's commissioners, at the conference held at York 1568, pretended that none of the nobles, except the earl of Huntley, would subscribe this paper till a warrant from the queen was produced, by which they were allowed to do so; this warrant they had in their custody, and exhibited. Anders. vol. iv. part 2, 5. This differs from Buchanan's account, who supposes that all the nobles present subscribed the paper on the 19th, and that next day they obtained the approbation of what they had done, by way of security to themselves, 355.

u Melv. 156. According to Melvil, lord Herries likewise remonstrated against the marriage, and conjured the queen, on his knees, to lay aside all thoughts of such a dishonourable alliance, 156. But it has been observed that Herries is one of the nobles who subscribed the bond, April 19. Keith, 383. 2. That he is one of the witnesses to the marriage articles between the queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he sat in council with Bothwell, May 17. Keith, 386. But this remonstrance of lord Herries against the marriage happened before those made by Melvil himself, 157. Melvil's remonstrance must have happened some time before the meeting of parliament; for, after offending Bothwell, he retired from court; he allowed his rage time to subside, and had again joined the queen when she was seized, April 24, 158. The time which must have elapsed by this account of the matter was perhaps sufficient to have gained Herries from being an opposer to become a promoter of the marriage. Perhaps Melvil may have committed some mistake with regard to this fact, so far as relates to lord Herries. He could not well be mistaken with regard to what himself did.

x Anders. vol. i. 106.

her son. Bothwell had now brought his schemes to full maturity, and every precaution being taken which could render it safe to enter on the last and decisive step, the natural impetuosity of his spirit did not suffer him to deliberate any longer. Under pretence of an expedition against the freebooters on the borders, he assembled his followers; and marching out of Edinburgh with a thousand horse, turned suddenly towards Linlithgow, met the queen on her return near that place, dispersed her slender train without resistance, seized on her person, and conducted her, together with a few of her courtiers, as a prisoner to his castle of Dunbar. She expressed neither surprise, nor terror, nor indignation, at such an outrage committed on her person, and such an insult offered to her authority, but seemed to yield without struggle or regret.[y] Melvil was at that time one of her attendants; and the officer by whom he was seized informed him, that nothing was done without the queen's own consent.[z] If we may rely on the letters published in Mary's name, the scheme had been communicated to her, and every step towards it was taken with her participation and advice.[a]

April 24.

Both the queen and Bothwell thought it of advantage to employ this appearance of violence. It afforded her a decent excuse for her conduct; and while she could plead that it was owing to force rather than choice, she hoped that her reputation, among foreigners at least, would escape without censure, or be exposed to less reproach. Bothwell could not help distrusting all the methods which had hitherto been used for vindicating him from any concern in the murder of the king. Something was still wanting for his security, and for quieting his guilty fears. This was a pardon under the great seal. By the laws of Scotland the most heinous crime must be mentioned by name in a pardon, and then all lesser offences are deemed to be included under the general clause, *and all other crimes whatsoever*.[b] To seize the person of the prince is high treason; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accused.[c]

Is divorced from his own wife.

Bothwell having now got the queen's person into his hands, it would have been unbecoming either a politician or a man of gallantry to have delayed consummating his schemes. The first step towards this was to have his marriage with lady Jane Gordon, the earl of Huntley's sister, dissolved. In order to accomplish that, in a manner consistent with the ideas of the queen on one hand, and with the sentiments of his countrymen on the other, two different processes became necessary; one founded on the maxims of the canon law, the other accommodated to the tenets of the reformed church. Bothwell accordingly commenced a suit, in his own name, in the spiritual court of the archbishop of St. Andrew's, the jurisdiction of which the queen had restored, by a special commission granted for this purpose, and pleaded that lady Jane and himself, being cousins within the prohibited degrees, and having married without a papal dispensation, their union was null from the beginning.[d] At the same time he prevailed with lady Jane to apply to the protestant court of commissaries for a divorce, on account of his having been guilty of adultery. The influence of Bothwell was of equal weight in both courts. In the course of four days, with the same indecent and suspicious precipitancy, the one declared the marriage to be illegal and null, the other pronounced a sentence of divorce.[e]

April 27.

While this infamous transaction was carrying on, the queen resided at Dunbar, detained as a prisoner, but treated with the greatest respect. Soon after, Bothwell, with a numerous train of his dependants, conducted her to Edinburgh; but, instead of lodging her in the palace of Holyrood-house, he conveyed her to the castle, of which he was governor. The discontent of the nation rendered this precaution necessary. In a house unfortified, and of easy access, the queen might have been rescued without difficulty out of his hands. In a place of strength she was secured from all the attempts of his enemies.

May 3.

One small difficulty still remained to be surmounted. As the queen was kept in a sort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary appeared in the court of session, and, in presence of the chancellor and other judges, and several of the nobility, declared that she was now at full liberty; and though Bothwell's violence in seizing her person had at first excited her indignation, yet his respectful behaviour since that time had not only appeased her resentment, but determined her to raise him to higher honours.[f]

Is married to the queen.

What these were, soon became public. The title of duke of Orkney was conferred upon Bothwell; and on the fifteenth of May his marriage with the queen, which had so long been the object of his wishes, and the motive of his crimes, was solemnized. The ceremony was performed in public, according to the rites of the protestant church, by Adam Bothwell, bishop of Orkney, one of the few prelates who had embraced the reformation, and on the same day was celebrated in private, according to the forms prescribed by the

y Keith, 383. z Melv. 158. a Good, vol. ii. 37.
b Parl. 6. Jac. IV. c. 62. c Anders. vol. iv. part ii. 61.
d In her own time, it was urged as an aggravation of the queen's guilt, that she gave her consent to marry the husband of another woman; and the charge has been often repeated since. But, according to Mary's own ideas, consonant to the principles of her religion, the marriage of Bothwell with lady Jane Gordon was unlawful and void, and she considered them as living together not in the hallowed bonds of matrimony, but in a state of criminal intercourse. Bothwell's addresses, which struck her protestant subjects not only as indecent but flagitious, could not appear in the same light to her; and this may be pleaded in extenuation of the crime imputed to her of having listened to them. But it will not exempt her from the charge of great imprudence in this unfortunate step. Mary was well acquainted with the ideas of her subjects, and knew what they would think of her giving ear for a moment to the courtship of a man lately married under her own eye, in the church of her palace. Append. No. 20. Every consideration should have restrained her from forming this union, which to her people must have appeared odious and shocking. Remarks on the History of Scotland, p. 199, &c.
e Anders. i. 132. Append. No. XX. f And. i. 87.

popish religion.[g] The boldness with which Craig, the minister who was commanded to publish the banns, testified against the design, the small number of the nobles who were present at the marriage, and the sullen and disrespectful silence of the people when the queen appeared in public, were manifest symptoms of the violent and general dissatisfaction of her own subjects. The refusal of Du Croc, the French ambassador, to be present at the nuptial ceremony or entertainment, discovers the sentiments of her allies with regard to this part of her conduct; and, although every other action in Mary's life could be justified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an incontestable proof of her rashness, if not of her guilt.

Mary's first care was to offer some apology for her conduct to the courts of France and England. The instructions to her ambassadors still remain, and are drawn by a masterly hand. But, under all the artificial and false colouring she employs, it is easy to discover, not only that many of the steps she had taken were unjustifiable, but that she herself was conscious that they could not be justified.[h]

The title of king was the only thing which was not bestowed upon Bothwell. Notwithstanding her attachment to him, Mary remembered the inconveniences which had arisen from the rash advancement of her former husband to that honour. She agreed, however, that he should sign, in token of consent, all the public writs issued in her name.[i] But, though the queen withheld from him the title of king, he possessed, nevertheless, regal power in its full extent. The queen's person was in his hands; she was surrounded more closely than ever by his creatures; none of her subjects could obtain audience without his permission; and, unless in his own presence, none but his confidants were permitted to converse with her.[k] The Scottish monarchs were accustomed to live among their subjects as fathers or as equals, without distrust and with little state; armed guards standing at the doors of the royal apartment, difficulty of access, distance and retirement, were things unknown and unpopular.

Endeavours to become master of the prince's person.

These precautions were necessary for securing to Bothwell the power which he had acquired. But, without being master of the person of the young prince, he esteemed all that he had gained to be precarious and uncertain. The queen had committed her son to the care of the earl of Mar. The fidelity and loyalty of that nobleman were too well known to expect that he would be willing to put the prince into the hands of the man who was so violently suspected of having murdered his father. Bothwell, however, laboured to get the prince into his power, with an anxiety which gave rise to the blackest suspicions. All his address as well as authority were employed to persuade or to force Mar into a compliance with his demands.[l] And it is no slight proof, both of the firmness and dexterity of that nobleman, that he preserved a life of so much importance to the nation, from being in the power of a man, whom fear or ambition might have prompted to violent attempts against it.

General indignation which the queen's conduct excited.

The eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened in Scotland during three months; a king murdered with the utmost cruelty, in the prime of his days, and in his capital city; the person suspected of that odious crime suffered not only to appear publicly in every place, but admitted into the presence of the queen, distinguished by her favour, and intrusted with the chief direction of her affairs; subjected to a trial which was carried on with most shameless partiality, and acquitted by a sentence which served only to confirm the suspicions of his guilt; divorced from his wife, on pretences frivolous or indecent, and, after all this, instead of meeting with the ignominy due to his actions, or the punishment merited by his crimes, permitted openly, and without opposition, to marry a queen, the wife of the prince whom he had assassinated, and the guardian of those laws which he had been guilty of violating. Such a quick succession of incidents, so singular and so detestable, in the space of three months, is not to be found in any other history. They left, in the opinion of foreigners, a mark of infamy on the character of the nation. The Scots were held in abhorrence all over Europe; they durst hardly appear any where in public; and, after suffering so many atrocious deeds to pass with impunity, they were universally reproached as men void of courage or of humanity, as equally regardless of the reputation of their queen and the honour of their country.[m]

The nobles combine against her and Bothwell.

These reproaches roused the nobles, who had been hitherto amused by Bothwell's artifices, or intimidated by his power. The manner in which he exercised the authority which he acquired, his repeated attempts to become master of the prince's person, together with some rash threatenings against him, which he let fall,[n] added to the violence and promptitude of their resolutions. A considerable body of them assembled at Stirling, and entered into an association for the defence of the prince's person. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindsay, Boyd, Murray of Tullibardin, Kirkaldy of Grange, and Maitland the secretary, were the heads of this confederacy.[o] Stewart, earl of Athol, was remarkable for an uniform and bigoted attachment to popery; but his indignation on account of the murder of the king, to whom he was nearly allied, and his zeal for the safety of the prince, overcame, on this occasion, all considerations of religion, and united him with the most zealous protestants. Several of the other nobles acted, without question, from a laudable concern

g And. i. 136. ii. 276. h And. 89. i Good. ii. 60.
k And. i. 136. l Melv. 160. Buch. 361.
m Anders. vol. i. 128, 134. Melv. 163. See Appendix, No. XXI.
n Melv. 161. o Keith, 394.

for the safety of the prince and the honour of their country. But the spirit which some of them discovered during the subsequent revolutions, leaves little room to doubt, that ambition or resentment were the real motives of their conduct; and that, on many occasions, while they were pursuing ends just and necessary, they were actuated by principles and passions altogether unjustifiable.

The first accounts of this league filled the queen and Bothwell with great consternation. They were no strangers to the sentiments of the nation with respect to their conduct; and though their marriage had not met with public opposition, they knew that it had not been carried on without the secret disgust and murmurings of all ranks of men. They foresaw the violence with which this indignation would burst out, after having been so long suppressed; and, in order to prepare for the storm, Mary issued a proclamation requiring her subjects to take arms, and to attend her husband by a day appointed. At the same time she published a sort of manifesto, in which she laboured to vindicate her government from those imputations with which it had been loaded, and employed the strongest terms to express her concern for the safety and welfare of the prince her son. Neither of these produced any considerable effect. Her proclamation was ill obeyed, and her manifesto met with little credit.[p]

May 28.

The queen and Bothwell retire to Dunbar.

The confederate lords carried on their preparations with no less activity, and with much more success. Among a warlike people, men of so much power and popularity found it an easy matter to raise an army. They were ready to march before the queen and Bothwell were in a condition to resist them. The castle of Edinburgh was the place whither the queen ought naturally to have retired, and there her person might have been perfectly safe. But the confederates had fallen on means to shake or corrupt the fidelity of sir James Balfour, the deputy governor, and Bothwell durst not commit to him such an important trust. He conducted the queen to the castle of Borthwick, and on the appearance of lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the queen disguised in men's clothes. The confederates advanced towards Edinburgh, where Huntley endeavoured, in vain, to animate the inhabitants to defend the town against them. They entered without opposition, and were instantly joined by many of the citizens, whose zeal became the firmest support of their cause.[q]

June 6.

In order to set their own conduct in the most favourable light, and to rouse the public indignation against Bothwell, the nobles published a declaration of the motives which had induced them to take arms. All Bothwell's past crimes were enumerated, all his wicked intentions displayed and aggravated, and every true Scotsman was called upon to join them in avenging the one and preventing the other.[r]

Meanwhile Bothwell assembled his forces at Dunbar; and as he had many dependants in that corner, he soon gathered such strength, that he ventured to advance towards the confederates. Their troops were not numerous; the suddenness and secrecy of their enterprise gave their friends at a distance no time to join them; and, as it does not appear that they were supported either with money or fed with hopes by the queen of England, they could not have kept long in a body. But on the other hand, Bothwell durst not risk a delay.[s] His army followed him with reluctance in this quarrel, and served him with no cordial affection; so that his only hope of success was in surprising the enemy, or in striking the blow before his own troops had leisure to recollect themselves, or to imbibe the same unfavourable opinion of his actions, which had spread over the rest of the nation. These motives determined the queen to march forward, with an inconsiderate and fatal speed.

The nobles march against them, July 15.

On the first intelligence of her approach, the confederates advanced to meet her. They found her forces drawn up almost on the same ground which the English had occupied before the battle of Pinkie. The numbers on both sides were nearly equal; but there was no equality in point of discipline. The queen's army consisted chiefly of a multitude, hastily assembled, without courage or experience in war. The troops of the confederates were composed of gentlemen of rank and reputation, followed by their most trusty dependants, who were no less brave than zealous.[t]

An accommodation attempted.

Le Croc, the French ambassador, who was in the field, laboured, by negociating both with the queen and the nobles, to put an end to the quarrel without the effusion of blood. He represented to the confederates the queen's inclinations towards peace, and her willingness to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms not against the queen, but against the murderer of her husband; and if he were given up to justice, or banished from her presence, she should find them ready to yield the obedience which is due from subjects to their sovereign. Glencairn added, that they did not come to ask pardon for any offence, but to punish those who had offended. Such haughty answers convinced the ambassador that his mediation would be ineffectual, and that their passions were too high to allow them to listen to any pacific propositions, or to think of retreating after having proceeded so far.[u]

The queen's army was posted to advantage, on a rising ground. The confederates advanced to the attack resolutely, but slowly, and with the caution which was natural on that unhappy field. Her troops were alarmed at their approach, and disco-

p Keith, 387, 395, 396. q Ibid. 398. r Anders. vol. i. 128. s Keith, 401. t Cald. vol. ii. 48, 49. u Keith, 401.

vered no inclination to fight. Mary endeavoured to animate them: she wept, she threatened, she reproached them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the rest stood wavering and irresolute, and some began to steal out of the field. Bothwell attempted to inspirit them, by offering to decide the quarrel, and to vindicate his own innocence, in single combat with any of his adversaries. Kirkaldy of Grange, and Murray of Tullibardin, and lord Lindsay, contended for the honour of entering the lists against him. But this challenge proved to be a mere bravado. Either the consciousness of guilt deprived Bothwell of his wonted courage, or the queen, by her authority, forbad the combat.[w]

After the symptoms of fear discovered by her followers, Mary would have been inexcusable had she hazarded a battle. To have retreated in the face of an enemy who had already surrounded the hill on which she stood with part of their cavalry, was utterly impracticable. In this situation, she was under the cruel necessity of putting herself into the hands of those subjects who had taken arms against her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy. He, with the consent and in the name of the leaders of the party, promised that, on condition she would dismiss Bothwell from her presence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their sovereign.[x]

Bothwell obliged to fly.

During this parley, Bothwell took his last farewell of the queen, and rode off the field with a few followers. This dismal reverse happened exactly one month after that marriage which had cost him so many crimes to accomplish, and which leaves so foul a stain on Mary's memory.

Mary surrenders to the nobles.

As soon as Bothwell retired, Mary surrendered to Kirkaldy, who conducted her toward the confederate army, the leaders of which received her with much respect; and Morton, in their name, made ample professions of their future loyalty and obedience.[y] But she was treated by the common soldiers with the utmost insolence and indignity. As she marched along, they poured upon her all the opprobrious names which are bestowed only on the lowest and most infamous criminals. Wherever she turned her eyes, they held up before her a standard, on which was painted the dead body of the late king, stretched on the ground, and the young prince kneeling before it, and uttering these words, "Judge and revenge my cause, O Lord!" Mary turned with horror from such a shocking sight. She began already to feel the wretched condition to which a captive prince is reduced. She uttered the most bitter complaints, she melted into tears, and could hardly be kept from sinking to the ground. The confederates conducted her towards Edinburgh; and, in spite of many delays, and after looking, with the fondness and credulity natural to the unfortunate, for some extraordinary relief, she arrived there. The streets were covered with multitudes, whom zeal or curiosity had drawn together, to behold such an unusual scene. The queen, worn out with fatigue, covered with dust, and bedewed with tears, was exposed as a spectacle to her own subjects, and led to the provost's house. Notwithstanding all her arguments and entreaties, the same standard was carried before her, and the same insults and reproaches repeated.[z] A woman, young, beautiful, and in distress, is naturally the object of compassion. The comparison of their present misery with their former splendour, usually softens us in favour of illustrious sufferers. But the people beheld the deplorable situation of their sovereign with insensibility; and so great the violence of their indignation, that the sufferings of their queen did not, in any degree, mitigate their resentment, or procure her that sympathy which is seldom denied to unfortunate princes.

w Cald. vol. ii. 50.
x Good. vol. ii. 164. Melv. 165.
y Good. vol. ii. 165.

BOOK V.

1567. Deliberations of the nobles concerning the queen.

THE confederate lords had proceeded to such extremities against their sovereign, that it now became almost impossible for them either to stop short, or to pursue a course less violent. Many of the nobles had refused to concur with them in their enterprise; others openly condemned it. A small circumstance might abate that indignation with which the multitude were at present animated against the queen, and deprive them of that popular applause which was the chief foundation of their power. These considerations inclined some of them to treat the queen with great lenity.

But, on the other hand, Mary's affection for Bothwell continued as violent as ever; she obstinately refused to hearken to any proposal for dissolving their marriage, and determined not to abandon a man, for whose love she had already sacrificed so much.[a] If they should allow her to recover the supreme power, the first exertion of it would be to recall Bothwell; and they had reason, both from his resentment, from her conduct, and from their own, to expect the severest effects of her vengeance. These considerations surmounted every other motive; and reckoning themselves absolved by Mary's incurable attachment to Bothwell, from the engagements which they had come under when she yielded herself a prisoner, they, without regarding the duty which they owed her as their queen, and with-

z Melv. 166. Buch. 364.
a Keith, 419, 446, 449. Melv. 167. See Append. No. XXII.

out consulting the rest of the nobles, carried her next evening, under a strong guard, to the castle of Lochlevin, and signed a warrant to William Douglas, the owner of it, to detain her as a prisoner. This castle is situated in a small island in the middle of a lake. Douglas, to whom it belonged, was a near relation of Morton's, and had married the earl of Murray's mother. In this place, under strict custody, with a few attendants, and subjected to the insults of a haughty woman, who boasted daily of being the lawful wife of James V., Mary suffered all the rigour and miseries of captivity.[b]

They imprison her in Lochlevin.

Immediately after the queen's imprisonment the confederates were at the utmost pains to strengthen their party; they entered into new bonds of association; they assumed the title of *Lords of the Secret Council*, and without any other right, arrogated to themselves the whole regal authority. One of their first acts of power, was to search the city of Edinburgh for such as had been concerned in the murder of the king. This show of zeal gained reputation to themselves, and threw an oblique reflection on the queen for her remissness. Several suspected persons were seized. Captain Blackadder and three others were condemned and executed. But no discovery of importance was made. If we believe some historians, they were convicted by sufficient evidence. If we give credit to others, their sentence was unjust, and they denied, with their last breath, any knowledge of the crime for which they suffered.[c]

An unexpected accident, however, put into the hands of Mary's enemies what they deemed the fullest evidence of her guilt. Bothwell having left in the castle of Edinburgh a casket, containing several sonnets and letters written with the queen's own hand, he now sent one of his confidants to bring to him this precious deposit. But as his messenger returned, he was intercepted, and the casket seized by Morton.[d] The contents of it were always produced by the party as the most ample justification of their own conduct; and to these they continually appealed as the most unanswerable proof of their not having loaded their sovereign with the imputation of imaginary crimes.[e]

Some of the nobles favour the queen.

But the confederates, notwithstanding their extraordinary success, were still far from being perfectly at ease. That so small a part of the nobles should pretend to dispose of the person of their sovereign, or to assume the authority which belonged to her, without the concurrence of the rest, was deemed by many of that body to be unprecedented and presumptuous. Several of these were now assembled at Hamilton, in order to deliberate what course they should hold in this difficult conjuncture. The confederates made some attempts towards a coalition with them, but without effect. They employed the mediation of the assembly of the church, to draw them to a personal interview at Edinburgh, but with no better success. That party, however, though its numbers were formidable, and the power of its leaders great, soon lost reputation by the want of unanimity and vigour; all its consultations evaporated in murmurs and complaints, and no scheme was concerted for obstructing the progress of the confederates.[f]

Elizabeth interposes in her behalf.

There appeared some prospect of danger from another quarter. This great revolution in Scotland had been carried on without any aid from Elizabeth, and even without her knowledge.[g] Though she was far from being displeased at seeing the affairs of that kingdom embroiled, or a rival, whom she hated, reduced to distress; she neither wished that it should be in the power of the one faction entirely to suppress the other, nor could she view the steps taken by the confederates without great offence. Notwithstanding the popular maxims by which she governed her own subjects, her notions of royal prerogative were very exalted. The confederates had, in her opinion, encroached on the authority of their sovereign, which they had no right to control, and had offered violence to her person, which it was their duty to esteem sacred. They had set a dangerous example to other subjects, and Mary's cause became the common cause of princes.[h] If ever Elizabeth was influenced with regard to the affairs of Scotland by the feelings of her heart, rather than by considerations of interest, it was on this occasion. Mary, in her present condition, degraded from her throne, and covered with the infamy attending an accusation of such atrocious crimes, could be no longer the object of Elizabeth's jealousy, either as a woman or as a queen. Sympathy with a sovereign in distress seems, for a moment, to have touched a heart not very susceptible of tender sentiments; and, while these were yet warm, she despatched Throkmorton into Scotland, with power to negociate both with the queen and with the confederates. In his instructions there appears a remarkable solicitude for Mary's liberty, and even for her reputation; and the terms upon which she proposed to re-establish concord between the queen and her subjects, appear to be so reasonable and well-digested, as might have insured the safety and happiness of both. Zealous as Throkmorton was to accomplish this, all his endeavours and address proved ineffectual. He found not only the confederate nobles, but the nation in general, so far alienated from the queen, and so much offended with the indecent precipitancy of her marriage with the reputed murderer of her former husband, as to be incapable of listening to any proposition in her favour.

June 30.

During the state of anarchy occasioned by the imprisonment of the queen, and the dissolution of the established government, which afforded such ample scope for political speculation, four different

b Keith, 403. Note *b*. c Cald. vol. ii. 53. Crawf. Mem. 35.
d Anders. vol. ii. 92. Good. vol. ii. 90.
e See Dissertation at the end of the History.
f Keith, 407. g Ibid. 415. h Ibid. 412, 414.

schemes had been proposed for the settlement of the nation. One, that Mary should be replaced upon the throne, but under various and strict limitations. The second, that she should resign the crown to her son, and, retiring out of the kingdom, should reside, during the remainder of her days, either in England or in France. The third, that Mary should be brought to public trial for her crimes, and, after conviction, of which no doubt was entertained, should be kept in perpetual imprisonment. The fourth, that after trial and condemnation, capital punishment should be inflicted upon her. Throkmorton, though disposed, as well by his own inclination as in conformity to the spirit of his instructions, to view matters in the light most favourable to Mary, informed his court, that the milder schemes recommended by Maitland alone, would undoubtedly be reprobated, and one of the more rigorous carried into execution.

In justification of this rigour, the confederates maintained that Mary's affection for Bothwell was still unabated, and openly avowed by her; that she rejected with disdain every proposal for dissolving their marriage; and declared, that she would forego every comfort, and endure any extremity, rather than give her consent to that measure. While these were her sentiments, they contended, that concern for the public welfare, as well as attention to their own safety, rendered it necessary to put it out of the queen's power to restore a daring man, exasperated by recent injuries, to his former station, which must needs prove fatal to both. Notwithstanding their solicitude to conciliate the good-will of Elizabeth, they foresaw clearly what would be the effect, at this juncture, of Throkmorton's interposition in behalf of the queen, and that she, elated with the prospect of protection, would refuse to listen to the overtures which they were about to make to her. For this reason they peremptorily denied Throkmorton's access to their prisoner; and what propositions he made to them in her behalf they either refused or eluded.[i]

Schemes of the confederate nobles.

Meanwhile they deliberated with the utmost anxiety concerning the settlement of the nation, and the future disposal of the queen's person. Elizabeth observing that Throkmorton made no progress in his negociations with them, and that they would listen to none of his demands in Mary's favour, turned towards that party of the nobles who were assembled at Hamilton, incited them to take arms in order to restore their queen to liberty, and promised to assist them in such an attempt to the utmost of her power.[k] But they discovered no greater union and vigour than formerly, and, behaving like men who had given up all concern either for their queen or their country, tamely allowed an inconsiderable part of their body, whether we consider it with respect to numbers or to power, to settle the government of the kingdom, and to dispose of the queen's person at pleasure. Many consultations were held, and various opinions arose, with regard to each of these. Some seemed desirous of adhering to the plan on which the confederacy was at first formed; and after punishing the murderers of the king, and dissolving the marriage with Bothwell; after providing for the safety of the young prince, and the security of the protestant religion; they proposed to re-establish the queen in the possession of her legal authority. The success with which their arms had been accompanied, inspired others with bolder and more desperate thoughts, and nothing less would satisfy them than the trial, the condemnation, and punishment of the queen herself, as the principal conspirator against the life of her husband and the safety of her son:[l] the former was Maitland's system, and breathed too much of a pacific and moderate spirit, to be agreeable to the temper or wishes of the party. The latter was recommended by the clergy, and warmly adopted by many laics; but the nobles durst not, or would not, venture on such an unprecedented and audacious deed.[m]

They oblige the queen to resign the government.

Both parties agreed at last upon a scheme, neither so moderate as the one, nor so daring as the other. Mary was to be persuaded or forced to resign the crown; the young prince was to be proclaimed king, and the earl of Murray was to be appointed to govern the kingdom, during his minority, with the name and authority of regent. With regard to the queen's own person, nothing was determined. It seems to have been the intention of the confederates to keep her in perpetual imprisonment; but, in order to intimidate herself, and to overawe her partisans, they still reserved to themselves the power of proceeding to more violent extremes.

It was obvious to foresee difficulties in the execution of this plan. Mary was young, ambitious, high-spirited, and accustomed to command. To induce her to acknowledge her own incapacity for governing, to renounce the dignity and power which she was born to enjoy, to become dependent on her own subjects, to consent to her own bondage, and to invest those persons whom she considered as the authors of all her calamities with that honour and authority of which she herself was stripped, were points hard to be gained. These, however, the confederates attempted, and they did not want means to insure success. Mary had endured for several weeks all the hardships and terror of a prison; no prospect of liberty appeared; none of her subjects had either taken arms, or so much as solicited her relief;[n] no person, in whom she could confide, was admitted into her presence; even the ambassadors of the French king, and queen of England, were refused access to her. In this solitary state, with-

i Keith, 417, 427.
k See Append. No. XXIII.
l Keith, 420—422, 582.
m The intention of putting the queen to death seems to have been carried on by some of her subjects: at this time we often find Elizabeth boasting that Mary owed her life to her interposition. Digges's Compl. Amb. 14, &c. See Append. No. XVIII.
n Keith, 425.

out a counsellor, or a friend, under the pressure of distress and the apprehension of danger, it was natural for a woman to hearken almost to any overtures. The confederates took advantage of her condition and of her fears. They employed lord Lindsay, the fiercest zealot in the party, to communicate their scheme to the queen, and to obtain her subscription to those papers which were necessary for rendering it effectual. He executed his commission with harshness and brutality. Certain death was before Mary's eyes if she refused to comply with his demands. At the same time she was informed by sir Robert Melvil, in the name of Athol, Maitland, and Kirkaldy, the persons among the confederates who were most attentive to her interest, that a resignation extorted by fear, and granted during her imprisonment, was void in law, and might be revoked as soon as she recovered liberty. Throkmorton, by a note which he found means of conveying to her, suggested the same thing.[o] Deference to their opinion, as well as concern for her own safety, obliged her to yield to every thing which was required, and to sign all the papers which Lindsay presented to her. By one of these she resigned the crown, renounced all share in the government of the kingdom, and consented to the coronation of the young king. By another,

July 24. she appointed the earl of Murray regent, and conferred upon him all the powers and privileges of that high office. By a third, she substituted some other nobleman in Murray's place, if he should refuse the honour which was designed for him. Mary, when she subscribed these deeds, was bathed in tears; and while she gave away, as it were with her own hands, the sceptre which she had swayed so long, she felt a pang of grief and indignation, one of the severest, perhaps, which can touch the human heart.[p]

James VI. crowned and Murray chosen regent.

The confederates endeavoured to give this resignation all the weight and validity in their power, by proceeding without delay to crown the young prince. The ceremony was performed at Stirling, on the twenty-ninth of July, with much solemnity, in presence of all the nobles of the party, a considerable number of lesser barons, and a great assembly of the people. From that time, all public writs were issued, and the government carried on, in the name of James VI.[q]

No revolution so great was ever effected with more ease, or by means so unequal to the end. In a warlike age, and in less time than two months, a part of the nobles, who neither possessed the chief power nor the greatest wealth in the nation, and who never brought three thousand men into the field, seized, imprisoned, and dethroned their queen, and without shedding a single drop of blood, set her son, an infant of a year old, on the throne.

Reasonings of both parties.

During this rapid progress of the confederates, the eyes of all the nations were turned on them with astonishment; and various and contradictory opinions were formed concerning the extraordinary steps which they had taken.

Even under the aristocratical form of government which prevails in Scotland, said the favourers of the queen, and notwithstanding the exorbitant privileges of the nobles, the prince possesses considerable power, and his person is treated with great veneration. No encroachments should be made on the former, and no injury offered to the latter, but in cases where the liberty and happiness of the nation cannot be secured by any other means. Such cases seldom exist, and it belongs not to any part, but to the whole, or at least to a majority of the society, to judge of their existence. By what action could it be pretended that Mary had invaded the rights or property of her subjects, or what scheme had she formed against the liberty and constitution of the kingdom? Were fears, and suspicions, and surmises, enough to justify the imprisoning and the deposing a queen, to whom the crown descended from so long a race of monarchs? The principal author of whatever was reckoned culpable in her conduct, was now driven from her presence. The murderers of the king might have been brought to condign punishment, the safety of the prince have been secured, and the protestant religion have been established, without wresting the sceptre out of her hands, or condemning her to perpetual imprisonment. Whatever right a free parliament might have had to proceed to such a rigorous conclusion, or whatever name its determinations might have merited, a sentence of this nature, passed by a small party of the nobility, without acknowledging or consulting the rest of the nation, must be deemed a rebellion against the government, and a conspiracy against the person of their sovereign.

The partisans of the confederates reasoned very differently. It is evident, said they, that Mary either previously gave consent to the king's murder, or did afterwards approve of that horrid action. Her attachment to Bothwell, the power and honours which she has conferred upon him, the manner in which she suffered his trial to be carried on, and the indecent speed with which she married a man stained with so many crimes, raise strong suspicions of the former, and put the latter beyond all doubt. To have suffered the supreme power to continue in the hands of an ambitious man, capable of the most atrocious and desperate actions, would have been disgraceful to the nation, dishonourable to the queen, and dangerous to the prince. Recourse was therefore had to arms. The queen had been compelled to abandon a husband so unworthy of herself. But her affection toward him still continuing unabated; her indignation against the authors of this separation being visible, and often expressed in the strongest terms; they, by restoring her to her ancient authority, would have armed her with power to destroy

o Keith, 425. Note *b*. Melv. 169.

p Keith, 430. Crawf. Mem. 38.

q Keith, 437.

themselves, have enabled her to recall Bothwell, and have afforded her an opportunity of pursuing schemes fatal to the nation with greater eagerness, and with more success. Nothing therefore remained, but by one bold action to deliver themselves and their country from all future fears. The expedient they had chosen was no less respectful to the royal blood, than necessary for the public safety. While one prince was set aside as incapable of governing, the crown was placed on his head who was the undoubted representative of their ancient kings.

Whatever opinion posterity may form on comparing the arguments of the two contending parties, whatever sentiments we may entertain concerning the justice or necessity of that course which the confederates held, it cannot be denied that their conduct, so far as regarded themselves, was extremely prudent. Other expedients, less rigorous towards Mary, might have been found for settling the nation; but, after the injuries which they had already offered the queen, there was none so effectual for securing their own safety, or perpetuating their own power.

To a great part of the nation, the conduct of the confederates appeared not only wise, but just. The king's accession to the throne was every where proclaimed, and his authority submitted to without opposition. Though several of the nobles were still assembled at Hamilton, and seemed to be entering into some combination against his government, an association for supporting it was formed, and signed by so many persons of power and influence throughout the nation, as entirely discouraged the attempt.[r]

Murray assumes the government.

The return of the earl of Murray, about this time, added strength to the party, and gave it a regular and finished form. Soon after the murder of the king, this nobleman had retired into France, upon what pretence historians do not mention. During his residence there, he had held a close correspondence with the chiefs of the confederacy, and, at their desire, he now returned. He seemed, at first, unwilling to accept the office of regent. This hesitation cannot be ascribed to the scruples either of diffidence or of duty. Murray wanted neither the abilities nor the ambition which might incite him to aspire to this high dignity. He had received the first accounts of his promotion with the utmost satisfaction; but, by appearing to continue for some days in suspense, he gained time to view with attention the ground on which he was to act, to balance the strength and resources of the two contending factions, and to examine whether the foundation on which his future fame and success must rest, were sound and firm.

Before he declared his final resolution, he waited on Mary at Lochlevin. This visit, to a sister, and a queen, in a prison, from which he had neither any intention to relieve her, nor to mitigate the rigour of her confinement, may be mentioned among the circumstances which discover the great want of delicacy and refinement in that age. Murray, who was naturally rough and uncourtly in his manner,[s] expostulated so warmly with the queen concerning her past conduct, and charged her faults so home upon her, that Mary, who had flattered herself with more gentle and brotherly treatment from him, melted into tears, and abandoned herself entirely to despair.[t] This interview, from which Murray could reap no political advantage, and wherein he discovered a spirit so severe and unrelenting, may be reckoned among the most bitter circumstances in Mary's life, and is certainly one of the most unjustifiable steps in his conduct.

Aug. 22.

Soon after his return from Lochlevin, Murray accepted the office of regent, and began to act in that character without opposition.

Fate of Bothwell.

Amidst so many great and unexpected events, the fate of Bothwell, the chief cause of them all, hath been almost forgotten. After his flight from the confederates, he lurked for some time among his vassals in the neighbourhood of Dunbar. But finding it impossible for him to make head, in that country, against his enemies, or even to secure himself from their pursuit, he fled for shelter to his kinsman the bishop of Murray; and when he, overawed by the confederates, was obliged to abandon him, he retired to the Orkney Isles. Hunted from place to place, deserted by his friends and accompanied by a few retainers, as desperate as himself, he suffered at once the miseries of infamy and of want. His indigence forced him upon a course which added to his infamy. He armed a few small ships which had accompanied him from Dunbar, and attacking every vessel which fell in his way, endeavoured to procure subsistence for himself and his followers by piracy. Kirkaldy and Murray of Tullibardin were sent out against him by the confederates; and surprising him while he rode at anchor, scattered his small fleet, took a part of it, and obliged him to fly with a single ship towards Norway. On that coast he fell in with a vessel richly laden, and immediately attacked it; the Norwegians sailed with armed boats to its assistance, and, after a desperate fight, Bothwell and all his crew were taken prisoners. His name and quality were both unknown, and he was treated at first with all the indignity and rigour which the odious crime of piracy merited. His real character was soon discovered, and though it saved him from the infamous death to which his associates were condemned, it could neither procure him liberty nor mitigate the hardships of his imprisonment. He languished ten years in this unhappy condition; melancholy and despair deprived him of reason, and at last he ended his days unpitied by his countrymen, and unassisted by strangers.[u] Few men ever accomplished their ambitious projects by worse means, or reaped from them less satisfaction. The

r Anders. vol. ii. 231. s Keith, 96. t Ibid. 445, 446. u Melv. 168.

early part of his life was restless and enterprising, full of danger and of vicissitudes. His enjoyment of the grandeur, to which he attained by so many crimes, was extremely short; imbittered by much anxiety, and disquieted by many fears. In his latter years, he suffered the most intolerable calamities to which the wretched are subject, and from which persons who have moved in so high a sphere are commonly exempted.

Success of the regent's administration.

The good effects of Murray's accession to the regency were quickly felt. The party forming for the queen was weak, irresolute, and disunited; and, no sooner was the government of the kingdom in the hands of a man so remarkable both for his abilities and popularity, than the nobles, of whom it was composed, lost all hopes of gaining ground, and began to treat separately with the regent. So many of them were brought to acknowledge the king's authority, that scarce any appearance of opposition to the established government was left in the kingdom. Had they adhered to the queen with any firmness, it is probable, from Elizabeth's disposition at that time, that she would have afforded them such assistance as might have enabled them to face their enemies in the field. But there appeared so little vigour or harmony in their councils, that she was discouraged from espousing their cause; and the regent, taking advantage of their situation, obliged them to submit to his government, without granting any terms, either to themselves or to the queen.[x]

The regent was no less successful in his attempt to get into his hands the places of strength in the kingdom. Balfour, the deputy-governor, surrendered the castle of Edinburgh; and as the reward of his treachery, in deserting Bothwell his patron, obtained terms of great advantage to himself. The governor of Dunbar, who discovered greater fidelity, was soon forced to capitulate: some other small forts surrendered without resistance.

A parliament, Dec. 15.

This face of tranquillity in the nation encouraged the regent to call a meeting of parliament. Nothing was wanting to confirm the king's authority, and the proceedings of the confederates, except the approbation of this supreme court; and, after the success which had attended all their measures, there could be little doubt of obtaining it. The numbers that resorted to an assembly which was called to deliberate on matters of so much importance, were great. The meeting was opened with the utmost solemnity, and all its acts passed with much unanimity. Many, however, of the lords who had discovered the warmest attachment to the queen, were present. But they had made their peace with the regent. Argyll, Huntley, and Herries, acknowledged openly in parliament, that their behaviour towards the king had been undutiful and criminal.[y] Their compliance, in this manner, with the measures of the regent's party, was either the condition on which they were admitted into favour, or intended as a proof of the sincerity of their reconcilement.

Confirms the proceedings of the confederates.

The parliament granted every thing the confederates could demand, either for the safety of their own persons, or the security of that form of government which they had established in the kingdom. Mary's resignation of the crown was accepted, and declared to be valid. The king's authority and Murray's election were recognised and confirmed. The imprisoning the queen, and all the other proceedings of the confederates, were pronounced lawful. The letters which Mary had written to Bothwell were produced, and she was declared to be accessory to the murder of the king.[z] At the same time, all the acts of parliament of the year one thousand five hundred and sixty, in favour of the protestant religion, were publicly ratified; new statutes to the same purpose were enacted; and nothing that could contribute to root out the remains of popery, or to encourage the growth of the reformation, was neglected.

It is observable, however, that the same parsimonious spirit prevailed in this parliament, as in that of the year one thousand five hundred and sixty. The protestant clergy, notwithstanding many discouragements, and their extreme poverty, had, for seven years, performed all religious offices in the kingdom. The expedients fallen upon for their subsistence had hitherto proved ineffectual, or were intended to be so. But, notwithstanding their known indigence, and the warm remonstrances of the assembly of the church, which met this year, the parliament did nothing more for their relief than prescribe some new regulations concerning the payment of the thirds of benefices, which did not produce any considerable change in the situation of the clergy.

1568. January 3.

A few days after the dissolution of parliament, four of Bothwell's dependants were convicted of being guilty of the king's murder, and suffered death as traitors. Their confessions brought to light many circumstances relative to the manner of committing that barbarous crime; but they were persons of low rank, and seem not to have been admitted into the secrets of the conspiracy.[a]

Notwithstanding the universal submission to the regent's authority, there still abounded in the kingdom many secret murmurs and cabals. The partisans of the house of Hamilton reckoned Murray's promotion an injury to the duke of Chatelherault, who, as first prince of the blood, had, in their opinion, an undoubted right to be regent. The length and rigour of Mary's sufferings began to move many to commiserate her case. All who leaned to the ancient opinions in religion dreaded the effects of Murray's zeal. And he, though his abilities

x Keith, 447, 450, 463.
y Anders. vol. iv. 153. See Appendix, No. XXIV.
z Good. vol. ii. 66. Anders. vol. ii. 206.
a Anders. vol. ii. 165.

were great, did not possess the talents requisite for soothing the rage or removing the jealousies of the different factions. By insinuation, or address, he might have gained or softened many who had opposed him; but he was a stranger to these gentle arts. His virtues were severe; and his deportment towards his equals, especially after his elevation to the regency, distant and haughty. This behaviour offended some of the nobles, and alarmed others. The queen's faction which had been so easily dispersed, began again to gather and to unite, and was secretly favoured by some who had hitherto zealously concurred with the confederates.[b]

Mary escapes from Lochlevin.

Such was the favourable disposition of the nation towards the queen, when she recovered her liberty, in a manner no less surprising to her friends than unexpected by her enemies. Several attempts had been made to procure her an opportunity of escaping, which some unforesecn accident, or the vigilance of her keepers, had hitherto disappointed. At last, Mary employed all her art to gain George Douglas, her keeper's brother, a youth of eighteen. As her manners were naturally affable and insinuating, she treated him with the most flattering distinction: she even allowed him to entertain the most ambitious hopes, by letting fall some expressions, as if she would choose him for her husband.[c] At his age, and in such circumstances, it was impossible to resist such a temptation. He yielded, and drew others into the plot. On Sunday the second of May, while his brother sat at supper, and the rest of the family were retired to their devotions, one of his accomplices found means to steal the keys out of his brother's chamber, and opening the gates to the queen and one of her maids, locked them behind her, and then threw the keys into the lake. Mary ran with precipitation to the boat which was prepared for her, and on reaching the shore, was received with the utmost joy, by Douglas, lord Seatoun, and sir James Hamilton, who, with a few attendants, waited for her. She instantly mounted on horseback, and rode full speed towards Niddrie, lord Seatoun's seat in West-Lothian. She arrived there that night, without being pursued or interrupted. After halting three hours, she set out for Hamilton; and travelling at the same pace, she reached it next morning.

Arrives at Hamilton, and raises a numerous army.

On the first news of Mary's escape, her friends, whom, in their present disposition, a much smaller accident would have roused, ran to arms. In a few days, her court was filled with a great and splendid train of nobles, accompanied by such numbers of followers, as formed an army above six thousand strong. In their presence she declared that the resignation of the crown, and the other decds which she had signed during her imprisonment, were extorted from her by fear. Sir Robert Melvil confirmed her declaration; and on that, as well as on other accounts, a council of the nobles and chief men of her party pronounced all these transactions void and illegal. May 8. At the same time, an association was formed for the defence of her person and authority, and subscribed by nine earls, nine bishops, eighteen lords, and many gentlemen of distinction.[d] Among them we find several who had been present in the last parliament, and who had signed the counter-association in defence of the king's government; but such sudden changes were then so common, as to be no matter of reproach.

Consternation of the regent's adherents.

At the time when the queen made her escape, the regent was at Glasgow, holding a court of justice. An event so contrary to their expectations, and so fatal to their schemes, gave a great shock to his adherents. Many of them appeared wavering and irresolute; others began to carry on private negociations with the queen; and some openly revolted to her side. In so difficult a juncture, where his own fame, and the being of the party, depended on his choice, the regent's most faithful associates were divided in opinion. Some advised him to retire, without loss of time, to Stirling. The queen's army was already strong, and only eight miles distant; the adjacent country was full of the friends and dependants of the house of Hamilton, and other lords of the queen's faction; Glasgow was a large and unfortified town; his own train consisted of no greater number than was usual in times of peace; all these reasons pleaded for a retreat. But, on the other hand, arguments were urged of no inconsiderable weight. The citizens of Glasgow were well affected to the cause; the vassals of Glencairn, Lennox, and Semple, lay near at hand, and were both numerous and full of zeal; succours might arrive from other parts of the kingdom in a few days; in war, success depends upon reputation, as much as upon numbers; reputation is gained or lost by the first step one takes; on all these considerations, a retreat would be attended with all the ignominy of a flight, and would at once dispirit his friends, and inspire his enemies with boldness.

His prudent conduct.

In such dangerous exigencies as this, the superiority of Murray's genius appeared, and enabled him both to choose with wisdom and to act with vigour. He declared against retreating, and fixed his head-quarters at Glasgow. And while he amused the queen for some days, by pretending to hearken to some overtures which she made for accommodating their differences, he was employed, with the utmost industry, in drawing together his adherents from different parts of the kingdom. He was soon in a condition to take the field; and, though far inferior to the enemy in number, he confided so much in the valour of his troops and the experience of his officers, that he broke off the negociation, and determined to hazard a battle.[e]

At the same time, the queen's generals had commanded her army to move. May 13.

b Melv. 179. c Keith, 469, 481. Note. d Keith, 475. e Buchan. 369.

Their intention was to conduct her to Dumbarton castle, a place of great strength, which the regent had not been able to wrest out of the hands of lord Fleming the governor; but if the enemy should endeavour to interrupt their march, they resolved not to decline an engagement. In Mary's situation, no resolution could be more imprudent. A part only of her forces was assembled. Huntley, Ogilvie, and the northern clans, were soon expected; her sufferings had removed or diminished the prejudices of many among her subjects; the address with which she surmounted the dangers that obstructed her escape, dazzled and interested the people; the sudden confluence of so many nobles added lustre to her cause; she might assuredly depend on the friendship and countenance of France; she had reason to expect the protection of England; her enemies could not possibly look for support from that quarter. She had much to hope from pursuing slow and cautious measures; they had every thing to fear.

But Mary, whose hopes were naturally sanguine, and her passions impetuous, was so elevated by her sudden transition from the depth of distress, to such an unusual appearance of prosperity, that she never doubted of success. Her army, which was almost double to the enemy in number, consisted chiefly of the Hamiltons and their dependants. Of these the archbishop of St. Andrew's had the chief direction, and hoped, by a victory, not only to crush Murray, the ancient enemy of his house, but to get the person of the queen into his hands, and to oblige her either to marry one of the duke's sons, or at least to commit the chief direction of her affairs to himself. His ambition proved fatal to the queen, to himself, and to his family.[f]

Battle of Langside.

Mary's imprudence in resolving to fight, was not greater than the ill conduct of her generals in the battle. Between the two armies, and on the road towards Dumbarton, there was an eminence called Langside Hill. This the regent had the precaution to seize, and posted his troops in a small village, and among some gardens and enclosures adjacent. In this advantageous situation he waited the approach of the enemy, whose superiority in cavalry could be of no benefit to them on such broken ground. The Hamiltons, who composed the vanguard, ran so eagerly to the attack, that they put themselves out of breath, and left the main battle far behind. The encounter of the spearmen was fierce and desperate; but as the forces of the Hamiltons were exposed, on the one flank to a continued fire from a body of musqueteers, attacked on the other by the regent's most choice troops, and not supported by the rest of the queen's army, they were soon obliged to give ground, and the rout immediately became universal. Few victories in a civil war, and among a fierce people, have been pursued with less violence, or attended with less bloodshed.

The queen's army defeated.

Three hundred fell in the field; in the flight almost none were killed. The regent and his principal officers rode about, beseeching the soldiers to spare their countrymen. The number of prisoners was great, and among them many persons of distinction. The regent marched back to Glasgow, and returned public thanks to God for this great, and, on his side, almost bloodless, victory.[g]

Her flight.

During the engagement, Mary stood on a hill at no great distance, and beheld all that passed in the field, with such emotions of mind as are not easily described. When she saw the army, which was her last hope, thrown into irretrievable confusion, her spirit, which all her past misfortunes had not been able entirely to subdue, sunk altogether. In the utmost consternation, she began her flight, and, so lively were her impressions of fear, that she never closed her eyes till she reached the abbey of Dundrenan in Galloway, full sixty Scottish miles from the place of battle.[h]

These revolutions in Mary's fortune had been no less rapid than singular. In the short space of eleven days she had been a prisoner at the mercy of her most inveterate enemies; she had seen a powerful army under her command, and a numerous train of nobles at her devotion; and now she was obliged to fly, in the utmost danger of her life, and to lurk, with a few attendants, in a corner of her kingdom. Not thinking herself safe even in that retreat, her fears impelled her to an action, the most unadvised, as well as the most unfortunate, in her whole life. This was her retiring into England; a step, which, on many accounts, ought to have appeared to her rash and dangerous.

Resolves on retiring into England.

Before Mary's arrival in Scotland, mutual distrust and jealousies had arisen between her and Elizabeth. All their subsequent transactions had contributed to exasperate and inflame these passions. She had endeavoured by secret negociations and intrigues, to disturb the tranquillity of Elizabeth's government, and to advance her own pretensions to the English crown. Elizabeth, who possessed great power, and acted with less reserve, had openly supported Mary's rebellious subjects, and fomented all the dissensions and troubles in which her reign had been involved. The maxims of policy still authorized that queen to pursue the same course; as, by keeping Scotland in confusion, she effectually secured the peace of her own kingdom. The regent, after his victory, had marched to Edinburgh, and, not knowing what course the queen had taken, it was several days before he thought of pursuing her.[i] She might have been concealed in that retired corner, among subjects devoted to her interest, until her party, which was dispersed rather than broken by the late defeat, should gather such strength that she could again appear with safety at their head. There was not any danger which she ought not to have run, rather

f Anders. vol. iv. 32. Melv. 181.

g Keith, 477. h Ibid. 481. i Crawf. Mem. 59.

than throw herself into the hands of an enemy, from whom she had already suffered so many injuries, and who was prompted, both by inclination and by interest, to renew them.

But, on the other hand, during Mary's confinement, Elizabeth had declared against the proceedings of her subjects, and solicited for her liberty, with a warmth which had all the appearance of sincerity. She had invited her to take refuge in England, and had promised to meet her in person, and to give her such a reception as was due to a queen, a kinswoman, and an ally.[k] Whatever apprehension Elizabeth might entertain of Mary's designs while she had power in her hands, she was, at present, the object, not of fear, but of pity; and to take advantage of her situation, would be both ungenerous and inhuman. The horrors of a prison were fresh in Mary's memory; and if she should fall a second time into the hands of her subjects, there was no injury to which the presumption of success might not imbolden them to proceed. To attempt escaping into France, was dangerous, and, in her situation, almost impossible; nor could she bear the thoughts of appearing as an exile and a fugitive in that kingdom where she had once enjoyed all the splendour of a queen. England remained her only asylum; and, in spite of the entreaties of lord Herries, Fleming, and her other attendants, who conjured her, even on their knees, not to confide in Elizabeth's promises of generosity, her infatuation was invincible, and she resolved to fly thither. Herries, by her command, wrote to Lowther, the deputy-governor of Carlisle, to know what reception he would give her; and, before his answer could return, her fear and impatience were so great, that she got into a fisher-boat, and, with about twenty attendants, landed at Wirkington in Cumberland, and thence she was conducted with many marks of respect to Carlisle.[l]

Her reception at Carlisle, May 16.

Elizabeth deliberates concerning the manner of treating her.

As soon as Mary arrived in England, she wrote a long letter to the queen, representing, in the strongest terms, the injuries which she had suffered from her own subjects, and imploring that pity and assistance which her present situation demanded.[m] An event so extraordinary, and the conduct which might be proper in consequence of it, drew the attention and employed the thoughts of Elizabeth and her council. If their deliberations had been influenced by considerations of justice or generosity alone, they would not have found them long or intricate. A queen, vanquished by her own subjects, and threatened by them with the loss of her liberty, or of her life, had fled from their violence, and thrown herself into the arms of her nearest neighbour and ally, from whom she had received repeated assurances of friendship and protection. These circumstances entitled her to respect and to compassion, and required that she should either be restored to her own kingdom, or at least be left at full liberty to seek aid from any other quarter. But with Elizabeth and her counsellors, the question was not, what was most just or generous, but what was most beneficial to herself, and to the English nation. Three different resolutions might have been taken, with regard to the queen of Scots. To reinstate her in her throne, was one; to allow her to retire into France, was another; to detain her in England, was a third. Each of these drew consequences after it, of the utmost importance, which were examined, as appears from papers still extant,[n] with that minute accuracy which Elizabeth's ministers employed in all their consultations upon affairs of moment.

To restore Mary to the full exercise of the royal authority in Scotland, they observed, would render her more powerful than ever. The nobles who were most firmly attached to the English interest would quickly feel the utmost weight of her resentment. As the gratitude of princes is seldom strong or lasting, regard to her own interest might soon efface the memory of her obligations to Elizabeth, and prompt her to renew the alliance of the Scottish nation with France, and revive her own pretensions to the English crown. Nor was it possible to fetter and circumscribe the Scottish queen, by any conditions that would prevent these dangers. Her party in Scotland was numerous and powerful. Her return, even without any support from England, would inspire her friends with new zeal and courage; a single victory might give them the superiority, which they had lost by a single defeat, and render Mary a more formidable rival than ever to Elizabeth.

The dangers arising from suffering Mary to return into France, were no less obvious. The French king could not refuse his assistance towards restoring his sister and ally to her throne. Elizabeth would, once more, see a foreign army in the island, overawing the Scots, and ready to enter her kingdom; and, if the commotions in France, on account of religion, were settled, the princes of Lorrain might resume their ambitious projects, and the united forces of France and Scotland might invade England where it is weakest and most defenceless.

Nothing therefore remained but to detain her in England; and to permit her either to live at liberty there, or to confine her in a prison. The former was a dangerous experiment. Her court would become a place of resort to all the Roman catholics, to the disaffected, and to the lovers of innovation. Though Elizabeth affected to represent Mary's pretensions to the English crown as ill-founded, she was not ignorant that they did not appear in that light to the nation, and that many thought them preferable even to her own title. If the activity of her emissaries had gained her so many abettors, her own personal influence was much more to be dreaded; her beauty, her

Resolves to detain her in England.

k Camd. 489. Anders. vol. iv. 99, 120. Murdin, 369.
l Keith, 483. Anders. vol. iv. 2.
m Anders, vol. iv. 29.
n Id. 34, 99, 102.

address, her sufferings, by the admiration and pity which they would excite, could not fail of making many converts to her party.[o]

It was indeed to be apprehended, that the treating Mary as a prisoner would excite universal indignation against Elizabeth, and that by this unexampled severity towards a queen, who implored, and to whom she had promised, her protection, she would forfeit the praise of justice and humanity, which was hitherto due to her administration. But the English monarchs were often so solicitous to secure their kingdom against the Scots, as to be little scrupulous about the means which they employed for that purpose. Henry IV. had seized the heir of the crown of Scotland, who was forced by the violence of a storm to take refuge in one of the ports of his kingdom; and, in contempt of the rights of hospitality, without regarding his tender age, or the tears and entreaties of his father, detained him a prisoner for many years. This action, though detested by posterity, Elizabeth resolved now to imitate. Her virtue was not more proof than that of Henry had been, against the temptations of interest; and the possession of a present advantage was preferred to the prospect of future fame. The satisfaction which she felt in mortifying a rival, whose beauty and accomplishments she envied, had, perhaps, no less influence than political considerations, in bringing her to this resolution. But, at the same time, in order to screen herself from the censure which this conduct merited, and to make her treatment of the Scottish queen look like the effect of necessity rather than of choice, she determined to assume the appearance of concern for her interest, and of deep sympathy with her sufferings.

May 20. With this view, she instantly despatched lord Scrope, warden of the west marches, and sir Francis Knollys, her vice-chamberlain, to the queen of Scots, with letters full of expressions of kindness and condolence. But, at the same time, they had private instructions to watch all her motions, and to take care that she should not escape into her own kingdom.[p] On their arrival, Mary demanded a personal interview with the queen, that she might lay before her the injuries which she had suffered, and receive from her those friendly offices which she had been encouraged to expect. They answered, that it was with reluctance admission into the presence of their sovereign was at present denied her; that while she lay under the imputation of a crime so horrid as the murder of her husband, their mistress, to whom he was so nearly allied, could not, without bringing a stain upon her own reputation, admit her into her presence; but, as soon as she had cleared herself from that aspersion, they promised her a reception suitable to her dignity, and aid proportioned to her distress.[q]

Mary demands admittance into Elizabeth's presence.

Nothing could be more artful than this pretence; and it was the occasion of leading the queen of Scots into the snare in which Elizabeth and her ministers wished to entangle her. Mary expressed the utmost surprise at this unexpected manner of evading her request; but, as she could not believe so many professions of friendship to be void of sincerity, she frankly offered to submit her cause to the cognizance of Elizabeth, and undertook to produce such proofs of her own innocence, and of the falsehood of the accusations brought against her, as should fully remove the scruples, and satisfy the delicacy, of the English queen. This was the very point to which Elizabeth laboured to bring the matter. In consequence of this appeal of the Scottish queen, she now considered herself as the umpire between her and her subjects, and foresaw that she would have it entirely in her own power to protract the inquiry to any length, and to perplex and involve it in endless difficulties. In the mean time, she was furnished with a plausible reason for keeping her at a distance from court, and for refusing to contribute towards replacing her on the throne. As Mary's conduct had been extremely incautious, and the presumptions of her guilt were many and strong, it was not impossible her subjects might make good their charge against her; and if this should be the result of the inquiry, she would, thenceforth, cease to be the object of regard or of compassion, and the treating her with coldness and neglect would merit little censure. In a matter so dark and mysterious, there was no probability that Mary could bring proofs of her innocence, so incontested, as to render the conduct of the English queen altogether culpable; and, perhaps, impatience under restraint, suspicion of Elizabeth's partiality, or the discovery of her artifices, might engage Mary in such cabals, as would justify the using her with greater rigour.

She offers to vindicate her conduct.

Elizabeth takes advantage of this offer.

Elizabeth early perceived many advantages which would arise from an inquiry into the conduct of the Scottish queen, carried on under her direction. There was some danger, however, that Mary might discover her secret intentions too soon, and by receding from the offer which she had made, endeavour to disappoint them. But, even in that event, she determined not to drop the inquiry, and had thought of several different expedients for carrying it on. The countess of Lennox, convinced that Mary was accessory to the murder of her son, and thirsting for that vengeance which it was natural for a mother to demand, had implored Elizabeth's justice, and solicited her, with many tears, in her own name, and in her husband's, to bring the Scottish queen to a trial for that crime.[r] The parents of the unhappy prince had a just right to prefer this accusation; nor could she, who was their nearest kinswoman, be condemned for listening to so equitable a demand.

o Anders. vol. iv. 56, 60.

p Ibid. 36, 70, 92.

q Ibid. vol. iv. 8. 55.

r Camd. 412. Haynes, 469

Besides, as the Scottish nobles openly accused Mary of the same crime, and pretended to be able to confirm their charge by sufficient proof, it would be no difficult matter to prevail on them to petition the queen of England to take cognizance of their proceedings against their sovereign; and it was the opinion of the English council, that it would be reasonable to comply with the request.[s] At the same time, the obsolete claim of the superiority of England over Scotland began to be talked of; and, on that account, it was pretended that the decision of the contest between Mary and her subjects belonged of right to Elizabeth.[t] But, though Elizabeth revolved all these expedients in her mind, and kept them in reserve to be made use of as occasion might require, she wished that the inquiry into Mary's conduct should appear to be undertaken purely in compliance with her own demand, and in order to vindicate her innocence; and as long as that appearance could be preserved, none of the other expedients were to be employed.

When Mary consented to submit her cause to Elizabeth, she was far from suspecting that any bad consequences could follow, or that any dangerous pretensions could be founded on her offer. She expected that Elizabeth herself would receive and examine her defences;[u] she meant to consider her as an equal, for whose satisfaction she was willing to explain any part of her conduct that was liable to censure, not to acknowledge her as a superior, before whom she was bound to plead her cause. But Elizabeth put a very different sense on Mary's offer. She considered herself as chosen to be judge in the controversy between the Scottish queen and her subjects, and began to act in that capacity. She proposed to appoint commissioners to hear the pleadings of both parties, and wrote to the regent of Scotland to empower proper persons to appear before them in his name, and to produce what he could allege in vindication of his proceedings against his sovereign.

Mary greatly offended at Elizabeth's conduct.

Mary had, hitherto, relied with unaccountable credulity on Elizabeth's professions of regard, and expected that so many kind speeches would, at last, be accompanied with some suitable actions. But this proposal entirely undeceived her. She plainly perceived the artifice of Elizabeth's conduct, and saw what a diminution it would be to her own honour to appear on a level with her rebellious subjects, and to stand together with them at the bar of a superior and a judge. She retracted the offer which she had made, and which had been perverted to a purpose so contrary to her intention. She demanded, with more earnestness than ever, to be admitted into Elizabeth's presence; and wrote to her in a strain very different from what she had formerly used, and which fully discovers the grief and indignation that preyed on her heart. "In my present situation," says she, "I neither will nor can reply to the accusations of my subjects. I am ready, of my own accord, and out of friendship to you, to satify your scruples, and to vindicate my own conduct. My subjects are not my equals; nor will I, by submitting my cause to a judicial trial, acknowledge them to be so. I fled into your arms, as into those of my nearest relation and most perfect friend. I did you honour, as I imagined, in choosing you, preferably to any other prince, to be the restorer of an injured queen. Was it ever known that a prince was blamed for hearing, in person, the complaints of those who appealed to his justice, against the false accusations of their enemies? You admitted into your presence my bastard brother, who had been guilty of rebellion; and you deny me that honour! God forbid that I should be the occasion of bringing any stain upon your reputation! I expected that your manner of treating me would have added lustre to it. Suffer me either to implore the aid of other princes, whose delicacy on this head will be less, and their resentment of my wrongs greater; or let me receive from your hands that assistance which it becomes you, more than any other prince, to grant; and, by that benefit, bind me to yourself in the indissoluble ties of gratitude."[x]

July 13.

April 24.

This letter somewhat disconcerted Elizabeth's plan, but did not divert her from the prosecution of it. She laid the matter before the privy council, and it was there determined, notwithstanding the entreaties and remonstrances of the Scottish queen, to go on with the inquiry into her conduct, and, until that were finished, it was agreed that Elizabeth could not, consistently with her own honour, or with the safety of her government, either give her the assistance which she demanded, or permit her to retire out of the kingdom. Lest she should have an opportunity of escaping, while she resided so near Scotland, it was thought advisable to remove her to some place at a greater distance from the borders.[y]

June 20. Elizabeth's precautions against her.

While the English court was occupied in these deliberations, the regent did not neglect to improve the victory at Langside. That event was of the utmost importance to him. It not only drove the queen herself out of the kingdom, but left her adherents dispersed, and without a leader, at his mercy. He seemed resolved, at first, to proceed against them with the utmost rigour. Six persons of some distinction, who had been taken prisoners in the battle, were tried and condemned to death, as rebels against the king's government. They were led to the place of execution, but, by the powerful intercession of Knox, they obtained a pardon. Hamilton of Bothwelhaugh was one of the number, who lived to give both the regent and Knox reason to repent of this commendable act of lenity.[z]

Proceedings of the regent against the queen's adherents.

Soon after, the regent marched with an army, consisting of four thousand horse and one thousand

s Anders. vol. vi. part. i. 37. t Ibid. u Anders. vol. iv. 10.

x Anders. vol. iv. part. i. 94. y Id. Ibid. 102. z Cald. vol. ii. 99.

foot, towards the west borders. The nobles in this part of the kingdom were all the queen's adherents; but, as they had not force sufficient to obstruct his progress, he must either have obliged them to submit to the king, or would have laid waste their lands with fire and sword. But Elizabeth, whose interest it was to keep Scotland in confusion, by preserving the balance between the two parties, and who was endeavouring to sooth the Scottish queen by gentle treatment, interposed at her desire. After keeping the field two weeks, the regent, in compliance to the English ambassador, dismissed his forces; and an expedition, which might have proved fatal to his opponents, ended with a few acts of severity.[a]

Mary carried to Bolton.

The resolution of the English privy council with regard to Mary's person was soon carried into execution; and, without regarding her remonstrances or complaints, she was conducted to Bolton, a castle of lord Scrope's, on the borders of Yorkshire.[b] In this place, her correspondence with her friends in Scotland became more difficult, and any prospect of making her escape was entirely cut off. She now felt herself to be completely in Elizabeth's power, and, though treated as yet with the respect due to a queen, her real condition was that of a prisoner. Mary knew what it was to be deprived of liberty, and dreaded it as the worst of all evils. While the remembrance of her late imprisonment was still lively, and the terror of a new one filled her mind, Elizabeth thought it a proper juncture to renew her former proposition, that she would suffer the regent and his adherents to be called into England, and consent to their being heard in defence of their own conduct. She declared it to be far from her intention to claim any right of judging between Mary and her subjects, or of degrading her so far as to require that she should answer to their accusations. On the contrary, Murray and his associates were summoned to appear, in order to justify their conduct in treating their sovereign so harshly, and to vindicate themselves from those crimes with which she had charged them. On her part, Elizabeth promised, whatever should be the issue of this inquiry, to employ all her power and influence towards replacing Mary on her throne, under a few limitations, by no means unreasonable.

July 13.

July 28.

Agrees that an inquiry be made into her conduct.

Mary, deceived by this seeming attention to her dignity as a queen; soothed, on one hand, by a promise more flattering than any which she had hitherto received from Elizabeth, and urged, on the other, by the feelings which were natural on being conducted into a more interior part of England, and kept there in more rigorous confinement, complied at length with what Elizabeth required, and promised to send commissioners to the conferences appointed to be held at York.[c]

Her dissimulation with regard to religion.

In order to persuade Elizabeth that she desired nothing so much as to render the union between them as close as possible, she showed a disposition to relax somewhat in one point, with regard to which, during all her past and subsequent misfortunes, she was uniformly inflexible. She expressed great veneration for the liturgy of the church of England; she was often present at religious worship, according to the rites of the reformed church; made choice of a protestant clergyman to be her chaplain; heard him preach against the errors of popery with attention and seeming pleasure; and discovered all the symptoms of an approaching conversion.[d] Such was Mary's known and bigoted attachment to the popish religion, that it is impossible to believe her sincere in this part of her conduct; nor can any thing mark more strongly the wretchedness of her condition, and the excess of her fears, than that they betrayed her into dissimulation, in a matter concerning which her sentiments were, at all other times, scrupulously delicate.

A parliament in Scotland. Aug. 18.

At this time the regent called a parliament, in order to proceed to the forfeiture of those who refused to acknowledge the king's authority. The queen's adherents were alarmed, and Argyll and Huntley, whom Mary had appointed her lieutenants, the one in the south, and the other in the north, of Scotland, began to assemble forces to obstruct this meeting. Compassion for the queen, and envy at those who governed in the king's name, had added so much strength to the party, that the regent would have found it difficult to withstand its efforts. But as Mary had submitted her cause to Elizabeth, she could not refuse, at her desire, to command her friends to lay down their arms, and to wait patiently until matters were brought to a decision in England. By procuring this cessation of arms, Elizabeth afforded as seasonable relief to the regent's faction, as she had formerly given to the queen's.[e]

The regent, however, would not consent, even at Elizabeth's request, to put off the meeting of parliament.[f] But we may ascribe to her influence, as well as to the eloquence of Maitland, who laboured to prevent the one-half of his countrymen from exterminating the other, any appearances of moderation which this parliament discovered in its proceedings. The most violent opponents of the king's government were forfeited; the rest were allowed still to hope for favour.[g]

Elizabeth requires the regent to defend his conduct.

No sooner did the queen of Scots submit her cause to her rival, than Elizabeth required the regent to send to York deputies properly instructed for vindicating his conduct, in presence of her commissioners. It was not without hesitation and anxiety that the regent consented to this measure. His authority

a Cald. vol. ii. 99. b Anders. vol. iv. 14. See Appendix, No. XXV.
c Anders. iv. part. i. p. 11, 12, &c. 106, &c. Haynes, 468, &c. State Trials, Edit. Hargrave, i. 90.
d Anders. vol. iv. part i. 113. Haynes, 509. See Appendix, No. XXVI.
e Anders. vol. iv. 125. f See Appendix, XXVII.
g Buch. 371.

was already established in Scotland, and confirmed by parliament. To suffer its validity now to be called in question, and subjected to a foreign jurisdiction, was extremely mortifying. To accuse his sovereign before strangers, the ancient enemies of the Scottish name, was an odious task. To fail in this accusation was dangerous; to succeed in it was disgraceful. But the strength of the adverse faction daily increased. He dreaded the interposition of the French king in its behalf. In his situation, and in a matter which Elizabeth had so much at heart, her commands were neither to be disputed nor disobeyed.[h]

Both the queen and he appoint commissioners.

The necessity of repairing in person to York added to the ignominy of the step which he was obliged to take. All his associates declined the office; they were unwilling to expose themselves to the odium and danger with which it was easy to foresee that the discharge of it would be attended, unless he himself consented to share these in common with them. The earl of Morton, Bothwell bishop of Orkney, Pitcairn commendator of Dunfermline, and lord Lindsay, were joined with him in commission. Macgill of Rankeilor, and Balnaves of Hallhill, two eminent civilians, George Buchanan, Murray's faithful adherent, a man whose genius did honour to the age, Maitland, and several others, were appointed to attend them as assistants. Maitland owed this distinction to the regent's fear, rather than to his affection. He had warmly remonstrated against this measure. He wished his country to continue in friendship with England, but not to become dependent on that nation. He was desirous of re-establishing the queen in some degree of power, not inconsistent with that which the king possessed; and the regent could not, with safety, leave behind him a man, whose views were so contrary to his own, and who, by his superior abilities, had acquired an influence in the nation, equal to that which others derived from the antiquity and power of their families.[i]

Sept. 18.

Mary empowered Lesley bishop of Ross, lord Livingston, lord Boyd, lord Herries, Gavin Hamilton, commendator of Kilwinning, sir John Gordon of Lochinvar, and sir James Cockburn of Stirling, to appear in her name.[k]

Elizabeth nominated Thomas Howard duke of Norfolk, Thomas Radcliff earl of Sussex, and sir Ralph Sadler, her commissioners to hear both parties.

The conference at York.

The fourth of October was the day fixed for opening the *conference*. The great abilities of the deputies on both sides, the dignity of the judges before whom they were to appear, the high rank of the persons whose cause was to be heard, and the importance of the points in dispute, rendered the whole transaction no less illustrious than it was singular. The situation in which Elizabeth appeared on this occasion, strikes us with an air of magnificence. Her rival, an independent queen, and the heir of an ancient race of monarchs, was a prisoner in her hands, and appeared, by her ambassadors, before her tribunal. The regent of Scotland, who represented the majesty, and possessed the authority, of a king, stood in person at her bar. And the fate of a kingdom, whose power her ancestors had often dreaded, but could never subdue, was now at her disposal.

Views of the different parties.

The views, however, with which the several parties consented to this conference, and the issue to which they expected to bring it, were extremely different.

Mary's chief object was the recovering of her former authority. This induced her to consent to a measure against which she had long struggled. Elizabeth's promises gave her ground for entertaining hopes of being restored to her kingdom; in order to which she would have willingly made many concessions to the king's party; and the influence of the English queen, as well as her own impatience under her present situation, might have led her to many more.[l] The regent aimed at nothing but securing Elizabeth's protection to his party, and seems not to have had the most distant thoughts of coming to any composition with Mary. Elizabeth's views were more various, and her schemes more intricate. She seemed to be full of concern for Mary's honour, and solicitous that she should wipe off the aspersions which blemished her character. This she pretended to be the intention of the conference; amusing Mary, and eluding the solicitations of the French and Spanish ambassadors in her behalf, by repeated promises of assisting her, as soon as she could venture to do so, without bringing disgrace upon herself. But under this veil of friendship and generosity, Elizabeth concealed sentiments of a different nature. She expected that the regent would accuse Mary of being accessory to the murder of her husband. She encouraged him, as far as decency would permit, to take this desperate step.[m] And as this accusation might terminate in two different ways, she had concerted measures for her future conduct suitable to each of these. If the charge against Mary should appear to be well-founded, she resolved to pronounce her unworthy of wearing a crown, and to declare that she would never burthen her own conscience with the guilt of an action so detestable as the restoring her to her kingdom.[n] If it should happen, that what her accusers alleged did not amount to a proof of guilt, but only of maladministration, she determined to set on foot a treaty for restoring her, but on such conditions as would render her hereafter dependent, not only upon England, but upon her own subjects.[o] As every step in the progress of the conference, as well as the final result of it, was in Elizabeth's own power, she would still be at liberty to choose which of these courses she should hold; or if there appeared to be any

h Buch. 372. See Append. No. XXVIII.
i Buch. 371. Anders. vol. iv. 35. Melv. 186, 188.
k Anders. vol. iv. 33.
l Anders. vol. iv. part ii. 33. Good. vol. ii. 337.
m Anders. vol. iv. part ii. 11, 45. Haynes, 487.
n Anders. vol. iv. part. ii. 11.
o Id. ibid.

danger or inconvcniency in pursuing either of them, she might protract the whole cause by endless delays, and involvc it in inextricable perplexity.

Complaint of the queen's commissioners against the regent.

The conference, howcver, was opened with much solemnity. But thc very first step discovered it to be Elizabeth's intcntion to inflame, rather than to extinguish, the dissensions and animosities among the Scots. No endcavours were used to reconcile the contending parties, or to mollify the fierceness of their hatred, by bringing the queen to offer pardon for what was past, or her subjects to promise more dutiful obedience for the future. On the contrary,

October 8.

Mary's commissioners were permitted to prefer a complaint against the regent and his party, containing an enumeration of their treasonable actions, of their seizing her person by force of arms, committing her to prison, compelling her to resign the crown, and making use of her son's name to colour their usurpation of the whole royal authority ; and of all these enormities they required such speedy and effectual redress, as the injuries of one queen demanded from the justice of another.[p]

It was then expected that the regent would have disclosed all the circumstances of that unnatural crime to which he pretended the queen had been accessory, and would have produced evidence in support of his charge. But, far from accusing Mary, the regent did not even answer the complaints brought against himself. He discovered a reluctance at undertaking that office, and started many doubts and scruples, with regard to which he demanded to be resolved by Elizabeth herself.[q] His reserve and hesitation were no less surprising to the greater part of the English commissioners than to his own associates. They knew that he could not vindicate his own conduct without charging the murder upon the queen, and he had not hitherto shown any extraordinary delicacy on that head. An intrigue, however, had been secretly carried on, since his arrival at York, which explains this mystery.

Intrigues of Norfolk with the regent.

The duke of Norfolk was, at that time, the most powerful and most popular man in England. His wife was lately dead ; and he began already to form a project, which he afterwards more openly avowed, of mounting the throne of Scotland, by a marriage with the queen of Scots. He saw the infamy which would be thc consequence of a public accusation against Mary, and how prejudicial it might be to her pretensions to the English succession. In order to save her from this cruel mortification, he applied to Maitland, and expressed his astonishment at seeing a man of so much reputation for wisdom, concurring with the regent in a measure so dishonourable to themselves, to their queen, and to their country; submitting the public transactions of the nation to the judgment of foreigners ; and publishing the ignominy and exposing the faults of their sovercign, which they were bound, in good policy, as well as in duty, to conceal and to cover. It was easy for Maitland, whose sentiments were the same with the duke's, to vindicate his own conduct. He assured him that he had employed all his credit to dissuade his countrymen from this measure; and would still contribute, to the utmost of his power, to divert them from it. This encouraged Norfolk to communicate the matter to the regent. He repeated and enforced the same arguments which he had used with Maitland. He warned him of the danger to which he must expose himself by such a violent action as the public accusation of his sovercign. Mary would never forgive a man who had endeavoured to fix such a brand of infamy on her character. If she ever recovered any degree of power, his destruction would be inevitable, and he would justly merit it at her hands. Nor would Elizabeth screen him from this, by a public approbation of his conduct. For, whatever evidence of Mary's guilt he might produce, she was resolved to give no definitive sentence in the cause. Let him only demand that the matter should be brought to a decision immediately after hearing the proof, and he would be fully convinced how false and insidious her intentions were, and, by consequence, how improper it would be for him to appear as the accuser of his own sovereign.[r] The candour which Norfolk seemed to discover in these remonstrances, as well as the truth which they contained, made a deep impression on the regent. He daily received the strongest assurances of Mary's willingness to be reconciled to him, if he abstained from accusing her of such an odious crime, together with the denunciations of her irreconcilable hatred, if he acted a contrary part.[s] All these considerations concurred in determining him to alter his purpose, and to make trial of the expedient which the duke had suggested.

He demanded, therefore, to be informed, before he proceeded further,

October 9.

whether the English commissioners were empowered to declare the queen guilty, by a judicial act; whether they would promise to pass sentence, without delay ; whether the queen should be kept under such restraint, as to prevent her from disturbing the government now established in Scotland ; and whether Elizabeth, if she approved of the proceedings of the king's party, would engage to protect it for the future?[t] The paper containing these demands was signed by himself alone, without communicating it to any of his attendants, except Maitland and Melvil.[u] But, lest so many precautions should excite any suspicion of their proceedings, from some consciousness of defect in the evidence which he had to produce against his sovereign, Murray empowered Lethington, Macgill, and Buchanan, to wait upon the duke of Norfolk, the earl of Sussex, and sir Ralph Sadler, and to lay before them, not

p Anders. vol. iv. part ii. 52. q Haynes, 478.
r Melv. 187. Haynes, 573.
s Anders. vol. iv. part ii. 77. Good. vol. ii. 157. See App. No. XXIX.
t Anders. vol. iv. part ii. 55. State Trials, i. 91, &c.
u Anders. vol. iv. part ii. 56. Melv. 190.

in their public characters as commissioners, but as private persons, Mary's letters to Bothwell, her sonnets, and all the other papers upon which was founded the charge of her being accessory to the murder of the king, and to declare that this confidential communication was made to them, with a view to learn whether the queen of England would consider this evidence as sufficient to establish the truth of the accusation. Nothing could be more natural than the regent's solicitude to know on what footing he stood. To have ventured on a step so uncommon and dangerous, as the accusing his sovereign, without previously ascertaining that he might take it with safety, would have been unpardonable imprudence. But Elizabeth, who did not expect that he would have moved any such difficulty, had not empowered her commissioners to give him that satisfaction which he demanded. It became necessary to transmit the articles to herself, and by the light in which Norfolk placed them, it is easy to see that he wished that they should make no slight impression on Elizabeth and her ministers. "Think not the Scots," said he, "over-scrupulous or precise. Let us view their conduct as we would wish our own to be viewed in a like situation. The game they play is deep; their estates, their lives, their honour, are at stake. It is now in their own power to be reconciled to their queen, or to offend her irrecoverably; and, in a matter of so much importance, the utmost degree of caution is not excessive."[x]

While the English commissioners waited for fuller instructions with regard to the regent's demands, he gave in an answer to the complaint which had been offered in the name of the Scottish queen. It was expressed in terms perfectly conformable to the system which he had at that time adopted. It contained no insinuation of the queen's being accessory to the murder of her husband; the bitterness of style peculiar to the age was considerably abated; and though he pleaded, that the infamy of the marriage with Bothwell made it necessary to take arms in order to dissolve it; though Mary's attachment to a man so odious justified the keeping her for some time under restraint; yet nothing more was said on these subjects than was barely requisite in his own defence. The queen's commissioners did not fail to reply.[y] But while the article with respect to the murder remained untouched, these were only skirmishes at a distance, of no consequence towards ending the contest, and were little regarded by Elizabeth, or her commissioners.

Oct. 17.

The conference removed to Westminster.

The conference had hitherto been conducted in a manner which disappointed Elizabeth's views, and produced none of those discoveries which she had expected. The distance between York and London, and the necessity of consulting her upon every difficulty which occurred, consumed much time. Norfolk's negociation with the Scottish regent, however secretly carried on, was not, in all probability, unknown to a princess so remarkable for her sagacity in penetrating the designs of her enemies, and seeing through their deepest schemes.[z] Instead, therefore, of returning any answer to the regent's demands, she resolved to remove the conference to Westminster, and to appoint new commissioners, in whom she could more absolutely confide. Both the queen of Scots and the regent were brought, without difficulty, to approve of this resolution.[a]

We often find Mary boasting of the superiority in argument obtained by her commissioners during the conference at York, and how, by the strength of their reasons, they confounded her adversaries, and silenced all their cavils.[b] The dispute stood, at that time, on a footing which rendered her victory not only apparent, but easy. Her participation of the guilt of the king's murder was the circumstance upon which her subjects must have rested, as a justification of their violent proceedings against her; and, while they industriously avoided mentioning that, her cause gained as much as that of her adversaries lost by suppressing this capital argument.

Elizabeth resolved that Mary should not enjoy the same advantage in the conference to be held at Westminster. She deliberated with the utmost anxiety, how she might overcome the regent's scruples, and persuade him to accuse the queen. She considered of the most proper method for bringing Mary's commissioners to answer such an accusation; and as she foresaw that the promises with which it was necessary to allure the regent, and which it was impossible to conceal from the Scottish queen, would naturally exasperate her to a great degree, she determined to guard her more narrowly than ever; and, though lord Scrope had given her no reason to distrust his vigilance or fidelity, yet, because he was the duke of Norfolk's brother-in-law, she thought it proper to remove the queen as soon as possible to Tuthbury in Staffordshire, and commit her to the keeping of the earl of Shrewsbury, to whom that castle belonged.[c]

Mary's suspicions of Elizabeth's intentions, Oct. 21.

Mary began to suspect the design of this second conference; and, notwithstanding the satisfaction she expressed at seeing her cause taken more immediately under the queen's own eye,[d] she framed her instructions to her commissioners in such a manner, as to avoid being brought under the necessity of answering the accusation of her subjects, if they should be so desperate as to exhibit one against her.[e] These suspicions were soon confirmed by a circumstance extremely mortifying. The regent having arrived at London, in order to be present at the conference, was immediately admitted into Elizabeth's presence, and received by her, not only with respect, but with

x Anders. vol. iv. 77.
y Ibid. vol. iv. part ii. 64, 80.
z Good. vol. ii. 160. Anders. vol. iii. 24.
a Haynes, 484. Anders. vol. iv. 94.
b Good. vol. i. 186, 284, 350.
c Haynes, 487.
d Anders. vol. iv. part ii. 95.
e Good. vol. ii. 349.

affection. This Mary justly considered as an open declaration of that queen's partiality towards her adversaries. In the first emotions of her resentment, she wrote to her commissioners, and commanded them to complain, in the presence of the English nobles, and before the ambassadors of foreign princes, of the usage she had hitherto met with, and the additional injuries which she had reason to apprehend. Her rebellious subjects were allowed access to the queen, she was excluded from her presence; they enjoyed full liberty, she languished under a long imprisonment; they were encouraged to accuse her, in defending herself she laboured under every disadvantage. For these reasons she once more renewed her demand, of being admitted into the queen's presence; and if that were denied, she instructed them to declare, that she recalled the consent which she had given to the conference at Westminster, and protested, that whatever was done there, should be held to be null and invalid.[f]

Nov. 22. Claims a personal audience of Elizabeth.

This perhaps, was the most prudent resolution Mary could have taken. The pretences on which she declined the conference were plausible, and the juncture for offering them well chosen. But either the queen's letter did not reach her commissioners in due time, or they suffered themselves to be deceived by Elizabeth's professions of regard for their mistress, and consented to the opening of the conference.[g]

Nov. 25. To the commissioners who had appeared in her name at York, Elizabeth now added sir Nicholas Bacon, keeper of the great seal, the earls of Arundel and Leicester, lord Clinton, and sir William Cecil.[h] The difficulties which obstructed the proceedings at York were quickly removed. A satisfying answer was given to the regent's demands; nor was he so much disposed to hesitate, and raise objections, as formerly. His negociation with Norfolk had been discovered to Morton by some of Mary's attendants, and he had communicated it to Cecil.[i] His personal safety, as well as the continuance of his power, depended on Elizabeth. By favouring Mary, she might at any time ruin him, and by a question which she artfully started, concerning the person who had a right, by the law of Scotland, to govern the kingdom during a minority, she let him see, that even without restoring the queen, it was an easy matter for her to deprive him of the supreme direction of affairs.[k] These considerations, which were powerfully seconded by most of his attendants, at length determined the regent to produce his accusation against the queen.

The regent accuses the queen of being accessory to her husband's murder.

He endeavoured to lessen the obloquy with which he was sensible this action would be attended, by protesting that it was with the utmost reluctance he undertook this disagreeable task; that his party had long suffered their conduct to be misconstrued, and had borne the worst imputations in silence, rather than expose the crimes of their sovereign to the eyes of strangers; but that now the insolence and importunity of the adverse faction forced them to publish, what they had hitherto, though with loss to themselves, endeavoured to conceal. These pretexts are decent; and the considerations which he mentions had, during some time, a real influence upon the conduct of the party; but, since the meeting of parliament held in December, they had discovered so little delicacy and reserve with respect to the queen's actions, as renders it impossible to give credit to those studied professions. The regent and his associates were drawn, it is plain, partly by the necessity of their affairs, and partly by Elizabeth's artifices, into a situation where no liberty of choice was left to them; and they were obliged either to acknowledge themselves to be guilty of rebellion, or to charge Mary with having been accessory to the commission of murder.

The accusation itself was conceived in the strongest terms. Mary was charged, not only with having consented to the murder, but with being accessory to the contrivance and execution of it. Bothwell, it was pretended, had been screened from the pursuits of justice by her favour; and she had formed designs no less dangerous to the life of the young prince, than subversive of the liberties and constitution of the kingdom. If any of these crimes should be denied, an offer was made to produce the most ample and undoubted evidence in confirmation of the charge.[m]

Nov. 29. At the next meeting of the commissioners, the earl of Lennox appeared before them; and after bewailing the tragical and unnatural murder of his son, he implored Elizabeth's justice against the queen of Scots, whom he accused, upon oath, of being the author of that crime, and produced papers, which, as he pretended, would make good what he alleged. The entrance of a new actor on the stage, so opportunely, and at a juncture so critical, can scarce be imputed to chance. This contrivance was manifestly Elizabeth's, in order to increase, by this additional accusation, the infamy of the Scottish queen.[n]

Her commissioners refuse to answer. Dec. 4. Mary's commissioners expressed the utmost surprise and indignation at the regent's presumption in loading the queen with calumnies, which, as they affirmed, she had so little merited. But, instead of attempting to vindicate her honour, by a reply to the charge, they had recourse to an article in their instructions, which they had formerly neglected to mention in its proper place. They demanded an audience of Elizabeth; and having renewed their mistress's request of a personal interview, they protested, if that were denied her, against all the future proceedings of the commissioners.[o] A protestation of this

f Good. vol. ii. 184. g Anders, vol. iii. 25. h Id. vol. iv. part ii. 99.
i Melv. 191. k Haynes, 484. l Anders. vol. iv. part ii. 115.
m Anders. vol. iv. part ii. 119. n Id. Ibid. 122
o Anders. vol. iv. part ii. 133. 158, &c.

nature, offered just at the critical time when such a bold accusation had been preferred against Mary, and when the proofs in support of it were ready to be examined, gave reason to suspect that she dreaded the event of that examination. This suspicion received the strongest confirmation from another circumstance; Ross and Herries, before they were introduced to Elizabeth, in order to make this protestation, privately acquainted Leicester and Cecil, that as their mistress had, from the beginning, discovered an inclination towards bringing the differences between herself and her subjects to an amicable accommodation, so she was still desirous, notwithstanding the regent's audacious accusation, that they should be terminated in that manner.[p]

Such moderation seems hardly to be compatible with the strong resentment which calumniated innocence naturally feels; or with that eagerness to vindicate itself which it always discovers. In Mary's situation, an offer so ill-timed must be considered as a confession of the weakness of her cause. The known character of her commissioners exempts them from the imputation of folly, or the suspicion of treachery. Some secret conviction, that the conduct of their mistress could not bear so strict a scrutiny as must be made into it, if they should reply to the accusation preferred by Murray against her, seems to be the most probable motive of this imprudent proposal, by which they endeavoured to avoid it.

Dec. 4. It appeared in this light to Elizabeth, and afforded her a pretence for rejecting it. She represented to Mary's commissioners, that in the present juncture, nothing could be so dishonourable to their mistress as an accommodation; and that the matter would seem to be huddled up in this manner, merely to suppress discoveries, and to hide her shame; nor was it possible that Mary could be admitted, with any decency, into her presence, while she lay under the infamy of such a public accusation.

Upon this repulse Mary's commissioners withdrew; and as they had declined answering, there seemed now to be no further reason for the regent's producing the proofs in support of his charge. But without getting these into her hands, Elizabeth's schemes were incomplete; and her artifice for this purpose was as mean, but as successful, as any she had hitherto employed. She commanded her commissioners to testify her indignation and displeasure at the regent's presumption in forgetting so far the duty of a subject, as to accuse his sovereign of such atrocious crimes. He, in order to regain the good opinion of such a powerful protectress, offered to show that his accusations were not malicious or ill-grounded. Then were produced and submitted to the inspection of the English commissioners, the acts of the Scottish parliament in confirmation of the regent's authority, and of the queen's resignation; the confessions of the persons executed for the king's murder; and the fatal casket which contained the letters, sonnets, and contracts, that have been so often mentioned.

Elizabeth treats Mary with greater rigour. Dec. 14.

As soon as Elizabeth got these into her possession, she laid them before her privy council, to which she joined on this occasion several noblemen of the greatest eminence in her kingdom; in order that they might have an opportunity of considering the mode in which an inquiry of such public importance had been hitherto conducted, as well as the amount of the evidence now brought against a person who claimed a preferable right of succession to the English crown. In this respectable assembly all the proceedings in the conferences at York and Westminster were reviewed, and the evidence produced by the regent of Scotland against his sovereign was examined with attention. In particular, the letters and other papers said to be written by the queen of Scots, were carefully compared "for the manner of writing and orthography," with a variety of letters which Elizabeth had received at different times from the Scottish queen; and as the result of a most accurate collation, the members of the privy council, and noblemen conjoined with them, declared that no difference between these could be discovered.[q] Elizabeth having established a fact so unfavourable to her rival, began to lay aside the expressions of friendship and respect which she had hitherto used in all her letters to the Scottish queen. She now wrote to her in such terms, as if the presumptions of her guilt had amounted almost to certainty; she blamed her for refusing to vindicate herself from an accusation which could not be left unanswered, without a manifest injury to her character; and plainly intimated, that unless that were done, no change would be made in her present situation.[r] She hoped that such a discovery of her sentiments would intimidate Mary, who was hardly recovered from the shock of the regent's attack on her reputation, and force her to confirm her resignation of the crown, to ratify Murray's authority as regent, and to consent that both herself and her son should reside in England, under English protection. This scheme Elizabeth had much at heart; she proposed it both to Mary and to her commissioners, and neglected no argument, nor artifice, that could possibly recommend it. Mary saw how fatal this would prove to her reputation, to her pretensions, and even to her personal safety. She rejected it without hesitation. "Death," said she, "is less dreadful than such an ignominious step. Rather than give away, with my own hands, the crown which descended to me from my ancestors, I will part with life; but the last words I utter, shall be those of a queen of Scotland."[s]

At the same time she seems to have been sensible how open her reputation lay to censure, while she

p Anderson, vol. iv. 134. Cabbala, 157.
q Anderson, vol. iv. part ii. 170, &c.

r Anders. vol. iv. part. ii. 179, 183. Good. vol. ii. 260.
s Haynes, 497. See App. No. XXX. Good. vol. ii. 274, 301.

suffered such a public accusation to remain unanswered; and though the conference was now dissolved, she empowered her commissioners to present a reply to the allegations of her enemies, in which she denied in the strongest terms the crimes imputed to her; and recriminated upon the regent and his party, by accusing them of having devised and executed the murder of the king.[t] The regent and his associates asserted their innocence with great warmth. Mary continued to insist on a personal interview, a condition which she knew would never be granted.[u] Elizabeth urged her to vindicate her own honour. But it is evident from the delays, the evasions, and subterfuges, to which both queens had recourse by turns, that Mary avoided, and Elizabeth did not desire, to make any further progress in the inquiry.

Dec. 24.

1569. Feb. 2. Dismisses the regent without either approving or condemning his conduct;

The regent was now impatient to return into Scotland, where his adversaries were endeavouring, in his absence, to raise some commotions. Before he set out, he was called into the privy council, to receive a final declaration of Elizabeth's sentiments. Cecil acquainted him, in her name, that, on one hand, nothing had been objected to his conduct, which she could reckon detrimental to his honour, or inconsistent with his duty; nor had he, on the other hand, produced any thing against his sovereign, on which she could found an unfavourable opinion of her actions; and, for this reason, she resolved to leave all the affairs of Scotland precisely in the same situation in which she had found them at the beginning of the conference. The queen's commissioners were dismissed much in the same manner.[x]

After the attention of both nations had been fixed so earnestly on this conference upwards of four months, such a conclusion of the whole appears at first sight trifling and ridiculous. Nothing, however, could be more favourable to Elizabeth's future schemes. Notwithstanding her seeming impartiality, she had no thoughts of continuing neuter; nor was she at any loss on whom to bestow her protection. Before the regent left London, she supplied him with a considerable sum of money, and engaged to support the king's authority to the utmost of her power.[y] Mary, by her own conduct, fortified this resolution. Enraged at the repeated instances of Elizabeth's artifice and deceit, which she had discovered during the progress of the conference, and despairing of ever obtaining any succour from her, she endeavoured to rouse her own adherents in Scotland to arms, by imputing such designs to Elizabeth and Murray, as could not fail to inspire every Scotchman with indignation. Murray, she pretended, had agreed to convey the prince her son into England; to surrender to Elizabeth the places of greatest strength in the kingdom; and to acknowledge the dependence of the Scottish upon the English nation. In return for this, Murray was to be declared the lawful heir of the crown of Scotland; and, at the same time, the question with regard to the English succession was to be decided in favour of the earl of Hartford, who had promised to marry one of Cecil's daughters. An account of these wild and chimerical projects was spread industriously among the Scots. Elizabeth perceiving it was calculated of purpose to bring her government into disreputation, laboured to destroy its effects, by a counter-proclamation, and became more disgusted than ever with the Scottish queen.[z]

but secretly supports his party.

The regent, on his return, found the kingdom in the utmost tranquillity. But the rage of the queen's adherents, which had been suspended in expectation that the conference in England would terminate to her advantage, was now ready to break out with all the violence of civil war. They were encouraged too by the appearance of a leader, whose high quality and pretensions entitled him to great authority in the nation. This was the duke of Chatelherault, who had resided for some years in France, and was now sent over by that court with a small supply of money, in hopes that the presence of the first nobleman in the kingdom would strengthen the queen's party. Elizabeth had detained him in England for some months, under various pretences, but was obliged at last to suffer him to proceed on his journey. Before his departure Mary invested him with the high dignity of her lieutenant-general in Scotland, together with the fantastic title of her adopted father.

Efforts of Mary's adherents against him.

Feb 25.

The regent did not give him time to form his party into any regular body. He assembled an army with his usual expedition, and marched to Glasgow. The followers of Argyll and Huntley, who composed the chief part of the queen's faction, being seated in corners of the kingdom very distant from each other, and many of the duke's dependants having been killed or taken in the battle of Langside, the spirit and strength of his adherents were totally broken, and an accommodation with the regent was the only thing which could prevent the ruin of his estate and vassals. This was effected without difficulty, and on no unreasonable terms. The duke promised to acknowledge the authority both of the king and of the regent; and to claim no jurisdiction in consequence of the commission which he had received from the queen. The regent bound himself to repeal the act which had passed for attainting several of the queen's adherents; to restore all who would submit to the king's government to the possession of their estates and honours; and to hold a convention, wherein all the differences between the two parties should be settled by mutual consent. The duke gave hostages for his faithful performance of

His vigorous conduct breaks her party.

t Good. ii. 285.
u Ibid. 283. Cabbala, 157.
x Good. ii. 315, 333
y Good. ii. 313. Carte, iii. 478.
z Haynes, 500, 503. See Append. No. XXXI.

the treaty; and, in token of their sincerity, he and lord Herries accompanied the regent to Stirling, and visited the young king. The regent set at liberty the prisoners taken at Langside.[a]

Argyll and Huntley refused to be included in this treaty. A secret negociation was carrying on in England in favour of the captive queen, with so much success, that her affairs began to wear a better aspect, and her return into her own kingdom seemed to be an event not very distant. The French king had lately obtained such advantages over the Hugonots, that the extinction of that party appeared to be inevitable, and France, by recovering domestic tranquillity, would be no longer prevented from protecting her friends in Britain. These circumstances not only influenced Argyll and Huntley, but made so deep an impression on the duke, that he appeared to be wavering and irresolute, and plainly discovered that he wished to evade the accomplishment of the treaty. The regent saw the danger of allowing the duke to shake himself loose, in this manner, from his engagements; and instantly formed a resolution equally bold and politic. He commanded his guards to seize Chatelherault in his own house in Edinburgh, whither he had come in order to attend the convention agreed upon; and, regardless either of his dignity as the first nobleman in the kingdom and next heir to the crown, or of the promises of personal security, on which he had relied, committed him and lord Herries prisoners to the castle of Edinburgh.[b] A blow so fatal and unexpected dispirited the party. Argyll submitted to the king's government, and made his peace with the regent on very easy terms; and Huntley, being left alone, was at last obliged to lay down his arms.

April 16. July 21. A proposal in favour of Mary rejected.

Soon after, Lord Boyd returned into Scotland, and brought letters to the regent, both from the English and Scottish queens. A convention was held at Perth, in order to consider them. Elizabeth's letter contained three different proposals with regard to Mary; that she should either be restored to the full possession of her former authority; or be admitted to reign jointly with the king her son; or at least be allowed to reside in Scotland in some decent retirement, without any share in the administration of government. These overtures were extorted by the importunity of Fenelon the French ambassador, and have some appearance of being favourable to the captive queen. They were, however, perfectly suitable to Elizabeth's general system with regard to Scottish affairs. Among propositions so unequal and disproportionate, she easily saw where the choice would fall. The two former were rejected; and long delays must necessarily have intervened, and many difficulties have arisen, before every circumstance relative to the last could be finally adjusted.[c]

Mary, in her letter, demanded that her marriage with Bothwell should be reviewed by the proper judges, and if found invalid, should be dissolved by a legal sentence of divorce. This fatal marriage was the principal source of all the calamities she had endured for two years; a divorce was the only thing which could repair the injuries her reputation had suffered by that step. It was her interest to have proposed it early; and it is not easy to account for her long silence with respect to this point. Her particular motive for proposing it at this time began to be so well known, that the demand was rejected by the convention of estates.[d] They imputed it not so much to any abhorrence of Bothwell, as to her eagerness to conclude a marriage with the duke of Norfolk.

Norfolk's scheme for marrying the queen of Scots.

This marriage was the object of that secret negociation in England, which I have already mentioned. The fertile and projecting genius of Maitland first conceived this scheme. During the conference at York, he communicated it to the duke himself, and to the bishop of Ross. The former readily closed with a scheme so flattering to his ambition. The latter considered it as a probable device for restoring his mistress to liberty, and replacing her on her throne. Nor was Mary, with whom Norfolk held a correspondence by means of his sister lady Scrope, averse from a measure, which would have restored her to her kingdom with so much splendour.[e] The sudden removal of the conference from York to Westminster suspended, but did not break off, this intrigue. Maitland and Ross were still the duke's prompters, and his agents; and many letters and love-tokens were exchanged between him and the queen of Scots.

Conceals it from Elizabeth.

But as he could not hope, that under an administration so vigilant as Elizabeth's, such an intrigue could be kept long concealed, he attempted to deceive her by the appearance of openness and candour, an artifice which seldom fails of success. He mentioned to her the rumour that was spread of his marriage with the Scottish queen; he complained of it as a groundless calumny; and disclaimed all thoughts of that kind, with many expressions full of contempt both for Mary's character and dominions. Jealous as Elizabeth was of every thing relative to the queen of Scots, she seems to have credited these professions.[f] But, instead of discontinuing the negociation, he renewed it with greater vigour, and admitted into it new associates. Among these was the regent of Scotland. He had given great offence to Norfolk, by his public accusation of the queen, in breach of the concert into which he had entered at York. He was then ready to return into Scotland. The influence of the duke in the north of England was great. The earls of Northumberland and Westmoreland, the most powerful noblemen in that part

a Cabbala, 161. Crawf. Mem. 106.
b Crawf. Mem. 111. Melv. 202. c Spotswood, 230.
d Spotsw. 231. In a privy council, held July 30, 1569, this demand was considered; and, of fifty-one members present, only seven voted to comply with the queen's request. Records Priv. Counc. MS. in the Lyon Office, p. 148.
e Camd. 419. Haynes, 573. State Trials, i. 73.
f Haynes, 571. State Trials, i. 79, 80.

of the kingdom, threatened to revenge upon the regent the injuries which he had done his sovereign. Murray, in order to secure a safe return into Scotland, addressed himself to Norfolk, and, after some apology for his past conduct, he insinuated that the duke's scheme of marrying the queen his sister was no less acceptable to him than beneficial to both kingdoms; and that he would concur with the utmost ardour in promoting so desirable an event.[g] Norfolk heard him with the credulity natural to those who are passionately bent upon any design. He wrote to the two earls to desist from any hostile attempt against Murray, and to that he owed his passage through the northern counties without disturbance.

Gains the consent of the English nobles.

Encouraged by his success in gaining the regent, he next attempted to draw the English nobles to approve his design. The nation began to despair of Elizabeth's marrying. Her jealousy kept the question with regard to the right of succession undecided. The memory of the civil wars which had desolated England for more than a century, on account of the disputed titles of the houses of York and Lancaster, was still recent. Almost all the ancient nobility had perished, and the nation itself had been brought to the brink of destruction in that unhappy contest. The Scottish queen, though her right of succession was generally held to be undoubted, might meet with formidable competitors. She might marry a foreign and a popish prince, and bring both liberty and religion into danger. But, by marrying her to an Englishman, a zealous protestant, the most powerful and most universally beloved of all the nobility, an effectual remedy seemed to be provided against all these evils. The greater part of the peers, either directly or tacitly, approved of it, as a salutary project. The earls of Arundel, Pembroke, Leicester, and lord Lumley, subscribed a letter to the Scottish queen, written with Leicester's hand, in which they warmly recommended the match, but insisted, by way of preliminary, on Mary's promise, that she should attempt nothing in consequence of her pretensions to the English crown, prejudicial to Elizabeth, or to her posterity; that she should consent to a league, offensive and defensive, between the two kingdoms; that she should confirm the present establishment of religion in Scotland; and receive into favour such of her subjects as had appeared in arms against her. Upon her agreeing to the marriage, and ratifying these articles, they engaged that the English nobles would not only concur in restoring her immediately to her own throne, but in securing to her that of England in reversion. Mary readily consented to all these proposals, except the second, with regard to which she demanded some time for consulting her ancient ally the French king.[h]

The whole of this negociation was industriously concealed from Elizabeth. Her jealousy of the Scottish queen was well known, nor could it be expected that she would willingly come into a measure which tended so visibly to save the reputation, and to increase the power, of her rival. But, in a matter of so much consequence to the nation, the taking a few steps without her knowledge could hardly be reckoned criminal; and while every person concerned, even Mary and Norfolk themselves, declared, that nothing should be concluded without obtaining her consent, the duty and allegiance of subjects seemed to be fully preserved. The greater part of the nobles regarded the matter in this light. Those who conducted the intrigue, had further and more dangerous views. They saw the advantages which Mary would obtain by this treaty, to be present and certain; and the execution of the promises which she came under, to be distant and uncertain. They had early communicated their scheme to the kings of France and Spain, and obtained their approbation.[i] A treaty concerning which they consulted foreign princes, while they concealed it from their own sovereign, could not be deemed innocent. They hoped, however, that the union of such a number of the chief persons in the kingdom would render it necessary for Elizabeth to comply; they flattered themselves that a combination so strong would be altogether irresistible; and such was their confidence of success, that when a plan was concerted in the north of England for rescuing Mary out of the hands of her keepers, Norfolk, who was afraid that if she recovered her liberty, her sentiments in his favour might change, used all his interest to dissuade the conspirators from attempting it.[k]

In this situation did the affair remain, when lord Boyd arrived from England; and, besides the letters which he produced publicly, brought others in ciphers from Norfolk and Throkmorton, to the regent and to Maitland. These were full of the most sanguine hopes. All the nobles of England concurred, said they, in favouring the design. Every preliminary was adjusted; nor was it possible that a scheme so deep laid, conducted with so much art, and supported both by power and by numbers, could miscarry, or be defeated in the execution. Nothing now was wanting but the concluding ceremony. It depended on the regent to hasten that, by procuring a sentence of divorce, which would remove the only obstacle that stood in the way. This was expected of him, in consequence of his promise to Norfolk; and if he regarded either his interest or his fame, or even his safety, he would not fail to fulfil these engagements.[l]

But the regent was now in very different circumstances from those which had formerly induced him to affect an approbation of Norfolk's schemes. He saw that the downfall of his own power must be the first consequence of the duke's success; and if the queen, who considered him as the chief author of

g Anders. iii. 34.
h Anders. vol. iii. 51. Camd. 420.
i Anders. vol. iii. 63.
k Camd. 420.
l Haynes, 520. Spotsw. 230. See Appendix, No. XXXII.

all her misfortunes, should recover her ancient authority, he could never expect favour, nor scarce hope for impunity. No wonder he declined a step so fatal to himself, and which would have established the grandeur of another on the ruins of his own. This refusal occasioned a delay. But, as every other circumstance was settled, the bishop of Ross, in the name of his mistress, and the duke, in person, declared, in presence of the French ambassador, their mutual consent to the marriage, and a contract to this purpose was signed, and intrusted to the keeping of the ambassador.[m]

August 13. Elizabeth discovers the duke's design, and defeats it.

The intrigue was now in so many hands, that it could not long remain a secret. It began to be whispered at court; and Elizabeth calling the duke into her presence, expressed the utmost indignation at his conduct, and charged him to lay aside all thoughts of prosecuting such a dangerous design. Soon after, Leicester, who perhaps had countenanced the project with no other intention, revealed all the circumstances of it to the queen. Pembroke, Arundel, Lumley, and Throkmorton, were confined and examined. Mary was watched more narrowly than ever; and Hastings, earl of Huntingdon, who pretended to dispute with the Scottish queen her right to the succession, being joined in commission with Shrewsbury, rendered her imprisonment more intolerable by the excess of his vigilance and rigour.[n] The Scottish regent, threatened with Elizabeth's displeasure, meanly betrayed the duke; put his letters into her hands, and furnished all the intelligence in his power.[o] The duke himself retired first to Howard-house, and then, in contempt of the summons to appear before the privy council, fled to his seat in Norfolk. Intimidated by the imprisonment of his associates; coldly received by his friends in that county; unprepared for a rebellion; and unwilling perhaps to rebel; he hesitated for some days, and at last obeyed a second call, and

Oct. 3.

repaired to Windsor. He was first kept as a prisoner in a private house, and then sent to the Tower. After being confined there upwards of nine months, he was released upon his humble submission to Elizabeth, giving her a promise, on his allegiance, to hold no further correspondence with the queen of Scots.[p] During the progress of Norfolk's negociations, the queen's partisans in Scotland, who made no doubt of their issuing in her restoration to the throne, with an increase of authority, were wonderfully elevated.

Maitland imprisoned by the regent.

Maitland was the soul of that party, and the person whose activity and ability the regent chiefly dreaded. He had laid the plan of that intrigue which had kindled such combustion in England. He continued to foment the spirit of disaffection in Scotland, and had seduced from the regent lord Home, Kirkaldy, and several of his former associates. While he enjoyed liberty, the regent could not reckon his own power secure. For this reason, having by an artifice allured Maitland to Stirling, he employed captain Crawford, one of his creatures, to accuse him of being accessory to the murder of the king; and under that pretence he was arrested and carried as a prisoner to Edinburgh. He would soon have been brought to trial, but was saved by the friendship of Kirkaldy, governor of the castle, who, by pretending a warrant for that purpose from the regent, got him out of the hands of the person to whose care he was committed, and conducted him into the castle, which from that time was entirely under Maitland's command.[q] The loss of a place of so much importance, and the defection of a man so eminent for military skill as Kirkaldy, brought the regent into some disreputation, for which, however, the success of his ally Elizabeth, about this time, abundantly compensated.

A rebellion against Elizabeth by Mary's adherents.

The intrigue carried on for restoring the Scottish queen to liberty having been discovered and disappointed, an attempt was made to the same purpose, by force of arms; but the issue of it was not more fortunate. The earls of Northumberland and Westmoreland, though little distinguished by their personal abilities, were two of the most ancient and powerful of the English peers. Their estates in the northern counties were great, and they possessed that influence over the inhabitants, which was hereditary in the popular and martial families of Percy and of Nevil. They were both attached to the popish religion, and discontented with the court, where new men and a new system prevailed. Ever since Mary's arrival in England, they had warmly espoused her interest; and zeal for popery, opposition to the court, and commiseration of her sufferings, had engaged them in different plots for her relief. Notwithstanding the vigilance of her keeper, they held a close correspondence with her, and communicated to her all their designs.[r] They were privy to Norfolk's schemes; but the caution with which he proceeded did not suit their ardour and impetuosity. The liberty of the Scottish queen was not their sole object. They aimed at bringing about a change in the religion, and a revolution in the government, of the kingdom. For this reason they solicited the aid of the king of Spain, the avowed and zealous patron of popery in that age. Nothing could be more delightful to the restless spirit of Philip, or more necessary towards facilitating his schemes in the Netherlands, than the involving England in the confusion and miseries of a civil war. The duke of Alva, by his direction, encouraged the two earls, and promised, as soon as they either took the field with their forces, or surprised any place of strength, or rescued the queen of Scots, that he would supply them both with money and a strong body of troops La Mothe, the governor of Dunkirk, in the disguise

m Carte, vol. iii. 486.
o See Append. No. XXXIII.
n Haynes, 525, 526, 530, 532.
p Haynes, 525, 597.
q Spotsw. 232.
r Haynes, 595. Murdin, 41, 62, &c.

of a sailor, sounded the ports where it would be most proper to land. And Chiapini Vitelli, one of Alva's ablest officers, was despatched into England, on pretence of settling some commercial differences between the two nations; but in reality that the rebels might be sure of a leader of experience as soon as they ventured to take arms.[s]

Defeated.

The conduct of this negociation occasioned many meetings and messages between the two earls. Elizabeth was informed of these; and though she suspected nothing of their real design, she concluded that they were among the number of Norfolk's confidants. They were summoned, for this reason, to repair to court. Conscious of guilt, and afraid of discovery, they delayed giving obedience. A second and more peremptory order was issued. This they could not decline, without shaking off their allegiance; and, as no time was left for deliberation, they instantly erected their standard against their sovereign. The re-establishing the catholic religion; the settling the order of succession to the crown; the defence of the ancient nobility; were the motives which they alleged to justify their rebellion.[t] Many of the lower people flocked to them with such arms as they could procure; and, had the capacity of their leaders been in any degree equal to the enterprise, it must have soon grown to be extremely formidable. Elizabeth acted with prudence and vigour, and was served by her subjects with fidelity and ardour. On the first rumour of an insurrection, Mary was removed to Coventry, a place of strength, which could not be taken without a regular siege; a detachment of the rebels, which was sent to rescue her, returned without success. Troops were assembled in different parts of the kingdom: as they advanced, the malcontents retired. In their retreat, their numbers dwindled away, and their spirits sunk. Despair and uncertainty whither to direct their flight, kept together for some time a small body of them among the mountains of Northumberland; but they were at length obliged to disperse, and the chiefs took refuge among the Scottish borderers. The two earls, together with the countess of Northumberland, wandering for some days in the wastes of Liddesdale, were plundered by the banditti, exposed to the rigour of the season, and left destitute of the necessaries of life. Westmoreland was concealed by Scott of Buccleugh and Ker of Fernihirst, and afterwards conveyed into the Netherlands. Northumberland was seized by the regent, who had marched with some troops towards the borders, to prevent any impression the rebels might make on those mutinous provinces.[u]

Nov. 9.

Dec. 21.

Church affairs.

Amidst so many surprising events, the affairs of the church, for two years, have almost escaped our notice. Its general assemblies were held regularly; but no business of much importance employed their attention. As the number of the protestant clergy daily increased, the deficiency of the funds set apart for their subsistence became greater, and was more sensibly felt. Many efforts were made towards recovering the ancient patrimony of the church, or at least as much of it as was possessed by the popish incumbents, a race of men who were now not only useless, but burdensome to the nation. But though the manner in which the regent received the addresses and complaints of the general assemblies, was very different from that to which they had been accustomed, no effectual remedy was provided; and while they suffered intolerable oppression, and groaned under extreme poverty, fair words, and liberal promises, were all they were able to obtain.[x]

1570. Elizabeth resolves to give up Mary to the regent.

Elizabeth now began to be weary of keeping such a prisoner as the queen of Scots. During the former year, the tranquillity of her government had been disturbed, first by a secret combination of some of her nobles, then by the rebellion of others; and she often declared, not without reason, that Mary was the *hidden cause* of both. Many of her own subjects favoured or pitied the captive queen; the Roman catholic princes on the continent were warmly interested in her cause. The detaining her any longer in England, she foresaw, would be made the pretext or occasion of perpetual cabals and insurrections among the former; and might expose her to the hostile attempts of the latter. She resolved, therefore, to give up Mary into the hands of the regent, after stipulating with him, not only that her days should not be cut short, either by a judicial sentence or by secret violence, but that she should be treated in a manner suited to her rank; and, in order to secure his observance of this, she required that six of the chief noblemen in the kingdom should be sent into England as hostages.[y] With respect to the safe custody of the queen, she relied on Murray's vigilance, whose security, no less than her own, depended on preventing Mary from reascending the throne. The negociation for this purpose was carried some length, when it was discovered by the vigilance of the bishop of Ross, who, together with the French and Spanish ambassadors, remonstrated against the infamy of such an action, and represented the surrendering the queen to her rebellious subjects, to be the same thing as if Elizabeth should, by her own authority, condemn her to instant death. This procured a delay; and the murder of the regent prevented the revival of that design.[z]

But he is murdered.

Hamilton of Bothwellhaugh was the person who committed this barbarous action. He had been condemned to death soon after the battle of Langside, as I have already related, and owed his life to the regent's clemency. But part of his estate had been bestowed upon one of the regent's favourites, who seized his house and

s Carte, vol. iii. 489, 490. Camd. 421.
t Strype, vol. i. 547.
u Cabbala, 171. Camd. 422.
x Cald. vol. ii. 80, &c.
y Haynes, 524.
z Carte, vol. iii. 491. Anders. vol. iii. 84.

turned out his wife naked, in a cold night, into the open fields, where, before next morning, she became furiously mad. This injury made a deeper impression upon him than the benefit which he had received, and from that moment he vowed to be revenged upon the regent. Party rage strengthened and inflamed his private resentment. His kinsmen, the Hamiltons, applauded the enterprise. The maxims of that age justified the most desperate course which he could take to obtain vengeance. He followed the regent for some time, and watched for an opportunity to strike the blow. He resolved at last to wait till his enemy should arrive at Linlithgow, through which he was to pass in his way from Stirling to Edinburgh. He took his stand in a wooden gallery, which had a window towards the street; spread a feather-bed on the floor, to hinder the noise of his feet from being heard; hung up a black cloth behind him, that his shadow might not be observed from without; and after all this preparation, calmly expected the regent's approach, who had lodged during the night in a part of the town not far distant. Some indistinct information of the danger which threatened him had been conveyed to the regent, and he paid so much regard to it, that he resolved to return by the same gate through which he had entered, and to fetch a compass round the town. But as the crowd about the gate was great, and he himself unacquainted with fear, he proceeded directly along the street; and the throng of the people obliging him to move very slowly, gave the assassin time to take so true an aim, that he shot him with a single bullet through the lower part of his belly, and killed the horse of a gentleman who rode on his other side. His followers instantly endeavoured to break into the house whence the blow had come, but they found the door strongly barricaded; and before it could be forced open, Hamilton had mounted a fleet horse, which stood ready for him at a back-passage, and was got far beyond their reach. The regent died the same night of his wound.[a]

His character.

There is no person in that age about whom historians have been more divided, or whose character has been drawn in such opposite colours. Personal intrepidity, military skill, sagacity, and vigour in the administration of civil affairs, are virtues which even his enemies allow him to have possessed in an eminent degree. His moral qualities are more dubious, and ought neither to be praised nor censured without great reserve, and many distinctions. In a fierce age he was capable of using victory with humanity, and of treating the vanquished with moderation. A patron of learning, which, among martial nobles, was either unknown or despised. Zealous for religion, to a degree which distinguished him, even at a time when professions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only to his liberality towards them, which knew no bounds. A disinterested passion for the liberty of his country, prompted him to oppose the pernicious system which the princes of Lorrain had obliged the queen-mother to pursue. On Mary's return into Scotland he served her with a zeal and affection, to which he sacrificed the friendship of those who were most attached to his person. But on the other hand, his ambition was immoderate; and events happened that opened to him vast projects, which allured his enterprising genius, and led him to actions inconsistent with the duty of a subject. His treatment of the queen, to whose bounty he was so much indebted, was unbrotherly and ungrateful. The dependence on Elizabeth, under which he brought Scotland, was disgraceful to the nation. He deceived and betrayed Norfolk with a baseness unworthy of a man of honour. His elevation to such unexpected dignity inspired him with new passions, with haughtiness and reserve; and instead of his natural manner, which was blunt and open, he affected the arts of dissimulation and refinement. Fond, towards the end of his life, of flattery, and impatient of advice, his creatures, by soothing his vanity, led him astray, while his ancient friends stood at a distance, and predicted his approaching fall. But amidst the turbulence and confusion of that factious period, he dispensed justice with so much impartiality, he repressed the licentious borderers with so much courage, and established such uncommon order and tranquillity in the country, that his administration was extremely popular, and he was long and affectionately remembered among the commons by the name of the *good regent*.

[a] Buchan. 385. Crawf. Mem. 124. Cabbala, 171.

BOOK VI.

1570. Disorders occasioned by the regent's death.

THE unexpected blow, by which the regent was cut off, struck the king's party with the utmost consternation. Elizabeth bewailed his death as the most fatal disaster which could have befallen her kingdom; and was inconsolable to a degree that little suited her dignity. Mary's adherents exulted, as if now her restoration were not only certain, but near at hand. The infamy of the crime naturally fell on those who expressed such indecent joy at the commission of it; and as the assassin made his escape on a horse which belonged to lord Claud Hamilton, and fled directly to Hamilton, where he was received in triumph, it was concluded that the regent had fallen a sacrifice to the resentment of the queen's party, rather than to the revenge of a private man. On the day after the murder, Scott of Buccleugh, and Ker of Fernihirst, both zealous abettors of the queen's cause, entered England in a hostile manner, and plundered and burnt the country, the in-

habitants of which expected no such outrage. If the regent had been alive, they would scarce have ventured on such an irregular incursion, nor could it well have happened so soon after his death, unless they had been privy to the crime.

This was not the only irregularity to which the anarchy that followed the regent's death gave occasion. During such general confusion, men hoped for universal impunity, and broke out into excesses of every kind. As it was impossible to restrain these without a settled form of government, a convention of the nobles was held, in order to deliberate concerning the election of a regent. The queen's adherents refused to be present at the meeting, and protested against its proceedings. The king's own party was irresolute and divided in opinion. Maitland, whom Kirkaldy had set at liberty, and who obtained from the nobles then assembled a declaration acquitting him of the crime which had been laid to his charge, endeavoured to bring about a coalition of the two parties, by proposing to admit the queen to the joint administration of government with her son. Elizabeth, adhering to her ancient system with regard to Scottish affairs, laboured, notwithstanding the solicitations of Mary's friends,[a] to multiply, and to perpetuate, the factions, which tore in pieces the kingdom. Randolph, whom she despatched into Scotland on the first news of the regent's death, and who was her usual agent for such services, found all parties so exasperated by mutual injuries, and so full of irreconcilable rancour, that it cost him little trouble to inflame their animosity. The convention broke up without coming to any agreement; and a new meeting, to which the nobles of all parties were invited, was appointed on the first of May.[b]

Steps taken towards electing another regent, Feb. 12.

Meantime Maitland and Kirkaldy, who still continued to acknowledge the king's authority, were at the utmost pains to restore some degree of harmony among their countrymen. They procured for this purpose an amicable conference among the leaders of the two factions. But while the one demanded the restoration of the queen, as the only thing which could re-establish the public tranquillity; while the other esteemed the king's authority to be so sacred, that it was, on no account, to be called in question or impaired; and neither of them would recede in the least point from their opinions, they separated without any prospect of concord. Both were rendered more averse from reconcilement, by the hope of foreign aid. An envoy arrived from France with promises of powerful succour to the queen's adherents; and as the civil wars in that kingdom seemed to be on the point of terminating in peace, it was expected that Charles would soon be at liberty to fulfil what he promised. On the other hand, the earl of Sussex was assembling a powerful army on the borders, and its operations could not fail of adding spirit and strength to the king's party.[c]

A coalition of parties attempted in vain.

Though the attempt towards a coalition of the factions proved ineffectual, it contributed somewhat to moderate or suspend their rage; but they soon began to act with their usual violence. Morton, the most vigilant and able leader on the king's side, solicited Elizabeth to interpose, without delay, for the safety of a party so devoted to her interest, and which stood so much in need of her assistance. The chiefs of the queen's faction, assembling at Linlithgow, marched thence to Edinburgh; and Kirkaldy, who was both governor of the castle and provost of the town, prevailed on the citizens, though with some difficulty, to admit them within the gates. Together with Kirkaldy, the earl of Athol, and Maitland, acceded almost openly to their party; and the duke and lord Herries, having recovered liberty by Kirkaldy's favour, resumed the places which they had formerly held in their councils. Encouraged by the acquisition of persons so illustrious by their birth, or so eminent for their abilities, they published a proclamation, declaring their intention to support the queen's authority, and seemed resolved not to leave the city before the meeting of the approaching convention, in which, by their numbers and influence, they did not doubt of securing a majority of voices on their side.[d]

Queen's party in possession of Edinburgh.

April 10.

At the same time they had formed a design of kindling war between the two kingdoms. If they could engage them in hostilities, and revive their ancient emulation and antipathy, they hoped, not only to dissolve a confederacy of great advantage to the king's cause, but to reconcile their countrymen to the queen, Elizabeth's natural and most dangerous rival. With this view they had, immediately after the murder of the regent, prompted Scott and Ker to commence hostilities, and had since instigated them to continue and extend their depredations. As Elizabeth foresaw, on the one hand, the dangerous consequences of rendering this a national quarrel; and resolved, on the other, not to suffer such an insult on her government to pass with impunity; she issued a proclamation, declaring that she imputed the outrages which had been committed on the borders, not to the Scottish nation, but to a few desperate and ill-designing persons; that, with the former, she was resolved to maintain an inviolable friendship, whereas the duty which she owed to her own subjects obliged her to chastise the licentiousness of the latter.[e] Sussex and Scrope accordingly entered Scotland, the one on the east, the other on the west borders, and laid waste the adjacent countries with fire and sword.[f] Fame magnified the number and progress of their troops, and Mary's adherents, not thinking themselves safe in Edin-

Endeavour to involve the nation in a war with England.

a See Appendix, No. XXXIV.
b Crawf. Mem. 131. Calderw. ii. 157.
c Crawf. Mem. 134.
d Ibid. 137. Cald. ii. 176.
e Calderw. ii. 131.
f Cabbala, 174.

burgh, the inhabitants whereof were ill affected to their cause, retired to Linlithgow. There, by a public proclamation, they asserted the queen's authority, and forbad giving obedience to any but the duke, or the earls of Argyll and Huntley, whom she had constituted her lieutenants in the kingdom.

April 28.

King's party enter Edinburgh, May 1.

The nobles who continued faithful to the king, though considerably weakened by the defection of so many of their friends, assembled at Edinburgh on the day appointed. They issued a counter-proclamation, declaring such as appeared for the queen enemies of their country; and charging them with the murder both of the late king and of the regent. They could not, however, presume so much on their own strength as to venture either to elect a regent, or to take the field against the queen's party; but the assistance which they received from Elizabeth, enabled them to do both. By her order sir William Drury marched into Scotland, with a thousand foot and three hundred horse; the king's adherents joined him with a considerable body of troops, and advancing towards Glasgow, where the adverse party had already begun hostilities by attacking the castle, they forced them to retire, plundered the neighbouring country, which belonged to the Hamiltons, and, after seizing some of their castles, and razing others, returned to Edinburgh.

Motives of Elizabeth's conduct with regard to them.

Under Drury's protection, the earl of Lennox returned into Scotland. It was natural to commit the government of the kingdom to him during the minority of his grandson. His illustrious birth, and alliance with the royal family of England, as well as of Scotland, rendered him worthy of that honour. His resentment against Mary being implacable, and his estate lying in England, and his family residing there, Elizabeth considered him as a man, who, both from inclination and from interest, would act in concert with her, and ardently wished that he might succeed Murray in the office of regent. But, on many accounts, she did not think it prudent to discover her own sentiments, or to favour his pretensions too openly. The civil wars in France, which had been excited partly by real and partly by pretended zeal for religion, and carried on with a fierceness that did it real dishonour, appeared now to be on the point of coming to an issue; and after shedding the best blood, and wasting the richest provinces, in the kingdom, both parties desired peace with an ardour that facilitated the negociations which were carrying on for that purpose. Charles IX. was known to be a passionate admirer of Mary's beauty. Nor could he, in honour, suffer a queen of France, and the most ancient ally of his crown, to languish in her present cruel situation, without attempting to procure her relief. He had hitherto been obliged to satisfy himself with remonstrating, by his ambassadors, against the indignity with which she had been treated. But if he were once at full liberty to pursue his inclinations, Elizabeth would have every thing to dread from the impetuosity of his temper and the power of his arms. It therefore became necessary for her to act with some reserve, and not to appear avowedly to countenance the choice of a regent, in contempt of Mary's authority. The jealousy and prejudices of the Scots required no less management. Had she openly supported Lennox's claim; had she recommended him to the convention, as the candidate of whom she approved; this might have roused the independent spirit of the nobles, and by too plain a discovery of her intention, she might have defeated its success. For these reasons she hesitated long, and returned ambiguous answers to all the messages which she received from the king's party. A more explicit declaration of her sentiments was at last obtained, and an event of an extraordinary nature seems to have been the occasion of it. Pope Pius V. having issued a bull, whereby he excommunicated Elizabeth, deprived her of her kingdom, and absolved her subjects from their oath of allegiance, Felton, an Englishman, had the boldness to affix it on the gates of the bishop of London's palace. In former ages, a pope, moved by his own ambition, or pride, or bigotry, denounced this fatal sentence against the most powerful monarchs; but as the authority of the court of Rome was now less regarded, its proceedings were more cautious; and it was only when they were roused by some powerful prince, that the thunders of the church were ever heard. Elizabeth, therefore, imputed this step, which the pope had taken, to a combination of the Roman Catholic princes against her, and suspected that some plot was formed in favour of the Scottish queen. In that event, she knew that the safety of her own kingdom depended on preserving her influence in Scotland; and in order to strengthen this, she renewed her promises of protecting the king's adherents, encouraged them to proceed to the election of a regent, and even ventured to point out the earl of Lennox, as the person who had the best title. That honour was accordingly conferred upon him, in a convention of the whole party, held on the 12th of July.[g]

Lennox elected regent.

The regent's first care was to prevent the meetings of the parliament, which the queen's party had summoned to convene at Linlithgow. Having effected that, he marched against the earl of Huntley, Mary's lieutenant in the north, and forced the garrison which he had placed in Brechin to surrender at discretion. Soon after, he made himself master of some other castles. Imboldened by this successful beginning of his administration, as well as by the appearance of a considerable army, with which the earl of Sussex hovered on the borders, he deprived Maitland of his office of secretary, and proclaimed him, the duke, Huntley, and other leaders of the queen's party, traitors and enemies of their country.[h]

g Spotsw. 240. Cald. ii. 186. See Append. No. XXXV.

h Crawf. Mem. 159. Cald. ii. 198.

Mary's adherents negociate with Spain.

In this desperate situation of their affairs, the queen's adherents had recourse to the king of Spain,[i] with whom Mary had held a close correspondence ever since her confinement in England. They prevailed on the duke of Alva to send two of his officers to take a view of the country, and to examine its coasts and harbours; and obtained from them a small supply of money and arms, which were sent to the earl of Huntley.[k] But this aid, so disproportionate to their exigencies, would have availed them little. They were indebted for their safety to a treaty which Elizabeth was carrying on, under colour of restoring the captive queen to her throne. The first steps in this negociation had been taken in the month of May; but hitherto little progress was made in it. The peace concluded between the Roman catholics and Hugonots in France, and her apprehensions that Charles would interpose with vigour in behalf of his sister-in-law, quickened Elizabeth's motions. She affected to treat her prisoner with more indulgence, she listened more graciously to the solicitations of foreign ambassadors in her favour, and seemed fully determined to replace her on the throne of her ancestors. As a proof of her sincerity, she laboured to procure a cessation of arms between the two contending factions in Scotland. Lennox, elated with the good fortune which had hitherto attended his administration, and flattering himself with an easy triumph over enemies whose estates were wasted, and their forces dispirited, refused for some time to come into this measure. It was not safe for him, however, to dispute the will of his protectress. A cessation of hostilities during two months, to commence on the third of September, was agreed upon; and, being renewed from time to time, it continued till the first of April next year.

Elizabeth proposes a treaty of accommodation between Mary and her subjects.

Soon after, Elizabeth despatched Cecil and Sir Walter Mildmay to the queen of Scots. The dignity of these ambassadors, the former her prime minister, the latter chancellor of the exchequer, and one of her ablest counsellors, convinced all parties that the negociation was serious, and the hour of Mary's liberty was now approaching. The propositions which they made to her were advantageous to Elizabeth, but such as a prince in Mary's situation had reason to expect. The ratification of the treaty of Edinburgh; the renouncing any pretensions to the English crown, during Elizabeth's own life, or that of her posterity; the adhering to the alliance between the two kingdoms; the pardoning her subjects who had taken arms against her; and her promising to hold no correspondence, and to countenance no enterprise, that might disturb Elizabeth's government; were among the chief articles. By way of security for the accomplishment of these, they demanded that some persons of rank should be given as hostages; that the prince, her son, should reside in England; and that a few castles on the border should be put into Elizabeth's hands. To some of these propositions Mary consented; some she endeavoured to mitigate; and others she attempted to evade. In the mean time, she transmitted copies of them to the pope, to the kings of France and Spain, and to the duke of Alva. She insinuated, that without some timely and vigorous interposition in her behalf, she would be obliged to accept of these hard conditions, and to purchase liberty at any price. But the pope was a distant and feeble ally, and by his great efforts at this time against the Turks, his treasury was entirely exhausted. Charles had already begun to meditate that conspiracy against the Hugonots, which marks his reign with such infamy; and it required much leisure, and perfect tranquillity, to bring that execrable plan to maturity. Philip was employed in fitting out that fleet which acquired so much renown to the Christian arms, by the victory over the infidels at Lepanto; the Moors in Spain threatened an insurrection; and his subjects in the Netherlands, provoked by much oppression and many indignities, were breaking out into open rebellion. All of them, for these different reasons, advised Mary, without depending on their aid, to conclude the treaty on the best terms she could procure.[m]

Elizabeth's artifices in the conduct of it.

Mary accordingly consented to many of Elizabeth's demands, and discovered a facility of disposition, which promised still further concessions. But no concession she could have made, would have satisfied Elizabeth, who, in spite of her repeated professions of sincerity to foreign ambassadors, and notwithstanding the solemnity with which she carried on the treaty, had no other object in it than to amuse Mary's allies, and to gain time.[n] After having so long treated a queen, who fled to her for refuge, in so ungenerous a manner, she could not now dismiss her with safety. Under all the disadvantages of a rigorous confinement, Mary had found means to excite commotions in England, which were extremely formidable. What desperate effects of her just resentment might be expected, if she were set at liberty, and recovered her former power! What engagements could bind her not to revenge the wrongs which she had suffered, nor to take advantage of the favourable conjunctures that might present themselves? Was it possible for her to give such security for her behaviour, in times to come, as might remove all suspicions and fears? And was there not good cause to conclude, that no future benefits could ever obliterate the memory of past injuries? It was thus Elizabeth reasoned; though she continued to act as if her views had been entirely different. She appointed seven of her privy counsellors to be commissioners for settling the articles of the treaty; and, as Mary had already named the

i See Append. No. XXXVI.
k Anders. iii. 122. Crawf. Mem. 153.
l Spotsw. 243.
m Anders. vol. iii. 119, 120.
n Digges, Compl. Amb. 78.

bishops of Ross and Galloway, and lord Livingston, for her ambassadors, she required the regent to empower proper persons to appear in behalf of the king. The earl of Morton, Pitcairn,
1571. abbot of Dunfermline, and sir James Macgil, were the persons chosen by the regent. They prepared for their journey as slowly as Elizabeth herself could have wished. At length they arrived at London, and met the commissioners
Feb. 19. of the two queens. Mary's ambassadors discovered the strongest inclination to comply with every thing that would remove the obstacles which stood in the way of their mistress's liberty. But when Morton and his associates were called upon to vindicate their conduct, and to explain the sentiments of their party, they began, in justification of their treatment of the queen, to advance such maxims concerning the limited powers of princes, and the natural right of subjects to resist and to control them, as were extremely shocking to Elizabeth, whose notions of regal prerogative, as has been formerly observed, were very exalted. With regard to the authority which the king now possessed, they declared they neither had nor could possibly receive instructions, to consent to any treaty that tended to subvert, or even to impair, it in the least degree.[o] Nothing could be more trifling and ridiculous, than such a reply from the commissioners of the king of Scots to the queen of England. His party depended absolutely on her protection; it was by persons devoted to her he had been seated on the throne, and to her power he owed the continuance of his reign. With the utmost ease she could have brought them to hold very different language; and whatever conditions she might have thought fit to subscribe, they would have had no other choice but to submit. This de-
It proves fruitless. claration, however, she affected to consider as an insuperable difficulty; and finding that there was no reason to dread any danger from the French king, who had not discovered that eagerness in support of Mary which was expected, the reply made by Morton furnished her with a pretence for putting a stop to the negociation,
March 24. until the regent should send ambassadors with more ample powers. Thus, after being amused for ten months with the hopes of liberty, the unhappy queen of Scots remained under stricter custody than ever, and without any prospect of escaping from it; while those subjects who still adhered to her were exposed, without ally or protector, to the rage of enemies, whom their success in this negociation rendered still more insolent.[p]

Dumbarton castle surprised by the regent. On the day after the expiration of the truce, which had been observed with little exactness on either side, captain Crawford of Jordan-hill, a gallant and enterprising officer, performed a service of great importance to the regent, by surprising the castle of Dumbarton. This was the only fortified place in the kingdom, of which the queen had kept possession ever since the commencement of the civil wars. Its situation, on the top of a high and almost inaccessible rock, which rises in the middle of a plain, rendered it extremely strong, and, in the opinion of that age, impregnable; as it commanded the river Clyde, it was of great consequence, and was deemed the most proper place in the kingdom for landing any foreign troops that might come to Mary's aid. The strength of the place rendered lord Fleming, the governor, more secure than he ought to have been, considering its importance. A soldier who had served in the garrison, and had been disgusted by some ill usage, proposed the scheme to the regent, endeavoured to demonstrate that it was practicable, and offered himself to go the foremost man on the enterprise. It was thought prudent to risk any danger for so great a prize. Scaling-ladders, and whatever else might be necessary, were prepared with the utmost secrecy and despatch. All the avenues to the castle were seized, that no intelligence of the design might reach the governor. Towards evening Crawford marched from Glasgow with a small but determined band. By midnight they arrived at the bottom of the rock. The moon was set, and the sky, which had hitherto been extremely clear, was covered with a thick fog. It was where the rock was highest that the assailants made their attempt, because in that place there were few sentinels, and they hoped to find them least alert. The first ladder was scarcely fixed, when the weight and eagerness of those who mounted brought it to the ground. None of the assailants were hurt by the fall, and none of the garrison alarmed at the noise. Their guide and Crawford scrambled up the rock, and fastened the ladder to the roots of a tree which grew in a cleft. This place they all reached with the utmost difficulty, but were still at a greater distance from the foot of the wall. Their ladder was made fast a second time; but in the middle of the ascent, they met with an unforeseen difficulty. One of their companions was seized with some sudden fit, and clung, seemingly without life, to the ladder. All were at a stand. It was impossible to pass him. To tumble him headlong was cruel, and might occasion a discovery. But Crawford's presence of mind did not forsake him. He ordered the soldier to be bound fast to the ladder, that he might not fall when the fit was over; and turning the other side of the ladder, they mounted with ease over his belly. Day now began to break, and there still remained a high wall to scale; but after surmounting so many great difficulties, this was soon accomplished. A sentry observed the first man who appeared on the parapet, and had just time to give the alarm, before he was knocked on the head. The officers and soldiers of the garrison ran out naked, unarmed, and more solicitous about their own safety, than capable of making resistance. The assailants rushed forwards, with repeated shouts and with the

o Cald. ii. 234. Digges, 51. Haynes, 523, 524.

p Anders. iii. 91, &c.

utmost fury; took possession of the magazine; seized the cannon, and turned them against their enemies. Lord Fleming got into a small boat, and fled all alone into Argyllshire. Crawford, in reward of his valour and good conduct, remained master of the castle; and as he did not lose a single man in the enterprise, he enjoyed his success with unmixed pleasure. Lady Fleming, Verac the French envoy, and Hamilton, archbishop of St. Andrew's, were the prisoners of greatest distinction.[q]

Archbishop of St. Andrew's put to death by him.

Verac's character protected him from the usage which he merited by his activity in stirring up enemies against the king. The regent treated the lady with great politeness and humanity. But a very different fate awaited the archbishop; he was carried under a strong guard to Stirling; and as he had formerly been attainted by act of parliament, he was, without any formal trial, condemned to be hanged; and, on the fourth day after he was taken, the sentence was executed. An attempt was made to convict him of being accessory to the murder both of the king and regent, but these accusations were supported by no proof. Our historians observe, that he was the first bishop in Scotland who died by the hands of the executioner. The high offices he had enjoyed, both in church and state, ought to have exempted him from a punishment inflicted only on the lowest criminals. But his zeal for the queen, his abilities, and his profession, rendered him odious and formidable to the king's adherents. Lennox hated him as the person by whose counsels the reputation and power of the house of Hamilton were supported. Party rage and personal enmity dictated that indecent sentence, for which some colour was sought, by imputing to him such odious crimes.[r]

Kirkaldy defends the castle of Edinburgh in the queen's name.

The loss of Dumbarton, and the severe treatment of the archbishop, perplexed no less than they enraged the queen's party; and hostilities were renewed with all the fierceness which disappointment and indignation can inspire. Kirkaldy, who, during the truce, had taken care to increase the number of his garrison, and to provide every thing necessary for his defence, issued a proclamation declaring Lennox's authority to be unlawful and usurped; commanded all who favoured his cause to leave the town within six hours; seized the arms belonging to the citizens; planted a battery on the steeple of St. Giles's, repaired the walls and fortified the gates of the city; and, though the affections of the inhabitants leaned a different way, held out the metropolis against the regent. The duke, Huntley, Home, Herries, and other chiefs of that faction, repaired to Edinburgh with their followers; and having received a small sum of money and some ammunition from France, formed no contemptible army within the walls. On the other side, Morton seized Leith and fortified it; and the regent joined him with a considerable body of men. While the armies lay so near each other, daily skirmishes happened, and with various success. The queen's party was not strong enough to take the field against the regent, nor was his superiority so great as to undertake the siege of the castle or of the town.[s]

Both parties hold parliaments. May 14.

Some time before Edinburgh fell into the hands of his enemies, the regent had summoned a parliament to meet in that place. In order to prevent any objection against the lawfulness of the meeting, the members obeyed the proclamation as exactly as possible, and assembled in a house at the head of the Canongate, which, though without the walls, lies within the liberties of the city. Kirkaldy exerted himself to the utmost to interrupt their meeting; but they were so strongly guarded, that all efforts were vain. They passed an act attainting Maitland and a few others, and then adjourned to the 28th of August.[t]

The other party, in order that their proceedings might be countenanced by the same show of legal authority, held a meeting of parliament soon after. There was produced in this assembly a declaration by the queen of the invalidity of that deed whereby she had resigned the crown, and consented to the coronation of her son. Conformable to this declaration, an act was passed pronouncing the resignation to have been extorted by fear; to be null in itself, and in all its consequences; and enjoining all good subjects to acknowledge the queen alone to be their lawful sovereign, and to support those who acted in her name. The present establishment of the protestant religion was confirmed by another statute; and, in imitation of the adverse party, a new meeting was appointed on the 26th of August.[u]

Miserable condition of the kingdom.

Meanwhile all the miseries of civil war desolated the kingdom. Fellow-citizens, friends, brothers, took different sides, and ranged themselves under the standards of the contending factions. In every county, and almost in every town and village, *king's men* and *queen's men* were names of distinction. Political hatred dissolved all natural ties, and extinguished the reciprocal good-will and confidence which holds mankind together in society. Religious zeal mingled itself with these civil distinctions, and contributed not a little to heighten and to inflame them.

State of factions.

The factions which divided the kingdom were, in appearance, only two; but in both these there were persons with views and principles so different from each other, that they ought to be distinguished. With some, considerations of religion were predominant, and they either adhered to the queen, because they hoped by her means to re-establish popery, or they defended the king's authority, as the best support of the protestant faith. Among these the opposition was violent and irreconcilable. Others were influenced by political motives only, or allured by views of interest; the regent aimed at uniting these, and did not de-

q Buchan. 394. r Spotswood, 252. s Cald. ii. 233, &c. t Crawf. Mem. 177. u Crawf. Mem. 177.

spair of gaining, by gentle arts, many of Mary's adherents to acknowledge the king's authority. Maitland and Kirkaldy had formed the same design of a coalition, but on such terms that the queen might be restored to some share in the government, and the kingdom shake off its dependence upon England. Morton, the ablest, the most ambitious, and the most powerful man of the king's party, held a particular course; and moving only as he was prompted by the court of England, thwarted every measure that tended towards a reconcilement of the factions; and as he served Elizabeth with much fidelity, he derived both power and credit from her avowed protection.

The time appointed by both parties for the meeting of their parliaments now approached. Only three peers and two bishops appeared in that which was held in the queen's name at Edinburgh. But, contemptible as their numbers were, they passed an act for attainting upwards of two hundred of the adverse faction. The meeting at Stirling was numerous and splendid. The regent had prevailed on the earls of Argyll, Eglinton, Cassils, and lord Boyd, to acknowledge the king's authority. The three earls were among the most powerful noblemen in the kingdom, and had hitherto been zealous in the queen's cause. Lord Boyd had been one of Mary's commissioners at York and Westminster, and since that time had been admitted into all her most secret councils. But, during that turbulent period, the conduct of individuals, as well as the principles of factions, varied so often, that the sense of honour, a chief preservative of consistency in character, was entirely lost; and, without any regard to decorum, men suddenly abandoned one party, and adopted all the violent passions of the other. The defection, however, of so many persons of distinction, not only weakened the queen's party, but added reputation to her adversaries.

The king's party surprised in Stirling.

After the example of the parliament at Edinburgh, that at Stirling began with framing acts against the opposite faction. But in the midst of all the security, which confidence in their own numbers or distance from danger could inspire, they were awakened early in the morning of September the third, by the shouts of the enemy in the heart of the town. In a moment the houses of every person of distinction were surrounded, and before they knew what to think of so strange an event, the regent, the earls of Argyll, Morton, Glencairn, Cassils, Eglinton, Montrose, Buchan, the lords Sempil, Cathcart, Ogilvie, were all made prisoners, and mounted behind troopers, who were ready to carry them to Edinburgh. Kirkaldy was the author of this daring enterprise; and if he had not been induced, by the ill-timed solicitude of his friends about his safety, not to hazard his own person in conducting it, that day might have terminated the contest between the two factions, and have restored peace to his country. By his direction four hundred men, under the command of Huntley, lord Claud Hamilton, and Scott of Buccleugh, set out from Edinburgh, and, the better to conceal their design, marched towards the south. But they soon wheeled to the right, and, horses having been provided for the infantry, rode straight to Stirling. By four in the morning they arrived there; not one sentry was placed on the walls, not a single man was awake about the place. They met with no resistance from any person whom they attempted to seize, except Morton. He defending his house with obstinate valour, they were obliged to set it on fire, and he did not surrender till forced out of it by the flames. In performing this, some time was consumed; and the private men, unaccustomed to regular discipline, left their colours, and began to rifle the houses and shops of the citizens. The noise and uproar in the town reached the castle. The earl of Mar sallied out with thirty soldiers, fired briskly upon the enemy, of whom almost none but the officers kept together in a body. The townsmen took arms to assist their governor; a sudden panic struck the assailants; some fled, some surrendered themselves to their own prisoners; and had not the borderers, who followed Scott, prevented a pursuit, by carrying off all the horses within the place, not a man would have escaped. If the regent had not unfortunately been killed, the loss on the king's side would have been as inconsiderable as the alarm was great. *Think on the archbishop of St. Andrew's*, was the word among the queen's soldiers; and Lennox fell a sacrifice to his memory. The officer to whom he surrendered, endeavouring to protect him, lost his own life in his defence. He was slain, according to the general opinion, by command of lord Claud Hamilton. Kirkaldy had the glory of concerting this plan with great secrecy and prudence; but Morton's fortunate obstinacy, and the want of discipline among his troops, deprived him of success, the only thing wanting to render this equal to the most applauded military enterprises of the kind.[x]

Sept. 3.

The regent killed.

As so many of the nobles were assembled, they proceeded without delay to the election of a regent. Argyll, Morton, and Mar were candidates for the office. Mar was chosen by a majority of voices. Amidst all the fierce dissensions which had prevailed so long in Scotland, he had distinguished himself by his moderation, his humanity, and his disinterestedness. As his power was far inferior to Argyll's, and his abilities not so great as Morton's, he was, for these reasons, less formidable to the other nobles. His merit, too, in having so lately rescued the leaders of the party from imminent destruction, contributed not a little to his preferment.

Mar chosen regent, Sept. 6.

While these things were carrying on in Scotland, the transactions in England were no less interesting to Mary, and still more fatal to her cause. The parliament

Proceedings in England against Mary.

x Melv. 226. Crawf. Mem. 204.

of that kingdom, which met in April, passed an act, by which it was declared to be high treason to claim any right to the crown during the life of the queen; to affirm that the title of any other person was better than hers, or to maintain that the parliament had not power to settle and to limit the order of succession. This remarkable statute was intended not only for the security of their own sovereign, but to curb the restless and intriguing spirit of the Scottish queen and her adherents.[y]

Marriage negociated between Elizabeth and the duke of Anjou.

At this time a treaty of marriage between Elizabeth and the duke of Anjou, the French king's brother, was well advanced. Both courts seemed to desire it with equal ardour, and gave out, with the utmost confidence, that it could not fail of taking place. Neither of them, however, wished it success; and they encouraged it for no other end, but because it served to cover or to promote their particular designs. The whole policy of Catherine of Medicis was bent towards the accomplishment of her detestable project for the destruction of the Hugonot chiefs; and by carrying on a negociation for the marriage of her son with a princess who was justly esteemed the protectress of that party, by yielding some things in point of religion, and by discovering an indifference with regard to others, she hoped to amuse all the protestants in Europe, and to lull asleep the jealousy even of the Hugonots themselves. Elizabeth flattered herself with reaping advantages of another kind. During the dependence of the negociation, the French could not with decency give any open assistance to the Scottish queen; if they conceived any hopes of success in the treaty of marriage, they would of course interest themselves but coldly in her concerns; Mary herself must be dejected at losing an ally, whom she had hitherto reckoned her most powerful protector; and, by interrupting her correspondence with France, one source, at least, of the cabals and intrigues which disturbed the kingdom would be stopt. Both queens succeeded in their schemes. Catherine's artifices imposed upon Elizabeth, and blinded the Hugonots. The French discovered the utmost indifference about the interest of the Scottish queen; and Mary, considering that court as already united with her rival, turned for protection with more eagerness than ever towards the king of Spain.[z] Philip, whose dark and thoughtful mind delighted in the mystery of intrigue, had held a secret correspondence with Mary for some time, by means of the bishop of Ross, and had supplied both herself and her adherents in Scotland with small sums of money. Ridolphi, a Florentine gentleman, who resided at London under the character of a banker, and who acted privately as an agent for the pope, was the person whom the bishop intrusted with this negociation.

Norfolk's conspiracy in favour of Mary.

Mary thought it necessary likewise to communicate the secret to the duke of Norfolk, whom Elizabeth had lately restored to liberty, upon his solemn promise to have no further intercourse with the queen of Scots. This promise, however, he regarded so little, that he continued to keep a constant correspondence with the captive queen; while she laboured to nourish his ambitious hopes, and to strengthen his amorous attachment by letters written in the fondest caressing strain. Some of these he must have received at the very time when he made that solemn promise of holding no further intercourse with her, in consequence of which Elizabeth restored him to liberty. Mary, still considering him as her future husband, took no step in any matter of moment without his advice. She early communicated to him her negociations with Ridolphi; and, in a long letter, which she wrote to him in ciphers,[a] after complaining of the baseness with which the French court had abandoned her interest, she declared her intention of imploring the assistance of the Spanish monarch, which was now her only resource; and recommended Ridolphi to his confidence, as a person capable both of explaining and advancing the scheme. The duke commanded Hickford, his secretary, to decipher and then to burn this letter; but, whether he had been already gained by the court, or resolved at that time to betray his master, he disobeyed the latter part of the order, and hid the letter, together with other treasonable papers, under the duke's own bed.

Ridolphi, in a conference with Norfolk, omitted none of those arguments, and spared none of those promises, which are the usual incentives to rebellion. The pope, he told him, had a great sum in readiness to bestow in so good a cause. The duke of Alva had undertaken to land ten thousand men not far from London. The catholics, to a man, would rise in arms. Many of the nobles were ripe for a revolt, and wanted only a leader. Half their nation had turned their eyes towards him, and called on him to revenge the unmerited injuries which he himself had suffered; and to rescue an unfortunate queen, who offered him her hand and her crown, as the reward of his success. Norfolk approved of the design, and though he refused to give Ridolphi any letter of credit, allowed him to use his name in negociating with the pope and Alva.[b] The bishop of Ross, who from the violence of his temper, and impatience to procure relief for his mistress, was apt to run into rash and desperate designs, advised the duke to assemble secretly a few of his followers, and at once to seize Elizabeth's person. But this the duke rejected as a scheme equally wild and hazardous. Meanwhile, the English court had received some imperfect information of the plot, by intercepting one of Ridolphi's agents; and an accident happened, which brought to light all the circumstances of it. The duke had employed Hickford to transmit to lord Herries some

Discovered by Elizabeth. August.

y Camd. 436.
z Digges, 144, 148. Camd. 434.

a Haynes, 597, 598. Hardw. State Papers, i. 190, &c. Digges's Compleat Ambas. 147.
b Anders. iii. 161.

money, which was to be distributed among Mary's friends in Scotland. A person not in the secret was intrusted with conveying it to the borders, and he, suspecting it from the weight to be gold, whereas he had been told that it was silver, carried it directly to the privy council. The duke, his domestics, and all who were privy, or could be suspected of being privy, to the design, were taken into custody. Never did the accomplices in a conspiracy discover less firmness, or servants betray an indulgent master with greater baseness. Every one confessed the whole of what he knew. Hickford gave directions how to find the papers which he had hidden. The duke himself, relying at first on the fidelity of his associates, and believing all dangerous papers to have been destroyed, confidently asserted his own innocence; but when their depositions and the papers themselves were produced, astonished at their treachery, he acknowledged his guilt, and implored the queen's mercy. His offence was too heinous, and too often repeated, to obtain pardon; and Elizabeth thought it necessary to deter her subjects, by his punishment, from holding correspondence with the queen of Scots, or her emissaries. Being tried by his peers, he was found guilty of high treason, and after several delays, suffered death for the crime.[c]

Sept. 7.

The discovery of this conspiracy produced many effects, extremely detrimental to Mary's interest. The bishop of Ross, who appeared, by the confession of all concerned, to be the prime mover in every cabal against Elizabeth, was taken into custody, his papers searched, himself committed to the Tower, treated with the utmost rigour, threatened with capital punishment, and, after a long confinement, set at liberty, on condition that he should leave the kingdom. Mary was not only deprived of a servant, equally eminent for his zeal and his abilities, but was denied from that time the privilege of having an ambassador at the English court. The Spanish ambassador, whom the power and dignity of the prince he represented exempted from such insults as Ross had suffered, was commanded to leave England.[d] As there was now the clearest evidence that Mary, from resentment of the wrongs she had suffered, and impatience of the captivity in which she was held, would not scruple to engage in the most hostile and desperate enterprises against the established government and religion, she began to be regarded as a public enemy, and was kept under a stricter guard than formerly; the number of her domestics was abridged, and no person permitted to see her, but in presence of her keepers.[e]

Elizabeth declares openly against the queen's party.

At the same time, Elizabeth, foreseeing the storm which was gathering on the continent against her kingdom, began to wish that tranquillity were restored in Scotland; and irritated by Mary's late attempt against her government, she determined to act without disguise or ambiguity, in favour of the king's party. This resolution she intimated to the leaders of both factions. Mary, she told them, had held a criminal correspondence with her avowed enemies, and had excited such dangerous conspiracies both against her crown and her life, that she would henceforth consider her as unworthy of protection, and would never consent to restore her to liberty, far less to replace her on her throne. She exhorted them, therefore, to unite in acknowledging the king's authority. She promised to procure, by her mediation, equitable terms for those who had hitherto opposed it. But if they still continued refractory, she threatened to employ her utmost power to compel them to submit.[f] Though this declaration did not produce an immediate effect; though hostilities continued in the neighbourhood of Edinburgh; though Huntley's brother, sir Adam Gordon, by his bravery and conduct, had routed the king's adherents in the north in many encounters; yet, such an explicit discovery of Elizabeth's sentiments contributed not a little to animate one party, and to depress the spirit and hopes of the other.[g]

Oct. 23.

1572. Hostilities carried on between them.

As Morton, who commanded the regent's forces, lay at Leith, and Kirkaldy still held out the town and castle of Edinburgh, scarce a day passed without a skirmish; and while both avoided any decisive action, they harassed each other by attacking small parties, beating up quarters, and intercepting convoys. These operations, though little memorable in themselves, kept the passions of both factions in perpetual exercise and agitation, and wrought them up, at last, to a degree of fury, which rendered them regardless not only of the laws of war, but of the principles of humanity. Nor was it in the field alone, and during the heat of combat, that this implacable rage appeared; both parties hanged the prisoners which they took, of whatever rank or quality, without mercy, and without trial. Great numbers suffered in this shocking manner; the unhappy victims were led, by fifties at a time, to execution; and it was not till both sides had smarted severely, that they discontinued this barbarous practice, so reproachful to the character of the nation.[h] Meanwhile, those in the town and castle, though they had received a supply of money from the duke of Alva,[i] began to suffer for want of provisions. As Morton had destroyed all the mills in the neighbourhood of the city, and had planted small garrisons in all the houses of strength around it, scarcity daily increased. At last all the miseries of famine were felt, and they must have been soon reduced to such extremities, as would have forced them to capitulate, if the English and French ambassadors had not procured a suspension of hostilities between the two parties.[k]

c Anders. iii. 149. State Trials, 185. d Digges, 163.
e Strype, Ann. ii. 50. f See Append. No. XXXVII.
g Cald. ii. 289, 294. Strype, ii. 76.
h Crawf. Mem. 218, 220. i Cald. ii. 345. k Ibid. 346.

League between England and France.

Though the negociation for a marriage between Elizabeth and the duke of Anjou had been fruitless, both Charles and she were desirous of concluding a defensive allianee between the two crowns. He considered sueh a treaty not only as the best advice for blinding the protestants, against whom the conspiracy was now almost ripe for exeeution; but as a good precaution, likewise, against the dangerous consequenees to which that atrocious measure might expose him. Elizabeth, who had hitherto reigned without a single ally, now saw her kingdom so threatened with intestine commotions, or exposed to invasions from abroad, that she was extremely solieitous to secure the assistance of so powerful a neighbour. The difficulties arising from the situation of the Seottish queen were the chief occasions of any delay. Charles demanded some terms of advantage for Mary and her party. Elizabeth refused to listen to any proposition of that kind. Her obstinaey overcame the faint efforts of the Freneh monareh. Mary's name was not so much as mentioned in the treaty; and with regard to Seottish affairs, a short artiele was inserted, in general and ambiguous terms, to this purpose: "That the parties contraeting shall make no innovations in Scotland, nor suffer any stranger to enter, and to foment the factions there; but it shall be lawful for the queen of England to chastise, by foree of arms, those Scots who shall continue to harbour the English rebels now in Scotland."[l] In eonsequence of this treaty, Franee and England affected to act in eoneert with regard to Scotland, and Le Croe and sir William Drury appeared there, in the name of their respective sovereigns. By their mediation, a truee for two months was agreed upon, and during that time eonferenees were to be held between the leaders of the opposite factions, in order to accommodate their differenees and restore peaee to the kingdom. This truee afforded a seasonable interval of tranquillity to the queen's adherents in the south: but in the north it proved fatal to her interest. Sir Adam Gordon had still maintained his reputation and superiority there. Scveral parties, under different officers, were sent against him. Some of them he attaeked in the field; against others he employed stratagem; and as his courage and eonduet were equal, none of his enterprises failed of success. He made war too with the humanity whieh became so gallant a man, and gained ground by that, no less than by the terror of his arms. If he had not been obliged by the truee to suspend his operations, he would in all probability have brought that part of the kingdom to submit entirely to the queen's authority.[m]

April 11.

Proceedings in England against Mary.

Notwithstanding Gordon's bravery and sueeess, Mary's interest was on the deeline, not only in her own kingdom, but among the English. Nothing could be more offensive to that nation, jealous of foreigners, and terrified at the prospeet of the Spanish yoke, than her negociations with the duke of Alva. The parliament, which met in May, proceeded against her as the most dangerous enemy of the kingdom; and, after a solemn conferenee between the lords and commons, both Houses agreed in bringing in a bill to declare her guilty of high treason, and to deprive her of all right of succession to the crown. This *great cause*, as it was then called, oeeupied them during the whole session, and was earried on with much unanimity. Elizabeth, though she applauded their zeal, and approved greatly of the course they were taking, was satisfied with showing Mary what she might expect from the resentment of the nation; but as she did not yet think it time to proceed to the most violent extremity against her, she prorogued the parliament.[n]

The French neglect her interest.

These severe proceedings of the English parliament were not more mortifying to Mary, than the coldness and neglect of her allies the Freneh. The duke of Montmorency, indeed, who came over to ratify the league with Elizabeth, made a show of interesting himself in favour of the Seottish queen; but, instead of soliciting for her liberty, or her restoration to her throne, all that he demanded was a slight mitigation of the rigour of her imprisonment. Even this small request he urged with so little warmth or importunity, that no regard was paid to it.[o]

The massacre of Paris.

The alliance with France afforded Elizabeth mueh satisfaction, and she expected from it a great inerease of seeurity. She now turned her whole attention towards Scotland, where the animosities of the two factions were still so high, and so many interfering interests to be adjusted, that a general pacification seemed to be at a great distanee. But while she laboured to bring them to some agreement, an event happened which filled a great part of Europe with astonishment and with horror. This was the massaere at Paris; an attempt, to whieh there is no parallel in the history of mankind, either for the long train of craft and dissimulation with which it was contrived, or for the eruelty and barbarity with which it was carried into execution. By the most solemn promises of safety and of favour, the leaders of the protestants were drawn to court; and though doomed to destruction, they were reeeived with earesses, loaded with honours, and treated for seven months with every possible mark of familiarity and of confidence. In the midst of their security, the warrant for their destruetion was issued by their sovereign, on whose word they had relied; and, in obedience to it, their countrymen, their fellow-eitizens, and companions, imbrued their hands in their blood. Ten thousand protestants, without distinction of age, or sex, or eondition, were murdered in Paris alone. The same barbarous orders were sent to other parts of the kingdom, and a like

Aug. 24.

l Digges, 170, 191. Camden, 444. m Crawf. Mem. n D'Ewes' Journ. 206, &c. o Jebb, ii. 512.

carnage ensued. This deed, which no popish writer in the present age mentions without detestation, was at that time applauded in Spain; and at Rome solemn thanksgivings were offered to God for its success. But among the protestants, it excited incredible horror; a striking picture of which is drawn by the French ambassador at the court of England, in his account of his first audience after the massacre. "A gloomy sorrow," says he, "sat on every face; silence, as in the dead of night, reigned through all the chambers of the royal apartment; the ladies and courtiers were ranged on each side, all clad in deep mourning, and as I passed through them, not one bestowed on me a civil look, or made the least return to my salutes."[p]

Detrimental to Mary's interest.

But horror was not the only passion with which this event inspired the protestants; it filled them with fear. They considered it as the prelude to some greater blow, and believed, not without much probability, that all the popish princes had conspired the destruction of their sect. This opinion was of no small disservice to Mary's affairs in Scotland. Many of her adherents were protestants; and, though they wished her restoration, were not willing, on that account, to sacrifice the faith which they professed. They dreaded her attachment to a religion which allowed its votaries to violate the most solemn engagements, and prompted them to perpetrate the most barbarous crimes. A general confederacy of the protestants seemed to them the only thing that could uphold the reformation against the league which was formed to overturn it. Nor could the present establishment of religion be long maintained in Britain, but by a strict union with Elizabeth, and by the concurrence of both nations, in espousing the defence of it as a common cause.[q]

Encouraged by this general disposition to place confidence in her, Elizabeth resumed a scheme which she had formed during the regency of the earl of Murray, of sending Mary as a prisoner into Scotland. But her sentiments and situation were now very different from what they had been during her negociation with Murray. Her animosity against the queen of Scots was greatly augmented by recent experience, which taught her that she had inclination as well as power, not only to disturb the tranquillity of her reign, but to wrest from her the crown; the party in Scotland favourable to Mary was almost entirely broken; and there was no reason to dread any danger from France, which still continued to court her friendship. She aimed, accordingly, at something very different from that which she had in view three years before. Then she discovered a laudable solicitude, not only for the safety of Mary's life, but for securing to her treatment suited to her rank. Now she required, as an express condition, that immediately after Mary's arrival in Scotland, she should be brought to public trial; and, having no doubt that sentence would be passed according to her deserts, she insisted that for the good of both kingdoms, it should be executed without delay.[r] No transaction, perhaps, in Elizabeth's reign, merits more severe censure. Eager to cut short the days of a rival, the object both of her hatred and dread, and no less anxious to avoid the blame to which such a deed of violence might expose her, she laboured, with timid and ungenerous artifice, to transfer the odium of it from herself to Mary's own subjects. The earl of Mar, happily for the honour of his country, had more virtue than to listen to such an ignominious proposal; and Elizabeth did not venture to renew it.

The regent endeavours to unite both parties.

While she was engaged in pursuing this insidious measure, the regent was more honourably employed in endeavouring to negociate a general peace among his countrymen. As he laboured for this purpose with the utmost zeal, and the adverse faction placed entire confidence in his integrity, his endeavours could hardly have failed of being successful. Maitland and Kirkaldy came so near to an agreement with him, that scarce any thing remained, except the formality of signing the treaty. But Morton had not forgotten the disappointment he met with in his pretensions to the regency; his abilities, his wealth, and the patronage of the court of England, gave him greater sway with the party, than even the regent himself; and he took pleasure in thwarting every measure pursued by him. He was afraid that, if Maitland and his associates recovered any share in the administration, his own influence would be considerably diminished; and the regent, by their means, would acquire that ascendant which belonged to his station. With him concurred all those who were in possession of the lands which belonged to any of the queen's party. His ambition, and their avarice, frustrated the regent's pious intentions, and retarded a blessing so necessary to the kingdom, as the establishment of peace.[s]

His death.

Such a discovery of the selfishness and ambition which reigned among his party, made a deep impression on the regent, who loved his country, and wished for peace with much ardour. This inward grief broke his spirit, and by degrees brought on a settled melancholy, that ended in a distemper, of which he died on the twenty-ninth of October. He was, perhaps, the only person in the kingdom who could have enjoyed the office of regent without envy, and have left it without loss of reputation. Notwithstanding their mutual animosities, both factions acknowledged his views to be honourable, and his integrity to be uncorrupted.[t]

Morton chosen regent. Nov. 24.

No competitor now appeared against Morton. The queen of England powerfully supported his claim, and notwithstanding the fears of the people, and the jealousy of the nobles, he was elected regent; the fourth who, in the space of five years, had held that dangerous office.

p Carte, iii. 522. q Digges, 244, 267. r Murdin, 224.

s Melv. 233. Crawf. Mem. 237. t Crawf. Mem. 241.

As the truce had been prolonged to the first of January, this gave him an opportunity of continuing the negociations with the opposite party, which had been set on foot by his predecessor. They produced no effects, however, till the beginning of the next year.

Before we proceed to these, some events, hitherto untouched, deserve our notice.

The earl of Northumberland, who had been kept prisoner in Lochlevin ever since his flight into Scotland, in the year one thousand five hundred and sixty-nine, was given up to lord Hunsdon, governor of Berwick; and being carried to York, suffered there the punishment of his rebellion. The king's party were so sensible of their dependence on Elizabeth's protection, that it was scarcely possible for them to refuse putting into her hands a person who had taken up arms against her; but, as a sum of money was paid on that account, and shared between Morton and Douglas of Lochlevin, the former of whom, during his exile in England, had been much indebted to Northumberland's friendship, the abandoning this unhappy nobleman, in such a manner, to certain destruction, was universally condemned as a most ungrateful and mercenary action.[u]

Affairs of the church.

This year was remarkable for a considerable innovation in the government of the church. Soon after the reformation, the popish bishops had been confirmed by law in possession of part of their benefices; but the spiritual jurisdiction, which belonged to their order, was exercised by superintendants, though with more moderate authority. On the death of the archbishop of St. Andrew's, Morton obtained from the crown a grant of the temporalities of that see. But as it was thought indecent for a layman to hold a benefice to which the cure of souls was annexed, he procured Douglas, rector of the university of St. Andrew's, to be chosen archbishop; and, allotting him a small pension out of the revenues of the see, retained the remainder in his own hands. The nobles, who saw the advantages which they might reap from such a practice, supported him in the execution of his plan. It gave great offence, however, to the clergy, who instead of perpetuating an order whose name and power were odious to them, wished that the revenues which had belonged to it might be employed in supplying such parishes as were still unprovided with settled pastors. But, on the one hand, it would have been rash in the clergy to have irritated too much noblemen, on whom the very existence of the protestant church in Scotland depended; and Morton, on the other, conducted his scheme with such dexterity, and managed them with so much art, that it was at last agreed in a convention composed of the leading men among the clergy, together with a committee of privy council, "That the name and office of archbishop and bishop should be continued during the king's minority, and these dignities be conferred upon the best qualified among the protestant ministers; but that, with regard to their spiritual jurisdictions, they should be subject to the general assembly of the church." The rules to be observed in their election, and the persons who were to supply the place, and enjoy the privileges, which belonged to the dean and chapter in times of popery, were likewise particularly specified.[x] The whole being laid before the general assembly, after some exceptions to the name of *archbishop*, *dean*, *chapter*, &c., and a protestation that it should be considered only as a temporary constitution, until one more perfect could be introduced, it obtained the approbation of that court.[y] Even Knox, who was prevented from attending the assembly by the ill state of his health, though he declaimed loudly against the simoniacal paction to which Douglas owed his preferment, and blamed the nomination of a person worn out with age and infirmities, to an office which required unimpaired vigour both of body and mind, seems not to have condemned the proceedings of the convention; and, in a letter to the assembly, approved of some of the regulations with respect to the election of bishops, as worthy of being carefully observed.[z] In consequence of the assembly's consent to the plan agreed upon in the convention, Douglas was installed in his office, and at the same time an archbishop of Glasgow and a bishop of Dunkeld were chosen from among the protestant clergy. They were all admitted to the place in parliament which belonged to the ecclesiastical order. But in imitation of the example set by Morton, such bargains were made with them by different noblemen, as gave them possession only of a very small part of the revenues which belonged to their sees.[a]

Nov. 27. Death and character of Knox.

Soon after the dissolution of this assembly, Knox, the prime instrument of spreading and establishing the reformed religion in Scotland, ended his life, in the sixty-seventh year of his age. Zeal, intrepidity, disinterestedness, were virtues which he possessed in an eminent degree. He was acquainted too with the learning cultivated among divines in that age; and excelled in that species of eloquence which is calculated to rouse and to inflame.[b] His maxims, however, were often too severe, and the impetuosity of his temper excessive. Rigid and uncomplying himself, he showed no indulgence to the infirmities

u Crawf. Mem. 55, 222. Camd. 445. x Cald. ii. 305.
y Id. 354. z See Appendix, No. XXXVIII. a Spotsw. 261.
b A striking description of that species of eloquence for which Knox was distinguished, is given by one of his contemporaries, Mr. James Melville, minister of Anstruther. "But of all the benefits I had that year, [1571,] was the coming of that most notable prophet and apostle of our nation, Mr. John Knox, to St. Andrew's, who, by the faction of the queen occupying the castle and town of Edinburgh, was compelled to remove therefra with a number of the best, and chused to come to St. Andrew's. I heard him teach there the prophecies of Daniel that summer and winter following. I had my pen and little bnike, and took away sic things as I could comprehend. In the opening of his text, he was moderate the space of half an hour; but when he entered to application, he made me so to *grue* [thrill] and tremble that I could not hald the pen to write.—He was very weak. I saw him every day of his doctrine go *hulie* [slowly] and fair, with a furring of marticks about his neck, a staff in the one hand, and good godlie Richart Ballenden holding him up by the *oxter*, [under the arm,] from the abbey to the parish kirk; and he the said Richart and another servant lifted him up to the pulpit, where he behoved to lean at his first entrie; but ere he was done with his sermon, he was so active and vigorous, that he was like to *ding the pulpit in blads*, [beat the pulpit to pieces,] and fly out of it." MS. Life of Mr. James Melville, communicated to me by Mr. Paton of the Custom-house, Edinburgh, p. 14, 21.

of others. Regardless of the distinctions of rank and character, he uttered his admonitions with an acrimony and vehemence, more apt to irritate than to reclaim. This often betrayed him into indecent and undutiful expressions with respect to the queen's person and conduct. Those very qualities, however, which now render his character less amiable, fitted him to be the instrument of Providence for advancing the reformation among a fierce people, and enabling him to face dangers, and to surmount opposition, from which a person of a more gentle spirit would have been apt to shrink back. By an unwearied application to study and to business, as well as by the frequency and fervour of his public discourses, he had worn out a constitution naturally robust. During a lingering illness he discovered the utmost fortitude; and met the approaches of death with a magnanimity inseparable from his character. He was constantly employed in acts of devotion, and comforted himself with those prospects of immortality which not only preserve good men from desponding, but fill them with exultation in their last moments. The earl of Morton, who was present at his funeral, pronounced his eulogium in a few words, the more honourable for Knox, as they came from one whom he had often censured with peculiar severity: "There lies he, who never feared the face of man."[c]

1573. The regent treats with the queen's party.

Though Morton did not desire peace from such generous motives as the former regent, he laboured, however, in good earnest, to establish it. The public confusions and calamities, to which he owed his power and importance when he was only the second person in the nation, were extremely detrimental to him now that he was raised to be the first. While so many of the nobles continued in arms against him, his authority as regent was partial, feeble, and precarious. Elizabeth was no less desirous of extinguishing the flame which she had kindled and kept so long alive in Scotland.[d] She had discovered the alliance with France, from which he had expected such advantages, to be no foundation of security. Though appearances of friendship still subsisted between her and that court, and Charles daily renewed his protestations of inviolable adherence to the treaty, she was convinced, by a fatal example, how little she ought to rely on the promises or oaths of that perfidious monarch. Her ambassador warned her that the French held secret correspondence with Mary's adherents in Scotland, and encouraged them in their obstinacy.[e] The duke of Alva carried on his intrigues in that kingdom with less disguise. She was persuaded that they would embrace the first serene interval, which the commotions in France and in the Netherlands would allow them, and openly attempt to land a body of men in Scotland. She resolved, therefore, to prevent their getting any footing in the island, and to cut off all their hopes of finding any assistance there, by uniting the two parties.

His overtures rejected by Maitland and Kirkaldy.

The situation of Mary's adherents enabled the regent to carry on his negociations with them to great advantage. They were now divided into two factions. At the head of the one were Chatelherault and Huntley. Maitland and Kirkaldy were the leaders of the other. Their high rank, their extensive property, and the numbers of their followers, rendered the former considerable. The latter were indebted for their importance to their personal abilities, and to the strength of the castle of Edinburgh, which was in their possession. The regent had no intention to comprehend both in the same treaty; but as he dreaded that the queen's party, if it remained entire, would be able to thwart and embarrass his administration, he resolved to divide and weaken it, by a separate negociation. He made the first overture to Kirkaldy and his associates, and endeavoured to renew the negociation with them, which, during the life of his predecessor, had been broken off by his own artifices. But Kirkaldy knew Morton's views, and system of government, to be very different from those of the former regent. Maitland considered him as a personal and implacable enemy. They received repeated assurances of protection from France; and though the siege of Rochelle employed the French arms at that time, the same hopes which had so often deceived the party, still amused them, and they expected that the obstinacy of the Hugonots would soon be subdued, and that Charles would then be at liberty to act with vigour in Scotland. Meanwhile a supply of money was sent, and if the castle could be held out till Whitsunday, effectual aid was promised.[f] Maitland's genius delighted in forming schemes that were dangerous; and Kirkaldy possessed the intrepidity necessary for putting them in execution. The castle, they knew, was so situated, that it might defy all the regent's power. Elizabeth, they hoped, would not violate the treaty with France, by sending forces to his assistance; and if the French should be able to land any considerable body of men, it might be possible to deliver the queen from captivity, or, at least, to balance the influence of France and England in such a manner, as to rescue Scotland from the dishonourable dependence upon the latter, under which it had fallen. This splendid but chimerical project they preferred to the friendship of Morton. They encouraged the negociation, however, because it served to gain time; they proposed, for the same purpose, that the whole of the queen's party should be comprehended in it, and that Kirkaldy should retain the command of the castle six months after the treaty was signed. His interest prompted the regent to reject the former; his penetration discovered the danger of complying

c Spotsw. 266. Cald. ii. 273.

d Digges, 299.

e Digges, 296, 312.

f Ibid. 314.

with the latter; and all hopes of accommodation vanished.[g]

As soon as the truce expired, Kirkaldy began to fire on the city of Edinburgh, which, by the return of the inhabitants whom he had expelled, was devoted as zealously as ever to the king's cause. But, as the regent had now set on foot a treaty with Chatelherault and Huntley, the cessation of arms still continued with them.

Accepted by Chatelherault and Huntley.

They were less scrupulous than the other party, and listened eagerly to his overtures. The duke was naturally unsteady, and the approach of old age increased his irresolution, and aversion to action. The miseries of civil discord had afflicted Scotland almost five years, a length of time far beyond the duration of any former contest. The war, instead of doing service, had been detrimental to the queen; and more ruinous than any foreign invasion to the kingdom. In prosecuting it, neither party had gained much honour: both had suffered great losses, and had exhausted their own estates in wasting those of their adversaries. The commons were in the utmost misery, and longed ardently for a peace, which might terminate this fruitless but destructive quarrel.

Articles of the treaty. Feb. 23.

A great step was taken towards this desirable event, by the treaty concluded at Perth, between the regent on one hand, and Chatelherault and Huntley on the other, under the mediation of Killegrew, Elizabeth's ambassador.[h] The chief articles in it were these; That all the parties comprehended in the treaty should declare their approbation of the reformed religion now established in the kingdom; that they should submit to the king's government, and own Morton's authority as regent; that they should acknowledge every thing done in opposition to the king, since his coronation, to be illegal; that on both sides the prisoners who had been taken should be set at liberty, and the estates which had been forfeited should be restored to their proper owners; that the act of attainder passed against the queen's adherents should be repealed, and indemnity granted for all the crimes of which they had been guilty since the fifteenth of June one thousand five hundred and sixty-seven; and that the treaty should be ratified by the common consent of both parties in parliament.[i]

Siege of the castle of Edinburgh.

Kirkaldy, though abandoned by his associates, who neither discovered solicitude nor made provision for his safety, did not lose courage, nor entertain any thoughts of accommodation.[k] Though all Scotland had now submitted to the king, he still resolved to defend the castle in the queen's name, and to wait the arrival of the promised succours. The regent was in want of every thing necessary for carrying on a siege. But Elizabeth, who determined at any rate to bring the dissensions in Scotland to a period before the French could find leisure to take part in the quarrel, soon afforded him sufficient supplies. Sir William Drury marched into Scotland with fifteen hundred foot, and a considerable train of artillery. The regent joined him with all his forces; and trenches were opened and approaches regularly carried on against the castle. Kirkaldy, though discouraged by the loss of a great sum of money remitted to him from France, and which fell into the regent's hands through the treachery of sir James Balfour, the most corrupt man of that age, defended himself with bravery, augmented by despair. Three-and-thirty days he resisted all the efforts of the Scots and English, who pushed on their attacks with courage and with emulation. Nor did he demand a parley, till the fortifications were battered down, and one of the wells in the castle dried up, and the other choked with rubbish. Even then, his spirit was unsubdued, and he determined rather to fall gloriously behind the last intrenchment, than to yield to his inveterate enemies. But his garrison was not animated with the same heroic or desperate resolution, and rising in a mutiny, forced him to capitulate. He surrendered himself to Drury, who promised, in the name of his mistress, that he should be favourably treated. Together with him, James Kirkaldy his brother, lord Home, Maitland, sir Robert Melvil, a few citizens of Edinburgh, and about one hundred and sixty soldiers, were made prisoners.[l]

April 25.

May 29.

Several of the officers, who had been kept in pay during the war, prevailed on their men to accompany them into the Low Countries, and entering into the service of the States, added, by their gallant behaviour, to the reputation for military virtue which has always been the character of the Scottish nation.

Review of the character of both parties.

Thus by the treaty with Chatelherault and Huntley, and the surrender of the castle, the civil wars in Scotland were brought to a period. When we review the state of the nation, and compare the strength of the two factions, Mary's partisans among the nobles appear, manifestly, to have been superior both in numbers and in power. But these advantages were more than counterbalanced by others, which their antagonists enjoyed. Political abilities, military skill, and all the talents which times of action form, or call forth, appeared chiefly on the king's side. Nor could their enemies boast of any man who equalled the intrepidity of Murray, tempered with wisdom; the profound sagacity of Morton; the subtle genius, and insinuating address, of Maitland;

g Melv. 235, &c.
h See Appendix, No. XXXIX. i Crawf. Mem. 251.
k Melvil, whose brother, Sir Robert, was one of those who joined with Kirkaldy in the defence of the castle, and who was himself strongly attached to their party, asserts that Kirkaldy offered to accept of any reasonable terms of composition, but that all his offers were rejected by the regent. Melv. 240. But, as Elizabeth was, at that time, extremely desirous of restoring peace in Scotland, and her ambassador Killegrew, as well as the earl of Rothes, used their utmost endeavours to persuade Kirkaldy to accede to the treaty of Perth, it seems more credible to impute the continuance of hostilities to Kirkaldy's obstinacy, his distrust of Morton, or his hope of foreign aid, than to any other cause.
That this was really the case, is evident from the positive testimony of Spotsw. 269, 270. Camd. 448. Johnst. Hist. 3, 4. Digges, 334. Crawford's account agrees, in the main, with theirs, Mem. 263.
l Cald. ii. 408. Melv. 240. Crawf. Mem. 265.

or the successful valour of Kirkaldy; all of which were, at first, employed in laying the foundation of the king's authority. On the one side, measures were concerted with prudence, and executed with vigour; on the other, their resolutions were rash, and their conduct feeble. The people, animated with zeal for religion, and prompted by indignation against the queen, warmly supported the king's cause. The clergy threw the whole weight of their popularity into the same scale. By means of these, as well as by the powerful interposition of England, the king's government was finally established. Mary lost even that shadow of sovereignty, which, amidst all her sufferings, she had hitherto retained among part of her own subjects. As she was no longer permitted to have an ambassador at the court of England, the only mark of dignity which she had, for some time, enjoyed there, she must henceforth be considered as an exile stripped of all the ensigns of royalty; guarded with anxiety in the one kingdom, and totally deserted or forgotten in the other.

Kirkaldy put to death.

Kirkaldy and his associates remained in Drury's custody, and were treated by him with great humanity, until the queen of England, whose prisoners they were, should determine their fate. Morton insisted that they should suffer the punishment due to their rebellion and obstinacy; and declared that, so long as they were allowed to live, he did not reckon his own person or authority secure; and Elizabeth, without regarding Drury's honour, or his promises in her name, gave them up to the regent's disposal. He first confined them to separate prisons; and soon after, with Elizabeth's consent, condemned Kirkaldy, and his brother, to be hanged at the cross of Edinburgh. Maitland, who did not expect to be treated more favourably, prevented the ignominy of a public execution by a voluntary death, and "ended his days," says Melvil, "after the old Roman fashion."[m]

August 3.

While the regent was wreaking his vengeance on the remains of her party in Scotland, Mary, incapable of affording them any relief, bewailed their misfortunes in the solitude of her prison. At the same time her health began to be much impaired by confinement and want of exercise. At the entreaty of the French ambassador, lord Shrewsbury, her keeper, was permitted to conduct her to Buxton-wells, not far from Tuthbury, the place of her imprisonment. Cecil, who had lately been created baron of Burleigh, and lord high treasurer of England, happened to be there at the same time. Though no minister ever entered more warmly into the views of a sovereign, or gave stronger proofs of his fidelity and attachment, than this great man, yet such was Elizabeth's distrust of every person who approached the queen of Scots, that her suspicions, in consequence of this interview, seem to have extended even to him; and while Mary justly reckoned him her most dangerous enemy, he found some difficulty in persuading his own mistress that he was not partial to that unhappy queen.[n]

The duke of Alva was this year recalled from the government of the Netherlands, where his haughty and oppressive administration roused a spirit, in attempting to subdue which, Spain exhausted its treasures, ruined its armies, and lost its glory. Requesens, who succeeded him, was of a milder temper, and of a less enterprising genius. This event delivered Elizabeth from the perpetual disquietude occasioned by Alva's negociations with the Scottish queen, and his zeal for her interest.

1574. The regent's administration becomes odious.

Though Scotland was now settled in profound peace, many of the evils which accompany civil war were still felt. The restraints of law, which in times of public confusion are little regarded even by civilized nations, were totally despised by a fierce people, unaccustomed to a regular administration of justice. The disorders in every corner of the kingdom were become intolerable; and, under the protection of one or the other faction, crimes of every kind were committed with impunity. The regent set himself to redress these, and by his industry and vigour, order and security were re-established in the kingdom. But he lost the reputation due to this important service, by the avarice which he discovered in performing it; and his own exactions became more pernicious to the nation than all the irregularities which he restrained.[o] Spies and informers were every where employed; the remembrance of old offences was revived; imaginary crimes were invented; petty trespasses were aggravated; and delinquents were forced to compound for their lives by the payment of exorbitant fines. At the same time the current coin was debased;[p] licences were sold for carrying on prohibited branches of commerce: unusual taxes were imposed on commodities; and all the refinements in oppression, from which nations so imperfectly polished as the Scots are usually exempted, were put in practice. None of these were complained of more loudly, or with greater reason, than his injustice towards the church. The thirds of benefices, out of which the clergy received their subsistence, had always been slowly and irregularly paid to collectors, appointed by the general assembly; and during the civil wars, no payment could be obtained in several parts of the kingdom. Under colour of redressing this grievance, and upon a promise of assigning every minister a stipend within his own parish, the regent extorted from the church the thirds to which they had right by law. But the clergy, instead of reaping any advantage from this alteration, found that payments became more irregular and dilatory than ever. One minister was commonly burthened with the care of four or

m Melv. 242. n Strype, ii. 248, 288. o See Append. No. XL.

p The corruption of the coin, during Morton's administration, was very great. Although the quantity of current money coined out of a pound of bullion was gradually increased by former princes, the standard or fineness suffered little alteration, and the mixture of alloy was nearly the same with what is now used. But Morton mixed a fourth part of alloy with every pound of silver, and sunk, by consequence, the value of coin in proportion. In the year 1581, all the money coined by him was called in, and appointed to be recoined. The standard was restored to the same purity as formerly. Ruddim. Pref. to Anders. Diplom. p. 74.

five parishes, a pitiful salary was allotted him, and the regent's insatiable avarice seized on the rest of the fund.[q]

The death of Charles IX., which happened this year, was a new misfortune to the Scottish queen. Henry III., who succeeded him, had not the same attachment to her person; and his jealousy of the house of Guise, and obsequiousness to the queen mother, greatly alienated him from her interest.

1575. Jan. 22. The death of the duke of Chatelherault must likewise be considered as some loss to Mary. As the parliament had frequently declared him next heir to the crown, this entitled him to great respect among his countrymen, and enabled him, more than any other person in the kingdom, to counterbalance the regent's power.

Soon after, at one of the usual interviews between the wardens of the Scottish and English marches, a scuffle happened, in which the English were worsted; a few killed on the spot; and sir James Forrester, the warden, with several gentlemen who attended him, taken prisoners. But both Elizabeth and the regent were too sensible of the advantage which resulted from the good understanding that subsisted between the two kingdoms, to allow this slight accident to interrupt it.

Attempts of the clergy against the episcopal order.

The domestic tranquillity of the kingdom was in some danger of being disturbed by another cause. Though the persons raised to the dignity of bishops possessed very small revenues, and a very moderate degree of power, the clergy, to whom the regent and all his measures were become extremely odious, began to be jealous of that order. Knowing that corruptions steal into the church gradually, under honourable names and upon decent pretences, they were afraid that, from such small beginnings, the hierarchy might grow in time to be as powerful and oppressive as ever. The chief author of these suspicions was Mr. Andrew Melvil, a man distinguished by his uncommon erudition, by the severity of his manners, and the intrepidity of his mind. But, bred up in the retirement of a college, he was unacquainted with the arts of life; and being more attentive to the ends which he pursued, than to the means which he employed for promoting them, he often defeated laudable designs by the impetuosity and imprudence with which he carried them on. A question was moved by him in the assembly, "Whether the office of bishop, as now exercised in the kingdom, were agreeable to the word of God?" In the ecclesiastical judicatories, continual complaints were made of the bishops for neglect of duty, many of which their known remissness too well justified. The bishop of Dunkeld, being accused of dilapidating his benefice, was found guilty by the assembly. The regent, instead of checking, connived at these disputes about ecclesiastical government, as they diverted the zeal of the clergy from attending to his daily encroachments on the patrimony of the church.[r]

1576. He irritates some of the nobles.

The weight of the regent's oppressive administration had, hitherto, fallen chiefly on those in the lower and middle rank; but he began now to take such steps as convinced the nobles, that their dignity would not long exempt them from feeling the effects of his power. An accident, which was a frequent cause of dissension among the Scottish nobles, occasioned a difference between the earls of Argyll and Athol. A vassal of the former had made some depredations on the lands of the latter. Athol took arms to punish the offender; Argyll to protect him; and this ignoble quarrel they were ready to decide in the field, when the regent, by interposing his authority, obliged them to disband their forces. Both of them had been guilty of irregularities, which, though common, were contrary to the letter of the law. Of these the regent took advantage, and resolved to found on them a charge of treason. This design was revealed to the two earls by one of Morton's retainers. The common danger to which they were exposed, compelled them to forget old quarrels, and to unite in a close confederacy for their mutual defence. Their junction rendered them formidable; they despised the summons which the regent gave them to appear before a court of justice; and he was obliged to desist from any further prosecution. But the injury he intended made a deep impression on their minds, and drew upon him severe vengeance.[s]

Nor was he more successful in an attempt which he made, to load lord Claud Hamilton with the guilt of having formed a conspiracy against his life. Though those who were supposed to be his accomplices were seized and tortured, no evidence of any thing criminal appeared; but, on the contrary, many circumstances discovered his innocence, as well as the regent's secret views in imputing to him such an odious design.[t]

1577. They turn their eyes towards the king.

The Scottish nobles, who were almost equal to their monarchs in power, and treated by them with much distinction, observed these arbitrary proceedings of a regent with the utmost indignation. The people, who, under a form of government extremely simple had been little accustomed to the burthen of taxes, complained loudly of the regent's rapacity. And all began to turn their eyes towards the young king, from whom they expected the redress of all their grievances, and the return of a more gentle and more equal administration.

James's education and disposition.

James was now in the twelfth year of his age. The queen, soon after his birth, had committed him to the care of the earl of Mar, and during the civil wars he had resided securely in the castle of Stirling. Alexander Erskine, that nobleman's brother, had the chief direction of

q Crawf. Mem. 272. Spots. 273. Cald. ii. 420, 427.
r Cald. Assemblies, 1574, &c. Johnst. Hist. 15.
s Crawf. Mem. 285.
t Ibid. 287.

his education. Under him, the famous Buchanan acted as preceptor, together with three other masters, the most eminent the nation afforded for skill in those sciences which were deemed necessary for a prince. As the young king showed an uncommon passion for learning, and made great progress in it, the Scots fancied that they already discovered in him all those virtues which the fondness or credulity of subjects usually ascribes to princes during their minority. But, as James was still far from that age at which the law permitted him to assume the reins of government, the regent did not sufficiently attend to the sentiments of the people, nor reflect how naturally these prejudices in his favour might encourage the king to anticipate that period. He not only neglected to secure the friendship of those who were about the king's person, and who possessed his ear, but had even exasperated some of them by personal injuries. Their resentment concurred with the ambition of others, in infusing into the king early suspicions of Morton's power and designs. A king, they told him, had often reason to fear, seldom to love, a regent. Prompted by ambition, and by interest, he would endeavour to keep the prince in perpetual infancy, at a distance from his subjects, and unacquainted with business. A small degree of vigour, however, was sufficient to break the yoke. Subjects naturally reverence their sovereign, and become impatient of the temporary and delegated jurisdiction of a regent. Morton had governed with rigour unknown to the ancient monarchs of Scotland. The nation groaned under his oppressions, and would welcome the first prospect of a milder administration. At present the king's name was hardly mentioned in Scotland, his friends were without influence, and his favourites without honour. But one effort would discover Morton's power to be as feeble as it was arbitrary. The same attempt would put himself in possession of his just authority, and rescue the nation from intolerable tyranny. If he did not regard his own rights as a king, let him listen, at least, to the cries of his people.[u]

He is suspicious of the regent's power.

A plot formed against the regent.

These suggestions made a deep impression on the young king, who was trained up in an opinion that he was born to command. His approbation of the design, however, was of small consequence, without the concurrence of the nobles. The earls of Argyll and Athol, two of the most powerful of that body, were animated with implacable resentment against the regent. To them the cabal in Stirling castle communicated the plot which was on foot; and they entering warmly into it, Alexander Erskine, who, since the death of his brother, and during the minority of his nephew, had the command of that fort, and the custody of the king's person, admitted them secretly into the king's presence. They gave him the same account of the misery of his subjects, under the regent's arbitrary administration; they complained loudly of the injustice with which themselves had been treated, and besought the king, as the only means for redressing the grievances of the nation, to call a council of all the nobles. James consented, and letters were issued in his name for that purpose; but the two earls took care that they should be sent only to such as were known to bear no good-will to Morton.[x]

The number of these was, however, so considerable, that on the day appointed, far the greater part of the nobles assembled at Stirling; and so highly were they incensed against Morton, that although, on receiving intelligence of Argyll and Athol's interview with the king, he had made a feint as if he would resign the regency, they advised the king, without regarding this offer, to deprive him of his office, and to take the administration of government into his own hands. Lord Glamis the chancellor, and Herries, were appointed to signify this resolution to Morton, who was at that time in Dalkeith, his usual place of residence. Nothing could equal the joy with which this unexpected resolution filled the nation, but the surprise occasioned by the seeming alacrity with which the regent descended from so high a station. He neither wanted sagacity to foresee the danger of resigning, nor inclination to keep possession of an office, for the expiration of which the law had fixed so distant a term. But all the sources whence the faction of which he was head derived their strength, had either failed, or now supplied his adversaries with the means of humbling him. The commons, the city of Edinburgh, the clergy, were all totally alienated from him, by his multiplied oppressions. Elizabeth, having lately bound herself by treaty, to send a considerable body of troops to the assistance of the inhabitants of the Netherlands, who were struggling for liberty, had little leisure to attend to the affairs of Scotland; and as she had nothing to dread from France, in whose councils the princes of Lorrain had not at that time much influence, she was not displeased, perhaps, at the birth of new factions in the kingdom. Even those nobles, who had long been joined with Morton in faction, or whom he had attached to his person by benefits, Glamis, Lindsay, Ruthven, Pitcairn the secretary, Murray of Tullibardin, comptroller, all deserted his falling fortunes, and appeared in the council at Stirling. So many concurring circumstances convinced Morton of his own weakness, and determined him to give way to a torrent, which was too impetuous to be resisted. He attended the chancellor and Herries to Edinburgh; was present when the king's acceptance of the government was proclaimed; and, in the presence of the people, surrendered to the king all the authority to which he had any claim in virtue of his office. This ceremony was accompanied with such excessive joy and acclamations of the multitude, as added, no doubt, to the anguish

1578. March 24.

He resigns his office, and retires.

March 12.

u Melvil, 249.

x Spotsw. 278.

which an ambitious spirit must feel, when compelled to renounce supreme power; and convinced Morton how entirely he had lost the affections of his countrymen. He obtained, however, from the king an act containing the approbation of every thing done by him in the exercise of his office, and a pardon, in the most ample form that his fear or caution could devise, of all past offences, crimes, and treasons. The nobles, who adhered to the king, bound themselves under a great penalty, to procure the ratification of this act in the first parliament.[y]

Continues to watch the motions of the adverse party.

A council of twelve peers was appointed to assist the king in the administration of affairs. Morton, deserted by his own party, and unable to struggle with the faction which governed absolutely at court, retired to one of his seats, and seemed to enjoy the tranquillity, and to be occupied only in the amusements, of a country life. His mind, however, was deeply disquieted with all the uneasy reflections which accompany disappointed ambition, and intent on schemes for recovering his former grandeur. Even in this retreat, which the people called the *lion's den*, his wealth and abilities rendered him formidable; and the new counsellors were so imprudent as to rouse him, by the precipitancy with which they hastened to strip him of all the remains of power. They required him to surrender the castle of Edinburgh, which was still in his possession. He refused at first to do so, and began to prepare for its defence; but the citizens of Edinburgh having taken arms, and repulsed part of the garrison, which was sent out to guard a convoy of provisions, he was obliged to give up that important fortress without resistance. This encouraged his adversaries to call a parliament to meet at Edinburgh, and to multiply their demands upon him, in such a manner, as convinced him that nothing less than his utter ruin would satisfy their inveterate hatred.

Their power and popularity, however, began already to decline. The chancellor, the ablest and most moderate man in the party, having been killed at Stirling, in an accidental rencounter between his followers and those of the earl of Crawford; Athol, who was appointed his successor in that high office, the earls of Eglinton, Caithness, and lord Ogilvie, all the prime favourites at court, were either avowed papists, or suspected of leaning to the opinions of that sect. In an age when the return of popery was so much and so justly dreaded, this gave universal alarm. As Morton had always treated the papists with rigour, this unseasonable favour to persons of that religion made all zealous protestants remember that circumstance in his administration with great praise.[z]

Resumes his former authority.

Morton, to whom none of these particulars were unknown, thought this the proper juncture for setting to work the instruments which he had been preparing. Having gained the confidence of the earl of Mar, and of the countess his mother, he insinuated to them, that Alexander Erskine had formed a plot to deprive his nephew of the government of Stirling castle, and the custody of the king's person; and easily induced an ambitious woman, and a youth of twenty, to employ force to prevent this supposed injury. The earl repairing suddenly to Stirling, and being admitted as usual into the castle with his attendants, seized the gates early in the morning, and turned out his uncle, who dreaded no danger from his hands. The soldiers of the garrison submitted to him as their governor, and, with little danger and no effusion of blood, he became master both of the king's person, and of the fortress.[a] April. 26.

An event so unexpected occasioned great consternation. Though Morton's hand did not appear in the execution, he was universally believed to be the author of the attempt. The new counsellors saw it to be necessary, for their own safety, to change their measures, and, instead of pursuing him with such implacable resentment, to enter into terms of accommodation with an adversary, still so capable of creating them trouble. Four were named, on each side, to adjust their differences. They met not far from Dalkeith; and when they had brought matters near a conclusion, Morton, who was too sagacious not to improve the advantage which their security and their attention to the treaty afforded him, set out in the night time for Stirling, and having gained Murray of Tullibardin, Mar's uncle, was admitted by him into the castle; and managing matters there with his usual dexterity, he soon had more entirely the command of the fort, than the earl himself. He was likewise admitted to a seat in the privy council, and acquired as complete an ascendant in it.[b] May 24.

As the time appointed for the meeting of parliament at Edinburgh now approached, this gave him some anxiety. He was afraid of conducting the young king to a city whose inhabitants were so much at the devotion of the adverse faction. He was no less unwilling to leave James behind at Stirling. In order to avoid this dilemma, he issued a proclamation in the king's name, changing the place of meeting from Edinburgh to Stirling castle. This Athol and his party represented as a step altogether unconstitutional. The king, said they, is Morton's prisoner; the pretended counsellors are his slaves; a parliament, to which all the nobles may repair without fear, and where they may deliberate with freedom, is absolutely necessary for settling the nation, after disorders of such long continuance. But in an assembly, called contrary to all form, held within the walls of a garrison, and overawed by armed men, what safety could members expect? what liberty could prevail in debate? or what benefit result to the public? The parliament met, however, on the day ap- July 25.

y Spotsw. 278. Crawf. Mem. 289. Cald. ii. 522.

z Spotsw. 283. a Cald. ii. 535. b Ibid. 536.

pointed, and, notwithstanding the protestation of the earl of Montrose and lord Lindsay, in name of their party, proceeded to business. The king's acceptance of the government was confirmed; the act granted to Morton, for his security, ratified; some regulations with regard to the numbers and authority of the privy council, were agreed upon; and a pension for life granted to the countess of Mar, who had been so instrumental in bringing about the late revolution.[c]

Argyll and Athol take arms against him.

Meanwhile Argyll, Athol, and their followers, took arms, upon the specious pretence of rescuing the king from captivity, and the kingdom from oppression. James himself, impatient of the servitude in which he was held by a man whom he had long been taught to hate, secretly encouraged their enterprise; though, at the same time, he was obliged not only to disavow them in public, but to levy forces against them, and even to declare, by proclamation, that he was perfectly free from any constraint, either upon his person or his will. Both sides quickly took the field. Argyll and Athol were at the head of seven thousand men; the earl of Angus, Morton's nephew, met them with an army five thousand strong; neither party, however, was eager to engage. Morton distrusted the fidelity of his own troops. The two earls were sensible that a single victory, however complete, would not be decisive; and, as they were in no condition to undertake the siege of Stirling castle, where the king was kept, their strength would soon be exhausted, while Morton's own wealth and the patronage of the queen of England, might furnish him with endless resources. By the mediation of Bowes, whom Elizabeth had sent into Scotland to negociate an accommodation between the two factions, a treaty was concluded, in consequence of which, Argyll and Athol were admitted into the king's presence; some of their party were added to the privy council; and a convention of nobles called, in order to bring all remaining differences to an amicable issue.[d]

Aug. 11.

Elizabeth negociates an accommodation between them.

As soon as James assumed the government into his own hands, he despatched the abbot of Dunfermline to inform Elizabeth of that event; to offer to renew the alliance between the two kingdoms; and to demand possession of the estate which had lately fallen to him by the death of his grandmother the countess of Lennox. The lady's second son had left one daughter, Arabella Stewart, who was born in England. And as the chief objection against the pretensions of the Scottish line to the crown of England, was that maxim of English law, which excludes aliens from any right of inheritance within the kingdom, Elizabeth, by granting this demand, would have established a precedent in James's favour, that might have been deemed decisive with regard to a point which it had been her constant care to keep undecided. Without suffering this delicate question to be tried, or allowing any new light to be thrown on that which she considered as the great mystery of her reign, she commanded lord Burleigh, master of the wards, to sequester the rents of the estate; and by this method of proceeding, gave the Scottish king early warning how necessary it would be to court her favour, if ever he hoped for success in claims of greater importance, but equally liable to be controverted.[e]

1579.

After many delays, and with much difficulty, the contending nobles were at last brought to some agreement. But it was followed by a tragical event. Morton, in token of reconcilement, having invited the leaders of the opposite party to a great entertainment, Athol the chancellor was soon after taken ill, and died within a few days. The symptoms and violence of the disease gave rise to strong suspicions of his being poisoned; and though the physicians, who opened his body, differed in opinion as to the cause of the distemper, the chancellor's relations publicly accused Morton of that odious crime. The advantage which visibly accrued to him by the removal of a man of great abilities, and averse from all his measures, was deemed a sufficient proof of his guilt by the people, who are ever fond of imputing the death of eminent persons to extraordinary causes.[f]

April 24.

Morton's illegal proceedings against the family of Hamilton.

The office of chancellor was bestowed upon Argyll, whom this preferment reconciled, in a great measure, to Morton's administration. He had now recovered all the authority which he possessed during his regency, and had entirely broken, or baffled, the power and cabals of his enemies. None of the great families remained to be the objects of his jealousy or to obstruct his designs, but that of Hamilton. The earl of Arran, the eldest brother, had never recovered the shock which he received from the ill success of his passion for the queen, and had now altogether lost his reason. Lord John, the second brother, was in possession of the family estate. Lord Claud was commendator of Paisley; both of them young men, ambitious and enterprising. Morton dreaded their influence in the kingdom; the courtiers hoped to share their spoils among them; and as all princes naturally view their successors with jealousy and hatred, it was easy to infuse these passions into the mind of the young king. A pretence was at hand to justify the most violent proceedings. The pardon, stipulated in the treaty of Perth, did not extend to such as were accessory to the murder of the regents Murray or Lennox. Lord John and his brother were suspected of being the authors of both these crimes, and had been included in a general act of attainder on that account. Without summoning them to trial, or examining a single witness to prove the charge, this attainder was now thought sufficient to subject them to all the penalties which they would have incurred by being formally con-

c Cald ii. 547. Parl. 5 Jac. 6.

d Crawf. Mem. 307.

e Camd. 461.

f Spotsw. 306.

victed. The earls of Morton, Mar, and Eglinton, together with the lords Ruthven, Boyd, and Cathcart, received a commission to seize their persons and estates. On a few hours' warning, a considerable body of troops was ready, and marched towards Hamilton in hostile array. Happily the two brothers made their escape, though with great difficulty. But their lands were confiscated; the castles of Hamilton and Draffan besieged; those who defended them punished. The earl of Arran, though incapable, from his situation, of committing any crime, was involved, by a shameful abuse of law, in the common ruin of his family; and as if he, too, could have been guilty of rebellion, he was confined a close prisoner. These proceedings, so contrary to the fundamental principles of justice, were all ratified in the subsequent parliament.[g]

About this time Mary sent, by Nauè her secretary, a letter to her son, together with some jewels of value, and a vest embroidered with her own hands. But, as she gave him only the title of prince of Scotland, the messenger was dismissed without being admitted into his presence.[h]

Though Elizabeth had, at this time, no particular reason to fear any attempt of the popish princes in Mary's favour, she still continued to guard her with the same anxious care. The acquisition of Portugal, on the one hand, and the defence of the Netherlands, on the other, fully employed the councils and arms of Spain. France, torn in pieces by intestine commotions, and under a weak and capricious prince, despised and distrusted by his own subjects, was in no condition to disturb its neighbours.

Negociations for a marriage between Elizabeth and the duke of Alençon.

Elizabeth had long amused that court by carrying on a treaty of marriage with the duke of Alençon, the king's brother. But whether, at the age of forty-five, she really intended to marry a prince of twenty; whether the pleasure of being flattered and courted made her listen to the addresses of so young a lover, whom she allowed to visit her at two different times, and treated with the most distinguishing respect; or whether considerations of interest predominated in this as well as in every other transaction of her reign, are problems in history which we are not concerned to resolve. During the progress of this negociation, which was drawn out to an extraordinary length, Mary could expect no assistance from the French court, and seems to have held little correspondence with it; and there was no period in her reign, wherein Elizabeth enjoyed more perfect security.

Two favourites gain an ascendant over James.

Morton seems at this time to have been equally secure; but his security was not so well founded. He had weathered out one storm, had crushed his adversaries, and was again in possession of the sole direction of affairs. But as the king was now of an age when the character and dispositions of the mind begin to unfold themselves, and to become visible, the smallest attention to these might have convinced him, that there was reason to expect new and more dangerous attacks on his power. James early discovered that excessive attachment to favourites which accompanied him through his whole life. This passion, which naturally arises from inexperience and youthful warmth of heart, was, at his age, far from being culpable; nor could it be well expected that the choice of the objects, on whom he placed his affections, should be made with great skill. The most considerable of them was Esme Stewart, a native of France, and son of a second brother of the earl of Lennox. He was distinguished by the title of lord D'Aubigné, an estate in France, which descended to him from his ancestors, on whom it had been conferred in reward of their valour and services to the French crown. He arrived in Scotland about this time, on purpose to demand the estate and title of Lennox, to which he pretended a legal right. He was received at first by the king with the respect due to so near a relation. The gracefulness of his person, the elegance of his dress, and his courtly behaviour, made a great impression on James, who, even in his more mature years, was little able to resist these frivolous charms; and his affection flowed with its usual rapidity and profusion. Within a few days after Stewart's appearance at court, he was created lord Aberbrothock, soon after earl, and then duke, of Lennox, governor of Dumbarton castle, captain of the guard, first lord of the bed-chamber, and lord high chamberlain. At the same time, and without any of the envy or emulation which is usual among candidates for favour, captain James Stewart, the second son of lord Ochiltree, grew into great confidence. But, notwithstanding this union, Lennox and captain Stewart were persons of very opposite characters. The former was naturally gentle, humane, candid; but, unacquainted with the state of the country, and misled or misinformed by those whom he trusted; not unworthy to be the companion of the young king in his amusements, but utterly disqualified for acting as a minister in directing his affairs. The latter was remarkable for all the vices which render a man formidable to his country, and a pernicious counsellor to his prince; nor did he possess any one virtue to counterbalance these vices, unless dexterity in conducting his own designs, and an enterprising courage, superior to the sense of danger, may pass by that name. Unrestrained by religion, regardless of decency, and undismayed by opposition, he aimed at objects seemingly unattainable; but, under a prince void of experience, and blind to all the defects of those who had gained his favour, his audacity was successful; and honours, wealth, and power, were the reward of his crimes.

Sept. 8.

They labour to undermine Morton's authority.

Both the favourites concurred in employing their whole address to undermine Morton's credit, which alone

g Crawf. Mem. 311. Spotsw. 306.

h Crawf. Mem. 314.

obstructed their full possession of power. As James had been bred up with an aversion for that nobleman, who endeavoured rather to maintain the authority of a tutor, than to act with the obsequiousness of a minister, they found it no difficult matter to accomplish their design. Morton, who could no longer keep the king shut up within the walls of Stirling castle, having called a parliament to meet at Edinburgh, brought him thither. James made his entry into the capital with great solemnity; the citizens received him with the loudest acclamations of joy, and with many expensive pageants, according to the mode of that age. After a long period of thirty-seven years, during which Scotland had been subjected to the delegated power of regents, or to the feeble government of a woman; after having suffered all the miseries of civil war, and felt the insolence of foreign armies, the nation rejoiced to see the sceptre once more in the hands of a king. Fond even of that shadow of authority, which a prince of fifteen could possess, the Scots flattered themselves, that union, order, and tranquillity would now be restored to the kingdom. James opened the parliament with extraordinary pomp, but nothing remarkable passed in it.

Oct. 17.

1580. These demonstrations, however, of the people's love and attachment to their sovereign, encouraged the favourites to continue their insinuations against Morton; and as the king now resided in the palace of Holyrood-house, to which all his subjects had access, the cabal against the earl grew daily stronger, and the intrigue which occasioned his fall, ripened gradually.

Morton endeavours to prevent them.

Morton began to be sensible of his danger, and endeavoured to put a stop to the career of Lennox's preferment, by representing him as a formidable enemy to the reformed religion, a secret agent in favour of popery, and a known emissary of the house of Guise. The clergy, apt to believe every rumour of this kind, spread the alarm among the people. But Lennox, either out of complaisance to his master, or convinced by the arguments of some learned divines whom the king appointed to instruct him in the principles of the protestant religion, publicly renounced the errors of popery, in the church of St. Giles, and declared himself a member of the church of Scotland, by signing her confession of faith. This, though it did not remove all suspicions, nor silence some zealous preachers, abated, in a great degree, the force of the accusation.[i]

On the other hand, a rumour prevailed that Morton was preparing to seize the king's person, and to carry him into England. Whether despair of maintaining his power by any other means, had driven him to make any overture of that kind to the English court, or whether it was a calumny invented by his adversaries to render him odious, cannot now be determined with certainty. As he declared at his death that such a design had never entered into his thoughts, the latter seems to be most probable. It afforded a pretence, however, for reviving the office of lord chamberlain, which had been for some time disused. That honour was conferred on Lennox. Alexander Erskine, Morton's capital enemy, was his deputy; they had under them a band of gentlemen, who were appointed constantly to attend the king, and to guard his person.[k]

Elizabeth interposes in his behalf.

Morton was not ignorant of what his enemies intended to insinuate by such unusual precautions for the king's safety; and, as his last resource, applied to Elizabeth, whose protection had often stood him in stead in his greatest difficulties. In consequence of this application, Bowes, her envoy, accused Lennox of practices against the peace of the two kingdoms, and insisted, in her name, that he should instantly be removed from the privy council. Such an unprecedented demand was considered by the counsellors as an affront to the king, and an encroachment on the independence of the kingdom. They affected to call in question the envoy's powers, and upon that pretence refused him further audience; and he retiring in disgust, and without taking leave, sir Alexander Home was sent to expostulate with Elizabeth on the subject. After the treatment which her envoy had received, Elizabeth thought it below her dignity to admit Home into her presence. Burleigh, to whom he was commanded to impart his commission, reproached him with his master's ingratitude toward a benefactress who had placed the crown on his head, and required him to advise the king to beware of sacrificing the friendship of so necessary an ally to the giddy humours of a young man, without experience, and strongly suspected of principles and attachments incompatible with the happiness of the Scottish nation.

Morton accused of the murder of the late king.

This accusation of Lennox hastened, in all probability, Morton's fall. The act of indemnity, which he had obtained when he resigned the regency, was worded with such scrupulous exactness, as almost screened him from any legal prosecution. The murder of the late king was the only crime which could not, with decency, be inserted in a pardon granted by his son. Here Morton still lay open to the penalties of the law, and captain Stewart, who shunned no action, however desperate, if it led to power or to favour, entered the council-chamber while the king and nobles were assembled, and falling on his knees, accused Morton of

Dec. 30.

being accessory, or, according to the language of the Scottish law, *art and part*, in the conspiracy against the life of his majesty's father, and offered, under the usual penalties, to verify this charge by legal evidence. Morton, who was present, heard this accusation with firmness; and replied with a disdainful smile, proceeding either from contempt of the infamous character of his accuser, or from

i Crawf. Mem. 319. Spotsw. 308.

k Crawf. Mem. 320.

consciousness of his own innocence, "that his known zeal in punishing those who were suspected of that detestable crime, might well exempt himself from any suspicion of being accessory to it; nevertheless, he would cheerfully submit to a trial, either in that place or in any other court; and doubted not but his own innocence, and the malice of his enemies, would then appear in the clearest light." Stewart, who was still on his knees, began to inquire how he would reconcile his bestowing so many honours on Archibald Douglas, whom he certainly knew to be one of the murderers, with his pretended zeal against that crime. Morton was ready to answer. But the king commanded both to be removed.

1581. January 2. The earl was confined first of all to his own house, and then committed to the castle of Edinburgh, of which Alexander Erskine was governor; and, as if it had not been a sufficient indignity to subject him to the power of one of his enemies, he was soon after carried to Dumbarton, of which Lennox had the command. A warrant was likewise issued for apprehending Archibald Douglas; but he, having received timely intelligence of the approaching danger, fled into England.[l]

Jan. 18.

The earl of Angus, who imputed these violent proceedings, not to hatred against Morton alone, but to the ancient enmity between the houses of Stewart and of Douglas, and who believed that a conspiracy was now formed for the destruction of all who bore that name, was ready to take arms in order to rescue his kinsman. But Morton absolutely forbad any such attempt, and declared that he would rather suffer ten thousand deaths, than bring an imputation upon his own character by seeming to decline a trial.[m]

Elizabeth's measures in order to save him.

Elizabeth did not fail to interpose, with warmth, in behalf of a man who had contributed so much to preserve her influence over Scotland. The late transactions in that kingdom had given her great uneasiness. The power which Lennox had acquired independent of her was dangerous; the treatment her ambassadors had met with differed greatly from the respect with which the Scots were in use to receive her ministers; and the attack now made on Morton, fully convinced her that there was an intention to sow the seeds of discord between the two nations, and to seduce James into a new alliance with France, or into a marriage with some popish princess. Full of these apprehensions, she ordered a considerable body of troops to be assembled on the borders of Scotland, and despatched Randolph as her ambassador into that kingdom. He addressed himself not only to James, and to his council, but to a convention of estates, met at that time. He began with enumerating the extraordinary benefits which Elizabeth had conferred on the Scottish nation; that without demanding a single foot of land for herself, without encroaching on the liberties of the kingdom in the smallest article, she had, at the expense of the blood of her subjects and the treasures of her crown, rescued the Scots from the dominion of France, established among them true religion, and put them in possession of their ancient rights: that from the beginning of civil dissensions in the kingdom, she had protected those who espoused the king's cause, and by her assistance alone, the crown had been preserved on his head, and all the attempts of the adverse faction baffled: that an union, unknown to their ancestors, but equally beneficial to both kingdoms, had subsisted for a long period of years, and though so many popish princes had combined to disturb this happy state of things, her care, and their constancy, had hitherto defeated all these efforts: that she had observed of late an unusual coldness, distrust, and estrangement in the Scottish council, which she could impute to none but to Lennox, a subject of France, a retainer to the house of Guise, bred up in the errors of popery, and still suspected of favouring that superstition. Not satisfied with having mounted so fast to an uncommon height of power, which he exercised with all the rashness of youth, and all the ignorance of a stranger; nor thinking it enough to have deprived the earl of Morton of the authority due to his abilities and experience, he had conspired the ruin of that nobleman, who had often exposed his life in the king's cause, who had contributed more than any other subject to place him on the throne, to resist the encroachments of popery, and to preserve the union between the two kingdoms. If any zeal for religion remained among the nobles in Scotland, if they wished for the continuance of amity with England, if they valued the privileges of their own order, he called upon them, in the name of his mistress, to remove such a pernicious counsellor as Lennox from the presence of the young king, to rescue Morton out of the hands of his avowed enemy, and to secure him the benefit of a fair and impartial trial: and if force was necessary towards accomplishing a design so salutary to the king and kingdom, he promised them the protection of his mistress in the enterprise, and whatever assistance they should demand, either of men or money.[n]

But these extraordinary remonstrances, accompanied with such an unusual appeal from the king to his subjects, were not the only means employed by Elizabeth in favour of Morton, and against Lennox. She persuaded the prince of Orange to send an agent into Scotland, and, under colour of complimenting James on account of the valour which many of his subjects had displayed in the service of the States, to enter into a long detail of the restless enterprises of the popish princes against the protestant religion; to beseech him to adhere inviolably to the alliance with England, the only barrier which secured his kingdom against their dangerous cabals; and, above all things, to distrust the insinuations of those who endeavoured to weaken or to

l Crawf. Mem. 323.

m Johnst. 64. Spotsw. 311.

n Cald. iii. 6. Strype, ii. 621.

dissolve that union between the British nations, which all the protestants in Europe beheld with so much pleasure.[o]

James determines to proceed against him.

James's counsellors were too intent upon the destruction of their enemy to listen to these remonstrances. The officious interposition of the prince of Orange, the haughty tone of Elizabeth's message, and her avowed attempt to excite subjects to rebel against their sovereign, were considered as unexampled insults on the majesty and independence of a crowned head. A general and evasive answer was given to Randolph. James prepared to assert his own dignity with spirit. All those suspected of favouring Morton were turned out of office, some of them were required to surrender themselves prisoners; the men capable of bearing arms throughout the kingdom were commanded to be in readiness to take the field; and troops were levied and posted on the borders. The English ambassador, finding that neither the public manifesto which he had delivered to the convention, nor his private cabals with the nobles, could excite them to arms, fled in the night time out of Scotland, where libels against him had been daily published, and even attempts made upon his life. In both kingdoms every thing wore a hostile aspect. But Elizabeth, though she wished to have intimidated the Scottish king by her preparations, had no inclination to enter into a war with him, and the troops on the borders, which had given such umbrage, were soon dispersed.[p]

The greater solicitude Elizabeth discovered for Morton's safety, the more eagerly did his enemies drive on their schemes for his destruction. Captain Stewart, his accuser, was first appointed *tutor* to the earl of Arran, and soon after both the title and estate of his unhappy ward, to which he advanced some frivolous claim, were conferred upon him. The new-made peer was commanded to conduct Morton from Dumbarton to Edinburgh; and by that choice the earl was not only warned what fate he might expect, but had the cruel mortification of seeing his deadly enemy already loaded with honours, in reward of the malice with which he had contributed to his ruin.

He is tried and condemned.

The records of the court of *justiciary* at this period are lost. The account which our historians give of Morton's trial is inaccurate and unsatisfactory. The proceedings against him seem to have been carried on with violence. During the trial, great bodies of armed men were drawn up in different parts of the city. The jury was composed of the earl's known enemies; and though he challenged several of them, his objections were overruled. After a short consultation, his peers found him guilty of concealing, and of being *art and part* in the conspiracy against the life of the late king. The first part of the verdict did not surprise him, but he twice repeated the words *art and part* with some vehemence, and added, "God knows it is not so." The doom which the law decrees against a traitor was pronounced. The king, however, remitted the cruel and ignominious part of the sentence, and appointed that he should suffer death next day, by being beheaded.[q]

His death.

During that awful interval, Morton possessed the utmost composure of mind. He supped cheerfully; slept a part of the night in his usual manner, and employed the rest of his time in religious conferences, and in acts of devotion with some ministers of the city. The clergymen who attended him dealt freely with his conscience, and pressed his crimes home upon him. What he confessed with regard to the crime for which he suffered, is remarkable, and supplies, in some measure, the imperfection of our records. He acknowledged, that on his return from England, after the death of Rizzio, Bothwell had informed him of the conspiracy against the king, which the queen, as he told him, knew of and approved; that he solicited him to concur in the execution of it, which at that time he absolutely declined; that soon after Bothwell himself, and Archibald Douglas, in his name, renewing their solicitations to the same purpose, he had required a warrant under the queen's hand, authorizing the attempt, and as that had never been produced, he had refused to be any further concerned in the matter. "But," continued he, "as I neither consented to this treasonable act, nor assisted in the committing of it, so it was impossible for me to reveal or to prevent it. To whom could I make the discovery? The queen was the author of the enterprise. Darnley was such a changeling, that no secret could be safely communicated to him. Huntley and Bothwell, who bore the chief sway in the kingdom, were themselves the perpetrators of the crime." These circumstances, it must be confessed, go some length towards extenuating Morton's guilt; and though his apology for the favour he had shown to Archibald Douglas, whom he knew to be one of the conspirators, be far less satisfactory, no uneasy reflections seem to have disquieted his own mind on that account.[r] When his keepers told him that the guards were attending, and all things in readiness, "I praise my God," said he, "I am ready likewise." Arran commanded these guards; and even in those moments, when the most implacable hatred is apt to relent, the malice of his enemies could not forbear this insult. On the scaffold, his behaviour was calm: his countenance and voice unaltered; and, after some time spent in devotion, he suffered death with the intrepidity which became the name of Douglas. His head was placed on the public gaol of Edinburgh; and his body, after lying till sunset on the scaffold, covered with a beggarly cloak, was carried by common porters to the usual burying-place of criminals. None of his friends durst accompany it to the grave, or dis-

o Cald. iii. 9. See Append. No. XLI.
p Crawf. Mem. 328. Strype, ii. App. 133.

q Spots. 314. Johnst. 65. Crawf. Mem. 332. Cald. iii. 45. Arnot's Crimin. Trials, 388.
r Crawf. Mem. App. iii.

cover their gratitude and respect by any symptoms of sorrow.[s]

Odious conduct of Arran.

Arran, no less profligate in private life, than audacious in his public conduct, soon after drew the attention of his countrymen, by his infamous marriage with the countess of March. Before he grew into favour at court, he had been often entertained in her husband's house, and without regarding the laws of hospitality or of gratitude, carried on a criminal intrigue with the wife of his benefactor, a woman young and beautiful, but, according to the description of a contemporary historian, "intolerable in all the imperfections incident to her sex." Impatient of any restraint upon their mutual desires, they, with equal ardour, wished to avow their union publicly, and to legitimate, by a marriage, the offspring of their unlawful passion. The countess petitioned to be divorced from her husband, for a reason which no modest woman will ever plead. The judges,

July 6.

overawed by Arran, passed sentence without delay. This infamous scene was concluded by a marriage, solemnized with great pomp, and beheld by all ranks of men with the utmost horror.[t]

Oct. 24.

A parliament was held this year, at the opening of which some disputes arose between Arran and the new-created duke of Lennox. Arran, haughty by nature, and pushed on by his wife's ambition, began to affect an equality with the duke, under whose protection he had hitherto been contented to place himself. After various attempts to form a party in the council against Lennox, he found him fixed so firmly in the king's affections, that it was impossible to shake him; and, rather than lose all interest at court, from which he was banished, he made the most humble submissions to the favourite, and again recovered his former credit. This rupture contributed, however, to render the duke still more odious to the nation. During the continuance of it, Arran affected to court the clergy, pretended an extraordinary zeal for the protestant religion, and laboured to confirm the suspicions which were entertained of his rival, as an emissary of the house of Guise, and a favourer of popery. As he was supposed to be acquainted with the duke's most secret designs, his calumnies were listened to with greater credit than was due to his character. To this rivalship between Lennox and Arran, during the continuance of which each endeavoured to conciliate the good-will of the clergy, we must ascribe several acts of this parliament uncommonly favourable to the church, particularly one which abolished the practice introduced by Morton, of appointing but one minister to several parishes.

Ecclesiastical affairs.

No notice hath been taken for several years of ecclesiastical affairs. While the civil government underwent so many extraordinary revolutions, the church was not free from convulsions. Two objects chiefly engrossed the attention of the clergy. The one was, the forming a system of discipline, or ecclesiastical polity. After long labour, and many difficulties, this system was at last brought to some degree of perfection. The assembly solemnly approved of it, and appointed it to be laid before the privy council, in order to obtain the ratification of it in parliament. But Morton, during his administration, and those who, after his fall, governed the king, were equally unwilling to see it carried into execution; and by starting difficulties and throwing in objections, prevented it from receiving a legal sanction. The other point in view was, the abolition of the episcopal order. The bishops were so devoted to the king, to whom they owed their promotion, that the function itself was by some reckoned dangerous to civil liberty. Being allowed a seat in parliament, and distinguished by titles of honour, these not only occasioned many avocations from their spiritual functions, but soon rendered their character and manners extremely different from those of the clergy in that age. The nobles viewed their power with jealousy; the populace considered their lives as profane; and both wished their downfall with equal ardour. The personal emulation between Melvil and Adamson, a man of learning and eminent for his popular eloquence, who was promoted, on the death of Douglas, to be archbishop of St. Andrew's, mingled itself with the passions on each side, and heightened them. Attacks were made in every assembly on the order of bishops; their privileges were gradually circumscribed; and at last an act was passed, declaring the office of bishop, as it was then exercised within the realm, to have neither foundation nor warrant in the word of God; and requiring, under pain of excommunication, all who now possessed that office, instantly to resign it, and to abstain from preaching or administering the sacraments, until they should receive permission from the General Assembly. The court did not acquiesce in this decree. A vacancy happened soon after in the see of Glasgow. Montgomery, minister at Stirling, a man vain, fickle, presumptuous, and more apt, by the blemishes in his character, to have alienated the people from an order already beloved, than to reconcile them to one which was the object of their hatred, made an infamous

1582.

simoniacal bargain with Lennox, and on his recommendation was chosen archbishop. The presbytery of Stirling, of which he was a member, the presbytery of Glasgow, whither he was to be translated, the general assembly, vied with each other in prosecuting him on that account. In order to screen Montgomery, James made trial both of gentle and of rigorous measures, and both were equally ineffectual. The general assembly was just ready to pronounce against him the sentence of excommunication, when an herald entered, and commanded them in the king's name, and under pain of rebellion, to stop further proceedings. Even this injunc-

s Crawf. Mem. 334. Spotsw. 314.

t Spotsw. 315.

tion they despised; and though Montgomery, by his tears and seeming penitence, procured a short respite, the sentence was at last issued by their appointment, and published in all the churches throughout the kingdom.

The firmness of the clergy in a collective body was not greater than the boldness of some individuals, particularly of the ministers of Edinburgh. They inveighed daily against the corruptions in the administration; and, with the freedom of speech admitted into the pulpit in that age, named Lennox and Arran as the chief authors of the grievances under which the church and kingdom groaned. The courtiers, in their turn, complained to the king of the insolent and seditious spirit of the clergy. In order to check the boldness of their discourses, James issued a proclamation, commanding Dury, one of the most popular ministers, not only to leave the town, but to abstain from preaching in any other place. Dury complained to the judicatories of this encroachment upon the immunities of his office. They approved of the doctrine which he had delivered; and he determined to disregard the royal proclamation. But the magistrates being determined to compel him to leave the city, according to the king's orders, he was obliged to abandon his charge, after protesting publicly, at the cross of Edinburgh, against the violence which was put upon him. The people accompanied him to the gates with tears and lamentations; and the clergy denounced the vengeance of heaven against the authors of this outrage.[u]

In this perilous situation stood the church, the authority of its judicators called in question, and the liberty of the pulpit restrained, when a sudden revolution of the civil government procured them unexpected relief.

His favourites engage the king in unpopular measures.

The two favourites, by their ascendant over the king, possessed uncontrolled power in the kingdom, and exercised it with the utmost wantonness. James usually resided at Dalkeith, or Kinneil, the seats of Lennox and of Arran, and was attended by such company, and employed in such amusements, as did not suit his dignity. The services of those who had contributed most to place the crown on his head were but little remembered. Many who had opposed him with the greatest virulence, enjoyed the rewards and honours to which the others were entitled. Exalted notions of regal prerogative, utterly inconsistent with the constitution of Scotland, being instilled by his favourites into the mind of the young monarch, unfortunately made, at that early age, a deep impression there, and became the source of almost all his subsequent errors in the government of both kingdoms.[x] Courts of justice were held in almost every county, the proprietors of land were called before them, and upon the slightest neglect of any of the numerous forms which are peculiar to the feudal holdings, they were fined with unusual and intolerable rigour. The lord chamberlain revived the obsolete jurisdiction of his office over the boroughs, and they were subjected to actions no less grievous. A design seemed likewise to have been formed to exasperate Elizabeth, and to dissolve the alliance with her, which all good protestants esteemed the chief security of their religion in Scotland. A close correspondence was carried on between the king and his mother, and considerable progress made towards uniting their titles to the crown, by such a treaty of association as Maitland had projected; which could not fail of endangering or diminishing his authority, and must have proved fatal to those who had acted against her with the greatest vigour.[y]

The nobles conspire against them.

All these circumstances irritated the impatient spirit of the Scottish nobles, who resolved to tolerate no longer the insolence of the two minions, or to stand by, while their presumption and inexperience ruined both the king and the kingdom. Elizabeth, who, during the administration of the four regents, had the entire direction of the affairs of Scotland, felt herself deprived of all influence in that kingdom ever since the death of Morton, and was ready to countenance any attempt to rescue the king out of the hands of favourites who were leading him into measures so repugnant to all her views. The earls of Mar and Glencairn, lord Ruthven, lately created earl of Gowrie, lord Lindsay, lord Boyd, the tutor of Glamis, the eldest son of lord Oliphant, with several barons and gentlemen of distinction, entered into a combination for that purpose; and as changes in administration, which, among polished nations, are brought about slowly and silently, by artifice and intrigue, were in that rude age effected suddenly and by violence, the king's situation, and the security of the favourites, encouraged the conspirators to have immediate recourse to force.

Seize the king's person at Ruthven.

es, after having resided for some time in Athol, where he enjoyed his favourite amusement of hunting, was now returning towards Edinburgh with a small train. He was invited to Ruthven castle, which lay in his way; and as he suspected no danger, he went thither in hopes of further sport. The multitude of strangers whom he found there gave him some uneasiness; and as those who were in the secret arrived every moment from different parts, the appearance of so many new faces increased his fears. He concealed his uneasiness, however, with the utmost care; and next morning prepared for the field, expecting to find there some opportunity of making his escape. But just as he was ready to depart, the nobles entered his bed-chamber in a body, and presented a memorial against the illegal and oppressive actions of his two favourites, whom they represented as most dangerous enemies to the religion and liberties of the nation. James, though he received this remonstrance with the complaisance

Aug. 12.

u Cald. Assem. 1576–1582. Spotsw. 277, &c.

x Cald. iii. 157.

y Ibid. 357.

which was necessary in his present situation, was extremely impatient to be gone; but as he approached the door of his apartment, the tutor of Glamis rudely stopped him. The king complained, expostulated, threatened, and finding all these without effect, burst into tears: "No matter," said Glamis fiercely, "better children weep than bearded men." These words made a deep impression on the king's mind, and were never forgotten. The conspirators, without regarding his tears or indignation, dismissed such of his followers as they suspected; allowed none but persons of their own party to have access to him; and, though they treated him with great respect, guarded his person with the utmost care. This enterprise is usually called, by our historians, *The Raid of Ruthven*.[z]

Commit Arran to prison.

Lennox and Arran were astonished to the last degree at an event so unexpected, and so fatal to their power. The former endeavoured, but without success, to excite the inhabitants of Edinburgh to take arms in order to rescue their sovereign from captivity. The latter, with his usual impetuosity, mounted on horseback the moment he heard what had befallen the king, and with a few followers rode towards Ruthven castle; and as a considerable body of the conspirators, under the command of the earl of Mar, lay in his way ready to oppose him, he separated himself from his companions, and with two attendants arrived at the gate of the castle. At the sight of a man so odious to his country, the indignation of the conspirators rose, and instant death must have been the punishment of his rashness, if the friendship of Gowrie, or some other cause not explained by our historians, had not saved a life so pernicious to the kingdom. He was confined, however, to the castle of Stirling, without being admitted into the king's presence.

Command Lennox to leave the kingdom.

The king, though really the prisoner of his own subjects, with whose conduct he could not help discovering many symptoms of disgust, was obliged to publish a proclamation, signifying his approbation of their enterprise, declaring that he was at full liberty, without any restraint or violence offered to his person; and forbidding any attempt against those concerned in the *Raid of Ruthven*, under pretence of reseuing him out of their hands. At the same time, he commanded Lennox to leave Scotland before the twentieth of September.[a]

Aug. 28.

The conspirators countenanced by Elizabeth.

Soon after, sir George Carey and Robert Bowes arrived as ambassadors from Elizabeth. The pretext of their embassy was to inquire after the king's safety: to encourage and countenance the conspirators was the real motive of it. By their intercession, the earl of Angus, who, ever since the death of his uncle Morton, had lived in exile, obtained leave to return. And the accession of a nobleman so powerful and so popular strengthened the faction.[b]

Lennox, whose amiable and gentle qualities had procured him many friends, and who received private assurances that the king's favour towards him was in no degree abated, seemed resolved, at first, to pay no regard to a command extorted by violence, and no less disagreeable to James, than it was rigorous with regard to himself. But the power of his enemies, who were masters of the king's person, who were secretly supported by Elizabeth, and openly applauded by the clergy, deterred him from any enterprise, the success of which was dubious, and the danger certain, both to himself and to his sovereign. He put off the time of his departure, however, by various artifices, in expectation either that James might make his escape from the conspirators, or that fortune might present some more favourable opportunity of taking arms for his relief.

Their conduct approved by an assembly and a convention of estates.

On the other hand, the conspirators were extremely solicitous not only to secure the approbation of their countrymen, but to obtain some legal sanction of their enterprise. For this purpose they published a long declaration, containing the motives which had induced them to venture on such an irregular step, and endeavoured to heighten the public indignation against the favourites, by representing, in the strongest colours, their inexperience and insolence, their contempt of the nobles, their violation of the privileges of the church, and their oppression of the people. They obliged the king, who could not with safety refuse any of their demands, to grant them a remission in the most ample form; and not satisfied with that, they applied to the assembly of the church, and easily procured an act, declaring "that they had done good and acceptable service to God, to their sovereign, and to their native country;" and requiring all sincere protestants to concur with them in carrying forward such a laudable enterprise. In order to add the greater weight to this act, every minister was enjoined to read it in his own pulpit, and to inflict the censures of the church on those who set themselves in opposition to so good a cause. A convention of estates assembled a few days after, passed an act to the same effect, and granted full indemnity to the conspirators for every thing they had done.[c]

Oct. 3.

Lennox's departure from Scotland.

James was conducted by them, first to Stirling, and afterwards to the palace of Holyrood-house; and though he was received every where with the external marks of respect due to his dignity, his motions were carefully observed, and he was under a restraint no less strict than at the first moment when he was seized by the conspirators. Lennox, after eluding many commands to depart out of the kingdom, was at last obliged to begin his journey. He

z Cald. iii. 134. Spotsw. 320. Melv. 357.
a Cald. iii. 135, 138.
b Cald. iii. 152.
c Ibid. 177, 187, 200. Spotsw. 322.

lingered, however, for some time in the neighbourhood of Edinburgh, as if he had still intended to make some effort towards restoring the king to liberty. But either from the gentleness of his own disposition, averse to bloodshed and the disorders of civil war, or from some other cause unknown to us, he abandoned the design, and set out for France, by the way of England. Dec. 30. The king issued the order for his departure with no less reluctance than the duke obeyed it; and both mourned a separation, which neither of them had power to prevent. Soon after his arrival in France, the fatigue of the journey, or the anguish of his mind, threw him into a fever. In his last moments he discovered such a firm adherence to the protestant faith, as fully vindicates his memory from the imputation of an attachment to popery, with which he had been uncharitably loaded in Scotland.[d] As he was the earliest, and best beloved, he was perhaps the most deserving, though not the most able, of all James's favourites. The warmth and tenderness of his master's affection for him were not abated by death itself. By many acts of kindness and generosity towards his posterity, the king not only did great honour to the memory of Lennox, but set his own character in one of its most favourable points of view.

Mary's anxiety about her son.

The success of the conspiracy which deprived James of liberty made great noise over all Europe, and at last reached the ears of Mary in the prison to which she was confined. As her own experience had taught her what injuries a captive prince is exposed to suffer; and as many of those who were now concerned in the enterprise against her son, were the same persons whom she considered as the chief authors of her own misfortunes, it was natural for the tenderness of a mother to apprehend that the same calamities were ready to fall on his head; and such a prospect did not fail of adding to the distress and horror of her own situation. In the anguish of her heart, she wrote to Elizabeth, complaining in the bitterest terms of the unprecedented rigour with which she herself had been treated, and beseeching her not to abandon her son to the mercy of his rebellious subjects; nor permit him to be involved in the same misfortunes under which she had so long groaned. The peculiar vigour and acrimony of style, for which this letter is remarkable, discovers both the high spirit of the Scottish queen, unsubdued by her sufferings, and the violence of her indignation at Elizabeth's artifices and severity. But it was ill adapted to gain the end which she had in view, and accordingly it neither procured any mitigation of the rigour of her own confinement, nor any interposition in favour of the king.[e]

1583. Ambassadors arrive from France and England.

Henry III. who, though he feared and hated the princes of Guise, was often obliged to court their favour, interposed with warmth, in order to extricate James out of the hands of a party so entirely devoted to the English interest. He commanded M. de la Motte Fenelon, his ambassador at the court of England, to repair to Edinburgh, and to contribute his utmost endeavours towards placing James in a situation more suitable to his dignity. As Elizabeth could not, with decency, refuse him liberty to execute his commission, she appointed Davison to attend him into Scotland as her envoy, under colour of concurring with him in the negociation, but in reality to be a spy upon his motions, and to obstruct his success. James, whose title to the crown had not hitherto been recognized by any of the princes on the continent, was extremely fond of such an honourable embassy from the French monarch; and, on that account, as well as for the sake of the errand on which he came, received Fenelon with great respect. The nobles, in whose power the king was, did not relish this interposition of the French court, which had long lost its ancient influence over the affairs of Scotland. Jan. 7. The clergy were alarmed at the danger to which religion would be exposed, if the princes of Guise should recover any ascendant over the public councils. Though the king tried every method for restraining them within the bounds of decency, they declaimed against the court of France, against the princes of Guise, against the ambassador, against entering into any alliance with such notorious persecutors of the church of God, with a vehemence which no regular government would now tolerate, but which was then extremely common. The ambassador, watched by Davison, distrusted by the nobles, and exposed to the insults of the clergy and of the people, returned into England without procuring any change in the king's situation, or receiving any answer to a proposal which he made, that the government should be carried on in the joint names of James and the queen his mother.[f]

James escapes out of the hands of the conspirators.

Meanwhile James, though he dissembled with great art, became every day more uneasy under his confinement; his uneasiness rendered him continually attentive to find out a proper opportunity for making his escape; and to this attention he at last owed his liberty, which the king of France was not able, nor the queen of England willing, to procure for him. As the conspirators had forced Lennox out of the kingdom, and kept Arran at a distance from court, they grew secure; and imagining that time had reconciled the king to them, and to his situation, they watched him with little care. Some occasions of discord had arisen among themselves; and the French ambassador, by fomenting these during the time of his residence in Scotland, had weakened the union, in which alone their safety consisted.[g] Colonel William Stewart, the commander of the band of gentlemen who guarded the king's person, being

d Spotsw. 324. Cald. iii. 172.
e Camd. 489.

f Cald. iii. 207. Spotsw. 324. Murdin, 372, &c. See Appendix, No. XLII.
g Camd. 482.

gained by James, had the principal merit in the scheme for restoring his master to liberty. Under pretence of paying a visit to the earl of March, his grand-uncle, James was permitted to go from Falkland to St. Andrew's. That he might not create any suspicion, he lodged at first in an open defenceless house in the town, but pretending a curiosity to see the castle, no sooner was he entered with some of his attendants whom he could trust, than colonel Stewart commanded the gates to be shut, and excluded all the rest of his train. Next morning the earls of Argyll, Huntley, Crawford, Montrose, Rothes, with others to whom the secret had been communicated, entered the town with their followers; and though Mar, with several of the leaders of the faction, appeared in arms, they found themselves so far outnumbered, that it was in vain to think of recovering possession of the king's person, which had been in their power somewhat longer than ten months. James was naturally of so soft and ductile a temper, that those who were near his person commonly made a deep impression on his heart, which was formed to be under the sway of favourites. As he remained implacable and unreconciled to the conspirators during so long a time, and at a period of life when resentments are rather violent than lasting, they must either have improved the opportunities of insinuating themselves into favour with little dexterity, or the indignation, with which this first insult to his person and authority filled him, must have been very great.

June 27.

His joy at his escape was youthful and excessive. He resolved, however, by the advice of sir James Melvil, and his wisest counsellors, to act with the utmost moderation. Having called into his presence the leaders of both factions, the neighbouring gentry, the deputies of the adjacent boroughs, the ministers, and the heads of colleges, he declared, that although he had been held under restraint for some time by violence, he would not impute that as a crime to any man, but, without remembering the irregularities which had been so frequent during his minority, would pass a general act of oblivion, and govern all his subjects with undistinguishing and equal affection. As an evidence of his sincerity, he visited the earl of Gowrie, at Ruthven castle, and granted him a full pardon of any guilt he had contracted, by the crime committed in that very place.[h]

Resolves, however, to treat them with moderation.

But James did not adhere long to this prudent and moderate plan. His former favourite, the earl of Arran, had been permitted for some time to reside at Kinneil, one of his country seats. As soon as the king felt himself at liberty, his love for him began to revive, and he expressed a strong desire to see him. The courtiers violently opposed the return of a minion, whose insolent and overbearing temper they dreaded, as much as the nation detested his crimes.

But Arran regains his ascendant over him,

James, however, continued his importunity, and promising that he should continue with him no longer than one day, they were obliged to yield. This interview rekindled ancient affection; the king forgot his promise; Arran regained his ascendant over him; and, within a few days, resumed the exercise of power, with all the arrogance of an undeserving favourite, and all the rashness peculiar to himself.[i]

The first effect of his influence was a proclamation with regard to those concerned in the *Raid of Ruthven*. They were required to acknowledge their crime in the humblest manner; and the king promised to grant them a full pardon, provided their future conduct were such as did not oblige him to remember past miscarriages. The tenor of this proclamation was extremely different from the act of oblivion which the conspirators had been encouraged to expect. Nor did any of them reckon it safe to rely on a promise clogged with such an equivocal condition, and granted by a young prince under the dominion of a minister void of faith, regardless of decency, and transported by the desire of revenge even beyond the usual ferocity of his temper. Many of the leaders, who had at first appeared openly at court, retired to their own houses; and, foreseeing the dangerous storm which was gathering, began to look out for a retreat in foreign countries.[k]

and the king pursues another plan.

Elizabeth, who had all along protected the conspirators, was extremely disgusted with measures which tended so visibly to their destruction, and wrote to the king a harsh and haughty letter, reproaching him, in a style very uncommon among princes, with breach of faith in recalling Arran to court, and with imprudence in proceeding so rigorously against his best and most faithful subjects. James, with a becoming dignity, replied, that promises extorted by violence, and conditions yielded out of fear, were no longer binding, when these were removed; that it belonged to him alone to choose what ministers he would employ in his service; and that though he resolved to treat the conspirators at Ruthven with the utmost clemency, it was necessary, for the support of his authority, that such an insult on his person should not pass altogether uncensured.[l]

Elizabeth's solicitations in behalf of the conspirators.
August 7.

Elizabeth's letter was quickly followed by Walsingham her secretary, whom she appointed her ambassador to James, and who appeared at the Scottish court with a splendour and magnificence well calculated to please and dazzle a young prince. Walsingham was admitted to several conferences with James himself, in which he insisted on the same topics contained in the letter, and the king repeated his former answers.

Sept. 1. Walsingham's embassy into Scotland.

After suffering several indignities from the arrogance of Arran and his creatures, he returned to

h Melv. 272. i Ibid. 274.

k Melv. 278. Spotsw. 336. Cald. iii. 330. l Melv. 279.

England, without concluding any new treaty with the king. Walsingham was, next to Burleigh, the minister on whom the chief weight of the English administration rested; and when a person of his rank stepped so far out of the ordinary road of business, as to undertake a long journey in his old age, and under a declining state of health, some affair of consequence was supposed to be the cause, or some important event was expected to be the effect of this measure. But as nothing conspicuous either occasioned or followed this embassy, it is probable that Elizabeth had no other intention in employing this sagacious minister, than to discover, with exactness, the capacity and disposition of the Scottish king, who was now arrived at a time of life when, with some degree of certainty, conjectures might be formed concerning his character and future conduct. As James possessed talents of that kind, which make a better figure in conversation than in action, he gained a great deal by this interview with the English secretary, who, notwithstanding the cold reception which he met with, gave such an advantageous representation of his abilities, as determined Elizabeth to treat him, henceforward, with greater decency and respect.[m]

Elizabeth's eagerness to protect the conspirators rendered James more violent in his proceedings against them. As they had all refused to accept of pardon upon the terms which he had offered, they were required, by a new proclamation, to surrender themselves prisoners. The earl of Angus alone complied; the rest either fled into England, or obtained the king's licence to retire into foreign parts.

Dec. 17. A convention of estates was held, the members of which, deceived by an unworthy artifice of Arran's, declared those concerned in the *Raid of Ruthven* to have been guilty of high treason; appointed the act passed last year approving of their conduct to be expunged out of the records; and engaged to support the king in prosecuting the fugitives with the utmost rigour of law.

The conspirators, though far from having done any thing that was uncommon in that age, among mutinous nobles, and under an unsettled state of government, must be acknowledged to have been guilty of an act of treason against their sovereign; and James, who considered their conduct in this light, had good reason to boast of his clemency, when he offered to pardon them upon their confessing their crime. But, on the other hand, it must be allowed that, after the king's voluntary promise of a general oblivion, they had some reason to complain of breach of faith, and without the most unpardonable imprudence, could not have put their lives in Arran's power.

1584. The clergy favour the conspirators, and irritate the king.

The interest of the church was considerably affected by these contrary revolutions. While the conspirators kept possession of power, the clergy not only recovered, but extended, their privileges. As they had formerly declared the hierarchy to be unlawful, they took some bold measures towards exterminating the episcopal order out of the church; and it was owing more to Adamson's dexterity in perplexing and lengthening out the process for that purpose, than to their own want of zeal, that they did not deprive, and perhaps excommunicate, all the bishops in Scotland. When the king recovered his liberty, things put on a very different aspect. The favour bestowed upon Arran, the enemy of every thing decent and sacred, and the rigorous prosecution of those nobles who had been the most zealous defenders of the protestant cause, were considered as sure presages of the approaching ruin of the church. The clergy could not conceal their apprehensions, nor view the impending danger in silence. Dury, who had been restored to his office as one of the ministers of Edinburgh, openly applauded the *Raid of Ruthven* in the pulpit, at which the king was so enraged, that, notwithstanding some symptoms of his submission, he commanded him to resign his charge in the city. Mr. Andrew Melvil, being summoned before the privy council to answer for the doctrine which he had uttered in a sermon at St. Andrew's, and accused of comparing the present grievances of the nation with those under James III., and of intimating obliquely that they ought to be redressed in the same manner, thought it incumbent on him to behave with great firmness. He declined the jurisdiction of a civil court, in a cause which he maintained to be purely ecclesiastical; the presbytery of which he was a member, had, as he contended, the sole right to call him to account for words spoken in the pulpit; and neither the king nor the council could judge, in the first instance, of the doctrine delivered by preachers, without violating the immunities of the church. This exemption from civil jurisdiction was a privilege which the popish ecclesiastics, admirable judges of whatever contributed to increase the lustre or power of their body, had long struggled for, and had at last obtained. If the same plea had now been admitted, the protestant clergy would have become independent on the civil magistrate; and an order of men extremely useful to society, while they inculcate those duties which tend to promote its happiness and tranquillity, might have become no less pernicious, by teaching without fear or control the most dangerous principles, or by exciting their hearers to the most desperate and lawless actions. The king, jealous to excess of his prerogative, was alarmed at this daring encroachment on it; and as Melvil, by his learning and zeal, had acquired the reputation and authority of head of the party, he resolved to punish him with the rigour which that pre-eminence rendered necessary, and to discourage, by a timely severity, the revival of such a dangerous claim. Melvil, however, avoided his rage, by flying into England; and the pulpits resounded with complaints that the king had

m Melv. 293. Cald. iii. 258. Jeb. ii. 536.

extinguished the light of learning in the kingdom, and deprived the church of the ablest and most faithful guardian of its liberties and discipline.[n]

These violent declamations of the clergy against the measures of the court were extremely acceptable to the people. The conspirators, though driven out of the kingdom, still possessed great influence there; and as they had every thing to fear from the resentment of a young prince, irritated by the furious counsels of Arran, they never ceased soliciting their adherents to take arms in their defence. Gowrie, the only person among them who had submitted to the king, and accepted of a pardon, soon repented of a step which lost him the esteem of one party, without gaining the confidence of the other; and, after suffering many mortifications from the king's neglect and the haughtiness of Arran, he was at last commanded to leave Scotland, and to reside in France. While he waited at Dundee for an opportunity to embark, he was informed that the earls of Angus, Mar, and the tutor of Glamis, had concerted a scheme for surprising the castle of Stirling. In his situation, little persuasion was necessary to draw him to engage in it. Under various pretexts he put off his voyage, and lay ready to take arms on the day fixed by the conspirators for the execution of their enterprise. His lingering so long at Dundee, without any apparent reason, awakened the suspicion of the court, proved fatal to himself, and disappointed the success of the conspiracy. Colonel William Stewart surrounded the house where he lodged with a body of soldiers, and, in spite of his resistance, took him prisoner. Two days after, Angus, Mar, and Glamis seized the castle of Stirling, and erected their standard there, published a manifesto, declaring that they took arms for no other reason but to remove from the king's presence a minion who had acquired power by the most unworthy actions, and who exercised it with the most intolerable insolence. The account of Gowrie's imprisonment struck a damp upon their spirits. They imputed it to treachery on his part, and suspected, that as he had formerly deserted, he had now betrayed, them. At the same time Elizabeth having neglected to supply them in good time with a sum of money, which she had promised to them, and their friends and vassals coming in slowly, they appeared irresolute and disheartened; and as the king, who acted with great vigour, advanced towards them at the head of twenty thousand men, they fled precipitately towards England, and with difficulty made their escape.[o] This rash and feeble attempt produced such effects as usually follow disappointed conspiracies. It not only hurt the cause for which it was undertaken, but added strength and reputation to the king; confirmed Arran's power; and enabled them to pursue their measures with more boldness and greater success. Gowrie was the first victim of their resentment. After a very informal trial, a jury of peers found him guilty of treason, and he was publicly beheaded at Stirling.

May 22. A parliament held.

To humble the church was the king's next step. But as it became necessary, for this purpose, to call in the aid of the legislative authority, a parliament was hastily summoned; and while so many of the nobles were banished out of the kingdom, or forbidden to appear in the king's presence; while Arran's haughtiness kept some at a distance, and intimidated others; the meeting consisted only of such as were absolutely at the devotion of the court. In order to conceal the laws which were framing from the knowledge of the clergy, the lords of articles were sworn to secrecy; and when some of the ministers, who either suspected or were informed of the danger, deputed one of their number to declare their apprehensions to the king, he was seized at the palace-gate, and carried to a distant prison. Others, attempting to enter the parliament-house, were refused admittance;[p] and such laws were passed, as totally overturned the constitution and discipline of the church. The refusing to acknowledge the jurisdiction of the privy council; the pretending an exemption from the authority of the civil courts; the attempting to diminish the rights and privileges of any of the three estates in parliament, were declared to be high treason. The holding assemblies, whether civil or ecclesiastical, without the king's permission or appointment; the uttering either privately or publicly, in sermons or in declamations, any false and scandalous reports against the king, his ancestors, or ministers, were pronounced capital crimes.[q]

Severe laws against the church.

When these laws were published at the cross of Edinburgh, according to the ancient custom, Mr. Robert Pont, minister of St. Cuthbert's and one of the lords of session, solemnly protested against them, and in the name of his brethren, because they had been passed without the knowledge or consent of the church. Ever since the reformation, the pulpits and ecclesiastical judicatories had both been esteemed sacred. In the former, the clergy had been accustomed to censure and admonish with unbounded liberty. In the latter, they exercised an uncontrolled and independent jurisdiction. The blow was now aimed at both these privileges. These new statutes were calcuated to render churchmen as inconsiderable as they were indigent; and as the avarice of the nobles had stripped them of the wealth, the king's ambition was about to deprive them of the power, which once belonged to their order. No wonder the alarm was universal, and the complaints loud. All the ministers of Edinburgh forsook their charge, and fled into England. The most eminent clergymen throughout the kingdom imitated their example. Desolation and asto-

n Spotsw. 330. Cald. iii. 304.
o Home's Hist. of House of Doug. 376. Spotsw. 330. Cald. iii. 324, &c.
p Cald. iii. 365.
q Parl. 8 Jac. VI.

nishment appeared in every part of the Scottish church; the people bewailed the loss of pastors whom they esteemed; and, full of consternation at an event so unexpected, openly expressed their rage against Arran, and began to suspect the king himself to be an enemy to the reformed religion.[r]

BOOK VII.

1584. Throkmorton's conspiracy against Elizabeth.

While Scotland was torn by intestine factions, Elizabeth was alarmed with the rumour of a project in agitation for setting Mary at liberty. Francis Throkmorton, a Cheshire gentleman, was suspected of being deeply concerned in the design, and on that suspicion he was taken into custody. Among his papers were found two lists; one, of the principal harbours in the kingdom, with an account of their situation, and of the depth of water in each; the other, of all the eminent Roman catholics in England. This circumstance confirmed the suspicion against him, and some dark and desperate conspiracy was supposed just ready to break out. At first he boldly avowed his innocence, and declared that the two papers were forged by the queen's ministers, in order to intimidate or insnare him; and he even endured the rack with the utmost fortitude. But being brought a second time to the place of torture, his resolution failed him, and he not only acknowledged that he had held a secret correspondence with the queen of Scots, but discovered a design that was formed to invade England. The duke of Guise, he said, undertook to furnish troops, and to conduct the enterprise. The pope and king of Spain were to supply the money necessary for carrying it on; all the English exiles were ready to take arms; many of the catholics at home would be ready to join them at their landing; Mendoza, the Spanish ambassador, who was the life of the conspiracy, spared no pains in fomenting the spirit of disaffection among the English, or in hastening the preparations on the continent; and by his command, he made the two lists, the copies whereof had been found in his possession. This confession he retracted at his trial; returned to it again after sentence was passed on him; and retracted it once more at the place of execution.[a]

To us in the present age, who are assisted in forming our opinion of this matter by the light which time and history have thrown upon the designs and characters of the princes of Guise, many circumstances of Throkmorton's confession appear to be extremely remote from truth, or even from probability. The duke of Guise was, at that juncture, far from being in a situation to undertake foreign conquests. Without either power or office at court; hated by the king, and persecuted by the favourites; he had no leisure for any thoughts of disturbing the quiet of neighbouring states; his vast and ambitious mind was wholly occupied in laying the foundation of that famous league which shook the throne of France. But at the time when Elizabeth detected this conspiracy, the close union between the house of Guise and Philip was remarkable to all Europe; and as their great enterprise against Henry III. was not yet disclosed, as they endeavoured to conceal that under their threatenings to invade England, Throkmorton's discovery appeared to be extremely probable; and Elizabeth, who knew how ardently all the parties mentioned by him wished her downfall, thought that she could not guard her kingdom with too much care. The indiscreet zeal of the English exiles increased her fears. Not satisfied with incessant outcries against her severity towards the Scottish queen, and her cruel persecution of her catholic subjects, not thinking it enough that one pope had threatened her with the sentence of excommunication, and another had actually pronounced it, they now began to disperse books and writings, in which they endeavoured to persuade their disciples, that it would be a meritorious action to take away her life; they openly exhorted the maids of honour to treat her as Judith did Holofernes, and, by such an illustrious deed, to render their own names honourable and sacred in the church throughout all future ages.[b] For all these reasons, Elizabeth not only inflicted the punishment of a traitor on Throkmorton, but commanded the Spanish ambassador instantly to leave England; and that she might be in no danger of being attacked within the island, she determined to use her utmost efforts, in order to recover that influence over the Scottish councils which she had for some time entirely lost.

Designs of Mary's adherents against Elizabeth.

She endeavours to re-establish her influence in Scotland by gaining Arran.

There were three different methods by which Elizabeth might hope to accomplish this; either by furnishing such effectual aid to the banished nobles, as would enable them to resume the chief direction of affairs; or by entering into such a treaty with Mary as might intimidate her son, who being now accustomed to govern, would not be averse from agreeing to any terms rather than resign the sceptre, or admit an associate in the throne; or by gaining the earl of Arran, to secure the direction of the king his master. The last was not only the easiest and speediest, but most likely to be successful. This Elizabeth resolved to pursue; but without laying the other two altogether aside. With this view she sent Davidson, one of her principal secretaries, a man of abilities and address, into Scotland. A minister so venal as Arran, hated by his own countrymen, and holding his power by the most precarious of all tenures, the favour of a young prince, accepted Elizabeth's offers without hesitation, and deemed the acquisition of her protection

r Spotsw. 333.

a Hollingshed, 1370.

b Camd. 497.

August 13. to be the most solid foundation of his own greatness. Soon after he consented to an interview with lord Hunsdon, the governor of Berwick, and being honoured with the pompous title of lieutenant-general for the king, he appeared at the place appointed with a splendid train. In Hunsdon's presence he renewed his promises of an inviolable and faithful attachment to the English interest, and assured him that James should enter into no negociation which might tend to interrupt the peace between the two kingdoms; and as Elizabeth began to entertain the same fears and jealousies concerning the king's marriage, which had formerly disquieted her with regard to his mother's, he undertook to prevent James from listening to any overture of that kind, until he had previously obtained the queen of England's consent.[c]

Severe proceedings against the banished lords; The banished lords and their adherents soon felt the effects of Arran's friendship with England. As Elizabeth had permitted them to take refuge in her dominions, and several of her ministers were of opinion that she ought to employ her arms in defence of their cause, the fear of this was the only thing which restrained James and his favourite from proceeding to such extremities against them, as might have exeited the pity or indignation of the English, and have prompted them to exert themselves with vigour in their behalf. But every apprehension of this kind being now removed, they ventured to call a parliament, in which an act was passed, attainting Angus, Mar, Glamis, and a great number of their followers. Their estates devolved to the crown, and according to the practice of the Scottish monarchs, who were obliged to reward the faction which adhered to them, by dividing with it the spoils of the vanquished, James dealt out the greater part of these to Arran and his associates.[d]

August 22.

against the clergy. Nor was the treatment of the clergy less rigorous. All ministers, readers, and professors in colleges, were enjoined to subscribe, within forty days, a paper testifying their approbation of the laws concerning the church enacted in last parliament. Many, overawed or corrupted by the court, yielded obedience; others stood out. The stipends of the latter were sequestered, some of the more active committed to prison, and numbers compelled to fly the kingdom. Such as complied, fell under the suspicion of acting from mercenary or ambitious motives. Such as adhered to their principles, and suffered in consequence of it, acquired a high reputation, by giving this convincing evidence of their firmness and sincerity. The judicatories of the church were almost entirely suppressed. In some places, scarce as many ministers remained as to perform the duties of religious worship; they soon sunk in reputation among the people, and being prohibited not only from discoursing of public affairs, but obliged, by the jealousy of the administration, to frame every sentiment and expression in such a manner as to give the court no offence, their sermons were deemed languid, insipid, and contemptible; and it became the general opinion, that, together with the most virtuous of the nobles and the most faithful of the clergy, the power and vigour of religion were now banished out of the kingdom.[e]

Meanwhile, Elizabeth was carrying on one of those fruitless negociations with the queen of Scots, which it had become almost matter of form to renew every year. They served not only to amuse that unhappy princess with some prospect of liberty, but furnished an apology for eluding the solicitations of foreign powers on her behalf; and were of use to overawe James, by showing him that she could at any time set free a dangerous rival to dispute his authority. These treaties she suffered to proceed to what length she pleased, and never wanted a pretence for breaking them off, when they became no longer necessary. The treaty now on foot was not, perhaps, more sincere than many which preceded it; the reasons, however, which rendered it ineffectual were far from being frivolous.

New conspiracy against Elizabeth. As Crichton, a Jesuit, was sailing from Flanders towards Scotland, the ship on board of which he was a passenger happened to be chased by pirates, who, in that age, often infested the narrow seas. Crichton, in great confusion, tore in pieces some papers in his custody, and threw them away; but, by a very extraordinary accident, the wind blew them back into the ship, and they were immediately taken up by some of the passengers, who carried them to Wade, the clerk of the privy-council. He, with great industry and patience, joined them together, and they were found to contain the account of a plot, said to have been formed by the king of Spain and the duke of Guise, for invading England. The people were not yet recovered from the fear and anxiety occasioned by the conspiracy in which Throkmorton had been engaged, and as his discoveries appeared now to be confirmed by additional evidence, not only all their former apprehensions recurred, but the consternation became general and excessive. As all the dangers with which England had been threatened for some years, flowed either immediately from Mary herself, or from such as made use of her name to justify their insurrections and conspiracies, this gradually diminished the compassion due to her situation, and the English, instead of pitying, began to fear and to hate her. Elizabeth, under whose wise and pacific reign the English enjoyed tranquillity, and had opened sources of wealth unknown to their ancestors, was extremely beloved by all her people; and regard to her safety, not less than to their own interest, animated them against the Scottish queen. In order to discourage her adherents, it was thought

Occasions an association in opposition to Mary;

c Cald. iii. 491. Melv. 315. See Append. No. XLIII.

d Cald. iii. 527.

e Ibid. 589.

necessary to convince them, by some public deed, of the attachment of the English to their own sovereign, and that any attempt against her life would prove fatal to her rival. With this view an *association* was framed, the subscribers of which bound themselves, by the most solemn oaths, "to defend the queen against all her enemies, foreign and domestic; and if violence should be offered to her life, in order to favour the title of any pretender to the crown, they not only engaged never to allow or acknowledge the person or persons by whom, or for whom, such a detestable act should be committed, but vowed, in the presence of the eternal God, to prosecute such person or persons to the death, and to pursue them, with their utmost vengeance, to their utter overthrow and extirpation."[f] Persons of all ranks subscribed this combination with the greatest eagerness and unanimity.[g]

Oct. 19.

which greatly alarms her.

Mary considered this association, not only as an avowed design to exclude her from all right of succession, but as the certain and immediate forerunner of her destruction. In order to avert this, she made such feeble efforts as were still in her power, and sent Naué, her secretary, to court, with offers of more entire resignation to the will of Elizabeth, in every point which had been the occasion of their long enmity, than all her sufferings hitherto had been able to extort.[h] But whether Mary adhered inflexibly to her privileges as an independent sovereign, or, yielding to the necessity of her situation, endeavoured, by concessions, to soothe her rival, she was equally unsuccessful. Her firmness was imputed to obstinacy, or to the secret hope of foreign assistance; her concessions were either believed to be insincere, or to flow from the fear of some imminent danger. Her present willingness, however, to comply with any terms was so great, that Walsingham warmly urged his mistress to come to a final agreement with her.[i] But Elizabeth was persuaded, that it was the spirit raised by the association which had rendered her so passive and compliant. She always imagined that there was something mysterious and deceitful in all Mary's actions, and suspected her of carrying on a dangerous correspondence with the English catholics, both within and without the kingdom. Nor were her suspicions altogether void of foundation. Mary had, about this time, written a letter to Sir Francis Ingleficld, urging him to hasten the execution of what she calls the *great plot or designment*, without hesitating on account of any danger in which it might involve her life, which she would most willingly part with, if by that sacrifice she could procure relief for so great a number of the oppressed children of the church.[k] Instead, therefore, of hearkening to the overtures which the Scottish queen made, or granting any mitigation of the hardships of which she complained, Elizabeth resolved to take her out of the hands of the earl of Shrewsbury, and to appoint sir Amias Paulet and sir Drue Drury to be her keepers. Shrewsbury had discharged his trust with great fidelity, during fifteen years, but, at the same time, had treated Mary with gentleness and respect, and had always sweetened harsh commands by the humanity with which he put them in execution. The same politeness was not to be expected from men of an inferior rank, whose severe vigilance perhaps was their chief recommendation to that employment, and the only merit by which they could pretend to gain favour or preferment.[l]

She is treated with greater rigour.

As James was no less eager than ever to deprive the banished nobles of Elizabeth's protection, he appointed the master of Gray his ambassador to the court of England, and intrusted him with the conduct of a negociation for that purpose. For this honour he was indebted to the envy and jealousy of the earl of Arran. Gray possessed all the talents of a courtier; a graceful person, an insinuating address, boundless ambition, and a restless and intriguing spirit. During his residence in France, he had been admitted into the most intimate familiarity with the duke of Guise, and, in order to gain his favour, had renounced the protestant religion, and professed the utmost zeal for the captive queen, who carried on a secret correspondence with him, from which she expected great advantages. On his return into Scotland, he paid court to James with extraordinary assiduity, and his accomplishments did not fail to make their usual impression on the king's heart. Arran, who had introduced him, began quickly to dread his growing favour; and flattering himself that absence would efface any sentiments of tenderness which were forming in the mind of a young prince, pointed him out by his malicious praises, as the most proper person in the kingdom for an embassy of such importance; and contributed to raise him to that high dignity, in order to hasten his fall. Elizabeth, who had an admirable dexterity in discovering the proper instruments for carrying on her designs, endeavoured, by caresses and by presents, to secure Gray to her interest. The former flattered his vanity, which was great; the latter supplied his profuseness, which was still greater. He abandoned himself without reserve to Elizabeth's direction, and not only undertook to retain the king under the influence of England, but acted as a spy upon the Scottish queen, and betrayed to her rival every secret that he could draw from her by his high pretensions of zeal in her service.[m]

Gray, a new favourite of the king's.

Gray's credit with the English court was extremely galling to the banished nobles. Elizabeth no longer thought of employing her power to restore them; she found it easier to govern Scotland by corrupting the king's favourites; and, in compliance with Gray's solicitations, she

His interest with the court of England.

f State Trials, i. 122.
g Camd. 499.
h Id. ib.
i See App. No. XLIV.
k Strype, iii. 246.
l Camd. 500.
m Strype, iii. 302. Melv. 316.

commanded the exiles to leave the north of England, and to remove into the heart of the kingdom. This rendered it difficult for them to hold any correspondence with their partisans in Scotland, and almost impossible to return thither without her permission. Gray, by gaining a point which James had so much at heart, rivetted himself more firmly than ever in his favour; and, by acquiring greater reputation, became capable of serving Elizabeth with greater success.[n]

Dec. 31

1585. Arran's corruption and insolence.

Arran had now possessed for some time all the power, the riches, and the honours, that his immoderate ambition could desire, or the fondness of a prince, who set no limits to his liberality towards his favourites, could bestow. The office of lord chancellor, the highest and most important in the kingdom, was conferred upon him, even during the life of the earl of Argyll, who succeeded Athol in that dignity;[o] and the public beheld, with astonishment and indignation, a man educated as a soldier of fortune, ignorant of law, and a contemner of justice, appointed to preside in parliament, in the privy-council, in the court of session, and intrusted with the supreme disposal of the property of his fellow-subjects. He was, at the same time, governor of the castles of Stirling and Edinburgh, the two principal forts in Scotland; provost of the city of Edinburgh; and as if by all these accumulated dignities his merits were not sufficiently recompensed, he had been created lieutenant-general over the whole kingdom. No person was admitted into the king's presence without his permission; no favour could be obtained but by his mediation. James, occupied with youthful amusements, devolved upon him the whole regal authority. Such unmerited elevation increased his natural arrogance, and rendered it intolerable. He was no longer content with the condition of a subject, but pretended to derive his pedigree from Murdo duke of Albany; and boasted openly, that his title to the crown was preferable to that of the king himself. But, together with these thoughts of royalty, he retained the meanness suitable to his primitive indigence. His venality as a judge was scandalous, and was exceeded only by that of his wife, who, in defiance of decency, made herself a party in almost every suit which came to be decided, employed her influence to corrupt or overawe the judges, and almost openly dictated their decisions.[p] His rapaciousness as a minister was insatiable. Not satisfied with the revenues of so many offices; with the estate and honours which belonged to the family of Hamilton; or with the greater part of Gowrie's lands, which had fallen to his share; he grasped at the possessions of several of the nobles. He required lord Maxwell to exchange part of his estate, for the forfeited lands of Kinneil; and because he was unwilling to quit an ancient inheritance for a possession so precarious, he stirred up against him his hereditary rival, the laird of Johnston, and involved that corner of the kingdom in a civil war. He committed to prison the earl of Athol, lord Home, and the master of Cassils; the first, because he would not divorce his wife, the daughter of the earl of Gowrie, and entail his estate on him; the second, because he was unwilling to part with some lands adjacent to one of Arran's estates; and the third, for refusing to lend him money. His spies and informers filled the whole country, and intruded themselves into every company. The nearest neighbours distrusted and feared each other. All familiar society was at an end. Even the common intercourses of humanity were interrupted, no man knowing in whom to confide or where to utter his complaints. There is not perhaps in history an example of a minister so universally detestable to a nation, or who more justly deserved its detestation.[q]

Arran, notwithstanding, regardless of the sentiments and despising the murmurs of the people, gave a loose to his natural temper, and proceeded to acts still more violent. David Home of Argaty, and Patrick his brother, having received letters from one of the banished lords about private business, were condemned and put to death for holding correspondence with rebels. Cunninghame of Drumwhasel, and Douglas of Mains, two gentlemen of honour and reputation, were accused of having conspired with the exiled nobles to seize the king's person: a single witness only appeared; the evidence they produced of their innocence was unanswerable; their accuser himself not long after acknowledged that he had been suborned by Arran; and all men believed the charge against them to be groundless: they were found guilty, notwithstanding, and suffered the death of traitors.[r]

Feb. 9.

Parry's conspiracy against Elizabeth.

About the same time that these gentlemen were punished for a pretended conspiracy, Elizabeth's life was endangered by a real one. Parry, a doctor of laws, and a member of the House of Commons, a man vain and fantastic, but of a resolute spirit, had lately been reconciled to the church of Rome; and fraught with the zeal of a new convert, he offered to demonstrate the sincerity of his attachment to the religion which he had embraced, by killing Elizabeth. Cardinal Allen had published a book, to prove the murder of an excommunicated prince to be not only lawful, but a meritorious action. The pope's nuncio at Venice, the Jesuits both there and at Paris, the English exiles, all approved of the design. The pope himself exhorted him to persevere; and granted him for his encouragement a plenary indulgence, and remission of his sins. Cardinal di Como wrote to him a letter to the same purpose; but though he often got access to the queen, fear, or some remaining sense of duty, re

n Cald. iii. 643.
o Crawf. Offic. of State, App. 447.
p Cald. iii. 331. Scotstarvet's Staggering State, 7.
q Spotsw. 337, 338.
r Spotsw. 338. Cald. iii. 794.

strained him from perpetrating the crime. Happily his intention was at last discovered by Nevil, the only person in England to whom he had communicated it; and having himself voluntarily confessed his guilt, he suffered the punishment which it deserved.[s]

March 2.

A severe statute, which proved fatal to Mary.

These repeated conspiracies against their sovereign awakened the indignation of the English parliament, and produced a very extraordinary statute, which, in the end, proved fatal to the queen of Scots. By this law the association in defence of Elizabeth's life was ratified, and it was further enacted, "That if any rebellion shall be excited in the kingdom, or any thing attempted to the hurt of her majesty's person, *by or for* any person pretending a title to the crown, the queen shall empower twenty-four persons, by a commission under the great seal, to examine into, and pass sentence upon, such offences; and after judgment given, a proclamation shall be issued, declaring the persons whom they find guilty excluded from any right to the crown; and her majesty's subjects may lawfully pursue every one of them to the death, with all their aiders and abettors; and if any design against the life of the queen take effect, the persons *by or for* whom such a detestable act is executed, and *their issues*, being in any wise assenting or privy to the same, shall be disabled for ever from pretending to the crown, and be pursued to death in the like manner."[t] This act was plainly levelled at the queen of Scots; and, whether we consider it as a voluntary expression of the zeal and concern of the nation for Elizabeth's safety, or whether we impute it to the influence which that artful princess preserved over her parliaments, it is no easy matter to reconcile it with the general principles of justice or humanity. Mary was thereby rendered accountable not only for her own actions, but for those of others; in consequence of which she might forfeit her right of succession, and even her life itself.

The rigour with which she was treated increased.

Mary justly considered this act as a warning to prepare for the worst extremities. Elizabeth's ministers, it is probable, had resolved by this time to take away her life; and suffered books to be published, in order to persuade the nation that this cruel and unprecedented measure was not only necessary but just.[u] Even that short period of her days which remained they rendered uncomfortable, by every hardship and indignity which it was in their power to inflict. Almost all her servants were dismissed, she was treated no longer with the respect due to a queen; and, though the rigour of seventeen years' imprisonment had broken her constitution, she was confined to two ruinous chambers, scarcely habitable, even in the middle of summer, by reason of cold. Notwithstanding the scantiness of her revenue, she had been accustomed to distribute regularly some alms among the poor in the village adjoining to the castle. Paulet now refused her liberty to perform this pious and humane office, which had afforded her great consolation amidst her own sufferings. The castle in which she resided was converted into a common prison; and a young man, suspected of popery, was confined there, and treated under her eye with such rigour, that he died of the ill usage. She often complained to Elizabeth of these multiplied injuries, and expostulated as became a woman and a queen; but as no political reason now obliged that princess to amuse her any longer with fallacious hopes, far from granting her any redress, she did not even deign to give her any answer. The king of France, closely allied to Elizabeth, on whom he depended for assistance against his rebellious subjects, was afraid of espousing Mary's cause with any warmth; and all his solicitations in her behalf were feeble, formal, and inefficacious. But Castelnau, the French ambassador, whose compassion and zeal for the unhappy queen supplied the defects in his instructions, remonstrated with such vigour against the indignities to which she was exposed, that by his importunity he prevailed at length to have her removed to Tuthbury; though she was confined the greater part of another winter in her present wretched habitation.[x]

A breach between Mary and her son.

Neither the insults of her enemies, nor the neglect of her friends, made such an impression on Mary, as the ingratitude of her son. James had hitherto treated his mother with filial respect, and had even entered into negociations with her, which gave umbrage to Elizabeth. But as it was not the interest of the English queen that his good correspondence should continue, Gray, who, on his return to Scotland, found his favour with the king greatly increased by the success of his embassy, persuaded him to write a harsh and undutiful letter to his mother, in which he expressly refused to acknowledge her to be queen of Scotland, or to consider his affairs as connected in any wise with hers. This cruel requital of her maternal tenderness overwhelmed Mary with sorrow and despair. "Was it for this," said she, in a letter to the French ambassador, "that I have endured so much, in order to preserve for him the inheritance to which I have a just right? I am far from envying his authority in Scotland. I desire no power there; nor wish to set my foot in that kingdom, if it were not for the pleasure of once embracing a son, whom I have hitherto loved with too tender affection. Whatever he either enjoys or expects, he derived it from me. From him I never received assistance, supply, or benefit of any kind. Let not my allies treat him any longer as a king: he holds that dignity by my consent; and if a speedy repentance do not appease my just resentment, I will load him with a parent's curse, and surrender my crown, with all my pretensions, to one who will receive them with gratitude, and defend them with vigour."[y] The love

March 24.

s State Trials, i. 103. t State Trials, i. 123. u Strype, iii. 299.

x Jebb, ii. 576—598. y Murdin, 566. Jebb, ii. 571. See App. No. XLV.

which James bore to his mother, whom he had never known, and whom he had been early taught to consider as one of the most abandoned persons of her sex, cannot be supposed ever to have been ardent; and he did not now take any pains to regain her favour. But whether her indignation at his undutiful behaviour, added to her bigoted attachment to popery, prompted Mary at any time to think seriously of disinheriting her son; or whether these threatenings were uttered in a sudden sally of disappointed affection, it is now no easy matter to determine. Some papers which are still extant seem to render the former not improbable.[z]

Dangerous situation of Elizabeth;

Cares of another kind, and no less disquieting, occupied Elizabeth's thoughts. The calm which she had long enjoyed, seemed now to be at an end; and such storms were gathering in every quarter, as filled her with just alarm. All the neighbouring nations had undergone revolutions extremely to her disadvantage. The great qualities which Henry III. had displayed in his youth, and which raised the expectations of his subjects so high, vanished on his ascending the throne; and his acquiring supreme power seems not only to have corrupted his heart, but to have impaired his understanding. He soon lost the esteem and affection of the nation; and a life divided between the austerities of a superstitious devotion and the extravagances of the most dissolute debauchery, rendered him as contemptible as he was odious on account of his rapaciousness, his profusion, and the fondness with which he doated on many unworthy minions. On the death of his only brother, those sentiments of the people burst out with violence. Henry had no children, and though but thirty-two years of age, the succession of the crown was already considered as open. The king of Navarre, a distant descendant of the royal family, but the undoubted heir to the crown, was a zealous protestant.

from the progress of the league;

The prospect of an event so fatal to their religion, as his ascending the throne of France, alarmed all the catholics in Europe; and induced the duke of Guise, countenanced by the pope, and aided by the king of Spain, to appear as the defender of the Romish faith, and the asserter of the cardinal of Bourbon's right to the crown. In order to unite the party, a bond of confederacy was formed, distinguished by the name of the *holy league*. All ranks of men joined in it with emulation. The spirit spread with the irresistible rapidity which was natural to religious passions in that age. The destruction of the reformation, not only in France but all over Europe, seemed to be the object and wish of the whole party; and the duke of Guise, the head of this mighty and zealous body, acquired authority in the kingdom,

from the power of Philip II.

far superior to that which the king himself possessed. Philip II. by the conquest of Portugal, had greatly increased the naval power of Spain, and had at last reduced under his dominion all that portion of the continent which lies beyond the Pyrenean mountains, and which nature seems to have destined to form one great monarchy. William, prince of Orange, who first encouraged the inhabitants of the Netherlands to assert their liberties, and whose wisdom and valour formed and protected the rising commonwealth, had fallen by the hands of an assassin. The superior genius of the prince of Parma had given an entire turn to the fate of war in the Low Countries: all his enterprises, concerted with consummate skill, and executed with equal bravery, had been attended with success; and the Dutch, reduced to the last extremity, were on the point of falling under the dominion of their ancient master.

Her wise and vigorous conduct.

None of those circumstances to which Elizabeth had hitherto owed her security, existed any longer. She could derive no advantage from the jealousy which had subsisted between France and Spain; Philip, by means of his confederacy with the duke of Guise, had an equal sway in the councils of both kingdoms. The Hugonots were unable to contend with the power of the league; and little could be expected from any diversion which they might create. Nor was it probable that the Netherlands could long employ the arms or divide the strength of Spain. In this situation of the affairs of Europe, it became necessary for Elizabeth to form a new plan of conduct; and her wisdom in forming it was not greater than the vigour with which she carried it on. The measures most suitable to her natural temper, and which she had hitherto pursued, were cautious and safe; those which she now adopted were enterprising and hazardous. She preferred peace, but was not afraid of war; and was capable, when compelled by necessity, not only of defending herself with spirit, but of attacking her enemies with a boldness which averted danger from her own dominions. She immediately furnished the Hugonots with a considerable supply in money. She carried on a private negociation with Henry III., who, though compelled to join the league, hated the leaders of it, and wished for their destruction. She openly undertook the protection of the Dutch commonwealth, and sent a powerful army to its assistance. She endeavoured to form a general confederacy of the protestant princes, in opposition to the popish league. She determined to proceed with the utmost

Resolves to punish Mary,

rigour against the queen of Scots, whose sufferings and rights afforded her enemies a specious pretence for invading her dominions. She resolved to redouble her endeavours,

and to gain the king,

in order to effect a closer union with Scotland, and to extend and perpetuate her influence over the councils of that nation.

She found it no difficult matter to induce most of the Scottish courtiers to promote all her designs. Gray, sir John Maitland, who had been advanced to the office of secretary, which his brother formerly

z See Append. No. XLVI.

held, sir Lewis Bellenden, the justice-clerk, who had succeeded Gray as the king's resident at London, were the persons in whom she chiefly confided. In order to direct and quicken their motions, she despatched sir Edward Wotton along with Bellenden into Scotland. This man was gay, well-bred, and entertaining; he excelled in all the exercises for which James had a passion, and amused the young king by relating the adventures which he had met with, and the observations he had made, during a long residence in foreign countries; but, under the veil of these superficial qualities, he concealed a dangerous and intriguing spirit. He soon grew into high favour with James, and while he was seemingly attentive only to pleasure and diversions, he acquired influence over the public councils, to a degree which was indecent for a stranger to possess.[a]

May 29.

Proposes a league with Scotland.

Nothing, however, could be more acceptable to the nation, than the proposal which he made of a strict alliance between the two kingdoms, in defence of the reformed religion. The rapid and alarming progress of the popish league seemed to call on all protestant princes to unite for the preservation of their common faith. James embraced the overture with warmth, and a convention of estates empowered him to conclude such a treaty, and engaged to ratify it in parliament.[b] The alacrity with which James concurred in this measure must not be wholly ascribed either to his own zeal, or to Wotton's address; it was owing in part to Elizabeth's liberality. As a mark of her motherly affection for the young king, she settled on him an annual pension of five thousand pounds; the same sum which her father had allotted her before she ascended the throne. This circumstance, which she took care to mention, rendered a sum which in that age was far from being inconsiderable, a very acceptable present to the king, whose revenues, during a long minority, had been almost totally dissipated.[c]

July 29.

Undermines Arran's power.

But the chief object of Wotton's intrigues was to ruin Arran. While a minion so odious to the nation continued to govern the king, his assistance could be of little advantage to Elizabeth. And though Arran, ever since his interview with Hunsdon, had appeared extremely for her interest, she could place no great confidence in a man whose conduct was so capricious and irregular, and who, notwithstanding his protestations to the contrary, still continued a secret correspondence both with Mary and with the duke of Guise. The banished lords were attached to England from affection as well as principle, and were the only persons among the Scots whom, in any dangerous exigency, she could thoroughly trust. Before Bellenden left London, they had been summoned thither, under colour of vindicating themselves from his accusations, but, in reality, to concert with him the most proper measures for restoring them to their country. Wotton pursued this plan, and endeavoured to ripen it for execution; and it was greatly facilitated by an event neither uncommon nor considerable. Sir John Foster, and Ker of Fernherst, the English and Scottish wardens of the middle marches, having met, according to the custom of the borders, about midsummer, a fray arose, and lord Russel, the earl of Bedford's eldest son, happened to be killed. This scuffle was purely accidental, but Elizabeth chose to consider it as a design formed by Ker, at the instigation of Arran, to involve the two kingdoms in war. She insisted that both should be delivered up to her; and, though James eluded that demand, he was obliged to confine Arran in St. Andrews, and Ker in Aberdeen. During his absence from court, Wotton and his associates carried on their intrigues without interruption. By their advice, the banished nobles endeavoured to accommodate their differences with lord John and lord Claud, the duke of Chatelherault's two sons, whom Morton's violence had driven out of the kingdom. Their common sufferings, and common interest, induced both parties to bury in oblivion the ancient discord which had subsisted between the houses of Hamilton and Douglas. By Elizabeth's permission, they returned in a body to the borders of Scotland. Arran, who had again recovered favour, insisted on putting the kingdom in a posture of defence; but Gray, Bellenden, and Maitland, secretly thwarted all his measures. Some necessary orders they prevented from being issued; others they rendered ineffectual by the manner of execution; and all of them were obeyed slowly, and with reluctance.[d]

Assists the banished nobles. Oct. 16.

Wotton's fertile brain was, at the same time, big with another and more dangerous plot. He had contrived to seize the king, and to carry him by force into England. But the design was happily discovered; and, in order to avoid the punishment which his treachery merited, he departed without taking leave.[e]

They return into Scotland, and are reconciled to the king.

Meanwhile the banished lords hastened the execution of their enterprise; and, as their friends and vassals were now ready to join them, they entered Scotland. Wherever they came, they were welcomed as the deliverers of their country, and the most fervent prayers were addressed to Heaven for the success of their arms. They advanced, without losing a moment, towards Stirling, at the head of ten thousand men. The king, though he had assembled an army superior in number, could not venture to meet them in the field with troops whose loyalty was extremely dubious, and who at best were far from being hearty in the cause; nor was either the town or castle provided for a siege. The gates, however, of both were shut, and the nobles encamped at St. Ninian's. That same night they surprised the town, or, more probably, it was betrayed into their hands; and

Nov. 2.

a Melv. 317. b Spotsw. 339. c Cald. iii. 505. d Spotsw. 340. e Melv. 335.

Arran, who had undertaken to defend it, was obliged to save himself by a precipitate flight. Next morning they invested the castle, in which there were not provisions for twenty-four hours; and James was necessitated immediately to hearken to terms of accommodation. They were not so elated with success as to urge extravagant demands, nor was the king unwilling to make every reasonable concession. They obtained a pardon, in the most ample form, of all the offences which they had committed; the principal forts in the kingdom were, by way of security, put into their hands; Crawford, Montrose, and Colonel Stewart, were removed from the king's presence; and a parliament was called, in order to establish tranquillity in the nation.[f]

A parliament. Dec. 10.

Though a great majority in this parliament consisted of the confederate nobles and their adherents, they were far from discovering a vindictive spirit. Satisfied with procuring an act, restoring them to their ancient honours and estates, and ratifying the pardon granted by the king, they seemed willing to forget all past errors in the administration, and spared James the mortification of seeing his ministers branded with any public note of infamy. Arran alone, deprived of all his honours, stripped of his borrowed spoils, and declared an enemy to his country by public proclamation, sunk back into obscurity, and must henceforth be mentioned by his primitive title of captain James Stewart. As he had been, during his unmerited prosperity, the object of the hatred and indignation of his countrymen, they beheld his fall without pity, nor did all his sufferings mitigate their resentment in the least degree.

Church affairs.

The clergy were the only body of men who obtained no redress of their grievances by this revolution. The confederate nobles had all along affected to be considered as guardians of the privileges and discipline of the church. In all their manifestos they had declared their resolution to restore these, and by that popular pretence had gained many friends. It was now natural to expect some fruit of these promises, and some returns of gratitude towards many of the most eminent preachers who had suffered in their cause, and who demanded the repeal of the laws passed the preceding year. The king, however, was resolute to maintain these laws in full authority; and as the nobles were extremely solicitous not to disgust him by insisting on any disagreeable request, the claims of the church in this, as well as in many other instances, were sacrificed to the interest of the laity. The ministers gave vent to their indignation in the pulpit, and their impatience under the disappointment broke out in some expressions extremely disrespectful even towards the king himself.[g]

1586.

The archbishop of St. Andrew's, too, felt the effects of their anger. The provincial synod of Fife summoned him to appear, and to answer for his contempt of the decrees of former assemblies, in presuming to exercise the functions of a bishop. Though he refused to acknowledge the jurisdiction of the court, and appealed from it to the king, a sentence of excommunication, equally indecent and irregular, was pronounced against him. Adamson, with no less indecency, thundered his archiepiscopal excommunication against Melvil, and some other of his opponents.

April 13.

Soon after, a general assembly was held, in which the king, with some difficulty, obtained an act, permitting the name and office of bishop still to continue in the church. The power of the order, however, was considerably retrenched. The exercise of discipline, and the inspection of the life and doctrine of the clergy, were committed to presbyteries, in which bishops should be allowed no other pre-eminence but that of presiding as perpetual moderators. They themselves were declared to be subject, in the same manner as other pastors, to the jurisdiction of the general assembly. As the discussion of the archbishop's appeal might have kindled unusual heats in the assembly, that affair was terminated by a compromise. He renounced any claim of supremacy over the church, and promised to demean himself suitably to the character of a bishop, as described by St. Paul. The assembly, without examining the foundations of the sentence of excommunication, declared that it should be held of no effect, and restored him to all the privileges which he enjoyed before it was pronounced. Notwithstanding the extraordinary tenderness shown for the honour of the synod, and the delicacy and respect with which its jurisdiction was treated, several members were so zealous as to protest against this decision.[h]

A league with England concluded.

The court of Scotland was now filled with persons so warmly attached to Elizabeth, that the league between the two kingdoms, which had been proposed last year, met with no interruption, but from D'Esneval, the French envoy. James himself first offered to renew the negociations. Elizabeth did not suffer such a favourable opportunity to slip, and instantly despatched Randolph to conclude a treaty, which she so much desired. The danger to which the protestant religion was exposed by the late combination of the popish powers for its destruction, and the necessity of a strict confederacy among those who had embraced the reformation, in order to obstruct their pernicious designs, were mentioned as the foundation of the league. The chief articles in it were, that both parties should bind themselves to defend the evangelical religion; that the league should be offensive and defensive against all who shall endeavour to disturb the exercise of religion in either kingdom; that if one of the two parties be invaded, the other, notwithstanding any former alliance, should not, directly or indirectly, assist the invader; that if England be invaded in any part remote from Scotland, James

July 5.

f Cald. iii. 795.

g Spotsw. 343.

h Cald. iii. 894. Spotsw. 346.

should assist the queen with two thousand horse and five thousand foot; that if the enemy landed or approached within sixty miles of Scotland, the king should take the field with his whole forces, in the same manner as he would do in defence of his own kingdom. Elizabeth, in return, undertook to act in defence of Scotland, if it should be invaded. At the same time she assured the king, that no step should be taken which might derogate in any degree from his pretensions to the English crown.[i] Elizabeth expressed great satisfaction with a treaty which rendered Scotland a useful ally instead of a dangerous neighbour, and afforded her a degree of security on that side, which all her ancestors had aimed at, but none of them had been able to obtain. Zeal for religion, together with the blessings of peace which both kingdoms had enjoyed during a considerable period, had so far abated the violence of national antipathy, that the king's conduct was universally acceptable to his own people.[k]

The acquittal of Archibald Douglas, at this time, exposed James to much and deserved censure. This man was deeply engaged in the conspiracy against the life of the king his father. Both Morton and Binny, one of his own servants, who suffered for that crime, had accused him of being present at the murder.[l] He had escaped punishment by flying into England, and James had often required Elizabeth to deliver up a person so unworthy of her protection. He now obtained a licence, from the king himself, to return into Scotland; and after undergoing a mock trial, calculated to conceal rather than to detect his guilt, he was not only taken into favour by the king, but sent back to the court of England, with the honourable character of his ambassador. James was now of such an age, that his youth and inexperience cannot be pleaded in excuse for this indecent transaction. It must be imputed to the excessive facility of his temper, which often led him to gratify his courtiers at the expense of his own dignity and reputation.[m]

Rise of Babington's conspiracy against Elizabeth.

Not long after, the inconsiderate affection of the English catholics towards Mary, and their implacable resentment against Elizabeth, gave rise to a conspiracy which proved fatal to the one queen, left an indelible stain on the reputation of the other, and presented a spectacle to Europe, of which there had been hitherto no example in the history of mankind.

Dr. Gifford, Gilbert Gifford, and Hodgson, priests educated in the seminary at Rheims, had adopted an extravagant and enthusiastic notion, that the bull of Pius V. against Elizabeth was dictated immediately by the Holy Ghost. This wild opinion they instilled into Savage, an officer in the Spanish army, noted for his furious zeal and daring courage; and persuaded him that no service could be so acceptable to Heaven, as to take away the life of an excommunicated heretic. Savage, eager to obtain the crown of martyrdom, bound himself by a solemn vow to kill Elizabeth. Ballard, a pragmatical priest of that seminary, had April 26. at that time come over to Paris, and solicited Mendoza, the Spanish ambassador there, to procure an invasion of England, while the affairs of the league were so prosperous, and the kingdom left naked by sending so many of the queen's best troops into the Netherlands. Paget and the English exiles demonstrated the fruitlessness of such an attempt, unless Elizabeth were first cut off, or the invaders secured of a powerful concurrence on their landing. If it could be hoped that either of these events would happen, effectual aid was promised; and in the mean time Ballard was sent back to renew his intrigues.

He communicated his designs to May 15. Anthony Babington, a young gentleman in Derbyshire, of a large fortune and many amiable qualities, who having contracted, during his residence in France, a familiarity with the archbishop of Glasgow, had been recommended by him to the queen of Scots. He concurred with Paget in considering the death of Elizabeth as a necessary preliminary to any invasion. Ballard gave him hopes than an end would soon be put to her days, and imparted to him Savage's vow, who was now in London waiting for an opportunity to strike the blow. But Babington thought the attempt of too much importance to rely on a single hand for the execution of it, and proposed that five resolute gentlemen should be joined with Savage in an enterprise, the success of which was the foundation of all their hopes. He offered to find out persons willing to undertake the service, whose honour, secrecy, and courage, they might safely trust. He accordingly opened the matter to Edward Windsor, Thomas Salisbury, Charles Tinley, Chidioc Tichbourne, Robert Gage, John Travers, Robert Barnwell, John Charnock, Henry Dun, John Jones, and Robert Polly; all of them, except Polly, whose bustling forward zeal introduced him into their society, gentlemen of good families, united together in the bonds of private friendship, strengthened by the more powerful tie of religious zeal. Many consultations were held; their plan of operations was at last settled, and their different parts assigned. Babington himself was appointed to June. The scheme of the conspirators. rescue the queen of Scots; Salisbury, with some others, undertook to excite several counties to take arms; the murder of the queen, the most dangerous and important service of all, fell to Tichbourne and Savage, with four associates. So totally had their bigoted prejudices extinguished the principles of honour, and the sentiments of humanity suitable to their rank, that, without scruple or compunction, they undertook an action which is viewed with horror, even when committed

i Spotsw. 351.
l See Append. No. XLVII. Arnot, Crim. Trials, 7, &c.
k Camd. 513.
m Spotsw. 348. Cald. iii. 917.

by the meanest and most profligate of mankind. This attempt, on the contrary, appeared to them no less honourable than it was desperate; and, in order to perpetuate the memory of it, they had a picture drawn, containing the portraits of the six assassins, with that of Babington in the middle, and a motto intimating that they were jointly embarked in some hazardous design.

Discovered by Walsingham.

The conspirators, as appears by this wanton and imprudent instance of vanity, seem to have thought a discovery hardly possible, and neither distrusted the fidelity of their companions, nor doubted the success of their undertaking. But while they believed that their machinations were carried on with the most profound and impenetrable secrecy, every step they took was fully known to Walsingham. Polly was one of his spies, and had entered into the conspiracy with no other design than to betray his associates. Gilbert Gifford, too, having been sent over to England to quicken the motions of the conspirators, had been gained by Walsingham, and gave him sure intelligence of all their projects. That vigilant minister immediately imparted the discoveries which he had made to Elizabeth; and, without communicating the matter to any other of the counsellors, they agreed, in order to understand the plot more perfectly, to wait until it was ripened into some form, and brought near the point of execution.

They are seized and punished. August 4.

At last, Elizabeth thought it dangerous and criminal to expose her own life, and to tempt Providence any further. Ballard, the prime mover in the whole conspiracy, was arrested. His associates, disconcerted and struck with astonishment, endeavoured to save themselves by flight. But within a few days, all of them, except Windsor, were seized in different places of the kingdom, and committed to the Tower. Though they had undertaken the part, they wanted the firm and determined spirit, of assassins; and, influenced by fear or by hope, at once confessed all that they knew. The indignation of the people, and their impatience to revenge such an execrable combination against the life of their sovereign, hastened their trial, and all of them suffered the death of traitors.[n]

Sept. 20.

Mary is accused of being an accomplice in the conspiracy.

Thus far Elizabeth's conduct may be pronounced both prudent and laudable, nor can she be accused of violating any law of humanity, or of taking any precautions beyond what were neeessary for her own safety. But a tragical seene followed, with regard to which posterity will pass a very different judgment.

The frantie zeal of a few rash young men accounts suffieiently for all the wild and wicked designs which they had formed. But this was not the light in which Elizabeth and her ministers chose to place the eonspiracy. They wished to persuade the nation, that Babington and his assoeiates should be considered merely as instruments employed by the queen of Scots, the real though secret author of so many attempts against the life of Elizabeth, and the peace of her kingdoms. They produced letters, which they ascribed to her, in support of this charge. These, as they gave out, had come into their hands by the following singular and mysterious method of conveyance. Gifford, on his return into England, had been trusted by some of the exiles with letters to Mary; but, in order to make a trial of his fidelity and address, they were only blank papers made up in that form. These being safely delivered by him, he was afterwards employed without further scruple. Walsingham having found means to gain this man, he, by the permission of that minister, and the connivance of Paulet, bribed a tradesman in the neighbourhood of Chartley, whither Mary had been conveyed, who deposited the letters in a hole in the wall of the castle, covered with a loose stone. Thence they were taken by the queen, and in the same manner her answers returned. All these were carried to Walsingham, opened by him, deciphered, sealed again so dexterously that the fraud could not be perceived, and then transmitted to the persons to whom they were directed. Two letters to Babington, with several to Mendoza, Paget, Englefield, and the English fugitives, were procured by this artifice. It was given out, that in these letters Mary approved of the conspiraey, and even of the assassination; that she directed them to proceed with the utmost circumspection, and not to take arms until foreign auxiliaries were ready to join them; that she recommended the earl of Arundel, his brothers, and the young earl of Northumberland, as proper persons to conduct and to add reputation to their enterprise; that she advised them, if possible, to excite at the same time some commotion in Ireland; and, above all, besought them to concert with care the means of her own escape, suggesting to them several expedients for that purpose.

The indignation of the English against her on that account.

All these circumstances were opened at the trial of the conspirators; and while the nation was under the influenee of those terrors whieh the assoeiation had raised, and the late danger had augmented, they were believed without hesitation or inquiry, and spread a general alarm. Mary's zeal for her religion was well known; and in that age, examples of the violent and sanguinary spirit which it inspired were numerous. All the cabals against the peace of the kingdom for many years had been carried on in her name; and it now appears evidently, said the English, that the safety of the one queen is incompatible with that of the other. Why then, added they, should the tranquillity of England be sacrificed for the sake of a stranger? Why is a life so dear to the nation, exposed to the repeated assaults of an exasperated rival? The ease supposed in the association has now happened, the sacred person of our sovereign has been threatened, and why should not

n Camd. 515. State Trials, vol. i. 110.

an injured people execute that just vengeance which they had vowed?

Elizabeth resolves to proceed to the utmost extremities against her.

No sentiments could be more agreeable than these to Elizabeth and her ministers. They themselves had at first propagated them among the people, and they now served both as an apology and a motive for their proceeding to such extremities against the Scottish queen as they had long meditated. The more numerous the injuries were which Elizabeth had heaped on Mary, the more she feared and hated that unhappy queen, and came at last to be persuaded that there could be no other security for her own life, but the death of her rival. Burleigh and Walsingham had promoted so zealously all Elizabeth's measures with regard to Scottish affairs, and had acted with so little reserve in opposition to Mary, that they had reason to dread the most violent effects of her resentment, if ever she should mount the throne of England. From this additional consideration they endeavoured, with the utmost earnestness, to hinder an event so fatal to themselves, by confirming their mistress's fear and hatred of the Scottish queen.

Her domestics, papers, &c. seized.

Meanwhile, Mary was guarded with unusual vigilance, and great care was taken to keep her ignorant of the discovery of the conspiracy. Sir Thomas Gorges was at last sent from court to acquaint her both of it, and of the imputation with which she was loaded as accessory to that crime, and he surprised her with the account just as she had got on horseback to ride out along with her keepers. She was struck with astonishment, and would have returned to her apartment, but she was not permitted; and, in her absence, her private closet was broke open, her cabinet and papers were seized, sealed, and sent up to court. Her principal domestics too were arrested, and committed to different keepers. Naué and Curle, her two secretaries, the one a native of France, the other of Scotland, were carried prisoners to London. All the money in her custody, amounting to little more than two thousand pounds, was secured.[o] And, after leading her about for some days, from one gentleman's house to another, she was conveyed to Fotheringay, a strong castle in Northamptonshire.[p]

Deliberates concerning the method of proceeding.

No further evidence could now be expected against Mary, and nothing remained but to decide what should be her fate. With regard to this, Elizabeth, and those ministers in whom she chiefly confided, seem to have taken their resolution; but there was still great variety of sentiments among her other counsellors. Some thought it sufficient to dismiss all Mary's attendants, and to keep her under such close restraint, as would cut off all possibility of corresponding with the enemies of the kingdom; and as her constitution, broken by long confinement, and her spirit, dejected with so many sorrows, could not long support such an additional load, the queen and nation would soon be delivered from all their fears. But though it might be easy to secure Mary's own person, it was impossible to diminish the reverence which the Roman catholics had for her name, or to extinguish the compassion with which they viewed her sufferings; while such sentiments continued, insurrections and invasions would never be wanting for her relief, and the only effect of any new rigour would be to render these attempts more frequent and more dangerous. For this reason the expedient was rejected.

Determines to try her publicly.

A public and legal trial, though the most unexampled, was judged the most unexceptionable method of proceeding; and it had, at the same time, a semblance of justice, accompanied with an air of dignity. It was in vain to search the ancient records for any statute or precedent to justify such an uncommon step as the trial of a foreign prince, who had not entered the kingdom in arms, but had fled thither for refuge. The proceedings against her were founded on the act of last parliament, and by applying it in this manner, the intention of those who had framed that severe statute became more apparent.[q]

Elizabeth resolved that no circumstance of pomp or solemnity should be wanting, which could render this transaction such as became the dignity of the person to be tried. She appointed, by a commission under the great seal, forty persons, the most illustrious in the kingdom by their birth or offices, together with five of the judges, to hear and decide this great cause. Many difficulties were started by the lawyers about the name and title by which Mary should be arraigned; and, while the essentials of justice were so grossly violated, the empty forms of it were the objects of their care. They at length agreed that she should be styled "Mary, daughter and heir of James V. late king of Scots, commonly called queen of Scots and dowager of France."[r]

After the many indignities which she had lately suffered, Mary could no longer doubt but that her destruction was determined. She expected every moment to end her days by poison, or by some of those secret means usually employed against captive princes. Lest the malice of her enemies, at the same time that it deprived her of life, should endeavour likewise to blast her reputation, she wrote to the duke of Guise, and vindicated herself, in the strongest terms, from the imputation of encouraging or of being accessory to the conspiracy for assassinating Elizabeth.[s] In the solitude of her prison, the strange resolution of bringing her to a public trial had not reached her ears, nor did the idea of any thing so unprecedented, and so repugnant to regal majesty, once enter into her thoughts.

The trial at Fotheringay.

On the eleventh of October the commissioners appointed by Elizabeth arrived at Fotheringay. Next morning they delivered a letter from their sovereign to Mary, in which, after the bitterest reproaches and accusa-

o See Appendix, No. XLVIII. p. Camd. 517.

q Camd. 519. Johnst. Hist. 113. r Strype, iii. 362. s Jebb. ii. 283.

tions, she informed her, that regard for the happiness of the nation had at last rendered it necessary to make a public inquiry into her conduct, and therefore required her, as she had lived so long under the protection of the laws of England, to submit now to the trial which they ordained to be taken of her crimes. Mary, though surprised at this message, was neither appalled at the danger, nor unmindful of her own dignity. She protested, in the most solemn manner, that she was innocent of the crime laid to her charge, and had never countenanced any attempt against the life of the queen of England; but, at the same time, refused to acknowledge the jurisdiction of her commissioners. "I came into the kingdom," said she, "an independent sovereign, to implore the queen's assistance, not to subject myself to her authority. Nor is my spirit so broken by its past misfortunes, or so intimidated by present dangers, as to stoop to any thing unbecoming the majesty of a crowned head, or that will disgrace the ancestors from whom I am descended, and the son to whom I shall leave my throne. If I must be tried, princes alone can be my peers. The queen of England's subjects, however noble their birth may be, are of a rank inferior to mine. Ever since my arrival in this kingdom I have been confined as a prisoner. Its laws never afforded me any protection. Let them not now be perverted in order to take away my life."

Mary refuses at first to plead.

The commissioners employed arguments and entreaties to overcome Mary's resolution. They even threatened to proceed according to the forms of law, and to pass sentence against her on account of her contumacy in refusing to plead; she persisted, however, for two days, to decline their jurisdiction. An argument used by Hatton, the vice-chamberlain, at last prevailed. He told her, that by avoiding a trial she injured her own reputation, and deprived herself of the only opportunity of setting her innocence in a clear light; and that nothing would be more agreeable to them, or more acceptable to the queen their mistress, than to be convinced, by undoubted evidence, that she had been unjustly loaded with foul aspersions.

Consents however to do so.

No wonder pretexts so plausible should impose on the unwary queen, or that she, unassisted at that time by any friend or counsellor, should not be able to detect and elude all the artifices of Elizabeth's ablest ministers. In a situation equally melancholy, and under circumstances nearly similar, her grandson, Charles I., refused with the utmost firmness to acknowledge the usurped jurisdiction of the high court of justice; and posterity has approved his conduct, as suitable to the dignity of a king. If Mary was less constant in her resolution, it must be imputed solely to her anxious desire of vindicating her own honour.

Oct. 14.

At her appearance before the judges, who were seated in the great hall of the castle, where they received her with much ceremony, she took care to protest, that by condescending to hear and to give an answer to the accusations which should be brought against her, she neither acknowledged the jurisdiction of the court, nor admitted the validity and justice of those acts by which they pretended to try her.

The chancellor, by a counter-protestation, endeavoured to vindicate the authority of the court.

The accusation against her.

Then Elizabeth's attorney and solicitor opened the charge against her, with all the circumstances of the late conspiracy. Copies of Mary's letters to Mendoza, Babington, Englefield, and Paget, were produced. Babington's confession, those of Ballard, Savage, and the other conspirators, together with the declarations of Naué and Curle, her secretaries, were read, and the whole ranged in the most specious order which the art of the lawyers could devise, and heightened by every colour their eloquence could add.

Mary listened to their harangues attentively, and without emotion. But at the mention of the earl of Arundel's name, who was then confined in the Tower, she broke out into this tender and generous exclamation: "Alas, how much has the noble house of Howard suffered for my sake!"

Her defence.

When the queen's counsel had finished, Mary stood up, and with great magnanimity, and equal presence of mind, began her defence. She bewailed the unhappiness of her own situation, that after a captivity of nineteen years, during which she had suffered treatment no less cruel than unmerited, she was at last loaded with an accusation, which tended not only to rob her of her right of succession, and to deprive her of life itself, but to transmit her name with infamy to future ages: that, without regarding the sacred rights of sovereignty, she was now subjected to laws framed against private persons; though an anointed queen, commanded to appear before the tribunal of subjects; and, like a common criminal, her honour exposed to the petulant tongues of lawyers, capable of wresting her words, and of misrepresenting her actions: that, even in this dishonourable situation, she was denied the privileges usually granted to criminals, and obliged to undertake her own defence, without the presence of any friend with whom to advise, without the aid of counsel, and without the use of her own papers.

She then proceeded to the particular articles in the accusation. She absolutely denied any correspondence with Babington or Ballard; copies only of her pretended letters to them were produced; though nothing less than her hand-writing or subscription was sufficient to convict her of such an odious crime: no proof could be brought that their letters were delivered into her hands, or that any answer was returned by her direction: the confessions of wretches condemned and executed for such a detestable action, were of little weight; fear or hope might extort from them many things inconsistent with truth, nor ought the honour of a queen to be stained with such vile testimony. The declaration

of her secretaries was not more conclusive: promises and threats might easily overcome the resolution of two strangers; in order to screen themselves they might throw the blame on her; but they could discover nothing to her prejudice, without violating, in the first place, the oath of fidelity which they had sworn to her; and their perjury in one instance, rendered them unworthy of credit in another: the letters to the Spanish ambassador were either nothing more than copies, or contained only what was perfectly innocent: "I have often," continued she, "made such efforts for the recovery of my liberty, as are natural to a human creature. Convinced, by the sad experience of so many years, that it was vain to expect it from the justice or generosity of the queen of England, I have frequently solicited foreign princes, and called upon all my friends, to employ their whole interest for my relief. I have likewise endeavoured to procure for the English catholics some mitigation of the rigour with which they are now treated; and if I could hope, by my death, to deliver them from oppression, am willing to die for their sake. I wish, however, to imitate the example of Esther, not of Judith, and would rather make intercession for my people, than shed the blood of the meanest creature, in order to save them. I have often checked the intemperate zeal of my adherents, when either the severity of their own persecutions, or indignation at the unheard-of injuries which I have endured, were apt to precipitate them into violent councils. I have even warned the queen of dangers to which these harsh proceedings exposed herself. And worn out, as I now am, with cares and sufferings, the prospect of a crown is not so inviting, that I should ruin my soul in order to obtain it. I am no stranger to the feelings of humanity, nor unacquainted with the duties of religion, and abhor the detestable crime of assassination, as equally repugnant to both. And, if ever I have given consent by my words, or even by my thoughts, to any attempt against the life of the queen of England, far from declining the judgment of men, I shall not even pray for the mercy of God."[t]

Two different days did Mary appear before the judges, and in every part of her behaviour maintained the magnanimity of a queen, tempered with the gentleness and modesty of a woman.

Sentence against her. Oct. 25.

The commissioners, by Elizabeth's express command, adjourned, without pronouncing any sentence, to the Star-chamber in Westminster. When assembled in that place, Naué and Curle were brought into court, and confirmed their former declaration upon oath; and after reviewing all their proceedings, the commissioners unanimously declared Mary "to be accessory to Babington's conspiracy, and to have imagined divers matters tending to the hurt, death, and destruction of Elizabeth, contrary to the express words of the statute made for the security of the queen's life."[u]

t Camd. 520, &c.

Irregularities in the trial.

It is no easy matter to determine whether the injustice in appointing this trial, or the irregularity in conducting it, were greatest and most flagrant. By what right did Elizabeth claim authority over an independent queen? Was Mary bound to comply with the laws of a foreign kingdom? How could the subjects of another prince become her judges? or if such an insult on royalty were allowed, ought not the common forms of justice to have been observed? If the testimony of Babington and his associates were so explicit, why did not Elizabeth spare them for a few weeks, and by confronting them with Mary, overwhelm her with the full conviction of her crimes? Naué and Curle were both alive, wherefore did not they appear at Fotheringay, and for what reason were they produced in the Star-chamber, where Mary was not present to hear what they deposed? Was this suspicious evidence enough to condemn a queen? Ought the meanest criminal to have been found guilty upon such feeble and inconclusive proofs?

It was not, however, on the evidence produced at her trial, that the sentence against Mary was founded. That served as a pretence to justify, but was not the cause of the violent steps taken by Elizabeth and her ministers towards her destruction; and was employed to give some appearance of justice to what was the offspring of jealousy and fear. The nation, blinded with resentment against Mary, and solicitous to secure the life of its own sovereign from every danger, observed no irregularities in the proceedings, and attended to no defects in the proof, but grasped at the suspicions and probabilities, as if they had been irrefragable demonstrations.

The parliament confirm the sentence,

The parliament met a few days after sentence was pronounced against Mary. In that illustrious assembly more temper and discernment than are to be found among the people, might have been expected. Both lords and commons, however, were equally under the dominion of popular prejudices and passions, and the same excess of zeal, or of fear, which prevailed in the nation, is apparent in all their proceedings. They entered with impatience upon an inquiry into the conspiracy, and the danger which threatened the queen's life as well as the peace of the kingdom. All the papers which had been produced at Fotheringay were laid before them; and, after many violent invectives against the queen of Scots, both Houses unanimously ratified the proceedings of the commissioners by whom she had been tried, and declared the sentence against her to be just and well founded. Not satisfied with this, they presented a joint address to the queen, beseeching her, as she regarded her own safety, the preservation of the protestant religion, the welfare and wishes of her people, to publish the sentence; and without further delay to inflict on a rival, no less irreclaimable than danger-

and demand the execution of it.

u Camd. 525.

ous, the punishment which she had merited by so many crimes. This request, dictated by fears unworthy of that great assembly, was enforced by reasons still more unworthy. They were drawn, not from justice, but from conveniency. The most rigorous confinement, it was pretended, could not curb Mary's intriguing spirit; her address was found, by long experience, to be an overmatch for the vigilance and jealousy of all her keepers; the severest penal laws could not restrain her adherents, who, while they believed her person to be sacred, would despise any danger to which themselves alone were exposed: several foreign princes were ready to second their attempts, and waited only a proper opportunity for invading the kingdom, and asserting the Scottish queen's title to the crown. Her life, they contended, was, for these reasons, incompatible with Elizabeth's safety; and if she were spared out of a false clemency, the queen's person, the religion and liberties of the kingdom, could not be one moment secure. Necessity required that she should be sacrificed in order to preserve these; and to prove this sacrifice to be no less just than necessary, several examples in history were produced, and many texts of Scripture quoted; but both the one and the other were misapplied, and distorted from their true meaning.

Elizabeth's dissimulation.

Nothing, however, could be more acceptable to Elizabeth, than an address in this strain. It extricated her out of a situation extremely embarrassing; and, without depriving her of the power of sparing, it enabled her to punish her rival with less appearance of blame. If she chose the former, the whole honour would redound to her own clemency. If she determined on the latter, whatever was rigorous might now seem to be extorted by the solicitations of her people, rather than to flow from her own inclination. Her answer, however, was in a style which she often used, ambiguous and evasive, under the appearance of openness and candour; full of such professions of regard for her people, as served to heighten their loyalty; of such complaints of Mary's ingratitude, as were calculated to excite their indignation; and of such insinuations that her own life was in danger as could not fail to keep alive their fears. In the end, she besought them to save her the infamy and the pain of delivering up a queen, her nearest kinswoman, to punishment; and to consider whether it might not still be possible to provide for the public security without forcing her to imbrue her hands in royal blood.

The true meaning of this reply was easily understood. The lords and commons renewed their former request with additional importunity, which was far from being either unexpected or offensive. Elizabeth did not return any answer more explicit; and having obtained such a public sanction of her proceedings, there was no longer any reason for protracting this scene of dissimulation; there was even some danger that her feigned difficulties might at last be treated as real ones; she therefore prorogued the parliament, and reserved in her own hands the sole disposal of her rival's fate.[x]

France interposes feebly in behalf of Mary.

All the princes in Europe observed the proceedings against Mary with astonishment and horror; and even Henry III., notwithstanding his known aversion to the house of Guise, was obliged to interpose in her behalf, and to appear in defence of the common rights of royalty. Aubespine, his resident ambassador, and Bellievre, who was sent with an extraordinary commission to the same purpose, interceded for Mary with great appearance of warmth. They employed all the arguments which the cause naturally suggested; they pleaded from justice, from generosity, and humanity; they intermingled reproaches and threats; but to all these Elizabeth continued deaf and inexorable; and having received some intimation of Henry's real unconcern about the fate of the Scottish queen, and knowing his antipathy to all the race of Guise, she trusted that these loud remonstrances would be followed by no violent resentment.[y]

James endeavours to save his mother's life.

She paid no greater regard to the solicitations of the Scottish king, which, as they were urged with greater sincerity, merited more attention. Though her commissioners had been extremely careful to soothe James, by publishing a declaration that their sentence against Mary did, in no degree, derogate from his honour, or invalidate any title which he formerly possessed; he beheld the indignities to which his mother had been exposed with filial concern, and with the sentiments which became a king. The pride of the Scottish nation was roused by the insult offered to the blood of their monarchs, and called upon him to employ the most vigorous efforts, in order to prevent or to revenge the queen's death.

At first, he could hardly believe that Elizabeth would venture upon an action so unprecedented, which tended so visibly to render the persons of princes less sacred in the eyes of the people, and which degraded the regal dignity, of which, at other times, she was so remarkably jealous. But as soon as the extraordinary steps which she took discovered her intention, he despatched sir William Keith to London; who, together with Douglas, his ambassador in ordinary, remonstrated, in the strongest terms, against the injury done to an independent queen, in subjecting her to be tried like a private person, and by laws to which she owed no obedience; and besought Elizabeth not to add to this injury, by suffering a sentence unjust in itself, as well as dishonourable to the king of Scots, to be put into execution.[z]

Elizabeth returning no answer to these remonstrances of his ambassador, James wrote to her with his own hand, complaining in the bitterest terms of her conduct, not without threats that both his duty and his honour would oblige him to renounce her

x Camd. 526. D'Ewes, 75. y Camd. 531. z See Append. No. XLIX. Murdin. 573, &c. Birch. Mem. i. 52.

friendship, and to act as became a son when called to revenge his mother's wrongs.[a] At the same time he assembled the nobles, who promised to stand by him in so good a cause. He appointed ambassadors to France, Spain, and Denmark, in order to implore the aids of these courts; and took other steps towards executing his threats with vigour. The high strain of his letter enraged Elizabeth to such a degree, that she was ready to dismiss his ambassadors without any reply. But his preparations alarmed and embarrassed her ministers, and at their entreaty she returned a soft and evasive answer, promising to listen to any overture from the king, that tended to his mother's safety; and to suspend the execution of the sentence, until the arrival of new ambassadors from Scotland.[b]

Dec. 6. The sentence against Mary published.

Meanwhile, she commanded the sentence against Mary to be published, and forgot not to inform the people, that this was extorted from her by the repeated entreaty of both Houses of parliament. At the same time she despatched lord Buckhurst and Beale to acquaint Mary with the sentence, and how importunately the nation demanded the execution of it; and though she had not hitherto yielded to these solicitations, she advised her to prepare for an event which might become necessary for securing the protestant religion, as well as quieting the minds of the people. Mary received the message, not only without symptoms of fear, but with expressions of triumph. "No wonder," said she, "the English should now thirst for the blood of a foreign prince; they have often offered violence to their own monarchs. But after so many sufferings, death comes to me as a welcome deliverer. I am proud to think that my life is deemed of importance to the catholic religion, and as a martyr for it I am now willing to die."[c]

She is treated with the utmost rigour.

After the publication of the sentence, Mary was stripped of every remaining mark of royalty. The canopy of state in her apartment was pulled down; Paulet entered her chamber, and approached her person without any ceremony; and even appeared covered in her presence. Shocked with these indignities, and offended at this gross familiarity, to which she had never been accustomed, Mary once more complained to Elizabeth; and at the same time, as her last request, entreated that she would permit her servants to carry her dead body into France, to be laid among her ancestors in hallowed ground; that some of her domestics might be present at her death, to bear witness of her innocence, and firm adherence to the catholic faith; that all her servants might be suffered to leave the kingdom, and to enjoy those small legacies which she should bestow on them, as testimonies of her affection; and that, in the mean time, her almoner, or some other catholic priest, might be allowed to attend her, and to assist her in preparing for an eternal world. She besought her, in the name of Jesus, by the soul and memory of Henry VII. their common progenitor, by their near consanguinity, and the royal dignity with which they were both invested, to gratify her in these particulars, and to indulge her so far as to signify her compliance by a letter under her own hand. Whether Mary's letter was ever delivered to Elizabeth, is uncertain. No answer was returned, and no regard paid to her requests. She was offered a protestant bishop or dean to attend her. Them she rejected, and without any clergyman to direct her devotions, she prepared, in great tranquillity, for the approach of death, which she now believed to be at no great distance.[d]

Dec. 19.

1587. January 1. James renews his solicitations in her behalf.

James, without losing a moment, sent new ambassadors to London. These were the master of Gray, and sir Robert Melvil. In order to remove Elizabeth's fears, they offered that their master would become bound that no conspiracy should be undertaken against her person, or the peace of the kingdom, with Mary's consent; and for the faithful performance of this, would deliver some of the most considerable of the Scottish nobles as hostages. If this were not thought sufficient, they proposed that Mary should resign all her rights and pretensions to her son, from whom nothing injurious to the protestant religion, or inconsistent with Elizabeth's safety, could be feared. The former proposal Elizabeth rejected as insecure; the latter, as dangerous. The ambassadors were then instructed to talk in a higher tone; and Melvil executed the commission with fidelity and with zeal. But Gray, with his usual perfidy, deceived his master, who trusted him with a negociation of so much importance, and betrayed the queen whom he was employed to save. He encouraged and urged Elizabeth to execute the sentence against her rival. He often repeated the old proverbial sentence, "The dead cannot bite." And whatever should happen, he undertook to pacify the king's rage, or at least to prevent any violent effects of his resentment.[e]

Elizabeth's anxiety and dissimulation.

Elizabeth, meanwhile, discovered all the symptoms of the most violent agitation and disquietude of mind. She shunned society, she was often found in a melancholy and musing posture, and repeating with much emphasis these sentences which she borrowed from some of the devices then in vogue; *Aut fer aut feri; ne feriare, feri.* Much, no doubt, of this apparent uneasiness must be imputed to dissimulation: it was impossible, however, that a princess, naturally so cautious as Elizabeth, should venture on an action, which might expose her memory to infamy, and her life and kingdom to danger, without reflecting deeply, and hesitating long. The people waited her determination in suspense and anxiety; and lest their fear or their zeal should

a Birch. Mem. i. 52.
b Spotsw. 551. Cald. iv. 5.
c Camd. 528. Jebb, 291.
d Camd. 528. Jebb, ii. 295.
e Spotsw. 352. Murdin, 568. See Append. No. L.

subside, rumours of danger were artfully invented and propagated with the utmost industry. Aubespine, the French ambassador, was accused of having suborned an assassin to murder the queen. The Spanish fleet was said by some to be already arrived at Milford-haven. Others affirmed that the duke of Guise had landed with a strong army in Sussex. Now, it was reported that the northern counties were up in arms; next day, that the Scots had entered England with all their forces; and a conspiracy, it was whispered, was on foot for seizing the queen and burning the city. The panic grew every day more violent; and the people, astonished and enraged, called for the execution of the sentence against Mary, as the only thing which could restore tranquillity to the kingdom.[f]

Feb. 1. Warrant for Mary's execution signed.

While these sentiments prevailed among her subjects, Elizabeth thought she might safely venture to strike the blow which she had so long meditated. She commanded Davison, one of the secretaries of state, to bring to her the fatal warrant; and her behaviour on that occasion plainly showed, that it is not to humanity that we must ascribe her forbearance hitherto. At the very moment she was signing the writ which gave up a woman, a queen, and her own nearest relation, into the hands of the executioner, she was capable of jesting. "Go," says she to Davison, "and tell Walsingham what I have now done, though I am afraid he will die for grief when he hears it." Her chief anxiety was how to secure the advantages which would arise from Mary's death, without appearing to have given her consent to a deed so odious. She often hinted to Paulet and Drury, as well as to some other courtiers, that now was the time to discover the sincerity of their concern for her safety, and that she expected their zeal would extricate her out of her present perplexity. But they were wise enough to seem not to understand her meaning. Even after the warrant was signed, she commanded a letter to be written to Paulet in less ambiguous terms, complaining of his remissness in sparing so long the life of her capital enemy, and begging him to remember at last what was incumbent on him as an affectionate subject, as well as what he was bound to do by the oath of association, and to deliver his sovereign from continual fear and danger, by shortening the days of his prisoner. Paulet, though rigorous and harsh, and often brutal in the discharge of what he thought his duty, as Mary's keeper, was nevertheless a man of honour and integrity. He rejected the proposal with disdain; and lamenting that he should ever have been deemed capable of acting the part of an assassin, he declared that the queen might dispose of his life at her pleasure, but that he would never stain his own honour, nor leave an everlasting mark of infamy on his posterity, by lending his hand to perpetrate so foul a crime. On the receipt of this answer, Elizabeth became extremely peevish; and calling him a *dainty* and *precise fellow*, who would promise much but perform nothing, she proposed to employ one Wingfield, who had both courage and inclination to strike the blow.[g] But Davison remonstrating against this, as a deed dishonourable in itself, and of dangerous example, she again declared her intention that the sentence pronounced by the commissioners should be executed according to law; and as she had already signed the warrant, she begged that no further application might be made to her on that head. By this, the privy-counsellors thought themselves sufficiently authorized to proceed; and prompted, as they pretended, by zeal for the queen's safety, or instigated, as is more probable, by the apprehension of the danger to which they would themselves be exposed, if the life of the queen of Scots were spared, they assembled in the council-chamber: and by a letter under all their hands, empowered the earls of Shrewsbury and Kent, together with the high sheriff of the county, to see the sentence put in execution.[h]

Mary's behaviour at death.

On Tuesday the seventh of February the two earls arrived at Fotheringay, and demanded access to the queen, read in her presence the warrant for execution, and required her to prepare to die next morning. Mary heard them to the end without emotion, and crossing herself in the name of the Father, and of the Son, and of the Holy Ghost, "That soul," said she, "is not worthy the joys of heaven, which repines because the body must endure the stroke of the executioner; and though I did not expect that the queen of England would set the first example of violating the sacred person of a sovereign prince, I willingly submit to that which Providence has decreed to be my lot;" and laying her hand on a Bible, which happened to be near her, she solemnly protested that she was innocent of that conspiracy which Babington had carried on against Elizabeth's life.[i] She then mentioned the requests contained in her letter to Elizabeth, but obtained no satisfactory answer. She entreated with particular earnestness, that now in her last moments her almoner might be suffered to attend her, and that she might enjoy the consolation of those pious institutions prescribed by her religion. Even this favour, which is usually granted to the vilest criminal, was absolutely denied.

Her attendants, during this conversation, were bathed in tears, and though overawed by the presence of the two earls, with difficulty suppressed their anguish; but no sooner did Kent and Shrewsbury withdraw, than they ran to their mistress, and burst out into the most passionate expressions of tenderness and sorrow. Mary, however, not only retained perfect composure of mind herself, but endeavoured to moderate their excessive grief; and falling on her knees with all her domestics round her, she thanked Heaven that her sufferings were now so near an end, and prayed that she might be enabled to endure what still remained with decency

f Camd. 533, 534. g Biog. Britan. article *Davison*. h Camd. 534. Strype, iii. 361, 364. i Jebb, ii. 301.

and with fortitude. The greater part of the evening she employed in settling her worldly affairs. She wrote her testament with her own hand. Her money, her jewels, and her clothes, she distributed among her servants, according to their rank or merit. She wrote a short letter to the king of France, and another to the duke of Guise, full of tender but magnanimous sentiments, and recommended her soul to their prayers, and her afflicted servants to their protection. At supper she ate temperately, as usual, and conversed not only with ease, but with cheerfulness; she drank to every one of her servants, and asked their forgiveness, if ever she had failed in any part of her duty towards them. At her wonted time she went to bed, and slept calmly a few hours. Early in the morning she retired into her closet, and employed a considerable time in devotion. At eight o'clock the high sheriff and his officers entered her chamber, and found her still kneeling at the altar. She immediately started up, and with a majestic mien, and a countenance undismayed, and even cheerful, advanced towards the place of execution, leaning on two of Paulet's attendants. She was dressed in a mourning habit, but with an elegance and splendour which she had long laid aside except on a few festival days. An *Agnus Dei* hung by a pomander chain at her neck; her beads at her girdle; and in her hand she carried a crucifix of ivory. At the bottom of the stairs the two earls, attended by several gentlemen from the neighbouring counties, received her; and there sir Andrew Melvil, the master of her household, who had been secluded for some weeks from her presence, was permitted to take his last farewell. At the sight of a mistress whom he tenderly loved, in such a situation, he melted into tears; and as he was bewailing her condition, and complaining of his own hard fate, in being appointed to carry the account of such a mournful event into Scotland, Mary replied, "Weep not, good Melvil, there is at present great cause for rejoicing. Thou shalt this day see Mary Stewart delivered from all her cares, and such an end put to her tedious sufferings, as she has long expected. Bear witness that I die constant in my religion; firm in my fidelity towards Scotland; and unchanged in my affection to France. Commend me to my son. Tell him I have done nothing injurious to his kingdom, to his honour, or to his rights; and God forgive all those who have thirsted without cause for my blood."

With much difficulty, and after many entreaties, she prevailed on the two earls to allow Melvil, together with three of her men-servants and two of her maids, to attend her to the scaffold. It was erected in the same hall where she had been tried, raised a little above the floor, and covered, as well as a chair, the cushion, and block, with black cloth. Mary mounted the steps with alacrity, beheld all this apparatus of death with an unaltered countenance, and signing herself with the cross, she sat down in the chair. Beale read the warrant for execution with a loud voice, to which she listened with a careless air, and like one occupied in other thoughts. Then the dean of Peterborough began a devout discourse, suitable to her present condition, and offered up prayers to Heaven in her behalf; but she declared that she could not in conscience hearken to the one, nor join with the other; and kneeling down, repeated a Latin prayer. When the dean had finished his devotions, she, with an audible voice, and in the English tongue, recommended unto God the afflicted state of the church, and prayed for prosperity to her son, and for a long life and peaceable reign to Elizabeth. She declared that she hoped for mercy only through the death of Christ, at the foot of whose image she now willingly shed her blood; and lifting up and kissing the crucifix, she thus addressed it: "As thy arms, O Jesus, were extended on the cross; so with the outstretched arms of thy mercy receive me, and forgive my sins."

She then prepared for the block, by taking off her veil and upper garments; and one of the executioners rudely endeavouring to assist, she gently checked him, and said with a smile, that she had not been accustomed to undress before so many spectators, nor to be served by such valets. With calm but undaunted fortitude, she laid her neck on the block; and while one executioner held her hands, the other, at the second stroke, cut off her head, which falling out of its attire, discovered her hair already grown quite gray with cares and sorrows. The executioner held it up still streaming with blood, and the dean crying out, "So perish all queen Elizabeth's enemies," the earl of Kent alone answered Amen. The rest of the spectators continued silent, and drowned in tears; being incapable, at that moment, of any other sentiments but those of pity or admiration.[k]

Such was the tragical death of Mary, queen of Scots, after a life of forty-four years and two months, almost nineteen years of which she passed in captivity. The political parties which were formed in the kingdom during her reign, have subsisted under various denominations ever since that time. The rancour with which they were at first animated, hath descended to succeeding ages, and their prejudices, as well as their rage, have been perpetuated, and even augmented. Among historians, who were under the dominion of all these passions, and who have either ascribed to her every virtuous and amiable quality, or have imputed to her all the vices of which the human heart is susceptible, we search in vain for Mary's real character. She neither merited the exaggerated praises of the one, nor the undistinguished censure of the other.

Sentiments of historians concerning her.

To all the charms of beauty, and the utmost elegance of external form, she added those accomplishments which render

Her character.

[k] Camd. 534. Spotsw. 355. Jebb, ii. 300. Strype, iii. 383. See Append. No. LI.

their impression irresistible. Polite, affable, insinuating, sprightly, and capable of speaking and of writing with equal ease and dignity. Sudden, however, and violent in all her attachments; because her heart was warm and unsuspicious. Impatient of contradiction; because she had been accustomed from her infancy to be treated as a queen. No stranger, on some occasions, to dissimulation; which, in that perfidious court where she received her education, was reckoned among the necessary arts of government. Not insensible of flattery, or unconscious of that pleasure with which almost every woman beholds the influence of her own beauty. Formed with the qualities which we love, not with the talents that we admire; she was an agreeable woman, rather than an illustrious queen. The vivacity of her spirit, not sufficiently tempered with sound judgment, and the warmth of her heart, which was not at all times under the restraint of discretion, betrayed her both into errors and into crimes. To say that she was always unfortunate, will not account for that long and almost uninterrupted succession of calamities which befell her; we must likewise add, that she was often imprudent. Her passion for Darnley was rash, youthful, and excessive; and though the sudden transition to the opposite extreme, was the natural effect of her ill-requited love, and of his ingratitude, insolence, and brutality; yet neither these, nor Bothwell's artful address and important services, can justify her attachment to that nobleman. Even the manners of the age, licentious as they were, are no apology for this unhappy passion; nor can they induce us to look on that tragical and infamous scene which followed upon it, with less abhorrence. Humanity will draw a veil over this part of her character, which it cannot approve; and may, perhaps, prompt some to impute some of her actions to her situation, more than to her dispositions; and to lament the unhappiness of the former, rather than accuse the perverseness of the latter. Mary's sufferings exceed, both in degree and in duration, those tragical distresses which fancy has feigned to excite sorrow and commiseration; and while we survey them, we are apt altogether to forget her frailties, we think of her faults with less indignation, and approve of our tears, as if they were shed for a person who had attained much nearer to pure virtue.

With regard to the queen's person, a circumstance not to be omitted in writing the history of a female reign, all contemporary authors agree in ascribing to Mary the utmost beauty of countenance, and elegance of shape, of which the human form is capable. Her hair was black, though, according to the fashion of that age, she frequently wore borrowed locks, and of different colours. Her eyes were a dark grey; her complexion was exquisitely fine; and her hands and arms remarkably delicate, both as to shape and colour. Her stature was of an height that rose to the majestic. She danced, she walked, and rode with equal grace. Her taste for music was just, and she both sung and played upon the lute with uncommon skill. Towards the end of her life, long confinement, and the coldness of the houses in which she had been imprisoned, brought on a rheumatism, which often deprived her of the use of her limbs. No man, says Brantome, ever beheld her person without admiration and love, or will read her history without sorrow.

None of her women were suffered to come near her dead body, which was carried into a room adjoining to the place of execution, where it lay for some days, covered with a coarse cloth torn from a billiard table. The block, the scaffold, the aprons of the executioners, and every thing stained with her blood, were reduced to ashes. Not long after, Elizabeth appointed her body to be buried in the cathedral of Peterborough with royal magnificence. But this vulgar artifice was employed in vain; the pageantry of a pompous funeral did not efface the memory of those injuries which laid Mary in her grave. James, soon after his accession to the English throne, ordered her body to be removed to Westminster abbey, and to be deposited among the monarchs of England.

Elizabeth affects to lament Mary's death.

Elizabeth affected to receive the accounts of Mary's death with the most violent emotions of surprise and concern. Sighs, tears, lamentations, and mourning, were all employed to display the reality and greatness of her sorrow. Evident marks of dissimulation and artifice may be traced through every period of Elizabeth's proceedings against the life of the Scottish queen. The commission for bringing Mary to a public trial was seemingly extorted from her by the entreaties of her privy-counsellors. She delayed publishing the sentence against her till she was twice solicited by both Houses of parliament. Nor did she sign the warrant for execution without the utmost apparent reluctance. One scene more of the boldest and most solemn deceit remained to be exhibited. She undertook to make the world believe that Mary had been put to death without her knowledge, and against her will. Davison, who neither suspected her intention nor his own danger, was her instrument in carrying on this artifice, and fell a victim to it.

It was his duty, as secretary of state, to lay before her the warrant for execution, in order to be signed; and, by her command, he carried it to the great seal. She pretended, however, that she had charged him not to communicate what she had done to any person, nor to suffer the warrant to go out of his hands without her express permission; that, in contempt of this order, he had not only revealed the matter to several of her ministers, but had, in concert with them, assembled her privy-counsellors, by whom, without her consent or knowledge, the warrant was issued, and the earls of Shrewsbury and Kent empowered to put it in execution. Though Davison denied all this, and with circumstances which bear

the strongest marks of truth and eredibility; though it can scarcely be conceived that her privy-council, composed of the persons in whom she most confided, of her ministers and favourites, would assemble within the walls of her palace, and venture to transact a matter of so much importance without her privity, and contrary to her inclination; yet so far did she carry her dissimulation, that, with all the signs of displeasure and of rage, she banished most of her counsellors out of her presence; and treated Burleigh, in particular, so harshly, and with such marks of disgust, that he gave himself up for lost, and in the deepest affliction wrote to the queen, begging leave to resign all his places, that he might retire to his own estate. Davison she instantly deprived of his office, and committed him a close prisoner to the Tower. He was soon after brought to a solemn trial in the Star-chamber, condemned to pay a fine of ten thousand pounds, and to be imprisoned during the queen's pleasure. He languished several years in confinement, and never recovered any degree of favour or of power. As her jealousy and fear had bereaved the queen of Scots of life, in order to palliate this part of her conduct, Elizabeth made no scruple of sacrificing the reputation and happiness of one of the most virtuous and able men in her kingdom.[l]

March.

Elizabeth endeavours to soothe James.

This solemn farce, for it deserves no better name, furnished Elizabeth, however, with an apology to the king of Scots. As the prospect of his mother's danger had excited the king's filial care and concern, the account of her death filled him with grief and resentment. His subjects felt the dishonour done to him and to the nation. In order to soothe both, Elizabeth instantly despatched Robert Cary, one of lord Hunsdon's sons, with a letter, expressing her extreme affliction on account of that miserable accident, which, as she pretended, had happened far contrary to her appointment or intention. James would not permit her messenger to enter Scotland, and with some difficulty received a memorial which he sent from Berwick. It contained the tale concerning Davison, dressed up with all the circumstances which tended to exculpate Elizabeth, and to throw the whole blame on his rashness or treachery. Such a defence gave little satisfaction, and was considered as mockery added to insult; and many of the nobles, as well as the king, breathed nothing but revenge. Elizabeth was extremely solicitous to pacify them, and she wanted neither able instruments nor plausible reasons, in order to accomplish this. Leicester wrote to the king, and Walsingham to secretary Maitland. They represented the certain destruction to which James would expose himself, if, with the forces of Scotland alone, he should venture to attack a kingdom so far superior in power; that the history of past ages, as well as his mother's sad experience, might convince him, that nothing could be more dangerous, or deceitful, than dependence on foreign aid; that the king of France would never wish to see the British kingdoms united under one monarch, nor contribute to invest a prince so nearly allied to the house of Guise with such formidable power; that Philip might be a more active ally, but would certainly prove a more dangerous one; and, under pretence of assisting him, would assert his own right to the English crown, which he already began openly to claim; that the same statute, on which the sentence of death against his mother had been founded, would justify the excluding him from the succession to the crown; that the English, naturally averse from the dominion of strangers, would not fail, if exasperated by his hostilities, to apply it in that manner; that Elizabeth was disposed to repair the wrongs which the mother had suffered, by her tenderness and affection towards the son; and that, by engaging in a fruitless war, he would deprive himself of a noble inheritance, which, by cultivating her friendship, he must infallibly obtain. These representations, added to the consciousness of his own weakness, to the smallness of his revenues, to the mutinous spirit of some of the nobles, to the dubious fidelity of others, and to the influence of that faction which was entirely at Elizabeth's devotion, convinced James that a war with England, however just, would in the present juncture be altogether impolitical. All these considerations induced him to stifle his resentment; to appear satisfied with the punishment inflicted on Davison; and to preserve all the semblances of friendship with the English court.[m] In this manner did the cloud which threatened such a storm pass away. Mary's death, like that of a common criminal, remained unavenged by any prince; and, whatever infamy Elizabeth might incur, she was exposed to no new danger on that account.

Disgrace of the master of Gray.

Mary's death, however, proved fatal to the master of Gray, and lost him the king's favour which he had for some time possessed. He was become as odious to the nation as favourites who acquire power without merit, and exercise it without discretion, usually are. The treacherous part which he had acted during his late embassy was no secret, and filled James, who at length came to the knowledge of it, with astonishment. The courtiers observed the symptoms of disgust arising in the king's mind, his enemies seized the opportunity, and sir William Stewart, in revenge of the perfidy with which Gray had betrayed his brother captain James, publicly accused him before a convention of nobles, not only of having contributed, by his advice and suggestions, to take away the life of the queen, but of holding correspondence with popish princes, in order to subvert the religion established in the kingdom. Gray, unsupported by the king, deserted by all, and conscious of his own guilt, made a feeble defence. He was condemned to per-

May 10.

l Camd. 536. Strype, iii. 370. See App. No. LII. Cabala, 229, &c.

m Spotsw. 362. Cald. iv. 13, 14. Strype, 377.

petual banishment, a punishment very unequal to his crimes. But the king was unwilling to abandon one whom he had once favoured so highly, to the rigour of justice; and lord Hamilton, his near relation, and the other nobles who had lately returned from exile, in gratitude for the zeal with which he had served them, interceded warmly in his behalf.

Having thus accomplished the destruction of one of his enemies, captain James Stewart thought the juncture favourable for prosecuting his revenge on them all. He singled out secretary Maitland, the most eminent both for abilities and enmity to him; and offered to prove that he was no less accessory than Gray to the queen's death, and had even formed a design of delivering up the king himself into the hands of the English. But time and absence had, in a great measure, extinguished the king's affection for a minion who so little deserved it. All the courtiers combined against him as a common enemy; and, instead of gaining his point, he had the mortification to see the office of chancellor conferred upon Maitland, who, together with that dignity, enjoyed all the power and influence of a prime minister.

In the assembly of the church, which met this year, the same hatred of the order of bishops, and the same jealousy and fear of their encroachments, appeared. But as the king was now of full age, and a parliament was summoned on that occasion, the clergy remained satisfied with appointing some of their number to represent their grievances to that court, from which great things were expected.

The king attempts to unite the nobles.

Previous to this meeting of parliament, James attempted a work worthy of a king. The deadly feuds which subsisted between many of the great families, and which were transmitted from one generation to another, weakened the strength of the kingdom; contributed, more than any other circumstance, to preserve a fierce and barbarous spirit among the nobles; and proved the occasion of many disasters to themselves and to the country. After many preparatory negociations, he invited the contending parties to a royal entertainment in the palace of Holyrood-house; and partly by his authority, partly by his entreaties, obtained their promise to bury their dissensions in perpetual oblivion. From thence he conducted them, in solemn procession, through the streets of Edinburgh, marching by pairs, each hand in hand with his enemy. A collation of wine and sweetmeats was prepared at the public cross, and there they drank to each other with all the signs of reciprocal forgiveness and of future friendship. The people who were present at a spectacle so unusual, conceived the most sanguine hopes of seeing concord and tranquillity established in every part of the kingdom, and testified their satisfaction by repeated acclamations.[n] Unhappily, the effects of this reconciliation were not correspondent either to the pious endeavours of the king, or to the fond wishes of the people.

The first care of the parliament was the security of the protestant religion. All the laws passed in its favour, since the reformation, were ratified; and a new and severe one was enacted against seminary priests and jesuits, whose restless industry in making proselytes brought many of them into Scotland about this time. Two acts of this parliament deserve more particular notice on account of the consequences with which they were followed.

General annexations of church lands.

The one respected the lands of the church. As the public revenues were not sufficient for defraying the king's ordinary charges; as the administration of the government became more complicated and more expensive; as James was naturally profuse, and a stranger to economy; it was necessary, on all these accounts, to provide some fund proportioned to his exigencies. But no considerable sum could be levied on the commons, who did not enjoy the benefit of an extensive commerce. The nobles were unaccustomed to bear the burthen of heavy taxes. The revenues of the church were the only source whence a proper supply could be drawn. Notwithstanding all the depredations of the laity since the reformation, and the various devices which they had employed to seize the church lands, some considerable portion of them remained still unalienated, and were held either by the bishops who possessed the benefices, or were granted to laymen during pleasure. All these lands were, in this parliament, annexed, by one general law,[o] to the crown, and the king was empowered to apply the rents of them to his own use. The tithes alone were reserved for the maintenance of the persons who served the cure, and the principal mansion-house, with a few acres of land, by way of glebe, allotted for their residence. By this great accession of property, it is natural to conclude that the king must have acquired a vast increase of power, and the influence of the nobles have suffered a proportional diminution. The very reverse of this seems, however, to have been the case. Almost all grants of church lands, prior to this act, were thereby confirmed; and titles which were formerly reckoned precarious, derived thence the sanction of parliamentary authority. James was likewise authorized, during a limited time, to make new alienations; and such was the facility of his temper, ever ready to yield to the solicitations of his servants, and to gratify their most extravagant demands, that not only during the time limited, but throughout his whole reign, he was continually employed in bestowing, and his parliament in ratifying, grants of this kind to his nobles; hence little advantage accrued to the crown from that which might have been so valuable an addition to its revenues. The bishops, however, were great sufferers by the law. But at this juncture neither the king nor his ministers were solicit-

n Spotsw. 164. Cald. iv. 13.

o Parl. 11 Jac. VI. c. 29.

ous about the interests of an order of men, odious to the people, and persecuted by the clergy. Their enemies promoted the law with the utmost zeal. The prospect in their spoils induced all parties to consent to it; and after a step so fatal to the wealth and power of the dignified clergy, it was no difficult matter to introduce that change in the government of the church which soon after took place.[p]

Lesser barons admitted into parliament by their representatives.

The change which the other statute produced in the civil constitution was no less remarkable. Under the feudal system, every freeholder, or immediate vassal of the crown, had a right to be present in parliament. These freeholders were originally few in number, but possessed of great and extensive property. By degrees, these vast possessions were divided by the proprietors themselves, or parcelled out by the prince, or split by other accidents. The number of freeholders became greater, and their condition more unequal; besides the ancient barons, who preserved their estates and their power unimpaired, there arose another order, whose rights were the same, though their wealth and influence were far inferior. But, in rude ages, when the art of government was extremely imperfect, when parliaments were seldom assembled, and deliberated on matters little interesting to a martial people, few of the *lesser barons* took their seats, and the whole parliamentary jurisdiction was exercised by the *greater barons*, in conjunction with the ecclesiastical order. James I. fond of imitating the forms of the English constitution, to which he had been long accustomed, and desirous of providing a counterpoise to the power of the great nobles, procured an act in the year one thousand four hundred and twenty seven, dispensing with the personal attendance of the lesser barons, and empowering those in each county to choose two commissioners to represent them in parliament. This law, like many other regulations of that wise prince, produced little effect. All the king's vassals continued, as formerly, possessed of a right to be present in parliament; but, unless in some extraordinary conjunctures, the greater barons alone attended. But, by means of the reformation, the constitution had undergone a great change. The aristocratical power of the nobles had been much increased, and the influence of the ecclesiastical order, which the crown usually employed to check their usurpation, and to balance their authority, had diminished in proportion. Many of the abbeys and priories had been erected into temporal peerages; and the protestant bishops, an indigent race of men, and odious to the nation, were far from possessing the weight and credit, which their predecessors derived from their own exorbitant wealth and the superstitious reverence of the people. In this situation, the king had recourse to the expedient employed by James I. and obtained a law reviving the statute of one thousand four hundred and twenty-seven; and from that time the commons of Scotland have sent their representatives to parliament. An act, which tended so visibly to abridge their authority, did not pass without opposition from many of the nobles. But as the king had a right to summon the lesser barons to attend in person, others were apprehensive of seeing the house filled with a multitude of his dependants, and consented the more willingly to a law which laid them under the restriction of appearing only by their representatives.

1588. The approach of the Spanish Armada.

The year one thousand five hundred and eighty-eight began with an universal expectation throughout all Europe, that it was to be distinguished by wonderful events and revolutions. Several astrologers, according to the accounts of contemporary historians, had predicted this; and the situation of affairs in the two principal kingdoms of Europe was such, that a sagacious observer, without any supernatural intelligence, might have hazarded the prediction, and have foreseen the approach of some grand crisis. In France, it was evident, from the astonishing progress of the league, conducted by a leader whose ambition was restrained by no scruples, and whose genius had hitherto surmounted all difficulties, as well as from the timid, variable, and impolitic councils of Henry III. that either that monarch must submit to abandon the throne, of which he was unworthy, or by some sudden and daring blow cut off his formidable rival. Accordingly, in the beginning of the year, the duke of Guise drove his master out of his capital city, and forced him to conclude a peace, which left him only the shadow of royalty; and before the year expired, he himself fell a victim to the resentment and fear of Henry, and to his own security. In Spain, the operations were such as promised something still more uncommon. During three years Philip had employed all the power of his European dominions, and exhausted the treasures of the Indies, in vast preparations for war. A fleet, the greatest that had ever appeared in the ocean, was ready to sail from Lisbon, and a numerous land army was assembled to embark on board of it. Its destination was still unknown, though many circumstances made it probable that the blow was aimed, in the first place, against England. Elizabeth had long given secret aid to the revolted provinces in the Low Countries, and now openly afforded them her protection. A numerous body of her troops was in their service; the earl of Leicester commanded their armies; she had great sway in the civil government of the republic; and some of its most considerable towns were in her possession. Her fleets had insulted the coasts of Spain, intercepted the galleons from the West Indies, and threatened the colonies there. Roused by so many injuries, allured by views of ambition, and animated by a superstitious zeal for propagating the Romish religion, Philip resolved not only to invade, but to conquer England, to which his descent from the house of Lancaster, and the donation of pope

[p] Spotsw. 365

Sixtus V. gave him in his own opinion a double title.

Conduct of James on that occasion.

Elizabeth saw the danger approach, and prepared to encounter it. The measures for the defence of her kingdom were concerted and carried on with the wisdom and vigour which distinguished her reign. Her chief care was to secure the friendship of the king of Scots. She had treated the queen his mother with a rigour unknown among princes; she had often used himself harshly, and with contempt; and though he had hitherto prudently suppressed his resentment of these injuries, she did not believe it to be altogether extinguished, and was afraid that, in her present situation, it might burst out with fatal violence. Philip, sensible how much an alliance with Scotland would facilitate his enterprise, courted James with the utmost assiduity. He excited him to revenge his mother's wrong; he flattered him with the hopes of sharing his conquests; and offered him in marriage his daughter the infanta Isabella. At the same time Scotland swarmed with priests, his emissaries, who seduced some of the nobles to popery, and corrupted others with bribes and promises. Huntley, Errol, Crawford, were the heads of a faction which openly espoused the interest of Spain. Lord Maxwell, arriving from that court, began to assemble his followers, and to take arms, that he might be ready to join the Spaniards. In order to counterbalance all these, Elizabeth made the warmest professions of friendship to the king; and Ashby, her ambassador, entertained him with magnificent hopes and promises. He assured him, that his right of succession to the crown should be publicly acknowledged in England; that he should be created a duke in that kingdom; that he should be admitted to some share in the government; and receive a considerable pension annually. James, it is probable, was too well acquainted with Elizabeth's arts, to rely entirely on these promises. But he understood his own interest in the present juncture, and pursued it with much steadiness. He rejected an alliance with Spain, as dangerous. He refused to admit into his presence an ambassador from the pope. He seized colonel Semple, an agent of the prince of Parma. He drove many of the seminary priests out of the kingdom. He marched suddenly to Dumfries, dispersed Maxwell's followers, and took him prisoner. In a convention of the nobles, he declared his resolution to adhere inviolably to the league with England; and without listening to the suggestions of revenge, determined to act in concert with Elizabeth, against the common enemy of the protestant faith. He put the kingdom in a posture of defence, and levied troops to obstruct the landing of the Spaniards. He offered to send an army to Elizabeth's assistance; and told her ambassador that he expected no other favour from the king of Spain, but that which Polyphemus had promised to Ulysses, that when he had devoured all his companions, he would make him his last morsel.[q]

A national covenant in defence of religion.

The zeal of the people, on this occasion, was not inferior to that of the king; and the extraordinary danger with which they were threatened, suggested to them an extraordinary expedient for their security. A bond was framed for the maintenance of true religion, as well as the defence of the king's person and government, in opposition to all enemies, foreign and domestic. This contained a confession of the protestant faith, a particular renunciation of the errors of popery, and the most solemn promises, in the name and through the strength of God, of adhering to each other in supporting the former, and contending against the latter, to the utmost of their power.[r] The king, the nobles, the clergy, and the people, subscribed with equal alacrity. Strange or uncommon as such a combination may now appear, many circumstances contributed at that time to recommend it, and to render the idea familiar to the Scots. When roused by an extraordinary event, or alarmed by any public danger, the people of Israel were accustomed to bind themselves, by a solemn covenant, to adhere to that religion which the Almighty had established among them; this the Scots considered as a sacred precedent, which it became them to imitate. In that age, no considerable enterprise was undertaken in Scotland, without a bond of mutual defence, which all concerned reckoned necessary for their security. The form of this religious confederacy is plainly borrowed from those political ones, of which so many instances have occurred; the articles, stipulations, and peculiar modes of expression, are exactly the same in both. Almost all the considerable popish princes were then joined in a league for extirpating the reformed religion, and nothing could be more natural, or seemed more efficacious, than to enter into a counter-association, in order to oppose the progress of that formidable conspiracy. To these causes did the *covenant*, which is become so famous in history, owe its origin. It was renewed at different times during the reign of James.[s] It was revived with great solemnity, though with considerable alterations, in the year one thousand six hundred and thirty-eight. It was adopted by the English in the year one thousand six hundred and forty-three, and enforced by the civil and ecclesiastical authority of both kingdoms. The political purposes to which it was then made subservient, and the violent and unconstitutional measures which it was then employed to promote, it is not our province to explain. But at the juncture in which it was first introduced, we may pronounce it to have been a prudent and laudable device for the defence of the religion and liberties of the nation; nor were the terms in which it was conceived other than might have been expected from men alarmed with the impending danger of popery, and threatened with an invasion by

q Camd. 544. Johnst. 139. Spotsw. 369.

r Dunlop's Collect. of Confess. vol. ii. 103.

s Cald. iv. 129.

the most bigoted and most powerful prince in Europe.

Philip's eagerness to conquer England did not inspire him either with the vigour or despatch necessary to ensure the success of so mighty an enterprise. His fleet, which ought to have sailed in April, did not enter the English channel till the middle of July. It hovered many days on the coast, in expectation of being joined by the prince of Parma, who was blocked up in the ports of Flanders by a Dutch squadron. Continual disasters pursued the Spaniards during that time; successive storms and battles, which were well known, conspired with their own ill-conduct to disappoint their enterprise. And, by the blessing of Providence, which watched with remarkable care over the protestant religion and the liberties of Britain, the English valour scattered and destroyed the Armada, on which Philip had arrogantly bestowed the name of *Invincible*. After being driven out of the English seas, their shattered ships were forced to steer their course towards Spain, round Scotland and Ireland. Many of them suffered shipwreck on these dangerous and unknown coasts. Though James kept his subjects under arms, to watch the motions of the Spaniards, and to prevent their landing in an hostile manner, he received with great humanity seven hundred who were forced ashore by a tempest, and, after supplying them with necessaries, permitted them to return into their own country.

The Armada defeated.

On the retreat of the Spaniards Elizabeth sent an ambassador to congratulate with James, and to compliment him on the firmness and generosity he had discovered during a conjuncture so dangerous. But none of Ashby's promises were any longer remembered; that minister was even accused of having exceeded his powers, by his too liberal offers; and conscious of his own falsehood, or ashamed of being disowned by his court, he withdrew secretly out of Scotland.[t]

1589. Philip's intrigues in Scotland.

Philip, convinced by fatal experience of his own rashness in attempting the conquest of England by a naval armament, equipped at so great a distance, and subjected, in all its operations, to the delays, and dangers, and uncertainties, arising from seas and wind, resolved to make his attack in another form, and to adopt the plan which the princes of Lorrain had long meditated, of invading England through Scotland. A body of his troops, he imagined, might be easily wafted over from the Low Countries to that kingdom, and if they could once obtain footing, or procure assistance there, the frontier of England was open and defenceless, and the northern counties full of Roman catholics, who would receive them with open arms. Meanwhile a descent might be threatened on the southern coast, which would divide the English army, distract their councils, and throw the whole kingdom into terrible convulsions. In order to prepare the way for the execution of this design, he remitted a considerable sum of money to Bruce, a seminary priest in Scotland, and employed him, together with Hay, Creighton, and Tyrie, Scottish jesuits, to gain over as many persons of distinction as possible to his interest. Zeal for popery, and the artful insinuations of these emissaries, induced several noblemen to favour a measure which tended so manifestly to the destruction of their country. Huntley, though the king had lately given him in marriage the daughter of his favourite the duke of Lennox, continued warmly attached to the Romish church. Crawford and Errol were animated with the zeal of new converts. They all engaged in a correspondence with the prince of Parma, and, in their letters to him, offered their service to the king of Spain, and undertook, with the aid of six thousand men, to render him master of Scotland, and to bring so many of their vassals into the field, that he should be able to enter England with a numerous army. Francis Stewart, grandson of James V.[u] whom the king had created earl of Bothwell, though influenced by no motive of religion, for he still adhered to the protestant faith, was prompted merely by caprice, and the restlessness of his nature, to join in this treasonable correspondence.

Popish nobles conspire against the king.

All these letters were intercepted in England. Elizabeth, alarmed at the danger which threatened her own kingdom, sent them immediately to the king, and, reproaching him with his former lenity towards the popish party, called upon him to check this formidable conspiracy by a proper severity. But James, though firmly attached to the protestant religion, though profoundly versed in the theological controversies between the reformers and the church of Rome, though he had employed himself, at that early period of life, in writing a commentary on the Revelations, in which he laboured to prove the pope to be antichrist, had nevertheless adopted already those maxims concerning the treatment of the Roman catholics, to which he adhered through the rest of his life. The Roman catholics were at that time a powerful and active party in England; they were far from being an inconsiderable faction in his own kingdom. The pope and the king of Spain were ready to take part in all their machinations, and to second every effort of their bigotry. The opposition of such a body to his succession to the crown of England, added to the averseness of the English from the government of strangers, might create him many difficulties. In order to avoid these, he thought it necessary to soothe rather than to irritate the Roman catholics, and to reconcile them to his succession, by the hopes of gentler treatment, and some mitigation of the rigour of those laws which were now in force against them. This attempt to gain one party by promises of indulgence

Feb. 17.

The king's maxims with regard to popery.

t Johnst. 134. Camd. 548. Murdin, 635, 788.

u He was the son of John, prior of Coldingham, one of James's natural children.

and aets of elemeney, while he adhered with all the obstinacy of a disputant to the doetrines and tenets of the other, has given an air of mystery, and even of contradietion, to this part of the king's eharaeter. The papists, with the credulity of a seet struggling to obtain power, believed his heart to be wholly theirs; and the protestants, with the jealousy inseparable from those who are already in possession of power, viewed every aet of lenity as a mark of indifference, or a symptom of apostasy. In order to pleasc both, James often aimed at an excessive refinement, mingled with dissimulation, in which he imagined the perfection of government and of king-craft to eonsist.

His excessive lenity to the conspirators.

His behaviour on this occasion was agreeable to these general maxims. Notwithstanding the solicitations of the queen of England, enforced by the zealous remonstrances of his own clergy, a short imprisonment was the only punishment he inflieted upon Huntley and his associates. But he soon had reason to repent an aet of elemeney so inconsistent with the dignity of government. The first use which the eonspirators made of their liberty was, to assemble their followers, and under pretenee of removing chancellor Maitland, an able minister, but warmly devoted to the English interest, from the king's council and presenee, they attempted to seize James himself. This attempt being defeated, partly by Maitland's vigilanee, and partly by their own ill conduct, they were foreed to retire to the north, where they openly erected the standard of rebellion. But as the king's government was not gencrally unpopular, or his ministers odious, their own vassals joined them slowly, and discovered no zeal in the eause. The king in person advancing against them with sueh forees as he could suddenly levy, they durst not rely so mueh on the fidelity of the troops, whieh, though superior in number, followed them with reluctance, as to hazard a battle; but suffering them to disperse, they surrendered to the king, and threw themselves on his merey. Huntley, Errol, Crawford, and Bothwell, were all brought to a publie trial. Repeated acts of treason were easily proved against them. The king, however, did not permit any sentence to be pronounced; and after keeping them a few months in eonfinement, he took oeeasion, amidst the public festivity and rejoieings at the approach of his marriage, to set them at liberty.[x]

The king's marriage with Anne of Denmark.

As James was the only descendant of the ancient monarchs of Scotland in the direct line; as all hopes of uniting the crowns of the two kingdoms would have expired with him; as the earl of Arran, the presumptive heir to the throne, was lunatic; the king's marriage was, on all these accounts, an event which the nation wished for with the utmost ardour. He himself was no less desirous of aecomplishing it; and had made overtures for that purpose to the eldest daughter of Frederick II. king of Denmark. But Elizabeth, jealous of every thing that would render the accession of the house of Stewart more acceptable to the English, endeavoured to perplex James in the same manner she had done Mary, and employed as many artifices to defeat or to retard his marriage. His ministers, gaincd by bribes and promises, seconded her intention; and though several different ambassadors were sent from Scotland to Denmark, they produced powers so limited, or insisted on conditions so extravagant, that Frederiek eould not believe the king to be in earnest; and suspeeting that there was some design to deceive or amuse him, gave his daughter in marriage to the duke of Brunswick. Not discouraged by this disappointment, which he imputed entirely to the conduet of his own ministers, James made addresses to the princess Anne, Frederick's second daughter. Though Elizabeth endeavoured to divert him from this by recommending Catherine, the king of Navarre's sister, as a more advantageous match; though she prevailed on the privy-council of Scotland to declare against the allianee with Denmark, he persisted in his choice; and despairing of overcoming the obstinacy of his own ministers in any other manner, he secretly encouraged the citizens of Edinburgh to take arms. They threatened to tear in pieces the chancellor, whom they accused as the person whose artifices had hitherto disappointed the wishes of the king and the expectations of his people. In consequence of this, the earl Marischal was sent into Denmark at the head of a splendid embassy. He reccived ample powers and instruetions, drawn with the king's own hand. The marriage artieles were quickly agreed upon, and the young queen set sail towards Scotland. James made great preparations for her reeeption, and waited her landing with all the impatience of a lover, when the unwelcome aecount arrived, that a violent tempest had risen, which drove baek her fleet to Norway, in a eondition so shattered, that there was little hope of its putting again to sea before the spring. This unexpeeted disappointment he felt with the utmost sensibility. He instantly fitted out some ships, and without communieating his intention to any of his council, sailed in person, attended by the chancellor, several noblemen, and a train of three hundred persons, in quest of his bride. He arrived safely in a small harbour near Upslo, where the queen then resided. There the marriage was solemnized; and as it would have been rash to trust those boisterous seas in the winter season, James accepted the invitation of the court of Denmark, and repairing to Copenhagen, passed several months there, amidst eontinual feasting and amusements, in which both the queen and himself had great delight.[y]

Oct. 22.

Nov. 24.

No event in the king's life appears to be a wider deviation from his general eharacter, than this sudden sally. His son Charles I. was eapable of that

x Spotsw. 373. Cald. iv. 103—130.

y Melvil, 352. Spotsw. 377. Murdin, 637.

excessive admiration of the other sex, which arises from great sensibility of heart, heightened by elegance of taste; and the romantic air of his journey to Spain suited such a disposition. But James was not susceptible of any refined gallantry, and always expressed that contempt for the female character which a pedantic erudition, unacquainted with politeness, is apt to inspire. He was exasperated, however, and rendered impatient by the many obstacles which had been laid in his way. He was anxious to secure the political advantages which he expected from marriage; and fearing that a delay might afford Elizabeth and his own ministers an opportunity of thwarting him by new intrigues, he suddenly took the resolution of preventing them by a voyage from which he expected to return in a few weeks. The nation seemed to applaud his conduct, and to be pleased with this appearance of amorous ardour in a young prince. Notwithstanding his absence so long beyond the time he expected, the nobles, the clergy, and the people, vied with one another in loyalty and obedience; and no period of the king's reign was more remarkable for tranquillity, or more free from any eruption of those factions which so often disturbed the kingdom.

BOOK VIII.

1590. The king and queen arrive in Scotland.

On the first of May the king and queen arrived at Leith, and were received by their subjects with every possible expression of joy. The solemnity of the queen's coronation was conducted with great magnificence; but so low had the order of bishops fallen in the opinion of the public, that none of them were present on that occasion; and Mr. Robert Bruce, a presbyterian minister of great reputation, set the crown on her head, administered the sacred unction, and performed the other customary ceremonies.

The zeal and success with which many of the clergy had contributed towards preserving peace and order in the kingdom, during his absence, reconciled James, in a great degree, to their persons, and even to the presbyterian form of government. In

August 4.

presence of an assembly which met this year, he made high encomiums on the discipline as well as the doctrine of the church, promised to adhere inviolably to both, and permitted the assembly to frame such acts as gradually abolished all the remains of episcopal jurisdiction, and paved the way for a full and legal establishment of the presbyterian model.[a]

1591.

An event happened soon after, which afforded the clergy no small triumph. Archbishop Adamson, their ancient opponent, having fallen under the king's displeasure, having been deprived of the revenues of his see in consequence of the act of annexation, and being oppressed with age, with poverty, and diseases, made the meanest submission to the clergy, and delivered to the assembly a formal recantation of all his opinions concerning church government, which had been matter of offence to the presbyterians. Such a confession, from the most learned person of the episcopal order, was considered as a testimony which the force of truth had extorted from an adversary.[b]

Disorders in the kingdom.

Meanwhile, the king's excessive clemency towards offenders multiplied crimes of all kinds, and encouraged such acts of violence, as brought his government under contempt, and proved fatal to many of his subjects. The history of several years, about this time, is filled with accounts of the deadly quarrels between the great families, and of murders and assassinations perpetrated in the most audacious manner, and with circumstances of the utmost barbarity. All the defects in the feudal aristocracy were now felt more sensibly, perhaps, than at any other period in the history of Scotland, and universal licence and anarchy prevailed to a degree scarce consistent with the preservation of society: while the king, too gentle to punish, or too feeble to act with vigour, suffered all these enormities to pass with impunity.

An attempt of Bothwell's against the king.

But though James connived at real crimes, witchcraft, which is commonly an imaginary one, engrossed his attention, and those suspected of it felt the whole weight of his authority. Many persons, neither extremely old nor wretchedly poor, which were usually held to be certain indications of this crime, but masters of families, and matrons of a decent rank, and in the middle age of life, were seized and tortured. Though their confessions contained the most absurd and incredible circumstances, the king's prejudices, those of the clergy and of the people, conspired in believing their extravagances without hesitation, and in punishing their persons without mercy. Some of these unhappy sufferers accused Bothwell of having consulted them in order to know the time of the king's death, and of having employed their art to raise the storms which had endangered the queen's life, and had detained James so long in Denmark. Upon this evidence that nobleman was committed to prison. His turbulent and haughty spirit could neither submit to the restraint, nor brook such an indignity. Having gained his keepers, he made his escape, and imputing the accusation to the artifices of his enemy the chancellor, he assembled his followers, under pretence of driving him from the king's councils. Being favoured by some of the king's attendants, he was admitted by a secret passage, under cloud of night, into the court of the palace of Holyrood-house. He advanced directly towards the royal apartment, but happily, before he entered, the alarm was taken,

Dec. 27.

and the doors shut. While he attempt-

a Cald. iv. 204.

b Spotsw. 385. Cald. iv. 214.

ed to burst open some of them, and set fire to others, the citizens of Edinburgh had time to run to their arms, and he escaped with the utmost difficulty; owing his safety to the darkness of the night, and the precipitancy with which he fled.[c]

1592. He retired towards the north, and the king having unadvisedly given a commission to the earl of Huntley to pursue him and his followers with fire and sword, he, under colour of executing that commission, gratified his private revenge, and surrounded the house of the earl of Feb. 8. Murray, burnt it to the ground, and slew Murray himself. The murder of a young nobleman of such promising virtues, and the heir of the regent Murray, the darling of the people, excited universal indignation. The citizens of Edinburgh rose in a tumultuous manner; and, though they were restrained by the care of the magistrates from any act of violence, they threw aside all respect for the king and his ministers, and openly insulted and threatened both. While this mutinous spirit continued, James thought it prudent to withdraw from the city, and fixed his residence for some time at Glasgow. There Huntley surrendered himself to justice; and, notwithstanding the atrociousness of his crime, and the clamours of the people, the power of the chancellor, with whom he was now closely confederated, and the king's regard for the memory of the duke of Lennox, whose daughter he had married, not only protected him from the sentence which such an odious action merited, but exempted him even from the formality of a public trial.[d]

Presbyterian church government established by law.

A step of much importance was taken soon after with regard to the government of the church. The clergy had long complained of the encroachments made upon their privileges and jurisdiction by the acts of the parliament one thousand five hundred and eighty-four, and though these laws had now lost much of their force, they resolved to petition the parliament, which was approaching, to repeal them in form. The juncture for pushing such a measure was well chosen. The king had lost much of the public favour by his lenity towards the popish faction, and still more by his remissness in pursuing the murderers of the earl of Murray. The chancellor had not only a powerful party of the courtiers combined against him, but was become odious to the people, who imputed to him every false step in the king's conduct. Bothwell still lurked in the kingdom, and being secretly supported by all the enemies of Maitland's administration, was ready every moment to renew his audacious enterprises. James, for all these reasons, was extremely willing to indulge the clergy in their request, and not only consented to a law, whereby the acts of one thousand five hundred and eighty-four were rescinded or explained, but he carried his complaisance still further, and permitted the parliament to establish the presbyterian government, in its general assemblies, provincial synods, presbyteries, and kirk-sessions, with all the different branches of their discipline and jurisdiction, in the most ample manner. All the zeal and authority of the clergy, even under the administration of regents from whom they might have expected the most partial favour, could not obtain the sanction of law, in confirmation of their mode of ecclesiastical government. No prince was ever less disposed than James to approve a system, the republican genius of which inspired a passion for liberty extremely repugnant to his exalted notions of royal prerogative. Nor could any aversion be more inveterate than his, to the austere and uncomplying character of the presbyterian clergy in that age; who, more eminent for zeal than for policy, often contradicted his opinions, and censured his conduct, with a freedom equally offensive to his dogmatism as a theologian, and to his pride as a king. His situation, however, obliged him frequently to conceal, or to dissemble, his sentiments; and, as he often disgusted his subjects, by indulging the popish faction more than they approved, he endeavoured to atone for this by concessions to the presbyterian clergy, more liberal than he himself would otherwise have chosen to grant.[e]

In this parliament, Bothwell and all his adherents were attainted. But he soon made a new attempt to seize the king at Falkland; and James, betrayed by some of his courtiers, and feebly defended by others, who wished well to Bothwell, as the chancellor's avowed enemy, owed his safety to the fidelity and vigilance of sir Robert Melvil, and to the irresolution of Bothwell's associates.[f]

A new conspiracy of the popish lords.

Scarcely was this danger over, when the nation was alarmed with the discovery of a new and more formidable conspiracy. George Ker, the lord Newbattle's brother, being seized as he was ready to set sail for Spain, many suspicious papers were found in his custody, and among these several blanks signed by the earls of Angus, Huntley, and Errol. By this extraordinary precaution they hoped to escape any danger of discovery. But Ker's resolution shrinking when torture was threatened, he confessed that he was employed by these noblemen to carry on a negociation with the king of Spain; that the blanks subscribed with their names were to be filled up by Crichton and Tyrie; that they were instructed to offer the faithful service of the three earls to that monarch; and to solicit him to land a body of his troops, either in Galloway, or at the mouth of Clyde, with which they undertook, in the first place, to establish the Roman catholic religion in Scotland, and then to invade England with the whole forces of the kingdom. David Graham of Fintry, and Barclay of Ladyland, whom he accused of being privy to the conspiracy, were taken into custody, and confirmed all the circumstances of his confession.[g]

c Melv. 388. Spotsw. 386. d Spotsw. 387.

e Cald. iv. 248. 252. Spotsw. 388. f Melv. 402. g Rymer, xvi. 190.

1593. Zeal of the people.

The nation having been kept for some time in continual terror and agitation by so many successive conspiracies, the discovery of this new danger completed the panic. All ranks of men, as if the enemy had already been at their gates, thought themselves called upon to stand forth in defence of their country. The ministers of Edinburgh, without waiting for any warrant from the king, who happened at that time to be absent from the capital, and without having received any legal commission, assembled a considerable number of peers and barons, in order to provide an instant security against the impending danger. They seized the earl of Angus, and committed him to the castle; they examined Ker; and prepared a remonstrance to be laid before the king, concerning the state of the nation, and the necessity of prosecuting the conspirators with becoming vigour. James, though jealous of every encroachment on his prerogative, and offended with his subjects, who, instead of petitioning, seemed to prescribe to him, found it necessary, during the violence of the ferment, not only to adopt their plan, but even to declare that no consideration should ever induce him to pardon such as had been guilty of so odious a treason. He summoned the earls of Huntley and Errol to surrender themselves to justice. Graham of Fintry, whom his peers pronounced to be guilty of treason, he commanded to be publicly beheaded; and marching into the north at the head of an army, the two earls, together with Angus, who had escaped out of prison, retired to the mountains. He placed garrisons in the castles which belonged to them; compelled their vassals, and the barons in the adjacent countries, to subscribe a bond containing professions of their loyalty towards him, and of their firm adherence to the protestant faith; and the better to secure the tranquillity of that part of the kingdom, constituted the earls of Athol and Marischal his lieutenants there.[h]

and proceedings of the king against them.

Jan. 8.

March 18. Elizabeth solicits him to treat them with rigour.

Having finished this expedition, James returned to Edinburgh, where he found lord Borrough, an extraordinary ambassador from the court of England. Elizabeth, alarmed at the discovery of a conspiracy which she considered as no less formidable to her own kingdom than to Scotland, reproached James with his former remissness, and urged him, as he regarded the preservation of the protestant religion, or the dignity of his own crown, to punish this repeated treason with rigour; and if he could not apprehend the persons, at least to confiscate, the estates of such audacious rebels. She weakened, however, the force of these requests, by interceding at the same time in behalf of Bothwell, whom, according to her usual policy in nourishing a factious spirit among the Scottish nobles, she had taken under her protection. James absolutely refused to listen to any intercession in favour of one who had so often, and with so much outrage, insulted both his government and his person. With regard to the popish conspirators, he declared his resolution to prosecute them with vigour; but that he might be the better able to do so, he demanded a small sum of money from Elizabeth, which she, distrustful perhaps of the manner in which he might apply it, showed no inclination to grant. The zeal, however, and importunity of his own subjects, obliged him to call a parliament, in order to pass an act of attainder against the three earls. But before it met, Ker made his escape out of prison, and, on pretence that legal evidence of their guilt could not be produced, nothing was concluded against them. The king himself was universally suspected of having contrived this artifice, on purpose to elude the requests of the queen of England, and to disappoint the wishes of his own people; and, therefore, in order to soothe the clergy, who exclaimed loudly against his conduct, he gave way to the passing of an act, which ordained such as obstinately contemned the censures of the church to be declared outlaws.[i]

Bothwell surprises the king.

While the terror excited by the popish conspiracy possessed the nation, the court had been divided by two rival factions, which contended for the chief direction of affairs. At the head of one was the chancellor, in whom the king reposed entire confidence. For that very reason, perhaps, he had fallen early under the queen's displeasure. The duke of Lennox, the earl of Athol, lord Ochiltree, and all the name of Stewart, espoused her quarrel, and widened the breach. James, fond no less of domestic tranquillity than of public peace, advised his favourite to retire for some time, in hopes that the queen's resentment would subside. But as soon as he stood in need, in the present juncture, of the assistance of an able minister, he had recalled him to court. In order to prevent him from recovering his former power, the Stewarts had recourse to an expedient no less illegal than desperate. Having combined with Bothwell, who was of the same name, they brought him back secretly into Scotland; and seizing the gates of the palace, introduced him into the royal apartment with a numerous train of armed followers. James, though deserted by all his courtiers, and incapable of resistance, discovered more indignation than fear, and reproaching them for their treachery, called on the earl to finish his treasons, by piercing his sovereign to the heart. But Bothwell fell on his knees, and implored pardon. The king was not in a condition to refuse his demands. A few days after he signed a capitulation with this successful traitor, to whom he was really a prisoner, whereby he bound himself to grant him a remission for all past offences, and to procure the ratification of it in parliament; and in the mean time to dismiss the chancellor, the

July 24.

h Spotsw. 301. Cald. iv. 291.

i Cald. iv. 343. Spotsw. 393. Parl. 13 Jac. VI. c. 164.

master of Glamis, lord Home, and sir George Home, from his councils and presence. Bothwell, on his part, consented to remove from court, though he left there as many of his associates as he thought sufficient to prevent the return of the adverse faction.

He recovers his liberty, Sept. 7.

But it was now no easy matter to keep the king under the same kind of bondage to which he had been often subject during his minority. He discovered so much impatience to shake off his fetters, that those who had imposed durst not continue the restraint. They permitted him to call a convention of the nobles at Stirling, and to repair thither himself. All Bothwell's enemies, and all who were desirous of gaining the king's favour by appearing to be so, obeyed the summons. They pronounced the insult offered to the king's person and authority to be high treason, and declared him absolved from any obligation to observe conditions extorted by force, and which violated so essentially his royal prerogative. James, however, still proffered him a pardon, provided he would sue for it as an act of mercy, and promise to retire out of the kingdom. These conditions Bothwell rejected with disdain, and betaking himself once more to arms, attempted to surprise the king; but finding him on his guard, fled to the borders.[k]

Suspected of favouring the popish lords.

The king's ardour against Bothwell, compared with his slow and evasive proceedings against the popish lords, occasioned a general disgust among his subjects; and was imputed either to an excessive attachment to the persons of those conspirators, or to a secret partiality towards their opinions; both which gave rise to no unreasonable fears. The

Sept. 25.

clergy, as the immediate guardians of the protestant religion, thought themselves bound, at such a juncture, to take extraordinary steps for its preservation. The provincial synod of Fife happening to meet at that time, a motion was made to excommunicate all concerned in the late conspiracy, as obstinate and irreclaimable papists; and though none of the conspirators resided within the bounds of the synod, or were subject to its jurisdiction, such was the zeal of the members, that, overlooking this irregularity, they pronounced against them the sentence of excommunication, to which the act of last parliament added new terrors. Lest this should be imputed to a few men, and accounted the act of a small part of the church, deputies were appointed to attend the adjacent synods, and to desire their approbation and concurrence.

His lenity towards them. Oct. 17.

An event happened a few weeks after, which increased the people's suspicions of the king. As he was marching on an expedition against the borderers, the three popish earls coming suddenly into his presence, offered to submit themselves to a legal trial; and James, without committing them to custody, appointed a day for that purpose. They prepared to appear with a formidable train of their friends and vassals. But in the mean time the clergy, together with many peers and barons, assembled at Edinburgh, remonstrated against the king's extreme indulgence with great boldness, and demanded of him, according to the regular course of justice, to commit to sure custody persons charged with the highest acts of treason, who could not be brought to a legal trial until they were absolved from the censures of the church; and to call a convention of estates, to deliberate concerning the method of proceeding against them. At the same time they offered to accompany him in arms to the place of trial, lest such audacious and powerful criminals should overawe justice, and dictate to the judges, to whom they pretended to submit. James, though extremely offended, both with the irregularity of their proceedings and the presumption of their demands, found it expedient to put off the day of trial, and to call a convention of estates, in order to quiet the fears and jealousies of the people. By being humoured in this point, their suspicions began gradually to abate, and the chancellor managed the convention so artfully, that he himself, together with a few other members, were empowered to pronounce a final sentence upon the conspirators.

Nov. 26.

After much deliberation they ordained, that the three earls and their associates should be exempted from all further inquiry or prosecution, on account of their correspondence with Spain; that, before the first day of February, they should either submit to the church, and publicly renounce the errors of popery, or remove out of the kingdom; that, before the first of January, they should declare which of these alternatives they would embrace; that they should find surety for their peaceable demeanour for the future; and that if they failed to signify their choice in due time, they should lose the benefit of this act of *abolition*, and remain exposed to all the pains of law.[l]

1594.

By this lenity towards the conspirators, James incurred much reproach, and gained no advantage. Devoted to the popish superstition, submissive to all the dictates of their priests, and buoyed up with hopes and promises of foreign aid, the three earls refused to accept of the conditions, and continued their treasonable correspondence with the court of Spain. A

Jan. 18.

convention of estates pronounced them to have forfeited the benefit of the articles which were offered; and the king required them, by proclamation, to surrender themselves to justice. The presence of the English ambassador contributed, perhaps, to the vigour of these proceedings. Elizabeth, ever attentive to James's motions, and imputing his reluctance to punish the popish lords to a secret approbation of their designs, had sent lord Zouche to represent, once more, the danger to which he exposed himself by this false moderation; and to require him to exercise that rigour which their crimes, as well as posture of affairs, rendered ne-

k Cald. iv. 326. Spotsw. 395.

l Cald. iv. 330. Spotsw. 397.

cessary. Though the steps now taken by the king silenced all complaints on that head, yet Zouche, forgetful of his character as an ambassador, entered into private negociations with such of the Scottish nobles as disapproved of the king's measures, and held almost an open correspondence with Bothwell, who, according to the usual artifice of malcontents, pretended much solicitude for reforming the disorders of the commonwealth; and covered his own ambition with the specious veil of zeal against those counsellors, who restrained the king from pursuing the avowed enemies of the protestant faith. Zouche encouraged him, in the name of his mistress, to take arms against his sovereign.

A new attempt of Bothwell's.

Meanwhile, the king and the clergy were filled with mutual distrust of each other. They were jealous, perhaps to excess, that James's affections leaned too much towards the popish faction; he suspected them, without good reason, of prompting Bothwell to rebellion, and even of supplying him with money for that purpose. Little instigation, indeed, was wanting to rouse such a turbulent spirit as Bothwell's to any daring enterprise. He appeared suddenly within a mile of Edinburgh, at the head of four hundred horse. The pretences by which he endeavoured to justify this insurrection were extremely popular; zeal for religion, enmity to popery, concern for the king's honour, and for the liberties of the nation. James was totally unprovided for his own defence; he had no infantry, and was accompanied only with a few horsemen of lord Home's train. In this extremity, he implored the aid of the citizens of Edinburgh, and, in order to encourage them to act with zeal, he promised to proceed against the popish lords with the utmost rigour of law. Animated by their ministers, the citizens ran cheerfully to their arms, and advanced, with the king at their head, against Bothwell; but he, notwithstanding his success in putting to flight lord Home, who had rashly charged him with a far inferior number of cavalry, retired to Dalkeith without daring to attack the king. His followers abandoned him soon after, and discouraged by so many successive disappointments, could never afterwards be brought to venture into the field. He betook himself to his usual lurking-places in the north of England; but Elizabeth, in compliance with the king's remonstrances, obliged him to quit his retreat.[m]

Fresh dangers from the popish lords. April 3.

No sooner was the king delivered from one danger, than he was called to attend to another. The popish lords, in consequence of their negociations with Spain, received, in the spring, a supply of money from Philip. What bold designs this might inspire, it was no easy matter to conjecture. From men under the dominion of bigotry, and whom indulgence could not reclaim, the most desperate actions were to be dreaded. The assembly of the church immediately took the alarm; remonstrated against them with more bitterness than ever; and unanimously ratified the sentence of excommunication pronounced by the synod of Fife. James himself, provoked by their obstinacy and ingratitude, and afraid that his long forbearance would not only be generally displeasing to his own subjects, but give rise to unfavourable suspicions among the English, exerted himself with unusual vigour. June 8. He called a parliament; laid before it all the circumstances and aggravations of the conspiracy; and though there were but few members present, and several of these connected with the conspirators by blood or friendship, he prevailed on them, by his influence and importunity, to pronounce the most rigorous sentence which the law can inflict. They were declared to be guilty of high treason, and their estates and honours forfeited. At the same time, statutes, more severe than ever, were enacted against the professors of the popish religion.

Battle of Glenlivat.

How to put this sentence in execution, was a matter of great difficulty. Three powerful barons, cantoned in a part of the country of difficult access, surrounded with numerous vassals, and supported by aid from a foreign prince, were more than an overmatch for a Scottish monarch. No entreaty could prevail on Elizabeth to advance the money necessary for defraying the expenses of an expedition against them. To attack them in person, with his own forces alone, might have exposed James both to disgrace and to danger. He had recourse to the only expedient which remained, in such a situation, for aiding the impotence of sovereign authority; he delegated his authority to the earl of Argyll and lord Forbes, the leaders of two clans at enmity with the conspirators; and gave them a commission to invade their lands, and to seize the castles which belonged to them. Bothwell, notwithstanding all his high pretensions of zeal for the protestant religion, having now entered into a close confederacy with them, the danger became every day more urging. Argyll, solicited by the king, and roused by the clergy, took the field at the head of seven thousand men. Huntley and Errol met him at Glenlivat, with an army far inferior in number, but composed chiefly of gentlemen of the Low Countries, mounted on horseback, and who brought along with them a train of field-pieces. They encountered each other with all the fury which hereditary enmity and ancient rivalship add to undisciplined courage. Oct. 3. But the Highlanders, disconcerted by the first charge of the cannon, to which they were little accustomed, and unable to resist the impression of cavalry, were soon put to flight; and Argyll, a gallant young man of eighteen, was carried by his friends out of the field, weeping with indignation at their disgrace, and calling on them to stand, and to vindicate the honour of their name.[n]

m Spotsw. 403. Cald. iv. 359.

n Cald. iv. 403.

1595. On the first intelligence of this defeat, James, though obliged to pawn his jewels in order to raise money,[o] assembled a small body of troops, and marched towards the north. He was joined by the Irvines, Keiths, Lesleys, Forbeses, and other clans at enmity with Huntley and Errol, who, having lost several of their prineipal followers at Glenlivat, and others refusing to bear arms against the king in person, were obliged to retire to the mountains. James wasted their lands; put garrisons in some of their eastles; burnt others; and left the duke of Lennox as his lieutenant in that part of the kingdom, with a body of men sufficient to restrain them from gathering to any head there, or from infesting the low country. Redueed at last to extreme distress by the rigour of the season, and the desertion of their followers, they obtained the king's permission to go beyond seas, and gave seeurity that they should neither return without his licenee, nor engage in any new intrigues against the protestant religion, or the peaee of the kingdom.[p]

Popish lords driven out of the kingdom.

By their exile, tranquillity was re-established in the north of Scotland; and the firmness and vigour whieh James had displayed in his last proceedings against them, regained him, in a great degree, the confidenee of his protestant subjects. But he sunk in the same proportion, and for the same reason, in the esteem of the Roman catholics. They had asserted his mother's right to the crown of England with so mueh warmth, that they eould not, with any deceney, reject his; and the indulgence with which he affected to treat the professors of the popish religion, inspired them with such hopes, that they viewed his aecession to the throne as no undesirable event. But the rigour with whieh the king had lately pursued the conspirators, and the severe statutes against popery to whieh he had given his consent, convinced them now that these hopes were visionary; and they began to look about in quest of some new successor, whose rights they might oppose to his. The papists who resided in England turned their eyes towards the earl of Essex, whose generous mind, though firmly established in the protestant faith, abhorred the severities inflieted in that age on account of religious opinions. Those of the same sect, who were in exile, formed a bolder seheme, and one more suitable to their situation. They advanced the claim of the infanta of Spain; and Parsons the jesuit published a book, in whieh, by false quotations from history, by fabulous genealogies, and absurd arguments, intermingled with bitter inveetives against the king of Seots, he endeavoured to prove the infanta's title to the English crown to be preferable to his. Philip, though involved already in a war both with France and England, and scarce able to defend the remains of the Burgundian provinces against the Duteh eommonwealth, eagerly grasped at this airy projeet. The dread of a Spanish pretender to the crown, and the opposition whieh the papists began to form against the king's sueeession, contributed not a little to remove the prejudiees of the protestants, and to prepare the way for that event.

The Roman catholics incensed against James.

Bothwell, whose name has been so often mentioned as the disturber of the king's tranquillity, and of the peaee of the kingdom, was now in a wretched condition. Abandoned by the queen of England, on account of his confederacy with the popish lords; excommunicated by the church for the same reason; and deserted, in his distress, by his own followers; he was obliged to fly for safety to France, and thenee to Spain and Italy, where, after renouncing the protestant faith, he led many years an obscure and indigent life, remarkable only for a low and infamous debauchery. The king, though extremely ready to sacrifice the strongest resentment to the slightest acknowledgments, could never be softened by his submission, nor be induced to listen to any intercession in his behalf.[q]

Bothwell forced to fly into Spain.

This year the king lost chaneellor Maitland, an able minister, on whom he had long devolved the whole weight of public affairs. As James loved him while alive, he wrote in honour of his memory a copy of verses, which, when compared with the eompositions of that age, are far from being inelegant.[r]

Soon after his death, a considerable ehange was made in the administration. At that time, the annual charges of government far exceeded the king's revenues. The queen was fond of expensive amusements. James himself was a stranger to economy. It beeame necessary, for all these reasons, to levy the public revenues with greater order and rigour, and to husband them with more care. This important trust was committed to eight gentlemen of the law,[s] who, from their number, were called *Octavians*. The powers vested in them were ample, and almost unlimited. The king bound himself neither to add to their number, nor to supply any vaeancy that might happen, without their consent: and, knowing the facility of his own temper, agreed that no alienation of his revenue, no grant of a pension, or order on the treasury, should be held valid, unless it were ratified by the subscription of five of the commissioners; all their acts and decisions were declared to be of equal force with the sentence of judges in civil courts; and in consequence of them, and without any other warrant, any person might be arrested, or their goods seized. Sueh extensive jurisdietion, together with the absolute disposal of the public money, drew the whole exeeutive part of govcrnment into their hands. United among themselves, they gradually undermined the rest of the king's ministers, and seized on every luerative or honourable offiee. The ancient servants of the crown repined at being

A change in the administration.

o Birch. Mem. i. 186. p Spotsw. 404. Cald. 373, &c.
q Winw. Mem. i. Spotsw. 410. r Spotsw. 411.
s Alexander Seaton, president of the session, Walter Stewart, commendator of Blantyre, lord privy seal, David Carnegy, John Lindsay, James Elphingstone, Thomas Hamilton, John Skene, clerk register, and Peter Young, eleemosynar.

1596. obliged to quit their stations to new men. The favourites and young courtiers murmured at seeing the king's liberality stinted by their prescriptions. And the clergy exclaimed against some of them as known apostates to popery, and suspected others of secretly favouring it. They retained their power, however, notwithstanding this general combination against them; and they owed it entirely to the order and economy which they introduced into the administration of the finances, by which the necessary expenses of government were more easily defrayed than in any other period of the king's reign.[t]

Violence of the nation against the popish lords.

The rumour of vast preparations which Philip was said to be carrying on at this time, filled both England and Scotland with the dread of a new invasion. James took proper measures for the defence of his kingdom. But these did not satisfy the zeal of the clergy, whose suspicions of the king's sincerity began to revive; and as he had permitted the wives of the banished peers to levy the rents of their estates, and to live in their houses, they charged him with rendering the act of forfeiture ineffectual, by supporting the avowed enemies of the protestant faith.

March 24. The assembly of the church took under consideration the state of the kingdom, and having appointed a day of public fasting, they solemnly renewed the covenant by which the nation was bound to adhere to the protestant faith, and to defend it against all aggressors. A committee, consisting of the most eminent clergymen, and of many barons and gentlemen of distinction, waited on the king, and laid before him a plan for the security of the kingdom, and the preservation of religion. They urged him to appropriate the estates of the banished lords as a fund for the maintenance of soldiers; to take the strictest precautions for preventing the return of such turbulent subjects into the country; and to pursue all who were suspected of being their adherents with the utmost rigour.

The king's remissness with regard to them.

Nothing could be more repugnant to the king's schemes, or more disagreeable to his inclination, than these propositions. Averse, through his whole life, to any course where he expected opposition or danger; and fond of attaining his ends with the character of moderation, and by the arts of policy, he observed with concern the prejudices against him which were growing among the Roman catholics, and resolved to make some atonement for that part of his conduct which had drawn upon him their indignation. Elizabeth was now well advanced in years; her life had lately been in danger; if any popish competitor should arise to dispute his right of succession, a faction so powerful as that of the banished lords might be extremely formidable; and any division among his own subjects might prove fatal at a juncture which would require their united and most vigorous efforts. Instead, therefore, of the additional severities which the assembly proposed, James had thoughts of mitigating the punishment which they already suffered. And as they were surrounded, during their residence in foreign parts, by Philip's emissaries; as resentment might dispose them to listen more favourably than ever to their suggestions; as despair might drive them to still more atrocious actions; he resolved to recall them, under certain conditions, into their native country. Encouraged by these sentiments of the king in their favour, of which they did not want intelligence, and wearied already of the dependent and anxious life of exiles, they ventured to return secretly into Scotland. Soon after, they presented a petition to the king, begging his permission to reside at their own houses, and offering to give security for their peaceable and dutiful behaviour. James called a convention of estates to deliberate on a matter of such importance, and by their advice he granted the petition.

The rash proceedings of the clergy and people.

The members of a committee appointed by the last general assembly, as soon as they were informed of this, met at Edinburgh, and with all the precipitancy of fear and of zeal, took such resolutions as they thought necessary for the safety of the kingdom. They wrote circular letters to all the presbyters in Scotland; they warned them of the approaching danger; they exhorted them to stir up their people to the defence of their just rights; they commanded them to publish, in all their pulpits, the act excommunicating the popish lords; and enjoined them to lay all those who were suspected of favouring popery under the same censure by a summary sentence, and without observing the usual formalities of trial. As the danger seemed too pressing to wait for the stated meetings of the judicatories of the church, they made choice of the most eminent clergymen in different corners of the kingdom, appointed them to reside constantly at Edinburgh, and to meet every day with the ministers of that city, under the name of the *Standing Council of the Church*, and vested in this body the supreme authority, by enjoining it, in imitation of the ancient Roman form, to take care that the church should receive no detriment.

These proceedings, no less unconstitutional than unprecedented, were manifest encroachments on the royal prerogative, and bold steps towards open rebellion. The king's conduct, however, justified in some degree such excesses. His lenity towards the papists, so repugnant to the principles of that age; his pardoning the conspirators, notwithstanding repeated promises to the contrary; the respect he paid to lady Huntley, who was attached to the Romish religion no less than her husband; his committing the care of his daughter, the princess Elizabeth, to lady Livingston, who was infected with the same superstition; the contempt with which he talked on all occasions, both of the character of ministers,

t Spotsw. 413. 435.

and of their function, were circumstances which might have filled minds, not prone by nature to jealousy, with some suspicions; and might have precipitated into rash councils those who were far removed from intemperate zeal. But, however powerful the motives might be which influenced the clergy, or however laudable the end they had in view, they conducted their measures with no address, and even with little prudence. James discovered a strong inclination to avoid a rupture with the church, and, jealous as he was of his prerogative, would willingly have made many concessions for the sake of peace. By his command, some of the privy-counsellors had an interview with the more moderate among the clergy, and inquired whether Huntley and his associates might not, upon making proper acknowledgments, be again received into the bosom of the church, and be exempted from any further punishment on account of their past apostasy and treasons. They replied, that though the gate of mercy stood always open for those who repented and returned, yet as these noblemen had been guilty of idolatry, a crime deserving death both by the law of God and man, the civil magistrate could not legally grant them a pardon; and even though the church should absolve them, it was his duty to inflict punishment upon them. This inflexibility in those who were reckoned the most compliant of the order, filled the king with indignation, which the imprudence and obstinacy of a private clergyman heightened into rage.

Seditious doctrine taught by Black.

Mr. David Black, minister of St. Andrews, discoursing in one of his sermons, according to custom, concerning the state of the nation, affirmed that the king had permitted the popish lords to return into Scotland, and by that action had discovered the treachery of his own heart; that all kings were the devil's children; that Satan had now the guidance of the court; that the queen of England was an atheist; that the judges were miscreants and bribers; the nobility godless and degenerate; the privy-counsellors cormorants and men of no religion; and in his prayer for the queen he used these words, We must pray for her for fashion-sake, but we have no cause, she will never do us good. James commanded him to be summoned before the privy-council, to answer for such seditious expressions; and the clergy, instead of abandoning him to the punishment which such a petulant and criminal attack on his superiors deserved, were so imprudent as to espouse his cause, as if it had been the common one of the whole order. The controversy concerning the immunities of the pulpit, and the rights of the clergy to testify against vices of every kind, which had been agitated in one thousand five hundred and eighty-four, was now revived. It was pretended that, with regard to their sacred function, ministers were subject to the church alone; that it belonged only to their ecclesiastical superiors to judge of the truth or falsehood of doctrines delivered in the pulpit; that if, upon any pretence whatever, the king usurped this jurisdiction, the church would, from that moment, sink under servitude to the civil magistrate; that, instead of reproving vice with that honest boldness which had often been of advantage to individuals, and salutary to the kingdom, the clergy would learn to flatter the passions of the prince, and to connive at the vices of others; that the king's eagerness to punish the indiscretion of a protestant minister, while he was so ready to pardon the crimes of popish conspirators, called on them to stand upon their guard, and that now was the time to contend for their privileges, and to prevent any encroachment on those rights, of which the church had been in possession ever since the reformation. Influenced by these considerations, the council of the church enjoined Black to decline the jurisdiction of the privy-council. Proud of such an opportunity to display his zeal, he presented a paper to that purpose, and with the utmost firmness refused to plead, or to answer the questions which were put to him. In order to add greater weight to these proceedings, the council of the church transmitted the *declinature* to all the presbyteries throughout the kingdom, and enjoined every minister to subscribe it in testimony of his approbation.

Nov. 10. The clergy espouse his defence.

James defended his rights with no less vigour than they were attacked. Sensible of the contempt under which his authority must fall, if the clergy should be permitted publicly, and with impunity, to calumniate his ministers, and even to censure himself; and knowing, by former examples, what unequal reparation for such offences he might expect from the judicatories of the church, he urged on the inquiry into Black's conduct, and issued a proclamation, commanding the members of the council of the church to leave Edinburgh, and to return to their own parishes. Black, instead of submitting, renewed his *declinature;* and the members of the council, in defiance of the proclamation, declared, that as they met by the authority of the church, obedience to it was a duty still more sacred than that which they owed to the king himself. The privy-council, notwithstanding Black's refusing to plead, proceeded in the trial; and, after a solemn inquiry, pronounced him guilty of the crimes of which he had been accused; but referred it to the king to appoint what punishment he should suffer.

Meanwhile, many endeavours were used to bring matters to accommodation. Almost every day produced some new scheme of reconcilement; but, through the king's fickleness, the obstinacy of the clergy, or the intrigues of the courtiers, they all proved ineffectual. Both parties appealed to the people, and by reciprocal and exaggerated accusations endeavoured to render each other odious. Insolence, sedition, treason, were the crimes with which James charged the clergy; while they made the pulpits resound with complaints of his excessive lenity towards papists, and of the no less excessive

rigour with which he oppressed the established church. Exasperated by their bold invectives, he at last sentenced Black to retire beyond the river Spey, and to reside there during his pleasure; and once more commanding the members of the standing council to depart from Edinburgh, he required all the ministers of the kingdom to subscribe a bond, obliging themselves to submit, in the same manner as other subjects, to the jurisdiction of the civil courts in matters of a civil nature.

A tumult in Edinburgh.

This decisive measure excited all the violent passions which possess disappointed factions; and deeds no less violent immediately followed. These must be imputed in part to the artifices of some courtiers, who expected to reap advantage from the calamities of their country, or who hoped to lessen the authority of the Octavians, by engaging them in hostilities with the church. On one hand, they informed the king that the citizens of Edinburgh were under arms every night, and had planted a strong guard round the houses of their ministers. James, in order to put a stop to this imaginary insult on his government, issued a proclamation, commanding twenty-four of the principal citizens to leave the town within six hours. On the other hand, they wrote to the ministers, advising them to look to their own safety, as Huntley had been secretly admitted to an interview with the king, and had been the author of the severe proclamation against the citizens of Edinburgh.[u] They doubted no more of the truth of this intelligence, than the king had done of that which he received, and fell as blindly into the snare. The letter came to their hands just as one of their number was going to mount the pulpit. They resolved that he should acquaint the people of their danger; and he painted it with all the strong colours which men naturally employ in describing any dreadful and instant calamity. When the sermon was over, he desired the nobles and gentlemen to assemble in the *little church*. The whole multitude, terrified at what they had heard, crowded thither: they promised and vowed to stand by the clergy; they drew up a petition to the king, craving the redress of those grievances of which the church complained, and beseeching him to deliver them from all future apprehensions of danger, by removing such of his counsellors as were known to be enemies of the protestant religion. Two peers, two gentlemen, two burgesses, and two ministers, were appointed to present it. The king happened to be in the great hall of the Tolbooth, where the court of session was sitting. The manner in which the petition was delivered, as well as its contents, offended him. He gave a haughty reply; the petitioners insisted with warmth; and a promiscuous multitude pressing into the room, James retired abruptly into another apartment, and commanded the gates to be shut behind him. The deputies returned to the multitude, who were still assembled, and to whom a minister had been reading, in their absence, the story of Haman. When they reported that the king had refused to listen to their petitions, the church was filled in a moment with noise, threatenings, execrations, and all the outrage and confusion of a popular tumult. Some called for their arms, some to bring out the wicked Haman; others cried, 'The sword of the Lord and of Gideon;' and rushing out with the most furious impetuosity, surrounded the Tolbooth, threatening the king himself, and demanding some of his counsellors, whom they named, that they might tear them in pieces. The magistrates of the city, partly by authority, partly by force, endeavoured to quell the tumult; the king attempted to soothe the malcontents, by promising to receive their petitions, when presented in a regular manner; the ministers, sensible of their own rashness in kindling such a flame, seconded both; and the rage of the populace subsiding as suddenly as it had arisen, they all dispersed, and the king returned to the palace; happy in having escaped from an insurrection, which, through the instantaneous and unconcerted effect of popular fury, had exposed his life to imminent danger, and was considered by him as an unpardonable affront to his authority.[x]

Dec. 17.

The king in danger.

As soon as he retired, the leaders of the malcontents assembled, in order to prepare their petition. The punishment of the popish lords; the removal of those counsellors who were suspected of favouring their persons or opinions; the repeal of all the late acts of council, subversive of the authority of the church; together with an act approving the proceedings of the standing council, were the chief of their demands. But the king's indignation was still so high, that the deputies chosen for this purpose durst not venture that night to present requests which could not fail of kindling his rage anew. Before next morning, James, with all his attendants, withdrew to Linlithgow; the session, and other courts of justice, were required to leave a city where it was no longer consistent either with their safety or their dignity to remain; and the noblemen and barons were commanded to return to their own houses, and not to re-assemble without the king's permission. The vigour with which the king acted struck a damp upon the spirit of his adversaries. The citizens, sensible how much they would suffer by his absence, and the removal of the courts of justice, repented already of their conduct. The ministers alone resolved to maintain the contest. They endeavoured to prevent the nobles from dispersing; they inflamed the people by violent invectives against the king; they laboured to procure subscriptions to an association for their mutual de-

He leaves Edinburgh, and proceeds with severity against the citizens.

u Though matters were industriously aggravated by persons who wished both parties to pursue violent measures, neither of these reports was altogether destitute of foundation. As their ministers were supposed to be in danger, some of the more zealous citizens had determined to defend them by force of arms. Birch. Mem. ii. 250. Huntley had been privately in Edinburgh, where he had an interview, if not with the king, at least with some of his ministers. Birch. Ibid. 230.

x Spotsw. 417, &c. Cald. v. 54, &c. Birch. Mem. ii. 235.

fence; and conscious what lustre and power the junction of some of the greater nobles would add to their cause, the ministers of Edinburgh wrote to lord Hamilton, that the people, moved by the word of God, and provoked by the injuries offered to the church, had taken arms; that many of the nobles had determined to protect the protestant religion, which owed its establishment to the piety and valour of their ancestors; that they wanted only a leader to unite them, and to inspire them with vigour; that his zeal for the good cause, no less than his noble birth, entitled him to that honour: They conjured him, therefore, not to disappoint their hopes and wishes, nor to refuse the suffering church that aid which she so much needed. Lord Hamilton, instead of complying with their desire, carried the letter directly to the king, whom this new insult irritated to such a degree, that he commanded the magistrates of Edinburgh instantly to seize their ministers, as manifest incendiaries, and encouragers of rebellion. The magistrates, in order to regain the king's favour, were preparing to obey; and the ministers, who saw no other hope of safety, fled towards England.[y]

1597.

The king humbles the power of the church.

This unsuccessful insurrection, instead of overturning, established the king's authority. Those concerned in it were confounded and dispersed. The rest of James's subjects, in order to avoid suspicion, or to gain his favour, contended who should be most forward to execute his vengeance. A convention of estates being called, pronounced the late insurrection to be high treason; ordained every minister to subscribe a declaration of his submission to the king's jurisdiction, in all matters civil and criminal; empowered magistrates to commit, instantly, to prison, any minister, who, in his sermons, should utter any indecent reflections on the king's conduct; prohibited any ecclesiastical judicatory to meet without the king's licence; commanded that no person should be elected a magistrate of Edinburgh, for the future, without the king's approbation; and that, in the mean time, the present magistrates should either discover and inflict condign punishment on the authors of the late tumult, or the city itself should be subjected to all the penalties of that treasonable action.[z]

Jan. 3.

Abridges the privileges of the citizens of Edinburgh.

Armed with the authority of these decrees, James resolved to crush entirely the mutinous spirit of his subjects. As the clergy had hitherto derived their chief credit and strength from the favour and zeal of the citizens of Edinburgh, his first care was to humble them. Though the magistrates submitted to him in the most abject terms; though they vindicated themselves, and their fellow-citizens, from the most distant intention of violating his royal person or authority; though, after the strictest scrutiny, no circumstances that could fix on them the suspicion of premeditated rebellion had been discovered; though many of the nobles, and such of the clergy as still retained any degree of favour, interceded in their behalf; neither acknowledgments nor intercessions were of the least avail.[a] The king continued inexorable, the city was declared to have forfeited its privileges as a corporation, and to be liable to all the penalties of treason. The capital of the kingdom, deprived of magistrates, deserted by its ministers, abandoned by the courts of justice, and proscribed by the king, remained in desolation and despair. The courtiers even threatened to raze the city to the foundation, and to erect a pillar where it stood, as an everlasting monument of the king's vengeance, and of the guilt of its inhabitants. At last, in compliance with Elizabeth, who interposed in their favour, and moved by the continual solicitations of the nobles, James absolved the citizens from the penalties of law, but at the same time he stripped them of their most important privileges: they were neither allowed to elect their own magistrates nor their own ministers; many new burthens were imposed on them; and a considerable sum of money was exacted by way of peace-offering.[b]

Feb. 28.

March 21.

New regulations with regard to the church.

James was, meanwhile, equally assiduous, and no less successful, in circumscribing the jurisdiction of the church. Experience had discovered, that to attempt this by acts of parliament, and sentences of privy council, was both ineffectual and odious. He had recourse now to an expedient more artful, and better calculated for obtaining his end. The ecclesiastical judicatories were composed of many members; the majority of the clergy were extremely indigent, and unprovided of legal stipends; the ministers in the neighbourhood of Edinburgh, notwithstanding the parity established by the presbyterian government, had assumed a leading in the church which filled their brethren with envy; every numerous body of men is susceptible of sudden and strong impressions, and liable to be influenced, corrupted, or overawed. Induced by these considerations, James thought it possible to gain the clergy, whom he had in vain attempted to subdue. Proper agents were set to work all over the kingdom; promises, flattery, and threats were employed; the usurpations of the brethren near the capital were aggravated; the jealousy of their power, which was growing in the distant provinces, was augmented; and two different general assemblies were held, in both which, notwithstanding the zeal and boldness wherewith a few leading clergymen defended the privileges of the church, a majority declared in favour of those measures which were agreeable to the king. Many practices, which had continued since the reformation, were condemned; many points of discipline, which had hitherto been reckoned sacred and uncontroverted, were given up; the licence with which ministers discoursed of political matters was restrained; the freedom with which they inveighed against par-

y Spotsw. 451. Cald. v. 126.

z Cald. v. 147.

a Cald. v. 149.

b Spotsw. 434, 441.

ticular persons was censured; sentences of summary excommunication were declared unlawful; the convoking a general assembly, without the king's permission, was prohibited; and the right of nominating ministers to the principal towns, was vested in the crown. Thus, the clergy themselves surrendered privileges, which it would have been dangerous to invade, and voluntarily submitted to a yoke more intolerable than any James would have ventured to impose by force; while such as continued to oppose his measures, instead of their former popular topic of the king's violent encroachments on a jurisdiction which did not belong to him, were obliged to turn their outeries against the corruptions of their own order.[c]

Popish lords pardoned.

By the authority of these general assemblies, the popish earls were allowed to make a public recantation of their errors; were absolved from the sentence of excommunication; and received into the bosom of the church. But, not many years after, they relapsed into their former errors, were again reconciled to the church of Rome, and by their apostasy justified, in some degree, the fears and scruples of the clergy with regard to their absolution.

The ministers of Edinburgh owed to the intercession of these assemblies the liberty of returning to their charges in the city. But this liberty was clogged in such a manner as greatly abridged their power. The city was divided into distinct parishes; the number of ministers doubled; persons on whose fidelity the king could rely were fixed in the new parishes; and these circumstances, added to the authority of the late decrees of the church, contributed to confirm that absolute dominion in ecclesiastical affairs, which James possessed during the remainder of his reign.

The king was so intent on new modelling the church, that the other transactions of this period scarce deserve to be remembered. The Octavians, envied by the other courtiers, and splitting into factions among themselves, resigned their commission; and the administration of the revenue returning into its former channel, both the king and the nation were deprived of the benefit of their regular and frugal economy.

Dec. 19.

Towards the end of the year, a parliament was held in order to restore Huntley and his associates to their estates and honours, by repealing the act of forfeiture passed against them. The authority of this supreme court was likewise employed to introduce a further innovation into the church; but, conformable to the system which the king had now adopted, the motion for this purpose took its rise from the clergy themselves. As the act of general annexation, and that establishing the presbyterian government, had reduced the few bishops who still survived to poverty and contempt; as those who possessed the abbeys and priories were mere laymen, and many of them temporal peers, few or none of the ecclesiastical order remained to

Ecclesiastics restored to a seat in parliament.

vote in parliament, and by means of that, the influence of the crown was considerably diminished there, and a proper balance to the power and number of the nobles was wanting. But the prejudices which the nation had conceived against the name and character of bishops were so violent, that James was obliged, with the utmost care, to avoid the appearance of a design to revive that order. He prevailed therefore on the commission 1598. appointed by the last general assembly to complain to the parliament, that the church was the only body in the kingdom destitute of its representatives in that supreme court, where it so nearly concerned every order to have some who were bound to defend its rights; and to crave that a competent number of the clergy should be admitted, according to ancient custom, to a seat there. In compliance with this request, an act was passed, by which those ministers on whom the king should confer the vacant bishopries and abbeys, were entitled to a vote in parliament; and that the clergy might conceive no jealousy of any encroachment upon their privileges, it was remitted to the general assembly, to determine what spiritual jurisdiction or authority in the government of the church these persons should possess.[d]

The king, however, found it no easy matter to obtain the concurrence of the ecclesiastical judicatories, in which the act of parliament met with a fierce opposition. Though the clergy perceived how much lustre this new privilege would reflect upon their order; though they were not insensible of the great accession of personal power and dignity which many of them would acquire, by being admitted into the supreme council of the nation, their abhorrence of episcopacy was extreme; and to that they sacrificed every consideration of interest or ambition. All the king's professions of regard for the present constitution of the church did not convince them of his sincerity; all the devices that could be invented for restraining and circumscribing the jurisdiction of such as were to be raised to this new honour, did not diminish their jealousy and fear. Their own experience had taught them, with what insinuating progress the hierarchy advances, and though admitted at first with moderate authority, and under specious pretences, how rapidly it extends its dominion. "Varnish over this scheme," said one of the leading clergymen, "with what colours you please; deck the intruder with the utmost art; under all this disguise, I see the horns of his mitre." The same sentiments prevailed among many of his brethren, and induced them to reject power and honours with as much zeal as ever those of their order courted them. Many, however, were allured by the hopes of preferment; the king himself and his ministers employed the same arts which they had tried so successfully last year; and after long debates, and much opposition, the general assembly declared that it was lawful March 7. for ministers to accept of a seat in par-

c Spotsw. 433. Cald. v. 189. 233.

d Spotsw. 450. Parl. 15th Jac. VI. c. 235.

liament; that it would be highly beneficial to the church to have its representatives in that supreme court; and that fifty-one persons, a number nearly equal to that of the ecclesiastics who were anciently called to parliament, should be chosen from among the clergy for that purpose. The manner of their election, together with the powers to be vested in them, were left undecided for the present, and furnished matter of future deliberation.[e]

1599. James endeavours with success to gain a party in England.

As the prospect of succeeding to the crown of England drew nearer, James multiplied precautions in order to render it certain. As he was allied to many of the princes of Germany by his marriage, he sent ambassadors extraordinary to their several courts, in order to explain the justness of his title to the English throne, and to desire their assistance, if any competitor should arise to dispute his undoubted rights. These princes readily acknowledged the equity of his claim; but the aid which they could afford him was distant and feeble. At the same time, Edward Bruce, abbot of Kinloss, his ambassador at the English court, solicited Elizabeth with the utmost warmth, to recognize his title by some public deed, and to deliver her own subjects from the calamities which are occasioned by an uncertain or disputed succession. But age had strengthened all the passions which had hitherto induced Elizabeth to keep this great question obscure and undecided; and a general and evasive answer was all that James could obtain. As no impression could be made on the queen, the ambassador was commanded to sound the disposition of her subjects, and to try what progress he could make in gaining them. Bruce possessed all the talents of secrecy, judgment, and address, requisite for conducting a negociation no less delicate than important. A minister of this character was entitled to the confidence of the English. Many of the highest rank unbosomed themselves to him without reserve, and gave him repeated assurances of their resolution to assert his master's right, in opposition to every pretender.[f] As several pamphlets were dispersed, at this time, in England, containing objections to his title, James employed some learned men in his kingdom to answer these cavillers, and to explain the advantages which would result to both kingdoms by the union of the crowns. These books were eagerly read, and contributed not a little to reconcile the English to that event. A book published this year by the king himself, produced an effect still more favourable. It was entitled *Basilicon Doron*, and contained precepts concerning the art of government, addressed to prince Henry his son. Notwithstanding the great alterations and refinements in national taste since that time, we must allow this to be no contemptible performance, and not to be inferior to the works of most contemporary writers, either in purity of style or justness of composition. Even the vain parade of erudition with which it abounds, and which now disgusts us, raised the admiration of that age; and as it was filled with those general rules which speculative authors deliver for rendering a nation happy, and of which James could discourse with great plausibility, though often incapable of putting them in practice, the English conceived a high opinion of his abilities, and expected an increase of national honour and prosperity, under a prince so profoundly skilled in politics, and who gave such a specimen both of his wisdom and of his love to his people.[g]

The queen of England's sentiments concerning James were very different from those of her subjects. His excessive indulgence towards the popish lords; the facility with which he pardoned their repeated treasons; his restoring Beatoun, the popish archbishop of Glasgow, who had fled out of Scotland at the time of the reformation, to the possession of the temporalities of that benefice; the appointing him his ambassador at the court of France; the applause he bestowed, in the Basilicon Doron, on those who adhered to the queen his mother; Elizabeth considered as so many indications of a mind alienated from the protestant religion, and suspected that he would soon revolt from the profession of it. These suspicions seemed to be fully confirmed by a discovery which came from the master of Gray, who resided at that time in Italy, and who, rather than suffer his intriguing spirit to be idle, demeaned himself so far as to act as a spy for the English court. He conveyed to Elizabeth the copy of a letter written by James to pope Clement VIII., in which the king, after many expressions of regard for that pontiff, and of gratitude for his favours, declared his firm resolution to treat the Roman catholics with indulgence; and, in order to render the intercourse between the court of Rome and Scotland more frequent and familiar, he solicited the pope to promote Drummond, bishop of Vaison, a Scotsman, to the dignity of a cardinal.[h] Elizabeth, who had received by another channel[i] some imperfect intelligence of this correspondence, was filled with just surprise, and immediately despatched Bowes into Scotland, to inquire more fully into the truth of the matter, and to reproach James for an action so unbecoming a protestant prince. He was astonished at the accusation, and with a confidence which nothing but the consciousness of innocence could inspire, affirmed the whole to be a mere calumny, and the letter itself to be forged by his enemies, on purpose to bring his sincerity in religion to be suspected. Elphingston, the secretary of state, denied the matter with equal solemnity. It came, however, to be known by a very singular accident, which happened some years after, that the information which Elizabeth had received was well founded, though at the same time the king's declarations of his own innocence were perfectly consistent with truth. Cardinal Bellarmine, in a reply which he published to a controversial treatise of

Accuses him of corresponding with the pope.

e Spotsw. 450. Cald. v. 278. f Johnst. 242. g Camd. Spotsw. 457. h Cald. 333. i Winw. Mem. vol. i. 37, 52.

which the king was the author, accused him of having abandoned the favourable sentiments which he had once entertained of the Roman catholic religion, and, as a proof of this, quoted his letter to Clement VIII. It was impossible, any longer, to believe this to be a fiction; and it was a matter too delicate to be passed over without strict inquiry. James immediately examined Elphingston, and his confession unravelled the whole mystery. He acknowledged that he had shuffled in this letter among other papers, which he laid before the king to be signed, who suspecting no such deceit, subscribed it together with the rest, and without knowing what it contained; that he had no other motive, however, to this action, but zeal for his majesty's service; and, by flattering the Roman catholics with hopes of indulgence under the king's government, he imagined that he was paving the way for his more easy accession to the English throne. The privy-council of England entertained very different sentiments of the secretary's conduct. In their opinion, not only the king's reputation had been exposed to reproach, but his life to danger, by this rash imposture; they even imputed the gunpowder treason to the rage and disappointment of the papists, upon finding that the hopes which this letter inspired were frustrated. The secretary was sent a prisoner into Scotland, to be tried for high treason. His peers found him guilty, but, by the queen's intercession, he obtained a pardon.[k]

According to the account of other historians, James himself was no stranger to this correspondence with the pope; and, if we believe them, Elphingston, being intimidated by the threats of the English council, and deceived by the artifices of the earl of Dunbar, concealed some circumstances in his narrative of this transaction, and falsified others; and at the expense of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his master's conduct.[l]

James at great pains to gain the Roman catholics.

But whether we impute the writing of this letter to the secretary's officious zeal, or to the king's command, it is certain that, about this time, James was at the utmost pains to gain the friendship of the Roman catholic princes, as a necessary precaution towards facilitating his accession to the English throne. Lord Home, who was himself a papist, was intrusted with a secret commission to the pope;[m] the archbishop of Glasgow was an active instrument with those of his own religion.[n] The pope expressed such favourable sentiments both of the king, and of his rights to the crown of England, that James thought himself bound, some years after, to acknowledge the obligation in a public manner.[o] Sir James Lindsay made great progress in gaining the English papists to acknowledge his majesty's title. Of all these intrigues Elizabeth received obscure hints from different quarters. The more imperfectly she knew, the more violently she suspected, the king's designs; and the natural jealousy of her temper increasing with age, she observed his conduct with greater solicitude than ever.

1600. March 28. His regulations with regard to the church.

The questions with regard to the election and power of the representatives of the church, were finally decided this year by the general assembly, which met at Montrose. That place was chosen as most convenient for the ministers of the north, among whom the king's influence chiefly lay. Although great numbers resorted from the northern provinces, and the king employed his whole interest, and the authority of his own presence, to gain a majority, the following regulations were with difficulty agreed on. That the general assembly shall recommend six persons to every vacant benefice which gave a title to a seat in parliament, out of whom the king shall nominate one; that the person so elected, after obtaining his seat in parliament, shall neither propose nor consent to any thing there, that may affect the interest of the church, without special instructions to that purpose; that he shall be answerable for his conduct to every general assembly, and submit to its censure, without appeal, upon pain of infamy and excommunication; that he shall discharge the duties of a pastor in a particular congregation; that he shall not usurp any ecclesiastical jurisdiction superior to that of his other brethren; that if the church inflict on him the censure of deprivation, he shall thereby forfeit his seat in parliament; that he shall annually resign his commission to the general assembly, which may be restored to him, or not, as the assembly, with the king's approbation, shall judge most expedient for the good of the church.[p] Nothing could be more repugnant to the idea of episcopal government than these regulations. It was not in consequence of rights derived from their office, but of powers conferred by a commission, that the ecclesiastical persons were to be admitted to a seat in parliament; they were the representatives, not the superiors, of the clergy. Destitute of all spiritual authority, even their civil jurisdiction was temporary. James, however, flattered himself that they would soon be able to shake off these fetters, and gradually acquire all the privileges which belonged to the episcopal order. The clergy dreaded the same thing; and of course he contended for the nomination of these commissioners, and they opposed it, not so much on account of the powers then vested in them, as of those to which it was believed they would soon attain.[q]

Gowrie's conspiracy.

During this summer the kingdom enjoyed an unusual tranquillity. The clergy, after many struggles, were brought under great subjection; the popish earls were restored to their estates and honours, by the authority of parliament, and with the consent of the church; the rest

k State Trials, vol. i. 429. Spotsw. 456, 507. Johnst. 448.
l Cald. vol. v. 322. vi. 147. m Winw. Mem. vol. ii. 57.
n Cald. vol. vi. 147. o Ibid. vol. v. 604.
p Spotsw. 453, 457. Cald. vol. v. 368. q Spotsw. 454.

of the nobles were at peace among themselves, and obedient to the royal authority; when in the midst of this security, the king's life was exposed to the utmost danger, by a conspiracy altogether unexpected, and almost inexplicable. The authors of it were John Ruthven, earl of Gowrie, and his brother Alexander, the sons of that earl who was beheaded in the year one thousand five hundred and eighty-four. Nature had adorned both these young men, especially the elder brother, with many accomplishments, to which education had added its most elegant improvements. More learned than is usual among persons of their rank; more religious than is common at their age of life; generous, brave, popular; their countrymen, far from thinking them capable of any atrocious crime, conceived the most sanguine hopes of their early virtues. Notwithstanding all these noble qualities, some unknown motive engaged them in a conspiracy, which, if we adhere to the account commonly received, must be transmitted to posterity as one of the most wicked, as well as one of the worst concerted, of which history makes any mention.

On the fifth of August, as the king, who resided during the hunting season in his palace of Falkland, was going out to his sport early in the morning, he was accosted by Mr. Alexander Ruthven, who, with an air of great importance, told the king, that the evening before he had met an unknown man, of a suspicious aspect, walking alone in a bye-path near his brother's house at Perth; and on searching him had found, under his cloak, a pot filled with a great quantity of foreign gold; that he had immediately seized both him and his treasure, and without communicating the matter to any person, had kept him confined and bound in a solitary house; and that he thought it his duty to impart such a singular event first of all to his majesty. James immediately suspected this unknown person to be a seminary priest, supplied with foreign coin, in order to excite new commotions in the kingdom; and resolved to empower the magistrates of Perth to call the person before them, and inquire into all the circumstances of the story. Ruthven violently opposed this resolution, and with many arguments urged the king to ride directly to Perth, and to examine the matter in person. Meanwhile the chace began; and James, notwithstanding his passion for that amusement, could not help ruminating upon the strangeness of the tale, and on Ruthven's importunity. At last he called him, and promised when the sport was over to set out for Perth. The chace, however, continued long; and Ruthven, who all the while kept close by the king, was still urging him to make haste. At the death of the buck he would not allow James to stay till a fresh horse was brought him; and observing the duke of Lennox and the earl of Mar preparing to accompany the king, he entreated him to countermand them. This James refused; and though Ruthven's impatience and anxiety, as well as the apparent perturbation in his whole behaviour, raised some suspicions in his mind, yet his own curiosity, and Ruthven's solicitations, prevailed on him to set out for Perth. When within a mile of the town, Ruthven rode forward to inform his brother of the king's arrival, though he had already despatched two messengers for that purpose. At a little distance from the town, the earl, attended by several of the citizens, met the king, who had only twenty persons in his train. No preparations were made for the king's entertainment; the earl appeared pensive and embarrassed, and was at no pains to atone, by his courtesy or hospitality, for the bad fare with which he treated his guests. When the king's repast was over, his attendants were led to dine in another room, and he being left almost alone, Ruthven whispered him, that now was the time to go to the chamber where the unknown person was kept. James commanded him to bring sir Thomas Erskine along with them; but instead of that, Ruthven ordered him not to follow, and conducting the king up a staircase, and then through several apartments, the doors of which he locked behind him, led him at last into a small study in which there stood a man clad in armour, with a sword and dagger by his side. The king, who expected to have found one disarmed and bound, started at the sight, and inquired if this was the person; but Ruthven snatching the dagger from the girdle of the man in armour, and holding it to the king's breast, "Remember," said he, "how unjustly my father suffered by your command; you are now my prisoner; submit to my disposal without resistance or outcry; or this dagger shall instantly avenge his blood." James expostulated with Ruthven, entreated, and flattered him. The man whom he found in the study stood all the while, trembling and dismayed, without courage either to aid the king, or to second his aggressor. Ruthven protested, that if the king raised no outcry, his life should be safe; and, moved by some unknown reason, retired in order to call his brother, leaving to the man in armour the care of the king, whom he bound by oath not to make any noise during his absence.

While the king was in this dangerous situation, his attendants growing impatient to know whither he had retired, one of Gowrie's domestics entered the room hastily, and told them that the king had just rode away towards Falkland. All of them rushed out into the street; and the earl, in the utmost hurry, called for their horses. But by this time his brother had returned to the king, and swearing that now there was no remedy, he must die, offered to bind his hands. Unarmed as James was, he scorned to submit to that indignity; and closing with the assassin, a fierce struggle ensued. The man in armour stood, as formerly, amazed and motionless; and the king, dragging Ruthven towards a window, which during his absence he had persuaded the person with whom he was left to open, cried with a wild and affrighted voice, "treason! treason! help! I am murdered!" His attendants

heard, and knew the voice, and saw at the window a hand which grasped the king's neck with violence. They flew with precipitation to his assistance. Lennox and Mar, with the greater number, ran up the principal stair-case, where they found all the doors shut, which they battered with the utmost fury, endeavouring to burst them open. But sir John Ramsey, entering by a back stair which led to the apartment where the king was, found the door open; and rushing upon Ruthven, who was still struggling with the king, struck him twice with his dagger, and thrust him towards the stair-case, where sir Thomas Erskine and sir Hugh Herries met, and killed him; he crying with his last breath, "Alas! I am not to blame for this action." During this scuffle the man who had been concealed in the study escaped unobserved. Together with Ramsey, Erskine, and Herries, one Wilson, a footman, entered the room where the king was, and before they had time to shut the door, Gowrie rushed in with a drawn sword in each hand, followed by seven of his attendants well armed, and with a loud voice threatened them all with instant death. They immediately thrust the king into the little study, and shutting the door upon him, encountered the earl. Notwithstanding the inequality of numbers, sir John Ramsey pierced Gowrie through the heart, and he fell down dead without uttering a word; his followers, having received several wounds, immediately fled. Three of the king's defenders were likewise hurt in the conflict. A dreadful noise continued still at the opposite door, where many persons laboured in vain to force a passage; and the king being assured that they were Lennox, Mar, and his other friends, it was opened on the inside. They ran to the king, whom they unexpectedly found safe, with transports of congratulation; and he, falling on his knees, with all his attendants around him, offered solemn thanks to God for such a wonderful deliverance. The danger, however, was not yet over. The inhabitants of the town, whose provost Gowrie was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and surrounded the house, threatening revenge, with many insolent and opprobrious speeches against the king. James endeavoured to pacify the enraged multitude, by speaking to them from the window; he admitted their magistrates into the house; related to them all the circumstances of the fact; and their fury subsiding by degrees, they dispersed. On searching the earl's pockets for papers that might discover his designs and accomplices, nothing was found but a small parchment bag, full of magical characters and words of enchantment; and, if we may believe the account of the conspiracy published by the king, "while these were about him the wound of which he died bled not; but as soon as they were taken away, the blood gushed out in great abundance." After all the dangerous adventures of this busy day, the king returned in the evening to Falkland, having committed the dead bodies of the two brothers to the custody of the magistrates of Perth.

The motives of the conspirators not easily explained.

Notwithstanding the minute detail which the king gave of all the circumstances of this conspiracy against his life, the motives which induced the two brothers to attempt an action so detestable, the end they had in view, and the accomplices on whose aid they depended, were altogether unknown. The words of Ruthven to the king gave some grounds to think that the desire of revenging their father's death had instigated them to this attempt. But, whatever injuries their father had suffered, it is scarcely probable that they could impute them to the king, whose youth, as well as his subjection at that time to the violence of a faction, exempted him from being the object of resentment, on account of actions which were not done by his command. James had even endeavoured to repair the wrongs which the father had suffered, by benefits to his children; and Gowrie himself, sensible of his favour, had acknowledged it with the warmest expressions of gratitude. Three of the earl's attendants, being convicted of assisting him in this assault on the king's servants, were executed at Perth; but they could give no light into the motives which had prompted their master to an action so repugnant to these acknowledgments. Diligent search was made for the person concealed in the study, and from him great discoveries were expected. But Andrew Henderson, the earl's steward, who, upon a promise of pardon, confessed himself to be the man, was as much a stranger to his master's design as the rest; and though placed in the study by Gowrie's command, he did not even know for what end that station had been assigned him. The whole transaction remained as impenetrably dark as ever; and the two brothers, it was concluded, had concerted their scheme without either confidant or accomplice, with unexampled secrecy as well as wickedness.

Sprot's discoveries concerning it.

An accident no less strange than the other circumstances of the story, and which happened nine years after, discovered that this opinion, however plausible, was ill founded, and that the two brothers had not carried on their machinations all alone. One Sprot, a notary, having whispered among several persons that he knew some secrets relating to Gowrie's conspiracy, the privy-council thought the matter worthy of their attention, and ordered him to be seized. His confession was partly voluntary, and partly forced from him by torture. According to his account, Logan of Restalrig, a gentleman of an opulent fortune, but of dissolute morals, was privy to all Gowrie's intentions, and an accomplice in his crimes. Mr. Ruthven, he said, had frequent interviews with Logan in order to concert the plan of their operations; the earl had corresponded with him to the same purpose; and one Bour, Logan's confidant, was trusted with the secret, and carried the letters between them. Both Logan and Bour

were now dead. But Sprot affirmed that he had read letters written both by Gowrie and Logan on that occasion; and in confirmation of his testimony, several of Logan's letters, which a curiosity fatal to himself had prompted Sprot to steal from among Bour's papers, were produced.[r] These were compared by the privy-council with papers of Logan's hand-writing, and the resemblance was manifest. Persons of undoubted credit, and well qualified to judge of the matter, examined them, and swore to their authenticity. Death itself did not exempt Logan from prosecution; his bones were dug up and tried for high treason, and, by a sentence equally odious and illegal,[s] his lands were forfeited, and his posterity declared infamous. Sprot was condemned to be hanged for misprision of treason. He adhered to his confession to the last, and having promised on the scaffold to give the spectators a sign in confirmation of the truth of what he had deposed, he thrice clapped his hands after he was thrown off the ladder by the executioner.[t]

But though it be thus unexpectedly discovered that Gowrie did not act without associates, little additional light is thrown, by this discovery, on the motives and intention of his conduct. It appears almost incredible that two young men of such distinguished virtue should revolt all at once from their duty, and attempt a crime so atrocious as the murder of their sovereign. It appears still more improbable that they should have concerted their undertaking with so little foresight and prudence. If they intended that the deed should have remained concealed, they could not have chosen a more improper scene for executing it than their own house. If they intended that Henderson should have struck the blow, they could not have pitched on a man more destitute of the courage that must direct the hand of an assassin; nor could they expect that he, unsolicited, and unacquainted with their purpose, would venture on such a desperate action. If Ruthven meant to stab the king with his own hand, why did he withdraw the dagger, after it was pointed at his breast? How could he leave the king after such a plain declaration of his intention? Was it not preposterous to commit him to the keeping of such a timid associate as Henderson? For what purpose did he waste time in binding the hands of an unarmed man, whom he might easily have despatched with his sword? Had Providence permitted them to imbrue their hands in the blood of their sovereign, what advantage could have accrued to them by his death? And what claims or pretensions could they have opposed to the rights of his children?[u] Inevitable and instant vengeance, together with perpetual infamy, were the only consequences they could expect to follow such a crime.

On the other hand, it is impossible to believe that the king had formed any design against the life of the two brothers. They had not incurred his indignation by any crime; and were in no degree the objects of his jealousy or hatred;[x] nor was he of a spirit so sanguinary, or so noted for rash and desperate valour, as to have attempted to murder them in their own house, where they were surrounded

r Logan's letters were five in number. One to Bour, another to Gowrie, and three of them without any direction; nor could Sprot discover the name of the person to whom they were written. Logan gives him the appellation of *Right Honourable*. It appears from this, however, and from other words in the letter, Crom. 95. that there were several persons privy to the conspiracy. The date of the first letter is July 18th. Mr. Ruthven had communicated the matter to Logan only five days before. Ibid. It appears from the original *summons of forfaulture* against Logan's heirs, that Bour, though he had letters addressed to him with regard to a conspiracy equally dangerous and important, was so illiterate that he could not read. "Jacobus Bour, literarum prorsus ignarus, dicti Georgii opera in legendis omnibus scriptis ad eum missis, vel pertinentibus utebatur." This is altogether strange; and nothing but the capricious character of Logan can account for his choosing such a confidant.

s By the Roman law, persons guilty of the crime of high treason might be tried even after death. This practice was adopted by the Scots without any limitation, Parl. 1540. c. 69. But the unlimited exercise of this power was soon conceived to be dangerous; and the crown was laid under proper restrictions, by an act A. D. 1542, which has never been printed. The words of it are, "And because the said lords (i. e. the lords of articles) think the said act (viz. in 1540,) too general, and prejudicial to the barons in the realm, therefore statutes and ordains that the said act shall have no place in time coming, but against the heirs of them that notoriously commit or shall commit lese majesty against the king's person, against the realm for averting the same, and against them that shall happen to betray the king's army allenarly, and being notoriously known in their time; and the heirs of these persons to be called and judged within five years after the decease of the said persons committers of the said crimes; and the said time being by-past, the said heirs never to be pursued for the same." The sentence against Logan violated this statute in two particulars. He was not notoriously known during his life to be an accomplice in the crime for which he was tried; and his heir was called in question more than five years after his death. It is remarkable that this statute seems not to have been attended to in the parliament which forfeited Logan. Another singular circumstance deserves notice. As it is a maxim of justice that no person can be tried in absence; and as lawyers are always tenacious of their forms, and often absurd in their devices for preserving them, they contrived that, in any process against a dead person, his corpse or bones shall be presented at the bar. Examples of this occur frequently in the Scottish history. After the battle of Corrichie, the dead body of the earl of Huntley was presented in parliament, before sentence of *forfaulture* was pronounced against him. For the same reason, the bodies of Gowrie and his brother were preserved, in order that they might be produced in parliament. Logan's bones, in compliance with the same rule, were dug up. Mackenz. Crim. Law, Book i. tit. 6. § 22.

t It appears that archbishop Spotswood was present at the execution of Sprot, Crom. 115. and yet he seems to have given no credit to his discoveries. The manner in which he speaks of him is remarkable: "Whether or not I should mention the arraignment and execution of George Sprot, who suffered at Edinburgh, I am doubtful; his confession, though voluntary and constant, carrying small probability. The man deposed, &c. It seemed to be a very fiction, and a mere invention of the man's own brain; for neither did he show the letter, nor could any wise man think that Gowrie, who went about the treason so secretly, would have communicated the matter to such a man as Logan was known to be," p. 508. Spotswood could not be ignorant of the solemnity with which Logan had been tried, and of the proof brought of the authenticity of his letters. He himself was probably present in parliament at the trial. The earl of Dunbar, of whom he always speaks with the highest respect, was the person who directed the process against Logan. Such a peremptory declaration against the truth of Sprot's evidence, notwithstanding all these circumstances, is surprising. Sir Thomas Hamilton, the king's advocate at that time, and afterwards earl of Haddington, represents the proof produced at Logan's trial as extremely convincing; and in an original letter of his to the king, the 21st of June 1609, (in Bibl. Facult. Jurid.) after mentioning the manner in which the trial had been conducted, he thus goes on:

"When the probation of the summons was referred to the lords of articles votes, they found uniformly, all in one voice, the said summons to be so clearly proved, that they seemed to contend who should be able most zealously to express the satisfaction of his heart, not only by the most pithy words, but by tears of joy; diverse of the best rank confessing, that that whereof they doubted at their entry into the house was now so manifest, that they behoved to esteem them traitors who should any longer refuse to declare their assured resolution of the truth of that treason."

u It has been asserted, that, in consequence of the king's death, the earl of Gowrie might have pretended to the crown of England, as the son of Dorothea Stewart, daughter of lord Methven by Margaret of England, who, after her divorce from the earl of Angus, took that nobleman for her third husband. Burnet, Hist. of his own Times. But this assertion is ill-founded. It appears, from undoubted evidence, that lord Methven had only one child by queen Margaret, which died in its infancy, and Dorothea lady Ruthven was not the daughter of queen Margaret, but of Janet Stewart, lord Methven's second wife, a daughter of John earl of Athol. Crawf. Peer. 329. And though Gowrie had really been descended from the blood-royal of England, the king at that time had a son and a daughter; and besides them, lady Arabella Stewart, daughter of Charles earl of Lennox, had a preferable title to the crown of England.

x Sir Henry Neville, in a letter to sir Ralph Winwood, imputes the death of the two brothers to a cause not mentioned by any of our historians. "Out of Scotland we hear that there is no good agreement, but rather an open diffidence, betwixt the king and his wife, and many are of opinion that the discovery of some affection between her and the earl of Gowrie's brother (who was killed with him) was the truest cause and motive of that tragedy." Winw. Mem. vol. i. 274. Whether the following passages in Nicholson's letter be any confirmation of that suspicion, is submitted to the reader. In his letter, Sept. 22. 1602, he mentions the return of Gowrie's two younger brothers into Scotland, and adds, "The coming in of these two, and the queen of Scots dealing with them, and sending away and furnishing Mrs. Beatrix (their sister) with such information as sir Thomas Erskine has given, hath bred great suspicion in the king of Scots that they come not in but upon some dangerous plot." In another letter, January 1. 1603, "The day of writing my last, Mrs. Beatrix Ruthven was brought by the lady Paisley, and Mrs. of Angus, as one of their gentlewomen, into the court in the evening, and stowed in a chamber prepared for her by the queen's direction, where the queen had much time and conference with her. Of this the king got notice, and showed his dislike thereof to the queen, gently reproving her for it, and examining quietly of the queen's servants of the same, and of other matters thereunto belonging, with such discretion and secresy as requires such a matter."

with many domestics, he only with a slender and unarmed train; where they could call to their assistanee the inhabitants of a city at the devotion of their family, while he was at a distanee from all aid; and least of all would he have chosen for his associates in such an enterprise the earl of Mar and the duke of Lennox, the former connected in close friendship with the house of Gowrie, and the latter married to one of the earl's sisters.

A conjecture concerning the intention of the conspirators.

Whichsoever of these opposite systems we embraee; whether we impute the intention of murder to Gowrie, or to the king; insuperable difficulties arise, and we are involved in darkness, mystery, and contradictions. Perhaps the source of the whole eonspiraey ought to be searched for deeper, and by deriving it from a more remote cause, we may discover it to be less criminal.

To keep the king of Scots in continual dependance, was one great object of Elizabeth's policy. In order to this, she sometimes soothed him, and sometimes bribed his ministers and favourites; and when she failed of attaining her end by these means, she encouraged the clergy to render any administration which she distrusted unpopular, by decrying it, or stirred up some faction of the nobles to oppose and to overturn it. In that fierce age, men little acquainted with the arts of undermining a ministry by intrigue, had recourse to the ruder practice of rendering themselves masters of the king's person, that they might thereby obtain the direction of his councils. Those nobles who seized the king at the *Raid of Ruthven*, were instigated and supported by Elizabeth. Bothwell, in all his wild attempts, enjoyed her protection, and when they miscarried, he was secure of a retreat in her dominions. The connexions which James had been forming of late with the Roman catholic princes, his secret negociations in England with her subjects, and the maxims by which he governed his own kingdom, all contributed to excite her jealousy. She dreaded some great revolution in Scotland to be approaching, and it was her interest to prevent it. The earl of Gowrie was one of the most powerful of the Scottish nobles, and descended from ancestors warmly attached to the English interest. He had adopted the same system, and believed the welfare of his country to be inseparably connected with the subsistenec of the allianee between the two kingdoms. During his residence at Paris, he had contracted an intimate friendship with sir Henry Neville, the queen's ambassador there, and was recommended by him to his court as a person of whom great use might be made.[y] Elizabeth received him as he passed through England with distinguished marks of respect and favour. From all these circumstances a suspicion may arise, that the plan of the conspiracy against the king was formed at that time in concert with her. Such a suspieion prevailed in that age, and from the letters of Nicholson, Elizabeth's agent in Scotland, it appears not to be destitute of foundation. An English ship was observed hovering, for some time, in the mouth of the Frith of Forth. The earl's two younger brothers fled into England after the ill success of the conspiracy, and were protected by Elizabeth. James himself, though he prudently concealed it, took great umbrage at her behaviour. None, however, of Elizabeth's intrigues in Scotland tended to hurt the king's person, but only to circumscribe his authority, and to thwart his schemes. His life was the surest safeguard of her own, and restrained the popish pretenders to her crown, and their abettors, from desperate attempts, to which their impatience and bigotry might otherwise have urged them on. To have encouraged Gowrie to murder his sovereign, would, on her part, have been an act of the utmost imprudenee. Nor does this seem to have been the intention of the two brothers. Mr. Ruthven, first of all, endeavoured to decoy the king to Perth, without any attendants. When these proved more numerous than was expected, the earl employed a stratagem in order to separate them from the king, by pretending that he had rode away towards Falkland, and by calling hastily for their horses that they might follow him. By their shutting James up, meanwhile, in a distant corner of the house, and by attempting to bind his hands, their design seems to have been rather to seize than to assassinate him. Though Gowrie had not collected his followers in such numbers as to have been able to detain him long a prisoner, in that part of the kingdom, by open force, he might soon have been conveyed aboard the English ship, which waited perhaps to receive him, and he might have been landed at Fastcastle, a house of Logan's, in which, according to many obscure hints in his letters, some rendezvous of the conspirators was to be held. Amidst the surprise and terror into which the king must have been thrown by the violence offered to him, it was extremely natural for him to conclude that his life was sought. It was the interest of all his followers to confirm him in this belief, and to magnify his danger, in order to add to the importance and merit of their own services. Thus, his fear and their vanity, aided by the credulity and wonder which the contemplation of any great and tragical event, when not fully understood, is apt to inspire, augmented the whole transaction. On the other hand, the extravagance and improbability of the circumstances which were added, detracted from the credit of those which really happened, and even furnished pretences for calling in question the truth of the whole conspiracy.

Many disbelieve the account published by the king.

The account of what had happened at Perth reached Edinburgh next morning. The privy-council commanded the ministers of that city instantly to assemble their people; and after relating to them the circumstanees of the conspiracy formed against the king's life, to return public thanks to God for the

[y] Winw. i. 156.

protection which he had so visibly afforded him. But as the first accounts transmitted to Edinburgh, written in a hurry, and while the circumstances of the conspiracy were but imperfectly known, and the passions which it excited strongly felt, were indistinct, exaggerated, and contradictory, the ministers laid hold of this; and though they offered to give public thanks to God for the king's safety, they refused to enter into any detail of particulars, or to utter from the chair of truth what appeared to be still dubious and uncertain.

A few days after, the king returned to Edinburgh; and though Galloway, the minister of his own chapel, made an harangue to the people at the public cross, in which he recited all the circumstances of the conspiracy; though James himself, in their hearing, confirmed his account; though he commanded a narrative of the whole transaction to be published; the ministers of that city, as well as many of their brethren, still continued incredulous and unconvinced. Their high esteem of Gowrie, their jealousy of every part of the king's conduct, added to some false and many improbable circumstances in the narrative, not only led them to suspect the whole, but gave their suspicions an air of credibility. But at length the king, partly by arguments, partly by threats, prevailed on all of them, except Mr. Robert Bruce, to own that they were convinced of the truth of the conspiracy. He could be brought no further than to declare, that he revereneed the king's account of the transaction, but could not say that he himself was persuaded of the truth of it. The scruples or obstinacy of a single man would have been little regarded; but as the same spirit of incredulity began to spread among the people, the example of one in so high reputation for integrity and abilities, was extremely dangerous. The king was at the utmost pains to convince and to gain Bruce, but finding it impossible to remove his doubts, he deprived him of his benefice, and after repeated delays, and many attempts towards a reconcilement, banished him the kingdom.[z]

Proceedings of parliament against the conspirators.

The proceedings of parliament were not retarded by any scruples of this sort. The dead bodies of the two brothers were produced there, according to law; an indictment for high treason was preferred against them; witnesses were examined; and, by an unanimous sentence, their estates and honours were forfeited; the punishment due to traitors was inflicted on their dead bodies; and, as if the punishment hitherto in use did not express sufficient detestation of their crimes, the parliament enacted that the surname of Ruthven should be abolished; and, in order to preserve the memory of the king's miraculous escape, and to declare the sense which the nation had of the divine goodness to all future ages, appointed the fifth of August to be observed annually as a day of public thanksgiving.[a]

1601.

Though Gowrie's conspiracy occasioned a sudden and a great alarm, it was followed by no consequences of importance; and having been concerted by the two brothers, either without any associates, or with such as were unknown, the danger was over as soon as discovered. But not long after, a conspiracy broke out in England against Elizabeth, which, though the first danger was instantly dispelled, produced tragical effects, that rendered the close of that queen's reign dismal and unhappy. As James was deeply interested in that event, it merits our particular notice.

Essex's conspiracy against Elizabeth.

The court of England was at this time divided between two powerful factions, which contended for the supreme direction of affairs. The leader of the one was Robert D'Evreux, earl of Essex; sir

z Spotsw. 461, &c. Cald. v. 389, &c.

a A few weeks after the death of the two brothers, the king published a *Discourse of their vile and unnatural conspiracy against his life.* In the year 1713, George earl of Cromartie published an "Historical Account of the Conspiracy by the earl of Gowrie and Robert Logan of Restalrig, against King James VI." He seems not to have seen the account which the king himself had given of that matter, and borrows the whole historical part from Spotswood and other authors; but he has extracted from the public records the depositions of the witnesses produced by the king's council, in order to make good the charge against the two brothers, and Logan their associate. From these two treatises our knowledge of all the material circumstances of the conspiracy is derived. The evidence which they contain, one would expect to be authentic and decisive. An account of a fact still recent, published by royal authority, and the original depositions of persons examined in presence of the highest court in the nation, ought to convey a degree of evidence seldom attained in historical relations, and to exclude all remaining doubt and uncertainty. But as every thing with regard to this transaction is dark and problematical, the king's account and the depositions of the witnesses not only vary, but contradict each other in so many circumstances, that much room is still left for hesitation and historical scepticism. The testimony of Henderson is the fullest and most important, but in several particulars the king's account and his are contradictory. I. According to the king's account, while Mr. Ruthven was holding the dagger at his breast, "the fellow in the study stood quaking and trembling." Disc. 17. But Henderson says, that he himself wrested the dagger out of Mr. Ruthven's hands. Disc. 53. Crom. 50. Henderson likewise boasted to his wife, that he had that day twice saved the king from being stabbed. Disc. 54. Crom. 53. II. The king asserts that Henderson opened the window during Mr. Ruthven's absence. Disc. 23. Henderson deposes that he was only attempting to open it when Mr. Ruthven returned, and that during the struggle between the king and him, he opened it. Disc. 53, 54. Crom. 51, 52. III. If we may believe the king, the fellow in the study stood, during the struggle, behind the king's back, inactive and trembling all the time. Disc. 27. But Henderson affirms, that he snatched away the garter with which Mr. Ruthven attempted to bind the king: that he pulled back Mr. Ruthven's hand while he was endeavouring to stop the king's mouth, and that he opened the window. Disc. 54. Crom. 52. IV. By the king's account, Mr. Ruthven left him in the study, and went away in order to meet with his brother, and the earl came up the stairs for the same purpose. Disc. 23. Henderson deposes, that when Mr. Ruthven left the king, "he believes that he did not pass from the door." Crom. 51. It is apparent, both from the situation of the house, and from other circumstances, that there could not possibly have been any interview between the brothers at this time. Disc. 23.

Henderson was twice examined, first at Falkland before the privy-council in August, and next at Edinburgh before the parliament in November. Not to mention some lesser variations between these depositions, we shall point out two which are remarkable. 1. In his first deposition, Mr. Henderson relates the most material circumstance of the whole in these words; "Mr. Ruthven pulled out the deponent's dagger, and held the same to his Majesty's breast, saying, *Remember you of my father's murder; you shall now die for it:* and pointing to his highness's heart with the dagger, the deponent threw the same out of Mr. Ruthven's hands, and swore, as God should judge his soul, that if Mr. Ruthven had retained the dagger in his hand the space a man may go six steps, he would have stricken the king to the hilts with it." Disc. 52. But at his second examination he varied from this in two material circumstances. First, the words he at that time put in Mr. Ruthven's mouth while he held the dagger at the king's breast are, "*Sir, you must be my prisoner; remember on my father's death.*" Secondly, when he threatened him with death, it was only to deter him from making any noise, "*Hold your tongue, or by Christ you shall die.*" 2. "In his first deposition, the words of Mr. Ruthven, when he returned to the chamber where he had left the king, are, "*There is no remedy, by God you must die.*" But in his second deposition, "By God there is no remedy, and offered to bind his Majesty's hands." Crom. 51. The material words *you must die* are omitted. The first deposition seems plainly to intimate that it was Ruthven's intention to murder the king. The second would lead us to conclude that he had no other design than to detain him as a prisoner.

There are likewise some remarkable contradictions in the testimonies of the other witnesses. 1. In the discourse published by authority, it is insinuated that the tumult of the inhabitants was raised against the king, and that it required some art to pacify them. Disc. 32. The duke of Lennox confirms this in his deposition. Crom. 44. An act of privy-council summoning the magistrates of Perth to answer for that riot is still extant. And yet Andrew Roy, one of the bailies of the town, deposes, that he himself raised the people, and that they took arms in order to assist the king. Crom. 66. 2. Henderson deposes, that he gave an evasive answer to Mr. John Moncrief, who inquired where he had been that morning, because the earl had commanded him not to let any man know that he had been at Falkland. Disc. 54. Moncrief deposes to the same purpose. Crom. 64. And yet George Hay, afterwards lord Kinnoul, and the chancellor of Scotland, and Peter Hay, depose, that the earl, in their presence, asked Henderson, "Whom he found with the king at Falkland?" Crom. 70, 71. Which question seems to prove that he did not aim at keeping that journey a secret. In the Collection of Criminal Trials published by Mr. Arnot in 1785, the evidence against the two brothers has been considered with great attention. Page 20, &c.

Robert Cecil, the son of lord Treasurer Burleigh, was at the head of the other. The former was the most accomplished and the most popular of all the English nobles; brave, generous, affable; though impetuous, yet willing to listen to the counsels of those whom he loved; an avowed, but not an implacable, enemy; a friend no less constant than warm; incapable of disguising his own sentiments, or of misrepresenting those of others; better fitted for a camp than for a court; of a genius that qualified him for the first place in the administration, with a spirit that scorned the second as below his merit. He was soon distinguished by the queen, who, with a profusion uncommon to her, conferred on him, even in his earliest youth, the highest honours. Nor did this diminish the esteem and affection of his countrymen; but, by a rare felicity, he was at once the favourite of his sovereign, and the darling of the people. Cecil, on the other hand, educated in a court, and trained under a father deeply skilled in all its arts, was crafty, insinuating, industrious; and though possessed of talents which fitted him for the highest offices, he did not rely upon his merit alone for attaining them, but availed himself of every advantage, which his own address, or the mistakes of others, afforded him. Two such men were formed to be rivals and enemies. Essex despised the arts of Cecil as low and base. To Cecil, the earl's magnanimity appeared to be presumption and folly. All the military men, except Raleigh, favoured Essex. Most of the courtiers adhered to Cecil, whose manners more nearly resembled their own.

His correspondence with the Scottish king.

As Elizabeth advanced in years, the struggle between these factions became more violent. Essex, in order to strengthen himself, had early courted the friendship of the king of Scots, for whose right of succession he was a zealous advocate, and held a close correspondence both with him and with his principal ministers. Cecil, devoted to the queen alone, rose daily to new honours, by the assiduity of his services, and the patience with which he expected the reward of them; while the earl's high spirit and impetuosity sometimes exposed him to checks from a mistress, who, though partial in her affection toward him, could not easily bear contradiction, and who conferred favours often unwillingly, and always slowly. His own solicitations, however, seconded maliciously by his enemies, who wished to remove him at a distance from court, advanced him to the command of the army employed in Ireland against Tyrone, and to the office of lord lieutenant of that kingdom, with a commission almost unlimited. His success in that expedition did not equal either his own promises, or the expectations of Elizabeth. The queen, peevish from her disappointment, and exasperated against Essex by the artifices of his enemies, wrote him a harsh letter, full of accusations and reproaches. These his impatient spirit could not bear, and in the first transports of his resentment, he proposed to carry over a part of his army into England, and, by driving his enemies from the queen's presence, to reinstate himself in favour and in power. But, upon more mature thoughts, he abandoned this rash design, and setting sail with a few officers devoted to his person, landed in England, and posted directly to court. Elizabeth received him without any symptom either of affection or of displeasure. By proper compliances and acknowledgments, he might have regained his former ascendant over the queen. But he thought himself too deeply injured to submit to these. Elizabeth, on the other hand, determined to subdue his haughty temper; and though her severity drew from him the most humble letters, she confined him to the lord keeper's house, and appointed commissioners to try him, both for his conduct during his government of Ireland, and for leaving that kingdom without her permission. By their sentence, he was suspended from all his offices, except that of master of the horse, and continued a prisoner during the queen's pleasure. Satisfied with having mortified his pride thus far, Elizabeth did not suffer the sentence to be recorded, and soon after allowed him to retire to his own house. During these transactions, which occupied several months, Essex fluctuated between the allegiance he owed to his sovereign and the desire of revenge; and sometimes leaned to the one, and sometimes to the other. In one of the intervals when the latter prevailed, he sent a messenger into Scotland, to encourage the king to assert his own right to the succession by force of arms, and to promise that, besides the assistance of the earl and all his friends in England, lord Mountjoy, now lord lieutenant of Ireland, would join him with five thousand men from that kingdom. But James did not choose to hazard the losing of a kingdom, of which he was just about to obtain possession, by a premature attempt to seize it. Mountjoy, too, declined the enterprise, and Essex adopted more dutiful schemes; all thoughts of ambition appearing to be totally effaced out of his mind.

James's cautious conduct.

The wild attempts of Essex.

This moderation, which was merely the effect of disgust and disappointment, was not of long continuance; and the queen, having not only refused to renew a lucrative grant which she had formerly bestowed, but even to admit him into her presence, that new injury drove a temper, naturally impatient, and now much fretted, to absolute despair. His friends, instead of soothing his rage or restraining his impetuosity, added to both by their imprudent and interested zeal. After many anxious consultations, he determined to attempt to redress his wrongs by violence. But being conscious how unpopular such an enterprise would be, if it appeared to proceed from motives of private revenge alone, he endeavoured to give it the semblance of public utility, by mingling the king of Scotland's interest with his own. He wrote to James, that the faction which now predominated in

the English court had resolved to support the pretensions of the infanta of Spain to the crown; that the places of the greatest importance in the kingdom were put into the hands of his avowed enemies; and that unless he sent ambassadors, without delay, to insist on the immediate declaration of his right of succession, their measures were so well concerted, that all his hopes would be desperate. James, who knew how disagreeable such a proposal would be to the queen of England, was not willing rashly to expose himself to her displeasure. Essex, nevertheless, blinded by resentment, and impatient for revenge, abandoned himself to these passions, and acted like a man guided by frenzy or despair. With two or three hundred followers incompletely armed, he attempted to assault a throne the best established in Europe. Sallying at their head out of his own house, he called on the citizens of London, if they either valued his life, or wished to preserve the kingdom from the dominion of the Spaniards, to take arms, and to follow his standard. He advanced towards the palace with an intention to drive Cecil and his faction out of the queen's presence, and to obtain a declaration of the Scottish king's right of succession.[b] But, though almost adored by the citizens, not a man would join him in this wild enterprise. Dispirited by their indifference, deserted by some of his own attendants, and almost surrounded by the troops which marched against him under different leaders into the city, he retreated to his own house; and without any bold effort, suitable to his present condition, or worthy of his former reputation for courage, he surrendered to his enemies.

As soon as James heard of Essex's ill success, he appointed the earl of Mar, and Bruce, abbot of Kinloss, to repair as his ambassadors to the court of England. The former of these was the person by whose means Essex had carried on his correspondence with the king. He was a passionate admirer of the earl's character, and disposed to attempt every thing that could contribute to his safety. Bruce, united in a close friendship with Mar, was ready to second him with equal zeal. Nor was the purpose of the embassy less friendly to Essex, than the choice of his ambassadors; they were commanded to solicit, in the warmest manner, for the earl's life, and if they found that the king, by avowing his friends, could either promote their designs or contribute to their safety, they were empowered to lay aside all disguise, and to promise that he would put himself at their head, and claim what was due to him by force of arms.[c] But before the ambassadors could reach London, Essex had suffered the punishment which he merited by his treason. Perhaps the fear of their interposing in order to obtain his pardon, hastened his death. Elizabeth continued for some time irresolute concerning his fate, and could not bring herself to consign into the hands of the executioner a man who had once possessed her favour so entirely, without a painful struggle between her resentment against his late misconduct, and her ancient affection towards him. The distress to which she was now reduced, tended naturally to soften the former, while it revived the latter with new tenderness; and the intercession of one faithful friend, who had interest with the queen, might perhaps have saved his life, and have procured him a remission, which of herself she was ashamed to grant. But this generous nobleman had at that time no such friend. Elizabeth, solicited incessantly by her ministers, and offended with the haughtiness of Essex, who, as she imagined, scorned to sue for pardon, at last commanded the sentence to be put in execution. No sooner was the blow struck than she repented of her own rashness, and bewailed his death with the deepest sorrow. James always considered him as one who had fallen a martyr to his service, and, after his accession to the English throne, restored his son to his honours, as well as all his associates in the conspiracy, and distinguished them with his favour.[d]

His death.

The Scottish ambassadors, finding that they had arrived too late to execute the chief business committed to their charge, not only concealed that part of their instructions with the utmost care, but congratulated the queen, in their master's name, on her happy escape from such an audacious conspiracy. Elizabeth, though no stranger to the king's correspondence with Essex, or to that nobleman's intentions of asserting James's right to the crown, was not willing that these should be known to the people, and, for that reason, received the congratulations of the Scottish ambassadors with all possible marks of credit and good-will; and in order to soothe James, and to preserve the appearances of union between the two courts, increased the subsidy which she paid him annually. The ambassadors resided for some time in England, and were employed with great success in renewing and extending the intrigues which Bruce had formerly entered into with the English nobles. As Elizabeth advanced in years, the English turned their eyes more and more towards Scotland, and were eager to prevent each other in courting the favour of their future monarch. Assurances of attachment, professions of regard, and promises of support, were offered to James from every corner of the kingdom. Cecil himself, perceiving what hopes Essex had founded on the friendship of the Scottish king, and what advantages he might have derived from it, thought it prudent to stand no longer at a distance from a prince who might so soon become his master. But being sensible at the same time how dangerous such an intercourse might prove, under a mistress naturally jealous, and whose jealousy grew stronger with old age; though he entered into a correspondence with him, he carried it on with all the secrecy and caution necessary

James continues his intrigues in England.

b Birch. Mem. ii. 477.

c Johnst. 289. Birch. Mem. ii. 510.

d Camd. Spotsw. 464.

in his situation and peculiar to his character.[e] James having gained the man whose opposition and influence he had hitherto chiefly dreaded, waited, in perfect security, till that event should happen which would open his way to the throne of England.[f] It was with some difficulty that he restrained within proper bounds his adherents in that kingdom, who labouring to distinguish themselves by that officious zeal, with which a prince, who has a near prospect of mounting the throne is always served, urged him to allow a motion to be made in parliament for declaring his right of succession to the crown. James prudently discouraged that design; but it was with no small satisfaction that he observed the ascendant he was acquiring in a court, the dictates of which he had been so long obliged to obey; and which had either prescribed or thwarted every step he had taken during the whole course of his reign.[g]

1602. Attempts to civilize the Highlanders.

Notwithstanding the violent struggles of the political factions which divided the court, and the frequent revolutions which had happened there since the king first took the reins of government into his own hands, Scotland had enjoyed unusual tranquillity, being undisturbed by any foreign enemy, and free from any intestine commotion of long continuance. During this period, James endeavoured to civilize the Highlands and the Isles, a part of his dominions too much neglected by former monarchs, though the reformation of it was an object highly worthy of their care. The long peace with England had afforded an opportunity of subduing the licentious spirit of the borderers, and of restraining their depredations, often no less ruinous to their countrymen than to their enemies. The inhabitants of the low country began gradually to forget the use of arms, and to become attentive to the arts of peace. But the Highlanders, retaining their natural fierceness, averse from labour, and inured to rapine, infested their more industrious neighbours by their continual incursions. James, being solicitous not only to repress their inroads, but to render them useful subjects,[h] had at different times enacted many wise laws extremely conducive to these ends. All landlords, or chiefs of clans, were enjoined to permit no persons to reside in their estates who could not find sufficient surety for their good behaviour; they were required to make a list of all suspicious persons under their jurisdiction, to bind themselves to deliver them to justice, and to indemnify those who should suffer by their robberies; and, in order to ascertain the faithful performance of these articles, the chiefs themselves were obliged to give hostages to the king, or to put pledges in his hands. Three towns, which might serve as a retreat for the industrious, and a nursery for arts and commerce, were appointed to be built in different parts of the Highlands; one in Cantire, another in Lochaber, and a third in the Isle of Lewis; and, in order to draw inhabitants thither, all the privileges of royal boroughs were to be conferred upon them. Finding it, however, to be no easy matter to inspire the natives of those countries with the love of industry, a resolution was taken to plant among them colonies of people from the more industrious counties. The first experiment was made on the Isle of Lewis; and as it was advantageously situated for the fishing trade, a source from which Scotland ought naturally to derive great wealth, the colony transported thither was drawn out of Fife, the inhabitants of which were well skilled in that branch of commerce. But before they had remained there long enough to manifest the good effects of this institution, the islanders, enraged at seeing their country occupied by those intruders, took arms, and surprising them in the night-time, murdered some of them, and compelled the rest to abandon the settlement. The king's attention being soon after turned to other subjects, we hear no more of this salutary project. Though James did not pursue the design with that steady application and perseverance, without which it is impossible to change the manners of a whole people, he had the glory, however, not only of having first conceived the thought, but of having first pointed out the proper method, of introducing the civil arts of life into that part of the island.[i]

Elizabeth's last illness and death.

After having long enjoyed a good state of health, the effect of a sound constitution, and the reward of uncommon regularity and temperance, Elizabeth began this winter to feel her vigour decrease, and to be sensible of the infirmities of old age. Having removed on a very stormy day from Westminster to Richmond, whither she was impatient to retire, her complaints increased. She had no formed fever; her pulse was good; but she ate little and could not sleep. Her distemper seemed to proceed from a deep melancholy, which appeared both in countenance and behaviour. She delighted in solitude; she sat constantly in the dark; and was often drowned in tears.

1603. Jan. 31.

No sooner was the queen's indisposition known, than persons of all ranks, and of all different sects and parties, redoubled their applications to the king of Scots, and vied with each other in professions of attachment to his person, and in promises of submission to his government. Even some of Elizabeth's own servants, weary of the length of her reign, fond of novelty, impatient to get rid of the burden of gratitude for past benefits, and expecting to share in the liberality of a new prince, began to desert her; and crowds of people hurried towards Scotland, eager to preoccupy the favour of the successor, or afraid of being too late in paying homage to him.

e See Append. No. LIII.

f Dr. Birch, in his life of prince Henry, p. 232. has given some account of the mysterious mode in which this correspondence was carried on, and how the letters were conveyed from London to Dublin, and from thence to Scotland. Notwithstanding the solicitude which Cecil repeatedly discovers that his letters should be destroyed as soon as the king had read them, a considerable number of them has been preserved, and published by sir David Dalrymple in the year 1766. They were written by lord Henry Howard, under the inspection of Cecil, in a style affectedly obscure. The whole correspondence is more curious than instructive.

g Spotsw. 467, 471. Birch, Mem. ii. 514.

h Basil. Dor. 139.

i Parl. 1587, 1594, 1597. Spotsw. 468.

Meanwhile, the queen's disease increased, and her melancholy appeared to be settled and incurable. Various conjectures were formed concerning the causes of a disorder, from which she seemed to be exempted by the natural cheerfulness of her temper. Some imputed it to her being forced, contrary to her inclination, to pardon the earl of Tyrone, whose rebellion had for many years created her much trouble. Others imagined that it arose from observing the ingratitude of her courtiers, and the levity of her people, who beheld her health declining with the most indecent indifference, and looked forward to the accession of the Scottish king with an impatience which they could not conceal. The most common opinion, at that time, and perhaps the most probable, was, that it flowed from grief for the earl of Essex. She retained an extraordinary regard for the memory of that unfortunate nobleman; and though she often complained of his obstinacy, seldom mentioned his name without tears.[k] An accident happened soon after her retiring to Richmond, which revived her affection with new tenderness, and imbittered her sorrows. The countess of Nottingham, being on her death-bed, desired to see the queen, in order to reveal something to her, without discovering which she could not die in peace. When the queen came into her chamber, she told her, that while Essex lay under sentence of death, he was desirous of imploring pardon in the manner which the queen herself had prescribed, by returning a ring, which during the height of his favour she had given him, with a promise that if, in any future distress, he sent that back to her as a token, it should entitle him to her protection; that lady Scrope was the person he intended to employ in order to present it; that, by a mistake, it was put into her hands instead of lady Scrope's; and, that she having communicated the matter to her husband, one of Essex's most implacable enemies, he had forbid her either to carry the ring to the queen, or to return it to the earl. The countess having thus disclosed her secret, begged the queen's forgiveness; but Elizabeth, who now saw both the malice of the earl's enemies, and how unjustly she had suspected him of inflexible obstinacy, replied, "God may forgive you, but I never can;" and left the room in great emotion.[l] From that moment her spirit sunk entirely; she could scarce taste food; she refused all the medicines prescribed by her physicians; declaring that she wished to die, and would live no longer. No entreaty could prevail on her to go to bed; she sat on cushions, during ten days and nights, pensive and silent, holding her finger almost continually in her mouth, with her eyes open, and fixed on the ground. The only thing to which she seemed to give any attention, was the acts of devotion performed in her apartment by the archbishop of Canterbury; and in these she joined with great appearance of fervour. Wasted, at last, as well by anguish of mind as by long abstinence, she expired, without a struggle, on Thursday the twenty-fourth day of March, in the seventieth year of her age, and in the forty-fifth of her reign.[m]

Her character.

Foreigners often accuse the English of indifference and disrespect towards their princes; but without reason. No people are more grateful than they to those monarchs who merit their gratitude. The names of Edward III. and Henry V. are mentioned by the English of this age with the same warmth as they were by those who shared in the blessings and splendour of their reigns. The memory of Elizabeth is still adored in England. The historians of that kingdom, after celebrating her love of her people; her sagacity in discerning their true interest; her steadiness in pursuing it; her wisdom in the choice of her ministers; the glory she acquired by arms; the tranquillity she secured to her subjects; and the increase of fame, of riches, and of commerce, which were the fruits of all these; justly rank her among the most illustrious princes. Even the defects in her character, they observe, were not of a kind pernicious to her people. Her excessive frugality was not accompanied with the love of hoarding; and, though it prevented some great undertakings, and rendered the success of others incomplete, it introduced economy into her administration, and exempted the nation from many burdens, which a monarch, more profuse or more enterprising, must have imposed. Her slowness in rewarding her servants sometimes discouraged useful merit; but it prevented the undeserving from acquiring power and wealth to which they had no title. Her extreme jealousy of those princes who pretended to dispute her right to the crown, led her to take such precautions, as tended no less to the public safety than to her own; and to court the affections of her people, as the firmest support of her throne. Such is the picture which the English draw of this great queen.

Whoever undertakes to write the history of Scotland, finds himself obliged, frequently, to view her in a very different, and in a less amiable, light. Her authority in that kingdom, during the greater part of her reign, was little inferior to that which she possessed in her own. But this authority, acquired at first by a service of great importance to the nation, she exercised in a manner extremely pernicious to its happiness. By her industry in fomenting the rage of the two contending factions; by supplying the one with partial aid; by feeding the other with

k Birch. Mem. ii. 505.

l This anecdote concerning Elizabeth was first published by Osborne, Mem. of Eliz. p. 23. is confirmed by the testimony of De Maurier, Mem. 260. and by the traditional evidence of lady Elizabeth Spelman, published by Dr. Birch, Negoc. 106. Camden mentions the queen's grief for Essex's death as one of the causes of her melancholy. Some original papers remain, which prove that this was commonly believed at the time. Birch. Mem. ii. 506. Essex, however, had been beheaded two years before her death, and there seems to have been no other reason, but that which we have assigned, why her sorrows should revive with so much violence at so great a distance of time. As the death of the countess of Nottingham happened about a fortnight before the queen's death, the coincidence of these events, together with the other evidence mentioned, adds so much probability to the story related by Osborne, as will entitle it to a place in history. The only objection to the account we have given of Elizabeth's attachment to Essex, arises from her great age. At the age of 68, the amorous passions are commonly abundantly cool, and the violence of all the passions, except one, is much abated. But the force of this objection is entirely removed by an author who has illustrated many passages in the English History, and adorned more. Catalogue of Royal and Noble Authors, Article *Esser*.

m Camd. Birch. Mem. ii. 506. Birch. Negoc. 206. Strype, iv. 373.

false hopes; by balancing their powers so artfully, that each of them was able to distress, and neither of them to subdue, the other; she rendered Scotland long the seat of discord, confusion, and bloodshed; and her craft and intrigues, effecting what the valour of her ancestors could not accomplish, reduced that kingdom to a state of dependence on England. The maxims of policy, often little consonant to those of morality, may, perhaps, justify this conduct. But no apology can be offered for her behaviour to queen Mary; a scene of dissimulation without necessity, and of severity beyond example. In almost all her other actions, Elizabeth is the object of our highest admiration; in this we must allow that she not only laid aside the magnanimity which became a queen, but the feelings natural to a woman.

James proclaimed king of England.

Though Elizabeth would never permit the question concerning the right of succession to the crown to be determined in parliament; nor declare her own sentiments concerning a point which she wished to remain an impenetrable mystery; she had, however, formed no design of excluding the Scottish king from an inheritance to which his title was undoubted. A short time before her death, she broke the silence which she had so long preserved on that subject, and told Cecil and the lord Admiral, "That her throne was the throne of kings; that she would have no mean person to ascend it, and that her cousin the king of Scots should be her successor." This she confirmed on her death-bed. As soon as she breathed her last, the lords of the privy-council proclaimed James king of England. All the intrigues carried on by foreigners in favour of the infanta, all the cabals formed within the kingdom to support the titles of lady Arabella and the earl of Hartford, disappeared in a moment; the nobles and people, forgetting their ancient hostilities with Scotland, and their aversion for the dominion of strangers, testified their satisfaction with louder acclamations than were usual at the accession of their native princes. Amidst this tumult of joy, a motion made by a few patriots, who proposed to prescribe some conditions to the successor, and to exact from him the redress of some grievances, before they called him to the throne, was scarcely heard; and Cecil, by stifling it, added to his stock of merit with his new master. Sir Charles Percy, brother of the earl of Northumberland, and Thomas Somerset, the earl of Worcester's son, were despatched to Scotland with a letter to the king, signed by all the peers and privy-counsellors then in London, informing him of the queen's death, of his accession to the throne, of their care to recognize his title, and of the universal applause with which the public proclamation of it had been attended. They made the utmost haste to deliver this welcome message; but were prevented by the zeal of sir Robert Carey, lord Hunsdon's youngest son, who setting out a few hours after Elizabeth's death, arrived at Edinburgh on Saturday night, just as the king had gone to bed. He was immediately admitted into the royal apartment, and kneeling by the king's bed, acquainted him with the death of Elizabeth, saluted him king of England, Scotland, France, and Ireland; and as a token of the truth of the intelligence which he brought, presented him a ring, which his sister lady Scrope had taken from the queen's finger after her death. James heard him with a decent composure. But as Carey was only a private messenger, the information which he brought was not made public, and the king kept his apartment till the arrival of Percy and Somerset. Then his titles were solemnly proclaimed; and his own subjects expressed no less joy than the English at this increase of his dignity. As his presence was absolutely necessary in England, where the people were extremely impatient to see their new sovereign, he prepared to set out for that kingdom without delay. He appointed his queen to follow him within a few weeks. He committed the government of Scotland to his privy-council. He intrusted the care of his children to different noblemen. On the Sunday before his departure he repaired to the church of St. Giles, and after hearing a sermon, in which the preacher displayed the greatness of the divine goodness in raising him to the throne of such a powerful kingdom without opposition or bloodshed, and exhorted him to express his gratitude, by promoting to the utmost the happiness and prosperity of his subjects; the king rose up, and addressing himself to the people, made many professions of unalterable affection towards them; promised to visit Scotland frequently; assured them that his Scottish subjects, notwithstanding his absence, should feel that he was their native prince, no less than when he resided among them; and might still trust that his ears should be always open to their petitions, which he would answer with the alacrity and love of a parent. His words were often interrupted by the tears of the whole audience; who, though they exulted at the king's prosperity, were melted into sorrow by these tender declarations.[n]

Takes possession of the throne.

On the fifth of April he began his journey, with a splendid but not a numerous train; and next day he entered Berwick. Wherever he came, immense multitudes were assembled to welcome him; and the principal persons in the different counties through which he passed, displayed all their wealth and magnificence in entertainments prepared for him at their houses. Elizabeth had reigned so long in England, that most of her subjects remembered no other court but hers, and their notions of the manners and decorums suitable to a prince were formed upon what they had observed there. It was natural to apply this standard to the behaviour and actions of their new monarch, and to compare him, at first sight, with the queen on whose throne he was to be placed. James, whose manners were extremely different from hers, suffered by the comparison. He had

n Spotsw. 476.

not that flowing affability by which Elizabeth captivated the hearts of her people; and, though easy among a few whom he loved, his indolence could not bear the fatigue of rendering himself agreeable to a mixed multitude. He was no less a stranger to that dignity with which Elizabeth tempered her familiarity. And, instead of that well-judged frugality with which she conferred titles of honour, he bestowed them with an undistinguishing profusion, that rendered them no longer marks of distinction, or rewards of merit. But these were the reflections of the few alone; the multitude continued their acclamations; and, amidst these, James entered London on the 7th of May, and took peaceable possession of the throne of England.

Conclusion.

Thus were united two kingdoms, divided from the earliest accounts of time, but destined, by their situation, to form one great monarchy. By this junction of its whole native force, Great Britain hath risen to an eminence and authority in Europe, which England and Scotland, while separate, could never have attained.

A view of the revolutions in the constitution of Scotland since the accession of James VI.

The Scots had so long considered their monarchs as next heir to the English throne, that they had full leisure to reflect on all the consequences of their being advanced to that dignity. But, dazzled with the glory of giving a sovereign to their powerful enemy, relying on the partiality of their native prince, and in full expectation of sharing liberally in the wealth and honours which he would now be able to bestow, they attended little to the most obvious consequences of that great event, and rejoiced at his accession to the throne of England, as if it had been no less beneficial to the kingdom than honourable to the king. They soon had reason, however, to adopt very different sentiments; and from that period we may date a total alteration in the political constitution of Scotland.

The feudal aristocracy, which had been subverted in most nations of Europe by the policy of their princes, or had been undermined by the progress of commerce, still subsisted with full force in Scotland. Many causes had contributed gradually to augment the power of the Scottish nobles: and even the reformation, which, in every other country where it prevailed, added to the authority of the monarch, had increased their wealth and influence. A king possessed of a small revenue, with a prerogative extremely limited, and unsupported by a standing army, could not exercise much authority over such potent subjects. He was obliged to govern by expedients; and the laws derived their force, not from his power to execute them, but from the voluntary submission of the nobles. But though this produced a species of government extremely feeble and irregular; though Scotland, under the name and with all the outward ensigns of a monarchy, was really subject to an aristocracy, the people were not altogether unhappy; and, even in this wild form of a constitution, there were principles which tended to their security and advantage. The king, checked and overawed by the nobles, durst venture upon no act of arbitrary power. The nobles, jealous of the king, whose claims and pretensions were many, though his power was small, were afraid of irritating their dependants by unreasonable exactions, and tempered the rigour of aristocratical tyranny, with a mildness and equality to which it is naturally a stranger. As long as the military genius of the feudal government remained in vigour, the vassals both of the crown and of the barons were generally not only free from oppression, but were courted by their superiors, whose power and importance were founded on their attachment and love.

But, by his accession to the throne of England, James acquired such an immense accession of wealth, of power, and of splendour, that the nobles, astonished and intimidated, thought it vain to struggle for privileges which they were now unable to defend. Nor was it from fear alone that they submitted to the yoke; James, partial to his countrymen, and willing that they should partake in his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power, in taming their fierce and independent spirits. The will of the prince became the supreme law in Scotland; and the nobles strove, with emulation, who should most implicitly obey commands which they had formerly been accustomed to contemn. Satisfied with having subjected the nobles to the crown, the king left them in full possession of their ancient jurisdiction over their own vassals. The extensive rights vested in a feudal chief, became in their hands dreadful instruments of oppression, and the military ideas on which these rights were founded, being gradually lost or disregarded, nothing remained to correct or to mitigate the rigour with which they were exercised. The nobles, exhausting their fortunes by the expense of frequent attendance upon the English court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, multiplied exactions upon the people, who durst hardly utter complaints which they knew would never reach the ear of their sovereign, nor move him to grant them any redress. From the union of the crowns to the revolution in 1688, Scotland was placed in a political situation of all others the most singular and the most unhappy; subjected at once to the absolute will of a monarch, and to the oppressive jurisdiction of an aristocracy, it suffered all the miseries peculiar to both these forms of government. Its kings were despotic; its nobles were slaves and tyrants; and the people groaned under the rigorous domination of both.

During this period, the nobles, it is true, made one effort to shake off the yoke, and to regain their ancient independence. After the death of James, the Scottish nation was no longer viewed by our monarchs with any partial affection. Charles I.

educated among the English, discovered no peculiar attachment to the kingdom of which he was a native. The nobles, perceiving the sceptre to be now in hands less friendly, and swayed by a prince with whom they had little connexion, and over whose councils they had little influence, no longer submitted with the same implicit obedience. Provoked by some encroachments of the king on their order, and apprehensive of others, the remains of their ancient spirit began to appear. They complained and remonstrated. The people being at the same time violently disgusted at the innovations in religion, the nobles secretly heightened this disgust; and their artifices, together with the ill conduct of the court, raised such a spirit, that the whole nation took arms against their sovereign, with an union and animosity of which there had formerly been no example. Charles brought against them the forces of England, and, notwithstanding their own union, and the zeal of the people, the nobles must have sunk in the struggle. But the disaffection which was growing among his English subjects prevented the king from acting with vigour. A civil war broke out in both kingdoms; and after many battles and revolutions, which are well known, the Scottish nobles, who first began the war, were involved in the same ruin with the throne. At the restoration, Charles II. regained full possession of the royal prerogative in Scotland; and the nobles, whose estates were wasted, or their spirit broken, by the calamities to which they had been exposed, were less able and less willing than ever to resist the power of the crown. During his reign, and that of James VII., the dictates of the monarch were received in Scotland with the most abject submission. The poverty to which many of the nobles were reduced, rendered them meaner slaves and more intolerable tyrants than ever. The people, always neglected, were now odious, and loaded with every injury, on account of their attachment to religious and political principles, extremely repugnant to those adopted by their princes.

The revolution introduced other maxims into the government of Scotland. To increase the authority of the prince, or to secure the privileges of the nobles, had hitherto been almost the sole object of our laws. The rights of the people were hardly ever mentioned, were disregarded or unknown. Attention began, henceforward, to be paid to the welfare of the people. By the *claim of right*, their liberties were secured; and the number of their representatives being increased, they gradually acquired new weight and consideration in parliament. As they came to enjoy more security, and greater power, their minds began to open, and to form more extensive plans of commerce, of industry, and of police. But the aristocratical spirit, which still predominated, together with many other accidents, retarded the improvement and happiness of the nation.

Another great event completed what the revolution had begun. The political power of the nobles, already broken by the union of the two crowns, was almost annihilated by the union of the two kingdoms. Instead of making a part, as formerly, of the supreme assembly of the nation, instead of bearing the most considerable sway there, the peers of Scotland are admitted into the British parliament by their representatives only, and form but an inconsiderable part of one of those bodies in which the legislative authority is vested. They themselves are excluded absolutely from the House of Commons, and even their eldest sons are not permitted to represent their countrymen in that august assembly. Nor have their feudal privileges remained, to compensate for this extinction of their political authority. As commerce advanced in its progress, and government attained nearer to perfection, these were insensibly circumscribed, and at last, by laws no less salutary to the public than fatal to the nobles, they have been almost totally abolished. As the nobles were deprived of power, the people acquired liberty. Exempted from burdens to which they were formerly subject, screened from oppression to which they had been long exposed, and adopted into a constitution, whose genius and laws were more liberal than their own, they have extended their commerce, refined their manners, made improvements in the elegances of life, and cultivated the arts and sciences.

This survey of the political state of Scotland, in which events and their causes have been mentioned rather than developed, enables us to point out three eras, from each of which we may date some great alteration in one or other of the three different members of which the supreme legislative assembly in our constitution is composed. At their accession to the throne of England, the kings of Scotland, once the most limited, became, in an instant, the most absolute, princes in Europe, and exercised a despotic authority, which their parliaments were unable to control, or their nobles to resist. At the *union* of the two kingdoms, the feudal aristocracy, which had subsisted so many ages, and with power so exorbitant, was overturned, and the Scottish nobles, having surrendered rights and pre-eminences peculiar to their order, reduced themselves to a condition which is no longer the terror and envy of other subjects. *Since the union*, the commons, anciently neglected by their kings, and seldom courted by the nobles, have emerged into dignity; and, being admitted to a participation of all the privileges which the English had purchased at the expense of so much blood, must now be deemed a body not less considerable in the one kingdom, than they have long been in the other.

The church felt the effects of the absolute power which the king acquired by his accession; and its revolutions, too, are worthy of notice. James, during the latter years of his administration in Scotland, had revived the name and office of bishops. But they possessed no ecclesiastical jurisdiction or

pre-eminence; their revenues were inconsiderable, and they were searcely distinguished by any thing but by their seat in parliament, and by being the object of the elergy's jealousy, and the people's hatred. The king, delighted with the splendour and authority which the English bishops enjoyed, and eager to effect an union in the ecclesiastieal policy, which he had, in vain, attempted in the civil government of the two kingdoms, resolved to bring both churches to an exaet conformity with each other. Three Seotsmen were consecrated bishops at London. From them their brethren were commanded to reccive orders. Ceremonies unknown in Scotland were imposed; and though the clergy, less obsequious than the nobles, boldly opposed these innovations, James, long practised and well skilled in the arts of managing them, obtained at length their compliance. But Charles I. a superstitious prince, unacquainted with the genius of the Scots, imprudent and preeipitant in all the measures he pursued in that kingdom, pressing too eagerly the reeeption of the English liturgy, and indiscreetly attempting a resumption of ehurch lands, kindled the flames of civil war; and the people being left at liberty to indulge their own wishes, the episeopal chureh was overturned, and the presbyterian government and discipline were re-established with new vigour. Together with monarehy, episcopacy was restored in Scotland. A form of govcrnment so odious to the people, required force to uphold it; and though not only the whole rigour of authority, but all the barbarity of persecution, were employed in its support, the aversion of the nation was insurmountable, and it subsisted with diffieulty. At the revolution, the inclinations of the people were thought worthy the attention of the legislature, the presbyterian government was again established, and, being ratified by the union, is still maintained in the kingdom.

Nor did the influence of the aceession extend to the eivil and ecclesiastical eonstitutions alone; the genius of the nation, its taste and spirit, things of a nature still more delicate, were sensibly affected by that event. When learning revived in the fifteenth and sixteenth centuries, all the modern languages were in a state extremely barbarous, devoid of eleganee, of vigour, and even of perspicuity. No author thought of writing in language so ill adapted to express and embellish his sentiments, or of erecting a work for immortality with such rude and perishable materials. As the spirit which prevailed at that time did not owe its rise to any original effort of the human mind, but was excited ehiefly by admiration of the ancients, whieh began then to be studied with attention in every part of Europe, their compositions were deemed not only the standards of taste and of sentiment but of style; and even the languages in whieh they wrote were thought to be peeuliar, and almost conseerated to learning and the muses. Not only the manner of the aneients was imitated, but their language was adopted; and, extravagant as the attempt may appear to write in a dead tongue, in which men were not aceustomed to think, and whieh they eould not speak, or even pronounee, the success of it was astonishing. As they formed their style upon the purest models; as they were uninfected with those barbarisms, whieh the inaccuracy of familiar conversation, the affeetation of courts, intercourse with strangers, and a thousand other causes, introduce into living languages; many moderns have attained to a degree of clegancc in their Latin compositions, which the Romans themselves scarcely possessed beyond thc limits of the Augustan age. While this was almost thc only species of composition, and all authors, by using onc common language, could be brought to a nearer comparison, the Seottish writers were not inferior to those of any other nation. Thc happy genius of Buchanan, equally formed to excel in prose and in verse, more various, more original, and more elegant, than that of almost any other modern who writes in Latin, refleets, with regard to this partieular, the greatest lustre on his country.

But the labour attending thc study of a dead tongue was irksome; the unequal return for their industry which authors met with, who eould be read and admired only within the narrow circle of the lcarned, was mortifying; and men, instead of wasting half their lives in learning the language of the Romans, began to refine and to polish their own. The modern tongues were found to be susceptible of beauties and graces, which, if not equal to those of the ancient ones, were at least more attainable. Thc Italians having first set the examplc, Latin was no longer used in works of taste; it was confined to books of science; and the politer nations have banished it even from these. The Scots, we may presume, would have had no eausc to regret this change in the publie taste, and would still have been able to maintain some equality with other nations, in their pursuit of literary honour. Thc English and Scottish languages, derived from the same sources, were, at the end of the sixteenth century, in a state nearly similar, differing from one another somewhat in orthography, though not only the words, but the idioms, were much the same. The letters of several Seottish statesmen of that age are not inferior in elegance, or in purity, to those of the English ministers with whom they eorresponded. James himself was master of a style far from contemptible; and by his example and eneouragement, the Scottish language might have kept pace with the English in refinement. Seotland might have had a serics of authors in its own, as well as in the Latin language, to boast of; and the improvements in taste, in the arts, and in the sciences, which spread over the other polished nations of Europe, would not have been unknown there.

But, at the very time when other nations were beginning to drop the use of Latin in works of taste, and to make trial of the strength and eompass of their own languages, Seotland eeased to be a king-

dom. The transports of joy which the accession at first occasioned, were soon over; and the Scots, being at once deprived of all the objects that refine or animate a people; of the presence of their prince, of the concourse of nobles, of the splendour and elegance of a court, an universal dejection of spirit seems to have seized the nation. The court being withdrawn, no domestic standard of propriety and correctness of speech remained; the few compositions that Scotland produced were tried by the English standard, and every word or phrase that varied in the least from that, was condemned as barbarous; whereas, if the two nations had continued distinct, each might have retained idioms and forms of speech peculiar to itself; and these, rendered fashionable by the example of a court, and supported by the authority of writers of reputation, might have been viewed in the same light with the varieties occasioned by the different dialects in the Greek tongue; they even might have been considered as beauties, and in many cases might have been used promiscuously by the authors of both nations. But, by the accession, the English naturally became the sole judges and lawgivers in language, and rejected as solecisms every form of speech to which their ear was not accustomed. Nor did the Scots, while the intercourse between the two nations was inconsiderable,° and ancient prejudices were still so violent as to prevent imitation, possess the means of refining their own tongue according to the purity of the English standard. On the contrary, new corruptions flowed into it from every different source. The clergy of Scotland, in that age, were more eminent for piety than for learning; and though there did not arise many authors among them, yet being in possession of the privilege of discoursing publicly to the people, and their sermons being too long, and perhaps too frequent, such hasty productions could not be elegant, and many slovenly and incorrect modes of expression may be traced back to that original. The pleadings of lawyers were equally loose and inaccurate, and that profession having furnished more authors, and the matters of which they treat mingling daily in common discourse and business, many of those vicious forms of speech which are denominated *Scotticisms*, have been introduced by them into the language. Nor did either the language or public taste receive any improvement in parliament, where a more liberal and more correct eloquence might have been expected. All business was transacted there by the lords of articles, and they were so servilely devoted to the court, that few debates arose, and, prior to the revolution, none were conducted with the spirit and vigour natural to a popular assembly.

Thus, during the whole seventeenth century, the English were gradually refining their language and their taste; in Scotland, the former was much debased, and the latter almost entirely lost. In the beginning of that period, both nations were emerging out of barbarity; but the distance between them, which was then inconsiderable, became, before the end of it, immense. Even after science had once dawned upon them, the Scots seemed to be sinking back into ignorance and obscurity; and active and intelligent as they naturally are, they continued, while other nations were eager in the pursuit of fame and knowledge, in a state of languor. This, however, must be imputed to the unhappiness of their political situation, not to any defect of genius; for no sooner was the one removed in any degree, than the other began to display itself. The act abolishing the power of the lords of articles, and other salutary laws passed at the revolution, having introduced freedom of debate into the Scottish parliament, eloquence, with all the arts that accompany or perfect it, became immediate objects of attention; and the example of Fletcher of Salton alone is sufficient to show that the Scots were still capable of generous sentiments, and, notwithstanding some peculiar idioms, were able to express themselves with energy and with elegance.

At length the union having incorporated the two nations, and rendered them one people, the distinctions which had subsisted for many ages gradually wear away; peculiarities disappear; the same manners prevail in both parts of the island; the same authors are read and admired; the same entertainments are frequented by the elegant and polite; and the same standard of taste and of purity in language is established. The Scots, after being placed, during a whole century, in a situation no less fatal to the liberty than to the taste and genius of the nation, were at once put in possession of privileges more valuable than those which their ancestors had formerly enjoyed; and every obstruction that had retarded their pursuit, or prevented their acquisition, of literary fame, was totally removed.

o A remarkable proof of the little intercourse between the English and Scots before the union of the crowns, is to be found in two curious papers, one published by Haynes, the other by Strype. In the year 1567, Elizabeth commanded the bishop of London to take a survey of all the strangers within the cities of London and Westminster. By this report, which is very minute, it appears that the whole number of Scots at that time was 58. Haynes, 455. A survey of the same kind was made by sir Thomas Row, lord Mayor, A. D. 1568. The number of Scots had then increased to 88. Strype, iv. Supplement, No. I. On the accession of James, a considerable number of Scots, especially of the higher rank, resorted to England; but it was not till the Union that the intercourse between the two kingdoms became great.

A

CRITICAL DISSERTATION

CONCERNING

THE MURDER OF KING HENRY, AND THE GENUINENESS OF THE QUEEN'S LETTERS TO BOTHWELL.

It is not my intention to engage in all the controversies to which the murder of King Henry, or the letters from queen Mary to Bothwell, have given rise; far less to appear as an adversary to any particular author, who hath treated of them. To repeat and to expose all the ill-founded assertions, with regard to these points, which have flowed from inattention, from prejudice, from partiality, from malevolence, and from dishonesty, would be no less irksome to myself, than unacceptable to most of my readers. All I propose is, to assist others in forming some judgment concerning the facts in dispute, by stating the proofs produced on each side, with as much brevity as the case will admit, and with the same attention and impartiality, which I have endeavoured to exercise in examining other controverted points in the Scottish history.

In order to account for the king's murder, two different systems have been formed. The one supposes Bothwell to have contrived and executed this crime. The other imputes it to the earls of Murray, Morton, and their party.

The decision of many controverted facts in history, is a matter rather of curiosity than of use. They stand detached; and whatever we determine with regard to them, the fabric of the story remains untouched. But the fact under dispute in this place is a fundamental and essential one, and according to the opinion which an historian adopts with regard to it, he must vary and dispose the whole of his subsequent narration. An historical system may be tried in two different ways,—whether it be consistent with probability, and whether it be supported by proper evidence.

Those who charge the king's murder upon Bothwell, argue in the following manner; and, though their reasonings have been mentioned already in different parts of the narrative, it is necessary to repeat them here. Mary's love for Darnley, say they, was a sudden and youthful passion. The beauty of his person, set off by some external frivolous accomplishments, was his chief merit, and gained her affections. His capricious temper soon raised in the queen a disgust, which broke out on different occasions. His engaging in the conspiracy against Rizzio, converted this disgust into an antipathy, which she was at no pains to conceal. This breach was, perhaps, in its own nature irreparable; the king certainly wanted that art and condescension which alone could have repaired it. It widened every day, and a deep and settled hatred effaced all remains of affection. Bothwell observed this, and was prompted by ambition, and perhaps by love, to found upon it a scheme, which proved fatal both to the queen and to himself. He had served Mary at different times with fidelity and success. He insinuated himself into her favour by address and by flattery. By degrees he gained her heart. In order to gratify his love, or at least his ambition, it was necessary to get rid of the king. Mary had rejected the proposal which, it is said, had been made to her for obtaining a divorce. The king was equally hated by the partisans of the house of Hamilton, a considerable party in the kingdom; by Murray, one of the most powerful and popular persons in his country; by Morton and his associates, whom he had deceived, and whom Bothwell had bound to his interest by a recent favour. Among the people, Darnley was fallen under extreme contempt. Bothwell might expect, for all these reasons, that the murder of the king would pass without any inquiry, and might trust to Mary's love, and to his own address and good fortune, for the accomplishment of the rest of his wishes. What Bothwell expected really came to pass. Mary, if not privy herself to the design, connived at an action which rid her of a man whom she had such good reason to detest. A few months after the murder of her husband, she married the person who was both suspected and accused of having perpetrated that odious crime.

Those who charge the guilt upon Murray and his party, reason in this manner: Murray, they say, was a man of boundless ambition. Notwithstanding the illegitimacy of his birth, he had early formed a design of usurping the crown. On the queen's

return into Scotland, he insinuated himself into her favour, and engrossed the whole power into his own hands. He set himself against every proposal of marriage which was made to her, lest his own chance of succeeding to the crown should be destroyed. He hated Darnley, and was no less hated by him. In order to be revenged on him, he entered into a sudden friendship with Bothwell, his ancient and mortal enemy. He encouraged him to assassinate Henry, by giving him hopes of marrying the queen. All this was done with a design to throw upon the queen herself the imputation of being accessory to the murder, and, under that pretext, to destroy Bothwell, to depose and imprison her, and to seize the sceptre which he had wrested out of her hands.

The former of these systems has an air of probability, is consistent with itself, and solves appearances. In the latter, some assertions are false, some links are wanting in the chain, and effects appear, of which no sufficient cause is produced. Murray, on the queen's return into Scotland, served her with great fidelity, and by his prudent administration rendered her so popular, and so powerful, as enabled her with ease to quash a formidable insurrection raised by the party of which he was the leader in the year 1565. What motive could induce Murray to murder a prince without capacity, without followers, without influence over the nobles, whom the queen, by her neglect, had reduced to the lowest state of contempt, and who, after a long disgrace, had regained (according to the most favourable supposition) the precarious possession of her favour only a few days before his death? It is difficult to conceive what Murray had to fear from the king's life. It is still a more difficult matter to guess what he could gain by his death. If we suppose that the queen had no previous attachment to Bothwell, nothing can appear more chimerical than a scheme to persuade her to marry a man, whose wife was still alive, and who was not only suspected, but accused, of murdering her former husband. But that such a scheme should really succeed is still more extraordinary.—If Murray had instigated Bothwell to commit the crime, or had himself been accessory to the commission of it, what hopes were there that Bothwell would silently bear from a fellow-criminal all the prosecutions which he suffered, without ever retorting upon him the accusation, or revealing the whole scene of iniquity? An ancient and deadly feud had subsisted between Murray and Bothwell; the queen with difficulty had brought them to some terms of agreement. But, is it probable that Murray would choose an enemy, to whom he had been so lately reconciled, for his confident in the commission of such an atrocious crime? Or, on the other hand, would it ever enter into the imagination of a wise man, first to raise his rival to supreme power, in hopes that afterwards he might render him odious, by accusing him of crimes which he had not committed, and, in consequence of this unjust charge, should be enabled to deprive him of that power? The most adventurous politician never hazarded such a dangerous experiment. The most credulous folly never trusted such an uncertain chance.

How strong soever these general reasonings may appear to be, it is not upon them alone that we must decide, but according to the particular evidence that is produced. This we now proceed to examine.

That Bothwell was guilty of the king's murder, appears, 1. From the concurring testimony of all the contemporary historians. 2. From the confession of those persons who suffered for assisting at the commission of the crime, and who entered into a minute detail of all its circumstances. Anders. ii. 165. 3. From the acknowledgment of Mary's own commissioners, who allow Bothwell to have been one of those who were guilty of this crime. Good. ii. 213. 4. From the express testimony of Lesley, bishop of Ross, to the same effect with the former. Def. of Q. Mary's Hon. Anders. i. 76. Id. iii. p. 31. 5. Morton, at his death, declared that Bothwell had solicited him, at different times, to concur in the conspiracy formed against the life of the king; and that he was informed by Archibald Douglas, one of the conspirators, that Bothwell was present at the murder. Crawf. Mem. App. 4. The letter from Douglas to the Queen, which I have published in the Appendix, No. XLVII. confirms Morton's testimony. 6. Lord Herries promises, in his own name, and in the name of the nobles who adhered to the queen, that they would concur in punishing Bothwell as the murderer of the king. Append. No. XXIV.

The most direct charge ever brought against Murray is in these words of bishop Lesley: "Is it unknown," addressing himself to the earl of Murray, "what the Lord Herries said to your face openly, even at your own table, a few days after the murder was committed? Did he not charge you with the foreknowledge of the same murder? Did he not, *nulla circuitione usus*, flatly and plainly burden you, that riding in Fife, and coming with one of your most assured and trusty servants the same day whereon you departed from Edinburgh, you said to him, among other talk, This night, ere morning, Lord Darnley shall lose his life?" Defence of Q. Mary, Anders. ii. 75. But the assertion of a man so heated with faction as Lesley, unless it were supported by proper evidence, is of little weight. The servant to whom Murray is said to have spoken these words, is not named; nor the manner in which this secret conversation was brought to light mentioned. Lord Herries was one of the most zealous advocates for Mary, and it is remarkable that, in all his negociation at the court of England, he never once repeated this accusation of Murray. In answering the challenge given him by lord Lindsay, Herries had a fair opportunity of mentioning Murray's knowledge of the murder; but, though he openly accuses of that crime some of those who adhered to Murray, he

industriously avoids any insinuation against Murray himself. Keith, Pref. xii. Mary herself, in conversation with sir Francis Knolles, accused Morton and Maitland of being privy to the murder, but does not mention Murray. And. iv. 55. When the bishop of Ross and lord Herries appeared before the English council, January 11, 1569, they declared themselves ready, in obedience to the queen's command, to accuse Murray and his associates of being accessory to the murder, but " they being also required, whether they, or any of them, as of themselves, would accuse the said earl in special, or any of his adherents, or thought them guilty thereof;" they answered, " that they took God to witness that none of them did ever know any thing of the conspiracy of that murder, or were in council and foreknowledge thereof; neither who were devisors, inventors, and executors of the same, till it was publicly discovered long thereafter by some of the assassins, who suffered death on that account." Good. ii. 308. These words are taken out of a register kept by Ross and Herries themselves, and seem to be a direct confutation of the bishop's assertion.

The earls of Huntley and Argyll, in their *protestation touching the murder of the king of Scots*, after mentioning the conference at Craigmillar concerning a divorce, add, " So after these premises, the murder of the king following, we judge in our consciences, and hold for certain and truth, that the earl of Murray and secretary Lethington were authors, inventors, counsellors, and causers of the same murder, in what manner, or by whatsoever persons, the same was executed." Anders. iv. 188. But, 1. This is nothing more than the private opinion or personal affirmation of these two noblemen. 2. The conclusion which they make has no connexion with the premises on which they found it. Because Murray proposed to obtain for the queen a divorce from her husband with her own consent, it does not follow that therefore he committed the murder without her knowledge. 3. Huntley and Argyll were at that time the leaders of that party opposite to Murray, and animated with all the rage of faction. 4. Both of them were Murray's personal enemies. Huntley, on account of the treatment which his family and clan had received from that nobleman. Argyll was desirous of being divorced from his wife, with whom he lived on no good terms, Knox, 328. and by whom he had no children. Crawf. Peer. 19. She was Murray's sister, and by his interest Argyll's design was obstructed. Keith, 551. These circumstances would go far towards invalidating a positive testimony; they more than counterbalance an indeterminate suspicion. 5. It is altogether uncertain whether Huntley and Argyll ever subscribed this protestation. A copy of such a protestation as the queen thought would be of advantage to her cause, was transmitted to them by her. Anders. iv. b. ii. 186. The protestation itself, published by Anderson, is taken from an unsubscribed copy, with blanks for the date and place of subscribing. On the back of this copy there is pasted, indeed, a paper, which Cecil has marked, " answer of the earl of Murray to a writing of the earls of Huntley and Argyll." Anders. 194, 195. But it can hardly be deemed a reply to the above-mentioned protestation. Murray's answer bears date at London, Jan. 19, 1568. The queen's letter, in which she enclosed the copy of the protestation, bears date at Bowton, Jan. 5, 1568. Now it is scarce to be supposed that the copy could be sent into Scotland, be subscribed by the two earls, and be seen and answered by Murray, within so short a time. Murray's reply seems intended only to prevent the impression which the vague and uncertain accusations of his enemies might make in his absence. Cecil had got the original of the queen's letter into his custody. Anders. iv. 185. This naturally leads us to conjecture that the letter itself, together with the enclosed protestation, were intercepted before they came to the hands of Huntley and Argyll. Nor is this mere conjecture alone. The letter to Huntley, in which the protestation was enclosed, is to be found; Cott. Lib. Cal. C. 1. fol. 280; and is an original, subscribed by Mary, though not written by her own hand, because she seldom chose to write in the English language. The protestation is in the same volume, fol. 282., and is manifestly written by the same person who wrote the queen's letter. This seems to render it highly probable that both were intercepted. So that much has been founded on a paper not subscribed by the two earls, and probably never seen by them. Besides, this method which the queen took of sending a copy to the two earls, of what was proper for them to declare with regard to a conference held in their own presence, appears somewhat suspicious. It would have been more natural, and not so liable to any misinterpretation, to have desired them to write the most exact account, which they could recollect, of what had passed at the conversation at Craigmillar. 6. But even if all this reasoning should be set aside, and the authenticity of the *protestation* should be admitted in its fullest extent, it may still be a question, what degree of credit should be given to the assertion of the two earls, who were not only present in the first parliament held by Murray as regent in December 1567, in which the one carried the sceptre, and the other the sword of state, Spotsw. 241. but were both members of the committee of lords of articles, and in that capacity assisted in framing all the acts by which the queen was deprived of the crown, and her son seated on the throne; and in particular concurred in the act by which it was declared, that whatever had befallen the queen " was in her awin default, in sa far as, be divers hir previe letters written halelie with hir awin hand, and send by hir to James sometyme earle of Bothwell, cheif executour of the said horribill murthour, as weill befoir the committing thairof as thairaftir: And be hir ungodlie and dishonourabill proceeding to ane pretendit marriage with him, suddainlie and unpro-

visitlie thairaftir, it is maist certane that sche was previe, airt and pairt, of the actual devise and deid of the foirnamit murthour of the king her lauchful husband, and thairfoir justlie deservis quhatsumever hes bene done to hir in ony tyme bygaine, or that sal be usit towards hir, for the said cause." Anders. ii. 221.

The queen's commissioners at the *conferences* in England accused Murray and his associates of having murdered the king. Good. ii. 281. But this charge is to be considered as a recrimination, extorted by the accusation preferred against the queen, and contains nothing more than loose and general affirmations, without descending to such particular circumstances as either ascertain their truth, or discover their falsehood. The same accusation is repeated by the nobles assembled at Dumbarton, Sept. 1568. Good. ii. 359. And the same observation may be made concerning it.

All the queen's advocates have endeavoured to account for Murray's murdering of the king, by supposing that it was done on purpose that he might have the pretence of disturbing the queen's administration, and thereby rendering ineffectual her general revocation of crown lands, which would have deprived him and his associates of the best part of their estates. Lesley, Def. of Mary's Hon. p. 73. Anders. iv. part ii. 130. But whoever considers the limited powers of a Scottish monarch, will see that such a revocation could not be very formidable to the nobles. Every king of Scotland began his reign with such a revocation; and as often as it was renewed, the power of the nobles rendered it ineffectual. The best vindication of Murray and his party from this accusation, is that which they presented to the queen of England, and which hath never hitherto been published.

Paper office. *Answers to the objections and alledgance of the queen, alledging the earl of Murray, lord regent, the earl of Morton, Marr, Glencairn, Hume, Ruthven, &c., to have been moved to armour, for that they abhorred and might not abide her revocation of the alienation made of her property.*

It is answered, that is, alledged but [i. e. without] all appearance, and it appears God has bereft the alledgance of all wit and good remembrance, for thir reasons following:

Imprimis, As to my lord regent, he never had occasion to grudge thereat, in respect the queen made him privy to the same, and took resolution with him for the execution thereof, letting his lordship know she would assuredly in the samine except all things she had given to him, and ratefy them in the next parliament, as she did indeed; and for that cause wished my lord to leave behind him master John Wood, to attend upon the same, to whom she declared, that als well in that as in all other her grants it should be provided, yea, of free will did promise and offer before ever he demanded, as it came to pass without any let or impediment; for all was ratified by her command, and hand write, at the parliament, but [i. e. without] any difficulty.

Item, as to my lord of Morton, he could not grudge thereat quha never had of her property worth twenty dollars that ever I knew of.

Item, the same may I say of my lord Glencairn.

Item, the same I may say of my lord Hume.

Item, the same I may say of my lord Ruthven.

Item, the same I may say of my lord Lindsay.

Only my lord of Marr had ane little thing of the property, quilk alsua was gladly and liberally confirmed to him, in the said parliament preceding a year; was never ane had any cause of miscontent of that revocation, far less to have put their lives and heritage to so open and manifest ane danger as they did for sic ane frivole cause.

Gyf ever any did make evill countenance, and show any miscontentment of the said revocation, it was my lord of Argyll in special, quha spak largely in the time of parliament thairanents to the queen herself, and did complain of the manifest corruption of ane act of parliament past upon her majesty's return, and sa did lett any revocation at that time; but the armour for revenge of the king's deid was not till twa months after, at quhat time there was no occasion given thereof, nor never a man had mind thereof.

Having thus examined the evidence which has been produced against the earls of Murray and Bothwell, we shall next proceed to inquire whether the queen herself was accessory to the murder of her husband.

No sooner was the violent death of Darnley known, than strong suspicion arose, among some of her subjects, that Mary had given her consent to the commission of that crime. Anders. ii. 156. We are informed, by her own ambassador in France, the archbishop of Glasgow, that the sentiments of foreigners on this head were no less unfavourable to her. Keith, Pref. ix. Many of her nobles loudly accused her of that crime, and a great part of the nation, by supporting them, seem to have allowed the accusation to be well founded.

Some crimes, however, are of such a nature, that they hardly admit of a positive or direct proof. Deeds of darkness can seldom be brought perfectly to light. Where persons are accused not of being *principals*, but only of being *accessories* in the commission of a crime; not of having perpetrated it themselves, but only of giving consent to the commission of it by others, the proof becomes still more difficult; and unless when some accomplice betrays the secret, a proof by circumstances, or presumptive evidence, is all that can be attained. Even in judicial trials, such evidence is sometimes held to be sufficient for condemning criminals. The degree of conviction which such evidence carries along with it, is often not inferior to that which arises from

positive testimony; and a concurring series of circumstances satisfies the understanding no less than the express declaration of witnesses.

Evidence of both these kinds has been produced against Mary. We shall first consider that which is founded upon circumstances alone.

Some of these suspicious circumstances preceded the king's death; others were subsequent to it. With regard to the former, we may observe that the queen's violent love of Darnley was soon converted into an aversion to him no less violent; and that his own ill conduct and excesses of every kind were such, that if they did not justify, at least they account for, this sudden change of her disposition towards him. The rise and progress of this domestic rupture I have traced with great care in the history, and to the proofs of it which may be found in papers published by other authors, I have added those contained in App. No. XVI. and XVII. Le Croc, the French ambassador, who was an eye-witness of what he describes, not only represents her aversion to Darnley to be extreme, but declares that there could be no hopes of a reconcilement between them. "The queen is in the hands of physicians, and I do assure you is not at all well; and do believe the principal part of her disease to consist in deep grief and sorrow; nor does it seem possible to make her forget the same. Still she repeats these words, *I could wish to be dead.* You know very well that the injury she has received is exceeding great, and her majesty will never forget it.—To speak my mind freely to you, I do not expect, upon several accounts, any good understanding between them, [i. e. the king and queen,] unless God effectually put to his hand. —His bad deportment is incurable; nor can there ever be any good expected from him, for several reasons, which I might tell you was I present with you. I cannot pretend to foretell how all may turn, but I will say, that matters cannot subsist long as they are, without being accompanied with sundry bad consequences." Keith, Pref. vii. Had Henry died a natural death at this juncture, it must have been considered as a very fortunate event to the queen, and as a seasonable deliverance from a husband who had become altogether odious to her. Now as Henry was murdered a few weeks afterwards, and as nothing had happened to render the queen's aversion to him less violent, the opinion of those who consider Mary as the author of an event which was manifestly so agreeable to her, will appear perhaps to some of our readers to be neither unnatural nor over refined. If we add to this, what has been observed in the history, that in proportion to the increase of Mary's hatred of her husband, Bothwell seems to have made progress in her favour, and that he became the object not only of her confidence but her attachment, that opinion acquires new strength. It is easy to observe many advantages which might redound to Mary as well as to Bothwell from the king's death; but excepting them, no person, and no party in the kingdom, could derive the least benefit from that event. Bothwell, accordingly, murdered the king, and it was, in that age, thought no unwarranted imputation on Mary's character, to suppose that she had consented to the deed.

Dec. 12. 1566.

Dec. 23.

The steps which the queen took after her husband's death, add strength to that supposition. 1. Melvil, who was in Edinburgh at the time of the king's death, asserts that "every body suspected the earl of Bothwell; and those who durst speak freely to others, said plainly that it was he," p. 155. 2. Mary having issued a proclamation, on the 12th of February, offering a reward to any person who should discover those who had murdered her husband, And. i. 36.; a paper in consequence of this was affixed to the gates of the Tollbooth, February 16, in which Bothwell was named as the chief person guilty of that crime, and the queen herself was accused of having given her consent to it. And. ii. 156. 3. Soon after, February 20, the earl of Lennox, the king's father, wrote to Mary, conjuring her by every motive to prosecute the murderers with the utmost rigour. He plainly declared his own suspicions of Bothwell, and pointed out a method of proceeding against him, and for discovering the authors of that crime, no less obvious than equitable. He advised her to seize, and to commit to sure custody, Bothwell himself, and such as were already named as his accomplices; to call an assembly of the nobles; to issue a proclamation, inviting Bothwell's accusers to appear; and if, on that encouragement, no person appeared to accuse them, to hold them as innocent, and to dismiss them without further trial. And. i. 40. 4. Archbishop Beatoun, her ambassador in France, in a letter to Mary, March 9th, employs arguments of the utmost weight to persuade her to prosecute the murderers with the greatest severity. "I can conclude nathing (says he) by quhat zour majesty writes to me zourself, that sen it has plesit God to conserve zow to make a rigorous vengeance thereof, that rather than it be not actually taine, it appears to me better in this warld that ze had lost life and all. I ask zour majcstie pardon, that I writ sa far, for I can heir nathing to zour prejudise, but I *man* [*must*] constraindly writ the samin, that all may come to zour knawledge; for the better remede may be put therto. Heir it is needfull that ze forth shaw now rather than ever of before, the greite vertue, magnanimitie, and constance that God has grantit zow, be quhais grace, I hope ze sall overcome this most heavy envie and displesir of the committing thereof, and conserve that reputation in all godliness, ze have conquist of lang, quhich can appear na wayis mair clearie, than that zou do *sick* [*such*] justice that the *haill* [*whole*] world may declare zour innocence, and give testimony for ever of thair treason that has committed (*but* [*without*] fear of God or man) so cruel and ungodlie a murther, quhairof there is

sa *meikle* [*much*] ill spoken, that I am constrainit to ask zow mercy, that neither can I or will I make the rehearsal thereof, which is *owr* [*too*] odious. But alas! madame, all over Europe this day, there is na purpose in head sa frequent as of zour majestie, and of the present state of zour realm, quhilk is in the most part interpretit sinisterly." Keith, Pref. ix. 5. Elizabeth, as appears from Appendix, No. XIX. urged the same thing in strong terms. 6. The circumstances of the ease itself, no less than these solicitations and remonstrances, ealled for the utmost vigour in her proceedings. Her husband had been murdered in a cruel manner, almost in her own presence. Her subjects were filled with the utmost horror at the crime. Bothwell, one of her prineipal favourites, had been publiely accused as the author of it. Reflections extremely dishonourable to herself, had been thrown out. If indignation, and the love of justice, did not prompt her to pursue the murderers with ardour, deceney, at least, and concern for vindicating her own character, should have induced her to avoid any appearance of remissness or want of zeal.

But instead of this, Mary continued to discover, in all her actions, the utmost partiality towards Bothwell. On the 15th of February, five days after the murder, she bestowed on him the reversion of the superiority of the town of Leith, which, in the year 1565, she had mortgaged to the citizens of Edinburgh. This grant was of much importance, as it gave him not only the command of the principal port in the kingdom, but a great ascendant over the citizens of Edinburgh, who wished much to keep possession of it.[a] 2. Bothwell being extremely desirous to obtain the eommand of the castle of Edinburgh, the queen, in order to prevail on the earl of Mar to surrender the govcrnmcnt of it, offered to eommit the young prince to his custody. Mar consented; and she instantly appointed Bothwell governor of the castle. And. i. Pref. 64. Keith, 379. note (*d*). 3. The inquiry into the murder, previous to Bothwell's trial, seems to have been conducted with the utmost remissness. Buchanan exclaims loudly against this. And. ii. 24. Nor was it without reason that he did so, as is evident from a circumstance in the affidavit of Thomas Nelson, one of the king's servants, who was in the house when his master was murdered, and was dug up alive out of the rubbish. Being examined on the Monday after the king's death, "This deponar schew that Bonkle had the key of the sellare, and the Queenis servandis the keyis of her shalmir. Quhilk the laird of Tillibardin hearing, said, Hald thair, here is ane ground. Efter quhilk words spokin, thai left of, and procedit na farther in the inquisition." And. iv. part ii. 167. Had there been any intention to search into the bottom of the matter, a eircumstance of so much importanee merited the most careful inquiry. 4. Notwithstanding Lennox's repeatcd solicitations, notwithstanding the reasonableness of his demands, and the necessity of complying with them, in order to encourage any aceuser to appear against Bothwell, she not only refused to eommit him to eustody, or even to remove him from her presenee and eouneils, And. i. 42. 48.; but by the grants which we have mentioned, and by other eircumstances, discovered an increase of attachment to him. 5. She could not avoid bringing Bothwell to a public trial; but she permitted him to sit as a member in that meeting of the privy-council which directed his own trial; and the trial itself was earried on with sueh unnecessary preeipitancy, and with so many other suspicious cireumstances, as to render his acquittal rather an argument of his guilt than a proof of his innocence. These circumstances have all been mentioned at length in Book IV. and therefore are not repeated in this place. 6. Two days after the trial, Mary gave a public proof of her regard for Bothwell, by appointing him to carry the sceptre before her at the meeting of parliament. Keith, 378. 7. In that parliament, she granted him a ratification of all the great possessions and honours which she had conferred upon him, in which was contained an ample enumeration of all the services he had performed. And. i. 117. 8. Though Melvil, who foresaw that her attachment to Bothwell would at length induce her to marry him, warned her of the infamy and danger which would attend that action, she not only disregarded this salutary admonition, but diseovered what had passed between them to Bothwell, which exposed Melvil to his resentment. Melv. 156. 9. Bothwell seized Mary as she returned from Stirling, April 24. If he had done this without her knowledge and consent, such an insult could not have failed to have filled her with the most violent indignation. But aceording to the aceount of an old MS. "The friendly love was so highly contracted between this great princess and her enormous

a *Copy from the original in the Charter-house of the City of Edinburgh of an Assignation to the reversion of the superiority of Leith, by Queen Mary, to the Earl of Bothwell.*

Maria Dei gratia Regina Scotorum, omnibus probis hominibus suis ad quos præsentes literæ pervenerint salutem. Sciatis, quod nos ad memoriam reducentes multiplex bonum verum et fidele servitium, non tantum quondam nostræ charissimæ matri Mariæ Reginæ regni nostri pro tempore in nostra minoritate factum et impensum, verum etiam nobismet ipsis, tam intra partes Galliæ quam intra hoc nostrum regnum, ad extentionem nostri honoris et auctoritatis in punitione furum, malefactorum, et transgressorum infra idem, per nostrum confisum consanguineum et consiliarium Jacobum comitem Bothuile, dominum Halis, Creighton, et Liddisdale, magnum admirallum regni nostri, commissionem et onerationem ad hunc effectum habentem, per quas ipse suum corpus et vitam in magno periculo posuit; ac etiam, in performatione et extentione nostri dicti servitii, suam hereditatem, supra summam viginti millium mercarum hujus nostri regni, alienavit ac læsit. Et nos cogitantes quod, ex nostra principali honore et devoria dictum nostrum confisum consanguineum et consiliarium cum quodam accidente et gratitudine recompensare et gratificare incumbit, quæ nos commodè sibi concedere poterimus, unde ipse magis habilis omnibus affuturis temporibus esse poterit, et ad hujusmodi performandum in omnibus causis seu eventibus: In recompensationem quorum præmissorum, ac pro diversis aliis nostris rationabilibus causis et considerationibus nos moventibus, Fecimus, &c. dictum Jacobum comitem Bothuile, &c. ac suos hæredes masculos quoscumque nostros legitimos, &c. assignatos in et ad literas reversionis factas, &c. per Symonem Preston de eodem militem, præpositum, balivos, consules, et communitatem hujus nostri burgi de Edinburgh, pro scipsis ac suis successoribus, &c. nobis, nostrisque heredibus, successoribus, et assignatis pro redemptione, &c. superioritatis totius villæ de Leith, &c. impignoratæ per nos dictis præposito, &c. sub reversione alienatæ continentis summam decem millium mercarum monetæ præscriptæ, numerandum et calculandum in parochiali ecclesia de Edinburgh, super premonitione quadragınta dierum, ut moris est, veluti in dictis reversionis literis, &c. de data 8vo Octob. 1565, &c. (The rest is form, and contains a clause of absolute warrandice.) IN CUJUS REI TESTIMONIUM præsentibus magnum sigillum nostrum apponi fecimus. Apud Edinburgh, decimo quinto die mensis Februarii, anno Domini millesimo quingentesimo sexagesimo sexto, et regni nostri vicesimo quinto. The great seal entire.

subjeet, that there was no end thereof, (for it was constantly esteemed by all men, that either of them loved other earnally,) so that she suffered patiently to be led where the lover list, and all the way neither made obstacle, impediment, clamour, or resistance, as in such accidents use to be, or that she might have done by her princely authority, being aecompanied with the noble earl of Huntley and secretary Maitland of Lethington." Keith, 383. Melvil, who was present, confirms this aecount, and tells us, that the officer by whom he was seized informed him, that nothing was done without the queen's consent. Melv. 158. 10. On the 12th of May, a few days before her marriage, Mary declared that she was then at full liberty, and that though Bothwell had offended her by seizing her person, she was so much satisfied with his dutiful behaviour since that time, and so indebted to him for past serviees, that she not only forgave that offenee, but resolved to promote him to higher honours. And. i. 87. 11. Even after the confederate nobles had driven Bothwell from the queen's presence, and though she saw that he was considered as the murderer of her former husband by so great a part of her subjects, her affcction did not in the least abate, and she continued to express the most unalterable attachment to him. "I can perceive (says sir N. Throkmorton) that the rigour with whieh the queen is kept proceedeth by order from these men, because that the queen will not by any means be indueed to lend her authority to proseeute the murderer; nor will not eonsent by any persuasion to abandon the lord Bothwell for her husband, but avoweth eonstantly that she will live and die with him; and saith, that if it were put to her choice to relinquish her crown and kingdom, or the lord Bothwell, she would leave her kingdom and dignity to go a simple damsel with him, and that she will never eonsent that he shall fare worse, or have more harm, than herself." Appendix, No. XXII. In all their negociation with Throkmorton, the confederates mention this unalterable attachment of the queen to Bothwell, as a sufficient reason for rejecting his proposals of an accommodation with their sovereign. Keith, 419. 449. This assertion they renewed in the conferences at York. Anders. iv. part ii. p. 66. Murray, in his interview with Mary in Lochlevin, eharged her with persisting in her inordinate affection to Bothwell. Keith, 446. All these, however, may be considered merely as aceusations brought by the confederates, in order to vindicate their rigour towards the queen. But Throkmorton, who, by his residence in Edinburgh, and by his intercourse with the queen's partisans, as well as with her enemies, had many opportunities of diseovering whether or not Mary had expressed herself in sueh terms, and who was disposed to view her aetions in the most favourable light, appears, by the passage whieh I have quoted from his letter of the 14th of July, to be persuaded that the confederates had not misrepresented her sentiments. He had soon an opportunity of being eonfirmed with greater eertainty in this opinion. Although the confederates had refused him aceess to the eaptive queen, he found means of holding a secret correspondence with her, and endeavoured to persuade her to give her consent to have her marriage with Bothwell dissolved by a sentence of divorce, as the most probable means of regaining her liberty. She hath sent me word that she will in no ways consent unto that, but rather die. Appendix, No. XXII. There is evidence of the continuance of Mary's attachment still more explicit. Lord Herries, in the parliament held the 15th of Deeember 1567, acknowledged the queen's inordinate affection to that wicked man, and that she could not be induced by persuasion to leave him; and that in sequestering her within Lochlevin, the confederates had done the duty of noblemen. Appendix, No. XXIV. In the year 1571, a conference was held by some deputies from a convention of clergy, with the duke of Chatelherault, secretary Maitland, sir James Balfour, and Kirkaldy; and an aecount of it written by Mr. Craig, one of the ministers of Edinburgh, is extant in Calderwood MSS. Hist. ii. 244. In presenee of all these persons, most of whom were in Edinburgh when the queen was taken at Carberry, Maitland, who was now an avowed partisan of Mary, declares, that on the same night she was brought to Edinburgh, he himself had offered, that if she would abandon Bothwell, she should have as thankful obedience as ever she had since she came to Scotland. But in no wise would she eonsent to leave Bothwell. According to sir James Melvil, the queen found means of writing a letter to Bothwell on the evening of that day when she was conducted as a prisoner to Edinburgh, in which she declared her affection to him in the most tender expressions, and her resolution never to abandon him. This letter, he says, was intercepted by the confederates, and determined them to confine Mary in the castle of Lochlevin. But as neither Buchanan nor Knox, both abundantly disposed to avail themselves of every fact and report that could be employed in order to represent Mary's conduct as improper and eriminal, mention this letter; and as the confederates themselves in their negoeiation with Throkmorton, as well as in their accusations of the queen before the English commissioners at York and Westminster, maintain the same silence with regard to it, I am satisfied that Melvil, who wrote his memoirs for the information of his son in his old age, and long after the events which he records happened, has been mistaken with regard to this particular. From this long enumeration of eircumstances, we may, without violence, draw the following conclusion: Had Mary really been accessory to the murder of her husband; had Bothwell perpetrated the crime with her eonsent, or at her command; and had she intended to stifle the evidenee against him, and to prevent the diseovery of his guilt, she could scarcely have taken any other steps

than those which she took, nor could her conduct have been more repugnant to all the maxims of prudence and of decency.

The positive evidence produced against Mary may be classed under two heads.

1. The depositions of some persons who were employed in committing the murder, particularly of Nicholas Hubert, who, in the writings of that age, is called *French Paris*. This person, who was Bothwell's servant, and much trusted by him, was twice examined, and the original of one of his depositions, and a copy of the other, are still extant. It is pretended that both these are notorious forgeries. But they are remarkable for simplicity and *naïveté* which it is almost impossible to imitate; they abound with a number of minute facts and particularities, which the most dexterous forger could not have easily assembled and connected together with any appearance of probability; and they are filled with circumstances which can scarcely be supposed to have entered the imagination of any man but one of Paris's rank and character. But, at the same time, it must be acknowledged, that his depositions contain some improbable circumstances. He seems to have been a foolish talkative fellow; the fear of death, the violence of torture, and the desire of pleasing those in whose power he was, tempted him, perhaps, to feign some circumstances, and to exaggerate others. To say that some circumstances in an affidavit are improbable or false, is very different from saying that the whole is forged. I suspect the former to be the case here; but I see no appearance of the latter. Be that as it will, some of the most material facts in Paris's affidavits rest upon his single testimony; and for that reason, I have not in the history, nor shall I in this place, lay any stress upon them.

2. The letters said to be written by Mary to Bothwell. These have been frequently published. The accident by which the queen's enemies got them into their possession, is related in Book V. When the authenticity of any ancient paper is dubious or contested, it may be ascertained either by external or internal evidence. Both these have been produced in the present case.

I. External proofs of the genuineness of Mary's letters. 1. Murray, and the nobles who adhered to him, affirm upon their word and honour, that the letters were written with the queen's own hand, with which they were well acquainted. Good. ii. 64. 92. 2. The letters were publicly produced in the parliament of Scotland, December 1567; and were so far considered as genuine, that they are mentioned in the act against Mary, as one chief argument of her guilt. Good. ii. 66, 67. 3. They were shown privately to the duke of Norfolk, the earl of Sussex, and sir Ralph Sadler, Elizabeth's commissioners at York. In the account which they gave of this matter to their mistress, they seem to consider the letters as genuine, and express no suspicion of any forgery; they particularly observe, "that the matter contained in them is such, that it could hardly be invented and devised by any other than herself; for that they discourse of some things which were unknown to any other than to herself and Bothwell; and as it is hard to counterfeit so many, so the matter of them, and the manner how these men came by them is such, as it seemeth that God, in whose sight murder and bloodshed of the innocent is abominable, would not permit the same to be hid or concealed." Good. ii. 142. They seem to have made such an impression on the duke of Norfolk, that in a subsequent letter to Pembroke, Leicester, and Cecil, he has these words: "If the matter shall be thought as detestable and manifest to you, as for ought we can perceive it seemeth here to us." Good. ii. 154. Nor did Norfolk declare these to be his sentiments only in public official letters, he expressed himself in the same manner to his most confidential friends. In a secret conference with the bishop of Ross at York, the duke informed him, that he had seen the letters, &c. which the regent had to produce against the queen, whereby there would be such matter proved against her, as would dishonour her for ever. State Trials, edition of Hargrave, i. 91. Murdin, 52. The bishop of Ross, if he had known the letters to be a notorious forgery, must have been naturally led, in consequence of this declaration, to undeceive the duke, and to expose the imposture. But, instead of this, the duke, and he, and Lethington, after consulting together, agreed, that the bishop should write to Mary, then at Bolton, and instruct her to make such a proposal to Elizabeth as might prevent the public production of the letters and other evidence. State Trials, i. 94. Murdin, 45. Indeed, the whole of this secret conference seems to imply, that Lethington, Ross, and Norfolk, were conscious of some defect in Mary's cause, and therefore exerted all their ingenuity in order to avoid a public accusation. Murdin, 52, 53. To Banister, whom the duke seems to have trusted more entirely than any other of his servants, he expressed himself in similar terms with respect to the queen of Scots. State Trials, i. 98. The words of Banister's evidence are remarkable: "I confess that I, waiting of my lord and master, when the earl of Sussex and Mr. Chancellor of the dutchy that now is, were in commission at York, did hear his grace say, that upon examination of the matter of the murder, it did appear that the queen of Scots was guilty and privy to the murder of lord Darnley, whereby I verily thought that his grace would never join in marriage with her." Murdin, 134. Elizabeth, in her instructions to the earl of Shrewsbury and Beale, in 1583, asserts, that both the duke and earl of Arundel did declare to herself, that the proof, by the view of her letters, did fall out sufficient against the queen of Scots; however, they were after drawn to cover her faults and pronounce her innocency. MS. Advoc. Library. A. iii. 28. p. 314. from Cot. Lib. Calig. 9. 4. A similar impression was made

upon other contemporaries of Mary by the production of the letters, which implies a full belief of their being genuine. Cecil, in his correspondence with sir Henry Norris, the English ambassador in France, relates this transaction in terms which leave no room to doubt with respect to his own private opinion. In his letter, December 14, 1568, the very day on which the letters, &c. were laid before the meeting of privy-councillors and peers, he informs him, "That the regent was driven, from his defence, to disclose a full fardel of the naughty matter, tending to convince the queen as adviser of the murther, and the earl of Bothwell as her executour; and now the queen's party, so great, refuse to make any answer, and press that their mistress may come in person to answer the matter herself before the queen's majesty; which is thought not fit to be granted until the great blot of the marriage with her husband's murtherer, and the evident charges, by letters of her own, to be deviser of the murther, be somewhat razed out or recovered; for that as the matters are exhibited against her, it is far unseemly for any prince, or for chaste ears, to be annoyed with the filthy noise thereof; and yet, as being a commissioner, I must and will forbear to pronounce any thing herein certainly, though as a private person I cannot but with horrour and trembling think thereof." Cabala, 156. 5. From the correspondence of Bowes, the English resident in Scotland, with Walsingham, in the year 1582, published towards the close of this dissertation, it is manifest that both in England and Scotland, both by Elizabeth and James, both by the duke of Lennox and earl of Gowrie, the letters were deemed to be genuine. The eagerness on one side to obtain, and on the other to keep, possession of the casket and letters, implies that this was the belief of both. These sentiments of contemporaries, who were in a situation to be thoroughly informed, and who had abilities to judge with discernment, will, in the opinion of many of my readers, far outweigh theories, suppositions, and conjectures, formed at the distance of two centuries. 6. The letters were subjected to a solemn and judicial examination with respect to their authenticity, as far as that could be ascertained by resemblance of character and fashion of writing; for, after the conferences at York and Westminster were finished, Elizabeth, as I have related, assembled her privy-councillors, and joining to them several of the most eminent noblemen in her kingdom, laid before them all the proceedings against the Scottish queen, and particularly ordered, that "the letters and writings exhibited by the regent, as the queen of Scots' letters and writings, should also be showed, and conference [*i. e.* comparison] thereof made in their sight, with the letters of the said queen's being extant, and heretofore written with her own hand, and sent to the queen's majesty; whereby may be searched and examined what difference is betwixt them." Good. ii. 252. They assembled accordingly, at Hampton Court, December 14 and 15, 1568; and "The originals of the letters supposed to be written with the queen of Scots' own hand, were then also presently produced and perused; and, being read, were duly conferred and compared, for the manner of writing and fashion of orthography, with sundry other letters long since heretofore written, and sent by the said queen of Scots to the queen's majesty. In collation whereof no difference was found." Good. ii. 256. 7. Mary having written an apologetical letter for her conduct to the countess of Lennox, July 10, 1570,[b] she transmitted it to her husband then in Scotland; and he returned to the countess the following answer: "Seeing you have remittit to me, to answer the queen the king's mother's letters sent to you, what can I say but that I do not marvell to see hir writ the best can for hirself, to seame to purge her of that, quhairof many besyde me are certainly persuadit of the contrary, and I not only assurit by my awin knawledge, but by her handwrit, the confessionis of men gone to the death, and uther infallibil experience. It wull be lang tyme that is hable to put a mattir so notorious in oblivioun, to make black quhyte, or innocency to appear quhair the contrary is sa weill knawin. The maist indifferent, I trust, doubtis not of the equitie of zoure and my cause, and of the just occasioun of our mislyking. Hir richt dewtie to zow and me, being the parteis interest, were hir trew confessioun and unfeyned repentance of that lamentable fact, odious for hir to be reportit, and sorrowfull for us to think of. God is just, and will not in the end be abused; but as he has manifested the trewth, so will he puneise the iniquity." *Lennox's Orig. Regist. of Letters.* In their public papers, the queen's enemics may be suspected of advancing what would be most subservient to their cause, not what was agreeable to truth, or what flowed from their own inward conviction. But in a private letter to his own wife, Lennox had no occasion to dissemble; and it is plain, that he not only thought the queen guilty, but believed the authenticity of her letters to Bothwell. 8. In opposition to all these reasons for believing the letters, &c. to be authentic, the conduct of the nobles confederated against Mary, in not pro-

b Mary's letter has never been published, and ought to have a place here, where evidence on all sides is fairly produced. "Madam, if the wrang and false reportis of rebellis, enemeis weill knawin for traitouris to zow, and alace to muche trusted of me by zoure advice, had not so far sturred zow aganis my innocency, (and I must say aganis all kyndness, that zow have not onelie as it were condempnit me wrangfullie, bot so hated me, as some wordis and open deideis has testifeit to all the warlde, a manyfest mislyking in zow aganis zoure awn blude,) I wold not have omittit thus lang my dewtie in wryting to zow excusing me of those untrew reporties made of me. But hoping with Godis grace and tyme to have my innocency knawin to zow, as I trust it is already to the maist pairt of all indifferent personis, I thocht it best not to trouble zow for a tyme till that such a matter is moved that tuichis us bayth, quhilk is the transporting zoure littil son, and my onelie child in this countrey. To the quhilk albeit I be never sa willing, I wald be glaid to have zoure advyse therein, as in all uther thingis tuiching him. I have born him, and God knawis with quhat daunger to him and me boith; and of zow he is descendit. So I meane not to forzet my dewtie to zow, in schewin herein any unkyndness to zow, how unkyndlie that ever ze have delt with me, bot will love zow as my awnt, and respect zow as my moder in law. And gif ye ples to knaw farther of my mynde in that and all uther thingis betwixt us, my ambassador the bishop of Ross sall be ready to confer with zow. And so after my hairtlie commendationis, remitting me to my saide ambassador, and zour better consideratioun, I commit zow to the protectioun of Almyghty God, quhom I pray to preserve zow and my brother Charles, and caus zow to knaw my pairt better nor ze do. From Chatisworth this x of July 1570.

To my ladie Lennox, my moder in law.

Your natural gude Nice and lovynge dochter."

ducing them directly as evidence against her, has been represented as an irrefragable proof of their being forged. According to the account of the confederates themselves, the casket containing the letters was seized by them on the twentieth of June one thousand five hundred and sixty-seven; but the first time that they were judicially stated as evidence against the queen was in a meeting of the regent's privy-council, December fourth, and they afterwards served as the foundation of the acts made against her in the parliament held on the fifteenth of the same month. If the letters had been genuine, it is contended, that the obtaining possession of them must have afforded such matter of triumph to the confederates, that they would instantly have proclaimed it to the whole world; and in their negociations with the English and French ministers, or with such of their fellow-subjects as condemned their proceedings, they would have silenced, at once, every advocate for the queen, by exhibiting this convincing proof of her guilt. But in this reasoning sufficient attention is not paid to the delicate and perilous situation of the confederates at that juncture. They had taken arms against their sovereign, had seized her person at Carberry-hill, and had confined her a prisoner at Lochlevin. A considerable number, however, of their fellow-subjects, headed by some of the most powerful noblemen in the kingdom, was combined against them. This combination, they soon perceived, they could not hope to break or to vanquish, without aid either from France or England. In the former kingdom, Mary's uncles, the duke of Guise and cardinal of Lorrain, were, at that period, all-powerful, and the king himself was devotedly attached to her. If the confederates confined their views to the dissolution of the marriage of the queen with Bothwell, and to the exclusion of him for ever from her presence, they might hope, perhaps, to be countenanced by Charles IX. and his ministers, who had sent an envoy into Scotland of purpose to dissuade Mary from that ill-fated match; Append. No. XXII.; whereas the loading her publicly with the imputation of being accessory to the murder of her husband, would be deemed such an inexpiable crime by the court of France, as must cut off every hope of countenance or aid from that quarter. From England, with which the principal confederates had been long and intimately connected, they had many reasons to expect more effectual support; but to their astonishment, Elizabeth condemned their proceedings with asperity, warmly espoused the cause of the captive queen, and was extremely solicitous to obtain her release and restoration. Nor was this merely the only one of the artifices which Elizabeth often employed in her transactions with Scotland. Though her most sagacious ministers considered it as the wisest policy to support the confederate lords rather than the queen of Scots, Elizabeth disregarded their counsel.[c] Her high notions of royal authority, and of the submission due by subjects, induced her, on this occasion, to exert herself in behalf of Mary, not only with sincerity but with zeal; she negociated, she solicited, she threatened. Finding the confederates inflexible, she endeavoured to procure Mary's release by means of that party in Scotland which continued faithful to her, and instructed Throkmorton to correspond with the leaders of it, and to make overtures to that effect. Keith, 451. Append. No. XXIII. She even went so far as to direct her ambassador at Paris to concert measures with the French king, how they, by their joint efforts, might persuade or compel the Scots to "acknowledge the queen her good sister to be their sovereign lady and queen, and renounce their obedience to her son." Keith, 462, 3, 4. From all these circumstances, the confederates had every reason to apprehend that Mary would soon obtain liberty, and by some accommodation be restored to the whole, or at least to a considerable portion, of her authority as sovereign. In that event they foresaw, that if they should venture to accuse her publicly of a crime so atrocious as the murder of her husband, they must not only be excluded for ever from power and favour, but from any hope of personal safety. On this account they long confined themselves to that which was originally declared to be the reason of their taking arms; the avenging the king's death, the dissolving the marriage with Bothwell, the inflicting on him condign punishment, or banishing him for ever from the queen's presence. It appears from the letters of Throkmorton, published by bishop Keith, and in my Appendix, that his sagacity early discovered that this would be the tenor of their conduct. In his letter from Edinburgh, dated July 14th, he observes, that "they do not forget their own peril conjoined with the danger of the prince, but, as far as I perceive, they intend not to touch the queen either in surety or in honour; for they speak of her with respect and reverence, and do affirm, as I do learn, that, the condition aforesaid accomplished, [*i. e.* the separation from Bothwell,] they will both put her to liberty, and restore her to estate." App. No. XXII. His letter of August 22d contains a declaration made to him by Lethington, in name and in presence of his associates, "that they never meant harm neither to the queen's person nor to her honour—that they have been contented hitherto to be condemned, as it were, of all princes, strangers, and, namely, of the queen of England, being charged of grievous and infamous titles, as to be noted rebels, traitors, seditious, ingrate, and cruel, all which they suffer and bear upon their backs, because they will not justify themselves, nor proceed in any

c This was the opinion of Throkmorton, as appears from an extract of his letter of July 11, published in the Append. No. XXII. The same were the sentiments of Cecil, in his letter of Aug. 19, 1565, to sir Henry Norris, Elizabeth's ambassador to France: "You shall perceive," says he, "by the queen's letter to you, at this present, how earnestly she is bent in favour of the queen of Scots, and truly since the beginning she hath been greatly offended with the lords; and, howsoever her majesty might make her profit by bearing with the lords in this action, yet no counsel can stay her majesty from manifesting her misliking of them." Cabala, 140. And in his letter of Sept. 3. "The queen's majesty, our sovereign, remaineth still offended with the lords for the queen; the example moveth her." Ib 141. Digges Comp. Amb. 14.

thing that may toueh their sovereign's honour. But in case they be with these defamations eontinually oppressed, or with the force, aid, and praetices of other prinees, and namely of the queen of England, put in danger, or to an extremity, they shall be eompelled to deal otherwise with the queen than they intend, or than they desire; for, added he, you may be sure we will not lose our lives, have our lands forfeited, and be reputed rebels through the world, seeing we have the means to justify ourselves." Keith, 448. From this view of the slippery ground on which they stood at that time, their conduet in not producing the letters for several months, appears not only to have been prudent, but essential to their own safety.

But, at a subsequent period, when the confederates found it necessary to have the form of government whieh they had established confirmed by authority of parliament, a different mode of proceeding became requisite. All that had hitherto been done with respect to the queen's dismission, the seating the young king upon the throne, and the appointment of a regent, was in reality nothing more than the deed of private men. It required the exhibition of some legal evidence to procure a constitutional aet giving the sanction of its approbation to such violent measures, and to obtain "a perfect law and security for all them that, either by deed, counsel, or subseription, had entered into that cause since the beginning." Haynes, 453. This prevailed with the regent and his secret eouncil, after long deliberation, to agree to produce all the evidence of which they were possessed; and upon that production parliament passed the acts which were required. Sueh a change had happened in the state of the kingdom as induced the confederates to venture upon this ehange in their conduct. In June, a powerful combination was forming against them, under the leading of the Hamiltons. In December, that combination was broken; most of the members of it had acknowledged the king as their lawful sovereign, and had submitted to the regent's government. Huntley, Argyll, Herries, the most powerful noblemen of that party, were present in the parliament, and concurred in all its acts. Edinburgh, Dunbar, Dumbarton, and all the ehief strong-holds in the kingdom, were now in the hands of the regent: the arms of France had full occupation in its civil war with the Hugonots. The ardour of Elizabeth's zeal in behalf of the captive queen seems to have abated. A step that would have been followed with ruin to the eonfederates in June, was attended with little danger in December. From this long deduction it appears, that no proof of the letters being forged can be drawn from the eireumstance of their not having been produced immediately after the twentieth of June; but though no public accusation was brought instantly against the queen, in consequenee of seizing the easket, hints were given by the eonfederates, that they possessed evidenee sufficient to convict her. This is plainly implied in a letter of Throkmorton, July 21, Keith, Pref. p. xii. and more clearly in the passage whieh I have quoted from his letter of August 22. In his letter of July 25, the papers contained in the easket are still more plainly pointed out. "They [*i. e.* the confedcrates] say, that they have as apparent proof against her as may be, as well by the testimony of her own hand-writing, which they have reeovered, as also by sufficient witnesses." Keith, 426.

II. With regard to the internal proofs of the genuineness of the queen's letters to Bothwell, we may observe, 1. That whenever a paper is forged with a particular intention, the eagerness of the forger to establish the point in view, his solicitude to cut off all doubts and eavils, and to avoid any appearancc of uncertainty, seldom fail of prompting him to use expressions the most explicit and full to his purpose. The passages foisted into ancient authors by heretics in different ages; the legendary miraeles of the Romish saints; the supposititious deeds in their own favour produced by monasteries; the false charters of homage mentioned B. I. are so many proofs of this assertion. No maxim seems to be more eertain than this, that a forger is often apt to prove too much, but seldom falls into the error of proving too little. The point which the queen's enemies had to cstablish was, "that as the earl of Bothwell was chief executor of the horrible and unworthy murder perpetrated, &e. so was she of the foreknowledge, counsel, devise, persuader, and commander of the said murder to be done." Good. ii. 207. But of this there arc only imperfect hints, obscure intimations, and dark expressions in the letters, which, however convincing evidence they might furnish if found in real letters, bear no resemblance to that glare and superfluity of evidence which forgeries commonly eontain. All the advocates for Mary's innocence in her own agc, contend that there is nothing in the letters whieh ean serve as a proof of her guilt. Lesley, Blackwood, Turner, &c. abound with passages to this purpose; nor are the sentiments of those in the present age different. "Yet still it might have been expeeted, (says one of her ablest defenders,) that some one or other of the points or articles of the accusation should be made out clearly by the proof. But nothing of that is to be seen in the present case. There is nothing in the letters that eould plainly show the writer to have been in the foreknowledge, counsel, or device of any murder, far less to have persuaded or commanded it; and as little is there about maintaining or justifying any murders." Good. i. 76. How ill advised were Mary's adversaries, to contract so mueh guilt, and to practise so many artifices, in order to forge letters, whieh are so ill contrived for establishing the eonclusion they had in view! Had they been so base as to have recourse to forgery, is it not natural to think that they would have produeed something more explicit and deeisive? 2. It is almost impossible to invent a long narration of fietitious events, eonsisting of

various minute particulars, and to connect these in such a manner with real facts, that no mark of fraud shall appear. For this reason, skilful forgers avoid any long detail of circumstances, especially of foreign and superfluous ones, well knowing that the more these were multiplied, the more are the chances of detection increased. Now Mary's letters, especially the first, are filled with a multiplicity of circumstances, extremely natural in a real correspondence, but altogether foreign to the purpose of the queen's enemies, and which it would have been extreme folly to have inserted, if they had been altogether imaginary, and without foundation. 3. The truth and reality of several circumstances in the letters, and these, too, of no very public nature, are confirmed by undoubted collateral evidence. Lett. i. Good. ii. p. 1. The queen is said to have met one of Lennox's gentlemen, and to have had some conversation with him. Thomas Crawford, who was the person, appeared before Elizabeth's commissioners, and confirmed, upon oath, the truth of this circumstance. He likewise declared, that during the queen's stay at Glasgow, the king repeated to him, every night, whatever had passed through the day between her majesty and him; and that the account given of these conversations in the first letter, is nearly the same with what the king communicated to him. Good. ii. 245. According to the same letter there was much discourse between the king and queen concerning Mynto, Hiegait, and Walcar. Good. ii. 8, 10, 11. What this might be was altogether unknown, until a letter of Mary's preserved in the Scottish college at Paris, and published, Keith, Pref. vii. discovered it to be an affair of so much importance as merited all the attention she paid to it at that time. It appears by a letter from the French ambassador, that Mary was subject to a violent pain in her side. Keith, Ibid. This circumstance is mentioned, Lett. i. p. 30. in a manner so natural as can scarcely belong to any but a genuine production. 4. If we shall still think it probable to suppose that so many real circumstances were artfully introduced into the letters by the forgers, in order to give an air of authenticity to their production, it will hardly be possible to hold the same opinion concerning the following particular. Before the queen began her first letter to Bothwell, she, as usual among those who write long letters containing a variety of subjects, made *notes* or *memorandums* of the particulars she wished to remember; but as she sat up writing during a great part of the night, and after her attendants were asleep, her paper failed her, and she continued her letter upon the same sheet on which she had formerly made her memorandums. This she herself takes notice of, and makes an apology for it: "It is late; I desire never to cease from writing unto you, yet now, after the kissing of your hands, I will end my letter. Excuse my evil writing, and read it twice over. Excuse that thing that is scriblit, for I had na paper zesterday, quhen I wraite that of the memorial." Good. ii. 28. These memorandums still appear in the middle of the letter; and what we have said seems naturally to account for the manner how they might find their way into a real letter. It is scarce to be supposed, however, that any forger would think of placing memorandums in the middle of a letter, where, at first sight, they make so absurd and so unnatural an appearance. But if any shall still carry their refinement to such a length, as to suppose that the forgers were so artful as to throw in this circumstance, in order to preserve the appearance of genuineness, they must at least allow that the queen's enemies, who employed these forgers, could not be ignorant of the design and meaning of these short notes and memorandums; but we find them mistaking them so far as to imagine that they were the *credit of the bearer*, i. e. points concerning which the queen had given him verbal instructions. Good. ii. 152. This they cannot possibly be; for the queen herself writes with so much exactness concerning the different points in the memorandums, that there was no need of giving any credit or instructions to the bearer concerning them. The memorandums are indeed the *contents* of the letter. 5. Mary, mentioning her conversation with the king about the affair of Mynto, Hiegait, &c. says, "The morne [*i. e.* to-morrow] I will speik to him upon that point;" and then adds, "As to the rest of Willie Hiegait's, he confessit it; but it was the morne [*i. e.* the morning] after my coming or he did it." Good. ii. 9. This addition, which could not have been made till after the conversation happened, seems either to have been inserted by the queen into the body of the letter, or, perhaps, she having written it on the margin, it was taken thence into the text. If we suppose the letter to be a real one, and written at different times, as it plainly bears, this circumstance appears to be very natural; but no reason could have induced a forger to have ventured upon such an anachronism, for which there was no necessity. An addition perfectly similar to this made to a genuine paper, may be found, Good. ii. 282.

But on the other hand, Mary herself, and the advocates for her innocence, have contended, that these letters were forged by her enemies, on purpose to blast her reputation, and to justify their own rebellion. It is not necessary to take notice of the arguments which were produced in her own age in support of this opinion; the observations which we have already made, contain a full reply to them. An author, who has inquired into the affairs of that period with great industry, and who has acquired much knowledge of them, has published (as he affirms) a demonstration of the forgery of Mary's letters. This demonstration he founds upon evidence both internal and external. With regard to the former, he observes that the French copy of the queen's letters is plainly a translation of Buchanan's Latin copy; which Latin copy is only a translation

of the Scottish copy; and, by consequence, the assertion of the queen's enemies, that she wrote them originally in French, is altogether groundless, and the whole letters are gross forgeries. He accounts for this strange succession of translations by supposing, that when the forgery was projected, no person could be found capable of writing originally in the French language letters which would pass for the queen's; for that reason they were first composed in Scottish; but unluckily the French interpreter, as he conjectures, did not understand that language; and therefore Buchanan translated them into Latin, and from his Latin they were rendered into French. Good. i. 79, 80.

It is hardly necessary to observe, that no proof whatever is produced of any of these suppositions. The manners of the Scots in that age, when almost every man of rank spent a part of his youth in France, and the intercourse between the two nations was great, renders it altogether improbable that so many complicated operations should be necessary in order to procure a few letters to be written in the French language.

But without insisting further on this, we may observe, that all this author's premises may be granted, and yet his conclusion will not follow, unless he likewise prove that the French letters, as we now have them, are a true copy of those which were produced by Murray and his party in the Scottish parliament, and at York and Westminster. But this he has not attempted; and if we attend to the history of the letters, such an attempt, it is obvious, must have been unsuccessful. The letters were first published at the end of Buchanan's *Detection*. The first edition of this treatise was in Latin, in which language three of the queen's letters were subjoined to it; this Latin edition was printed A. D. 1571. Soon after, a Scottish translation of it was published, and at the end of it were printed, likewise in Scottish, the three letters which had formerly appeared in Latin, and five other letters in Scottish, which were not in the Latin edition. Next appeared a French translation of the Detection, and of seven of the letters; this bears to have been printed at Edinburgh by Waltem, 1572. The name of the place, as well as the printer, is allowed by all parties to be a manifest imposture. Our author, from observing the day of the month from which the printing is said to have been finished, has asserted that this edition was printed at London; but no stress can be laid upon a date found in a book, where every other circumstance with regard to the printing is allowed to be false. Blackwood, who (next to Lesley) was the best informed of all Mary's advocates in that age, affirms, that the French edition of the Detection was published in France: "Il [Buchanan] a depuis adjousté a cette declamation un petit libelle du pretendu mariage du Duc de Norfolk, et de la façon de son proces, et la tout envoyé aux freres a la Rochelle, lesquels voyants qu'il pouvoit servir a la cause, l'ont traduit en François, et iceluy fut imprimée a Edinbourg, c'est a dire a la Rochelle, par Thomas Waltem, nom aposté et fait a plaisir. Martyre de Marie. Jebb, ii. 256." The author of the *Innocence de Marie* goes further, and names the French translator of the Detection. "Et icelui premierement composé (comme il semble) par George Buchanan Escossoys, et depuis traduit en langue Françoise par un Hugonot, Poitevin (advocat de vocation) Camuz, soy disant gentilhomme, et un de plus remarquez seditieuz de France. Jebb, i. 425, 443." The concurring testimony of two contemporary authors, whose residence in France afforded them sufficient means of information, must outweigh a slight conjecture. The French translator does not pretend to publish the original French letters as written by the queen herself; he expressly declares that he translated them from the Latin. Good. i. 103. Had our author attended to all these circumstances, he might have saved himself the labour of so many criticisms to prove that the present French copy of the letters is a translation from the Latin. The French editor himself acknowledges it, and, so far as I know, no person ever denied it.

We may observe that the French translator was so ignorant as to affirm that Mary had written these letters, partly in French, partly in Scottish. Good. i. 103. Had this translation been published at London by Cecil, or had it been made by his direction, so gross an error would not have been admitted into it. This error, however, was owing to an odd circumstance. In the Scottish translation of the Detection, two or three sentences of the original French were prefixed to each letter, which breaking off with an &c. the Scottish translation of the whole letter followed. This method of printing translations was not uncommon in that age. The French editor observing this, foolishly concluded that the letters had been written partly in French, partly in Scottish.

If we carefully consider those few French sentences of each letter which still remain, and apply to them that species of criticism by which our author has examined the whole, a clear proof will arise, that there was a French copy not translated from the Latin, but which was itself the original from which both the Latin and Scottish have been translated. This minute criticism must necessarily be disagreeable to many readers; but luckily a few sentences only are to be examined, which will render it extremely short.

In the first letter, the French sentence prefixed to it ends with these words, *y faisoit bon*. It is plain this expression, *veu ce que peut un corps sans cœur*, is by no means a translation of *cum plane perinde assem atque corpus sine corde*. The whole sentence has a spirit and elegance in the French, which neither the Latin nor Scottish has retained. *Jusques a la dinée* is not a translation of *toto prandii tempore*; the Scottish translation *quhile denner-time*, expresses the sense of the French more properly;

for anciently *quhile* signified *until* as well as *during*. *Je n'ay pas tenu grand propos* is not justly rendered *neque contulerim sermonem cum quoquam;* the phrase used in the French copy is one peculiar to that language, and gives a more probable account of her behaviour than the other. *Jugeant bien qu'il n'y faisoit bon* is not a translation of *ut qui judicarent id non esse ex usu.* The French sentence prefixed to lett. 2. ends with *apprendre.* It is evident that both the Latin and Scottish translations have omitted altogether these words, *et toutefois je ne puis apprendre.* The French sentence prefixed to lett. 3. ends with *presenter. J'aye veillé plus tard la haut* is plainly no translation of *diutius illic morata sum;* the sense of the French is better expressed by the Scottish, *I have walkit later there up.* Again, *Pour excuser vostre affaire* is very different from *ad excusandam nostra negotia.* The five remaining letters never appeared in Latin; nor is there any proof of their being ever translated into that language. Four of them, however, are published in French. This entirely overturns our author's hypothesis concerning the necessity of a translation into Latin.

In the Scottish edition of the Detection, the whole *sonnet* is printed in French as well as in Scottish. It is not possible to believe that this Scottish copy could be the original from which the French was translated. The French consists of verses which hath both measure and rhyme, and which in many places are far from being inelegant. The Scottish consists of an equal number of lines, but without measure or rhyme. Now no man could ever think of a thing so absurd and impracticable, as to require one to translate a certain given number of lines in prose, into an equal number of verses where both measure and rhyme were to be observed. The Scottish, on the contrary, appears manifestly to be a translation of the French; the phrases, the idioms, and many of the words are French, and not Scottish. Besides, the Scottish translator has, in several instances, mistaken the sense of the French, and in many more expressed the sense imperfectly. Had the sonnet been forged, this could not have happened. The directors of the fraud would have understood their own work. I shall satisfy myself with one example, in which there is a proof of both my assertions. Stanza viii. ver. 9.

Pour luy j'attendz toute bonne fortune,
Pour luy je veux garder santé et vie,
Pour luy tout vertu de suivre j'ay envie.

For him I attend all good fortune,
For him I will conserve helthe and life,
For him I desire to ensue courage.

Attend in the first line is not a Scottish but a French phrase; the two other lines do not express the sense of the French, and the last is absolute nonsense.

The eighth letter was never translated into French. It contains much refined mysticism about *devices*, a folly of that age, of which Mary was very fond, as appears from several other circumstances, particularly from a letter concerning *impresas*, by Drummond of Hawthornden. If Mary's adversaries forged her letters, they were certainly employed very idly when they produced this.

From these observations it seems to be evident that there was a French copy of Mary's letters, of which the Latin and Scottish were only translations. Nothing now remains of this copy but those few sentences which are prefixed to the Scottish translation. The French editor laid hold of these sentences, and tacked his own translation to them, which, so far as it is his work, is a servile and a very wretched translation of Buchanan's Latin; whereas, in those introductory sentences, we have discovered strong marks of their being originals, and certain proofs that they are not translated from the Latin.

It is apparent, too, from comparing the Latin and Scottish translations with these sentences, that the Scottish translator has more perfectly attained the sense and spirit of the French than the Latin. And as it appears that the letters were very early translated into Scottish, Good. ii. 76. it is probable that Buchanan made his translation, not from the French but from the Scottish copy. Were it necessary, several critical proofs of this might be produced. One that has been already mentioned seems decisive. *Diutius illic morata sum* bears not the least resemblance to *j'ay veillé plus tard la haut;* but if, instead of *I walkit* [i. e. watched] *laiter thereup*, we suppose that Buchanan read *I waitit*, &c. this mistake, into which he might so easily have fallen, accounts for the error in his translation.

These criticisms, however minute, appear to be well founded. But whatever opinion may be formed concerning them, the other arguments, with regard to the internal evidence, remain in full force.

The external proofs of the forgery of the queen's letters, which our author has produced, appear at first sight to be specious, but are not more solid than that which we have already examined. These proofs may be classed under two heads. 1. The erroneous and contradictory accounts which are said to be given of the letters, upon the first judicial production of them. In the secret council held Decem. 4, 1567, they are described "as her privie letters written and subscrivit with her awin hand." Haynes, 454. Good. ii. 64. In the act of parliament, passed on the 15th of the same month, they are described as "her privie letters written halelie with her awin hand." Good. ib. 67. This diversity of description has been considered as a strong presumption of forgery. The manner in which Mr. Hume accounts for this is natural and plausible, vol. v. p. 498. And several ingenious remarks, tending to confirm his observations, are made in a pamphlet lately published, entitled, *Miscellaneous Remarks on the Enquiry into the Evidence against Mary Queen of Scots.* To what they have observed it may be

added, that the original act of secret council does not now exist; we have only a copy of it found among Cecil's papers, and the transcriber has been manifestly so ignorant, or so careless, that an argument founded entirely upon the supposition of his accuracy is of little force. Several errors into which he has fallen we are enabled to point out, by comparing his copy of the act of secret council with the act of parliament passed in consequence of it. The former contains a petition to parliament; in the latter, the real petition is resumed *verbatim*, and converted into a law. In the copy, the queen's marriage with Bothwell is called "a priveit marriage," which it certainly was not; for it was celebrated, after proclamation of banns in St. Giles's church three several days, and with public solemnity; but in the act it is denominated "ane pretendit marriage," which is the proper description of it, according to the ideas of the party. In the copy, the queen is said to be "so thrall and *bludy* affectionat to the privat appetite of that tyran," which is nonsense; but in the act it is "blindly affectionat." In the copy it is said, "all nobill and virtuous men abhorring their *traine* and company;" in the act, "their tyrannic and companie," which is evidently the true reading, as the other has either no meaning, or is a mere tautology. 2. The other proof of the forgery of the letters, is founded upon the impossibility of reconciling the account given of the time when, and the places from which, the letters are supposed to have been written, with what is certainly known concerning the queen's motions. According to the paper published, Anders. ii. 269. which has been called Murray's Diary, and which is formed upon the authority of the letters, Mary set out from Edinburgh to Glasgow, Jan. 21, 1567; she arrived there on the 23d; left that place on the 27th; she, together with the king, reached Linlithgow on the 28th, stayed in that town only one night, and returned to Edinburgh before the end of the month. But, according to Mr. Goodall, the queen did not leave Edinburgh until Friday January 24th; as she stayed a night at Callendar, she could not reach Glasgow sooner than the evening of Saturday the 25th, and she returned to Linlithgow on Tuesday the 28th. By consequence, the first letter, which supposes the queen to have been at least four days in Glasgow, as well as the second letter, which bears date at Glasgow, *Saturday morning*, whereas she did not arrive there until the evening, must be forgeries. That the queen did not set out from Edinburgh sooner than the 24th of January, is evident (as he contends) from the public records, which contain a *Precept of a confirmation of a liferent* by James Boyd to Margaret Chalmers, granted by the queen, on the 24th of January, at Edinburgh; and likewise a letter of the queen's, dated at Edinburgh on the same day, appointing James Inglis taylor to the prince her son. That the king and queen had returned to Linlithgow on the 28th, appears from a deed, in which they appoint Andrew Ferrier keeper of their palace there, dated at Linlithgow, January 28. Good. i. 118.

This has been represented to be not only a convincing but a legal proof of the forgery of the letters said to be written by Mary; but how far it falls short of this, will appear from the following considerations:—

1. It is evident from a declaration or confession made by the bishop of Ross, that before the conferences at York, which were opened in the beginning of October 1568, Mary had, by an artifice of Maitland's, got into her hands a copy of those letters which her subjects accused her of having written to Bothwell. Brown's Trial of the duke of Norfolk, 31. 36. It is highly probable that the bishop of Ross had seen the letters before he wrote the defence of queen Mary's honour in the year 1570. They were published to all the world, together with Buchanan's Detection, A. D. 1571. Now, if they had contained an error so gross, and, at that time, so obvious to discovery, as the supposing the queen to have passed several days at Glasgow, while she was really at Edinburgh; had they contained a letter dated at Glasgow, Saturday morning, though she did not arrive there till the evening; is it possible that she herself, who knew her own motions, or the able and zealous advocates who appeared for her in that age, should not have published and exposed this contradiction, and, by so doing, have blasted at once the credit of such an imposture? In disquisitions which are naturally abstruse and intricate, the ingenuity of the latest author may discover many things which have escaped the attention, or baffled the sagacity, of those who have formerly considered the same subject. But when a matter of fact lay so obvious to view, this circumstance of its being unobserved by the queen herself, or by any of her adherents, is almost a demonstration that there is some mistake or fallacy in our author's arguments. So far are any, either of our historians, or of Mary's defenders, from calling in question the common account concerning the time of the queen's setting out to Glasgow, and her returning from it, that there is not the least appearance of any difference among them with regard to this point. But further,

2. Those papers in the public records, on which our author rests the proof of his assertion concerning the queen's motions, are not the originals subscribed by the queen, but copies only, or translations of copies of those originals. It is not necessary, nor would it be very easy, to render this intelligible to persons unacquainted with the forms of law in Scotland; but every Scotsman conversant in business will understand me when I say, that the precept of confirmation of the liferent to Boyd is only a Latin copy or note of a precept, which was sealed with the privy-seal, on a warrant from the signet-office, proceeding on a signature which bore date at Edinburgh the 24th of January; and that the deed in favour of James Inglis is the copy of a letter,

sealed with the privy-seal, proceeding on a signature which bore date at Edinburgh, January 24. From all this we may argue with some degree of reason, that a proof founded on papers which are so many removes distant from the originals, cannot but be very lame and uncertain.

3. At that time all public papers were issued in the name both of the king and queen: by law, the king's subscription was no less requisite to any paper than the queen's; and therefore, unless the original signatures be produced, in order to ascertain the particular day when each of them signed, or to prove that it was signed only by one of them, the legal proof arising from these papers would be, that both the king and queen signed them at Edinburgh on the 24th of January.

4. The dates of the warrants or precepts issued by the sovereign in that age, seem to have been in a great measure arbitrary, and affixed at the pleasure of the writer; and of consequence, these dates were seldom accurate, are often false, and can never be relied upon. This abuse became so frequent, and was found to be so pernicious, that an act of parliament, A. D. 1592, declared the fixing a false date to a signature to be high treason.

5. There still remain in the public records a great number of papers, which prove the necessity of this law, as well as the fallacy of our author's arguments. And though it be no easy matter, at the distance of two centuries, to prove any particular date to be false, yet surprising instances of this kind shall be produced. Nothing is more certain from history, than that the king was at Glasgow 24th January 1567; and yet the record of signatures from 1565 to 1582, fol. 16th, contains the copy of a signature to Archibald Edmonston, said to have been subscribed by *our sovereigns*, i. e. the king and queen, at Edinburgh, January 24, 1567; so that if we were to rely implicitly upon the dates in the records of that age, or to hold our author's argument to be good, it would prove that not only the queen, but the king too, was at Edinburgh on the 24th of January.

It appears from an original letter of the bishop of Ross, that on the 25th of October 1566, Mary lay at the point of death; Keith, App. 134.; and yet a deed is to be found in the public records, which bears that it was signed by the queen that day. Privy-seal, lib. 35. fol. 89. *Ouchterlony.*[d]

Bothwell seized the queen as she returned from Stirling, April 24, 1567, and (according to her own account) conducted her to Dunbar with all diligence. And. i. 95. But our author, relying on the dates of some papers which he found in the records, supposes that Bothwell allowed her to stop at Edinburgh, and to transact business there. Nothing can be more improbable than this supposition. We may therefore rank the date of the deed to *Wright*, Privy-seal, lib. 36. fol. 43. and which is mentioned by our author, vol. i. 124. among the instances of the false dates of papers which were issued in the ordinary course of business in that age. Our author has mistaken the date of the other paper to Forbes, ibid.; it is signed April 14th, not April 24th.

If there be any point agreed upon in Mary's history, it is, that she remained at Dunbar from the time that Bothwell carried her thither, till she returned to Edinburgh along with him in the beginning of May. Our author himself allows that she resided twelve days there, vol. i. 367. Now though there are deeds in the records which bear that they were signed by the queen at Dunbar during that time, yet there are others which bear that they were signed at Edinburgh; *e. g.* there is one at Edinburgh, April 27. Privy-seal, lib. 36. fol. 97. There are others said to be signed at Dunbar on that day. Lib. 31. Chart. No. 524, 526. Ib. lib. 32. No. 154, 157. There are some signed at Dunbar, April 28. Others at Edinburgh, April 30. lib. 32. Chart. No. 492. Others at Dunbar, May 1. Id. ibid. No. 158. These different charters suppose the queen to have made so many unknown, improbable, and inconsistent journeys, that they afford the clearest demonstration that the dates in these records ought not to be depended on.

This becomes more evident from the date of the charter said to be signed April 27th, which happened that year to be a Sunday, which was not, at that time, a day of business in Scotland, as appears from the books of *sederunt*, then kept by the lords of session.

From this short review of our author's proof of the forgery of the letters to Bothwell, it is evident that his arguments are far from amounting to demonstration.[e]

Another argument against the genuineness of these letters is founded on the style and composition, which are said to be altogether unworthy of the queen, and unlike her real productions. It is plain, both from the great accuracy of composition in most of Mary's letters, and even from her solicitude to write them in a fair hand, that she valued herself on those accomplishments, and was desirous of being esteemed an elegant writer. But when she wrote at any time in a hurry, then many marks of inaccuracy appear. A remarkable instance of this

d N. B.—In some of the early editions of this Dissertation, another instance of the same nature with those which go before and follow was mentioned; but that, as has since been discovered, was founded on a mistake of the person employed to search the records, and is therefore omitted in this edition. The reasoning, however, in the Dissertation, stands still in force notwithstanding this omission.

e The uncertainty of any conclusion formed merely on the date of public papers in that age, especially with respect to the king, is confirmed and illustrated by a discovery which was made lately. Mr. Davidson (to whom I was indebted for much information when I composed this Dissertation thirty-three years ago) has, in the course of his intelligent researches into the antiquities of his country, found an original paper which must appear curious to Scottish antiquaries. Buchanan asserts, that on account of the king's frequent absence, occasioned by his dissipation and love of field-sports, a *cachette*, or stamp cut in metal, was made, with which his name was affixed to public deeds, as if he had been present. Hist. lib. xvii. p. 343. Edit. Ruddim. Knox relates the same thing, Hist. p. 393. How much this may have divested the king of the consequence which he derived from having his name conjoined with that of the queen in all public deeds, as the affixing of his name was thereby put entirely in the power of the person who had the custody of the *cachette*, is manifest. The keeping of it, as both Buchanan and Knox affirm, was committed to Rizzio. A late defender of queen Mary calls in question what they relate, and seems to consider it as one of their aspersions. Goodall, p. 238. The truth of their assertion, however, is now fully established by the original deed which I have mentioned. This I have seen and examined with attention. It is now lodged by Mr. Davidson in the signet-office. In it, the subscription of the king's name has evidently been made by a *cachette* with printers' ink.

may be found in a paper published, Good. ii. 301. Mary's letters to Bothwell were written in the utmost hurry; and yet under all the disadvantages of translation, they are not destitute either of spirit or of energy. The manner in which she expresses her love to Bothwell has been pronounced indecent and even shocking. But Mary's temper led her to warm expressions of her regard; those refinements of delicacy, which now appear in all the commerce between the sexes, were in that age but little known, even among persons of the highest rank. Among the earl of Hardwicke's papers, there is a series of letters from Mary to the duke of Norfolk, copied from the Harleian library, p. 37. b. 9. fol. 88. in which Mary declares her love to that nobleman in language which would now be reckoned extremely indelicate; Hard. State Papers, i. 189, &c.

Some of Mary's letters to Bothwell were written before the murder of her husband; some of them after that event, and before her marriage to Bothwell. Those which are prior to the death of her husband abound with the fondest expressions of her love to Bothwell, and excite something more than a suspicion that their familiarity had been extremely criminal. We find in them, too, some dark expressions, which her enemies employed to prove that she was no stranger to the schemes which were formed against her husband's life. Of this kind are the following passages: "Alace! I never dissavit ony body; but I remit me altogidder to zour will. Send me advertisement quhat I sall do, and quhatsaever thing come thereof, I sall obey zow. Advise to with zourself, gif ze can find out ony mair secret inventioun by medicine, for he suld tak medicine and the bath at Craigmillar." Good. ii. 22. "See not hir quhais fenzeit teiris suld not be sa meikle praisit and estemit, as the trew and faithfull travellis quhilk I sustene for to merit hir place. For obtaining of the quhilk, againis my natural, I betrayis thame that may impesche me. God forgive me," &c. Ibid. 27. "I have walkit later thairup, than I wald have done, gif it had not been to draw something out of him, quhilk this berer will schaw zow, quhilk is the fairest commodity that can be offerit to excuse zour affairs." Ibid. 32. From the letters posterior to the death of her husband, it is evident that the scheme of Bothwell's seizing Mary by force, and carrying her along with him, was contrived in concert with herself, and with her approbation.[f]

With respect to the sonnets, sir David Dalrymple has proved clearly, that they must have been written

f That letters of so much importance as those of Mary to Bothwell should have been entirely lost, appears to many altogether unaccountable. After being produced in England before Elizabeth's commissioners, they were delivered back by them to the earl of Murray. Good. ii. 235. He seems to have kept them in his possession during life. After his death, they fell into the hands of Lennox his successor, who restored them to the earl of Morton. Good. ii. 91. Though it be not necessarily connected with any of the questions which gave occasion to this Dissertation, it may perhaps satisfy the curiosity of some of my readers to inform them, that, after a very diligent search, which has lately been made, no copy of Mary's letters to Bothwell can be found in any of the public libraries in Great Britain. The only certain intelligence concerning them, since the time of their being delivered to Morton, was communicated by the accurate Dr. Birch.

Extract of the letters of Robert Bowes, Esq. ambassador from queen Elizabeth to the king of Scotland, written to sir Francis Walsingham, secretary of state, from the original register book of Mr. Bowes's letters, from 15th August 1582, to 28th September 1583, in the possession of Christopher Hunter, M. D. of Durham.

1582, 8th November, from Edinburgh.

Albeit I have been borne in hand, That the coffer wherein were the originals of letters between the Scottish queen and the earl of Bothwell, had been delivered to sundry hands, and thereby was at present wanting, and unknown where it rested, yet I have learned certainly by the prior of Pluscardyne's means that both the coffer and also the writings are come, and now remain with the earl of Gowrie, who, I perceive, will be hardly intreated to make delivery to her majesty, according to her majesty's desire.

This time past I have expended in searching where the coffer and writings were, wherein, without the help of the prior, I should have found great difficulty; now I will essay Gowrie, and of my success you shall be shortly advertised.

12th of November, 1582, from Edinburgh.

Because I had both learned, that the casket and letters mentioned in my last, before these were come to the possession of the earl of Gowrie, and also found that no mean might prevail to win the same out of his hands without his own consent and privity; in which behalf I had employed fit instruments, that nevertheless profiting nothing; therefore I attempted to essay himself, letting him know that the said casket and letters should have been brought to her majesty by the offer and good means of good friends, promising to have delivered them to her majesty before they came into his hands and custody, and knowing that he did bear the like affection, and was ready to pleasure her majesty in all things, and chiefly in this that had been thus far tendered to her majesty, and which thereby should be well accepted, and with princely thanks and gratuity be requited to his comfort and contentment; I moved him that they might be a present to be sent to her majesty from him, and that I might cause the same to be conveyed to her majesty, adding hereunto such words and arguments as might both stir up a hope of liberality, and also best effect the purpose. At the first he was loth to agree that they were in his possession; but I let him plainly know that I was certainly informed that they were delivered to him by Sanders Jardin; whereupon he pressed to know who did so inform me, inquiring whether the sons of the earl of Morton had done it, or no. I did not otherwise in plain terms deny or answer thereunto, but that he might think that he had told me as the prior is ready to avouch, and well pleased that I shall give him to be the author thereof; after he had said [though] all these letters were in his keeping, (which he would neither grant nor deny,) yet he might not deliver them to any person without the consents and privities, as well of the king, that had interest therein, as also of the rest of the noblemen enterprisers of the action against the king's mother, and that would have them kept as an evidence to warrant and make good that action. And albeit I replied, that their action in that part touching the assignation of the crown to the king by his mother, had received such establishment, confirmation, and strength, by acts of parliaments and other public authority and instruments, as neither should that case be suffered to come in debate and question, nor such scrolls and papers ought to be showed for the strengthening thereof, so as these might well be left and be rendered to the hands of her majesty to whom they were destined before they fell in his keeping; yet he would not be removed or satisfied; concluding, after much reasonings, that the earl of Morton, nor any other that had the charge and keeping thereof, durst at any time make delivery; and because it was the first time that I had moved him therein, and that he would gladly both answer her majesty's good expectation in him, and also perform his duty due to his sovereign and associates in the action aforesaid; therefore he would seek out the said casket and letters, at his return to his house, which he thought should be within a short time; and upon finding of the same, and better advice and consideration had of the cause, he would give further answer. This resolution I have received as to the thing; and for the present I could not better, leaving him to give her majesty such testimony of his good-will towards her, by his frank dealing herein, as she may have cause to confirm her highnesses good opinion conceived already of him, and be thereby drawn to greater goodness towards him. I shall still labour him, both by myself and also by all other means; but I greatly distrust the desired success herein.

24th of November 1582, from Edinburgh.

For the recovery of the letters in the coffer, come to the hands of the earl of Gowrie, I have lately moved him earnestly therein, letting him know the purpose of the Scottish queen, both giving out that the letters are counterfeited by her rebels, and also seeking thereon to have them delivered to her or defaced, and that the means which she will make in this behalf shall be so great and effectual, as these writings cannot be safely kept in that realm without dangerous offence of him that hath the custody thereof, neither shall he that is once known to have them be suffered to hold them in his hands. Herewith I have at large opened the perils likely to fall to that action, and the parties therein, and particularly to himself that is now openly known to have the possession of these writings, and I have lettin him see what surety it shall bring to the said cause and all the parties therein, and to himself, that these writings may be with secrecy and good order committed to the keeping of her majesty, that will have them ready whensoever any use shall be for them, and by her highnesses countenance defend them and the parties from such wrongful objections as shall be laid against them, offering at length to him, that if he be not fully satisfied herein, or doubt that the rest of the associates shall not like of the delivery of them to her majesty in this good manner, and for the interest rehearsed, that I shall readily, upon meeting and conference with them, procure their assent in this part (a matter more easy to offer than to perform); and lastly, moving him that (for the secrecy and benefit of the cause, and that her majesty's good opinion towards himself may be firmly settled and confirmed by his acceptable forwardness herein) he would, without needless scruple, frankly commit these writings to her majesty's good custody for the good uses received. After long debate he resolved, and said, that he would unfeignedly show and do to her majesty all the pleasure that he might without offence to the king his sovereign, and prejudice to the associates in the action, and therefore he would first make search and view the said letters, and herein take advice what he might do, and how far he might satisfy and content her majesty, promising thereon to give more resolute answer; and he concluded flatly, that after he had found and seen the writings, that he might not make delivery of them without the privity of the king. Albeit I stood along with him against his resolution in this point, to acquaint the king with this matter before the letters were in the hands of her majesty, letting him see that his doings there should admit great danger to the cause; yet I could not remove him from it. It may be that he meaneth to put over the matter from himself to the king, upon sight whereof I shall travel effectually to obtain the king's consent that the letters may be committed to her majesty's keeping, thinking it more easy to prevail herein with the king, in the present love and affection that he beareth to her highness, than to win any thing at the hands of the associates in the action, whereof some principal of them now come and remain at the devotion of the king's mother. In this I shall still call on Gowrie to search out the coffer, according to his promise; and as I shall find him minded to do therein, so shall I do my best and whole endeavour to effect the success to her majesty's best contentment.

2d December 1582, from Edinburgh.

Because I saw good opportunity offered to renew the matter to the earl of Gowrie for recovery of the letters in the coffer in his hands, therefore I put him in mind thereof; whereupon he told me that the duke of Lennox had sought earnestly to have had those letters, and that the king did know where they were, so as they could not be delivered to her majesty without

after the murder of the king, and prior to Mary's marriage with Bothwell. But as hardly any part of my narrative is founded upon what is contained in the sonnets, and as in this Dissertation I have been constrained to dwell longer upon minute and verbal criticisms, than may be interesting or agreeable to many of my readers, I shall rest satisfied with referring, for information concerning every particular relative to the sonnets, to *Remarks on the History of Scotland*, Chap. XI.

Having thus stated the proof on both sides; having examined at so great a length the different systems with regard to the facts in controversy; it may be expected that I should now pronounce sentence. In my opinion, there are only two conclusions which can be drawn from the facts which have been enumerated.

One, that Bothwell, prompted by his ambition or love, encouraged by the queen's known aversion to her husband, and presuming on her attachment to himself, struck the blow without having concerted with her the manner or circumstances of perpetrating that crime. That Mary, instead of testifying much indignation at the deed, or discovering any resentment against Bothwell, who was accused of having committed it, continued to load him with marks of her regard, conducted his trial in such a manner as rendered it impossible to discover his guilt, and soon after, in opposition to all the maxims of decency or of prudence, voluntarily agreed to a marriage with him, which every consideration should have induced her to detest. By this verdict, Mary is not pronounced guilty of having contrived the murder of her husband, or even of having previously given her consent to his death; but she is not acquitted of having discovered her approbation of the deed, by her behaviour towards him who was the author of it.

The other conclusion is that which Murray and his adherents laboured to establish. "That James, sometymme earl of Bothwile, was the chiefe executour of the horribill and unworthy murder, perpetrat in the person of umquhile king Henry of gude memory, fader to our soveraine lord, and the queenis lauchfull husband; sa was she of the foreknowledge, counsall, devise, perswadar, and commandement of the said murder to be done." Good. ii. 207.

Which of these conclusions is most agreeable to the evidence that has been produced, I leave my readers to determine.

the king's privity and consent, and he pretended to be still willing to pleasure her majesty in the same, so far as he may with his duty to the king and to the rest of the associates in that action; but I greatly distrust to effect this to her majesty's pleasure, wherein, nevertheless, I shall do my utmost endeavours.

Whether James VI., who put the earl of Gowrie to death, A. D. 1584, and seized all his effects, took care to destroy his mother's letters, for whose honour he was at that time extremely zealous; whether they have perished by some unknown accident; or whether they may not still remain unobserved among the archives of some of our great families, it is impossible to determine.

APPENDIX.

No. I. (Page 58.)

A Memorial of certain Points meet for restoring the Realm of Scotland to the ancient Weale.

5th August 1559. Cotton. Lib. Cal. B. x. fol. 17. From a copy in secretary Cecil's hand.

IMPRIMIS, it is to be noted, that the best worldly felicity that Scotland can have, is either to continue in a perpetual peace with the kingdom of England, or to be made one monarchy with England, as they both make but one island, divided from the rest of the world.

If the first is sought, that is, to be in perpetual peace with England, then must it necessarily be provided, that Scotland be not so subject to the appointments of France as is presently, which, being an ancient enemy to England, seeketh always to make Scotland an instrument, to exercise thereby their malice upon England, and to make a footstool thereof to look over England as they may.

Therefore, when Scotland shall come into the hands of a mere Scottish man in blood, then may there be hope of such accord; but as long as it is at the commandment of the French, there is no hope to have accord long betwixt these two realms.

Therefore, seeing it is at the French king's commandment by reason of his wife, it is to be considered for the weale of Scotland, that until she have children, and during her absence out of the realm, the next heirs to the crown, being the house of the Hamiltons, should have regard hereto, and to see that neither the crown be imposed nor wasted; and, on the other side, the nobility and commonalty ought to force that the laws and the old customs of the realm be not altered, neither that the country be not impoverished by taxes, emprest, or new imposts, after the manner of France; for provision wherein, both by the law of God and man, the French king and his wife may be moved to reform their misgovernance of the land.

And for this purpose it were good that the nobility and commons joined with the next heir of the crown, to seek due reformation of such great abuses as tend to the ruin of their country, which must be done before the French grow too strong and insolent.

FIRST, That it may be provided by the consent of the three estates of the land, that the land may be free from all idolatry like as England is; for justification whereof, if any free general council may be had where the pope of Rome have not the seat of judgment, they may offer to show their cause to be most agreeable to Christ's religion.

NEXT, To provide that Scotland might be governed, in all rules and offices, by the ancient blood of the realm, without either captains, lieutenants, or soldiers, as all other princes govern their countries, and especially that the forts might be in the hands of mere Scottish men.

THIRDLY, That they might never be occasioned to enter into wars against England, except England should give the first cause to Scotland.

FOURTHLY, That no nobleman of Scotland should receive pension of France, except it were whilst he did serve in France, for otherwise thereby the French would shortly corrupt many to betray their own country.

FIFTHLY, That no office, abbey, living, or commodity, be given to any but mere Scottish men, by the assent of the three estates of the realm.

SIXTHLY, That there be a council in Scotland appointed in the queen's absence, to govern the whole realm, and in those cases not to be directed by the French.

SEVENTHLY, That it be by the said three estates appointed how the queen's revenue of the realm shall be expended, how much the queen shall have for her portion and estate during her absence, how much shall be limited to the governance and defence of the realm, how much yearly appointed to be kept in treasure.

In these, and such like points, if the French king and the queen be found unwilling, and will withstand these provisions for the weale of the land, then hath the three estates of the realm authority, forthwith, to intimate to the said king and queen their humble requests; and if the same be not effectually granted, then humbly they may commit the governance thereof to the next heir of the crown, binding the same also to observe the laws and ancient rights of the realm.

FINALLY, If the queen shall be unwilling to this, as it is likely she will, in respect of the greedy and tyrannous affection of France, then it is apparent that Almighty God is pleased to transfer from her the rule of the kingdom for the weale of it, and this time must be used with great circumspection to avoid the deceipts and tromperies of the French.

And then may the realm of Scotland consider, being once made free, what means may be devised, by God's goodness, to accord the two realms, to endure for time to come at the pleasure of Almighty God, in whose hands the hearts of all princes be.

No. II. (Page 60.)

A Letter of Maitland of Lethington's, thus directed:

To my loving friend James. Be this delivered at London.

20th January, 1559-60. Cott. Lib. Cal. B. ix. From the original in his own hand.

I UNDERSTAND by the last letter I received from zow, that discoursing with zour countrymen upon the matter of Scotland, and comoditeys may ensew to that realm hereafter, giff ze presently assist ws with zour forces, ze find a nombre of the contrary advise, douting that we sall not at length be found trusty frends, nor mean to contynew in constant ametye, albeit we promise, but only for avoyding the present danger make zow to serve our turne, and after being delivered, becum enemies as of before. For profe quhareof, they alledge things that have past betwixt ws heretofore, and a few presumptiones tending to the sam end, all grounded upon mistrust; quhilks, at the first sicht, have some shewe of apparence, gif men wey not the circumstances of the matter; but gif they will confer the tyme past with the present, consider the nature of this caus, and estate of our countrey, I doubt not but jugement sal be able to banish mistrust. And first, I wad wish ze should examyne the causes off the old inmitye betwixt the realms of England and Scotland, and quhat moved our ancestours to enter into ligue with the Frenche; quhilks by our storeys and registres of antiquiteys appear to be these. The princes of England, some tyme, alledging a certain kynde of soveraintye over this realm; some tyme upon hye courage, or incited by incursions off our bordourares, and semblable occasions, mony tymes enterprised the conquest of ws, and sa far furth preist it by force off armes, that we wer dryven to great extramiteys, by loss of our princes, our noblemen, and a good part of our countrey, sa that experience taught ws that our owne strength was scarse sufficient to withstand the force of England. The Frenche zour auncient enemyes, considering well how nature had sa placed ws in a iland with zow, that na nation was able sa to annoye England as we, being enemyes, soucht to joine ws to theym in ligue, tending by that meane to detourne zour armyes from the invasion of France, and occupy zow in the defence off zour country at hame, offering for that effect to bestowe some charges upon ws, and for compassing off theyr purpos, choysed a tyme to propone the matter, quhen the fresche memory off injuris lately receaved at zour hands, was sa depely prented on our hartes, that all our myndes were occupied how to be revenged, and arme ourselfes with the powar off a forayne prince against zour enterprises thereafter.

This wes the beginning off our confederacy with France. At quhilk time, our cronicles maks mention, that some off the wysest foresaw the perril, and small frute should redound to ws thereof at lenth: zit had affection sa blinded jugement, that the advise of the maist part owercame the best. The maist part of all querells betwixt ws since that tyme, at least quhen the provocation came on our syde, hes ever fallen out by theyr procurement rather than any one caus off ourselfes: and quhensaever we brack the peace, it came partly by theyr intysements, partly to eschew the conquest intended by that realm. But now hes God's providence sa altered the case, zea changed it to the plat contrary, that now hes the Frenche taken zour place, and we, off very jugement, becum desyrous to have zow in theyr rowme. Our eyes are opened, we espy how uncareful they have been of our weile at all tymes, how they made ws ever to serve theyr turne, drew us in maist dangerous weys for theyr commodite, and nevertheless wad not styck, oft tymes, against the natour of the ligue, to contrak peace, leaving ws in weyr. We see that their support, off late zeres, was not grantit for any affection they bare to ws, for pytie they had off our estate, for recompense off the lyke friendship schawin to them in tyme of theyr afflictiones, but for ambition, and insaciable cupidite to reygne, and to mak Scotland ane accessory to the crown of France. This was na friendly office, but mercenary, craving hyre farre exceeding the proportion of theyr deserving; a hale realm for the defence of a part. We see theym manifestly attempt the thing we suspected of zow; we feared ze ment the conquest off Scotland, and they are planely fallen to that work; we hated zow for doubt we had ze ment evill towards ws, and sall we love theym, quhilks bearing the name of frends, go about to bring ws in maist vile servitude? Gif by zour frendly support at this tyme, ze sall declare that not only sute ze not the ruyne of our countrey, but will preserve the libertie thereof from conquest by strangeares, sall not the occasion off all inimitie with zow, and ligue with theym, be taken away? The causes being removed, how sall the effectes remane? The fear of conquest made ws to hate zow and love theym; the cais changed, quhen we see them planely attempt conquest, and zow schaw ws frendship, sall we not hate them, and favour zow? Gif we have schawne sa great constance, continuing sa mony zeares in amity with theym, off quhome we had sa small commodite, quhat sall move us to breake with zow, that of all nationes may do ws greatest plesour?

But ze will say, this mater may be reconcyled and then frends as off before. I think weill peace is the end of all weyr, but off this ze may be assured, we will never sa far trust that reconciliation, that we will be content to forgo the amitye of England, nor do any thing may bring ws in suspicion with zow. Giff we wold at any tyme to please theym, break with zow, should we not, besides the losse off esti-

mation and discrediting of ourselfes, perpetually expone our common weill to a maist manifest danger, and becum a pray to theyr tyranny? Quhais aid could we implore, being destitute of zour frendship, giff they off new wald attempt theyr formar enterprise? Quhat nation myght help ws giff they wald, or wald giff they myght? and it is lyke eneuch, they will not stick hereafter to tak theyr time off ws, quhen displesour and grudge hes taken depe rute on baith sydes, secing ambition has sa impyrit ower theyr reason, that before we had ever done any thing myght offend theym, but by the contrary pleased theym by right and wrang, they did not stick to attempte the subversion of our hale state. I wald ze should not esteeme ws sa barayne of jugement, that we cannot forese our awne perril; or sa foolische, that we will not study by all gode means to entertayne that thing may be our safetye; quhilk consistes all in the relaying of zour frendships. I pray zow consider in lyke case, when, in the days of zour princes of maist noble memory, king Henry VIII. and king Edward the VI., meanes wer opened off amitye betwixt baith realms; was not at all tymes the difference of religion the onley stay they wer not embraced? Did not the craft of our clergy and power of theyr adherents subvert the devises of the better sort? But now has God off his mercy removed that block furth of the way; now is not theyr practise lyke to tak place any mare, when we ar comme to a conformity off doctrine, and profes the same religion with zow, quhilk I take to be the straytest knot off amitye can be deviscd. Giff it may be alledged that some off our countrymen at ony time violated theyr promis, giff ze liff to way the circumstances, ze sall fynd the promis is rather brought on by necessite, after a great owerthraw off our men, then comme off fre will, and tending ever to our great incommodite and decay off our haill state, at leist sa taken. But in this case, sall the preservation off our libertie be inseperably joined with the keping off promesse, and the violation off our fayth cast ws in maist miserable servitude. Sa that giff neyther the feare off God, revcrence of man, religion, othe, promise, nor warldly honestye wes sufficient to bynd ws, yet sall the zeale off our native countrey, the maintenance off our owne state, the safety of our wyffes and childrene from slavery, compell ws to kepe promisse. I am assured, it is trewly and sincerely ment on our part to continew in perpetual ametye with zow; it sall be uttered by our proceedings. Giff ze be as desirous of it as we ar, assurances may be devysed, quharby all partyes will be out of doubte. There be gode meanes to do it, fit instruments for the purpos, tyme serves weill, the inhabitants of baith realms wish it, God hes wrought in the people's hartes on bayth parties a certaine still agreement upon it, never did, at any tyme, so mony things concurre at ones to knyt it up, the disposition off a few, quhais harts are in Godis hands, may mak up the hale. I hope he quha hes begun this work, and mainteyned it quhile now, by the expectation of man, sale perfyte it.

I pray zow, let not zour men dryve time in consultation, quhether ze sall support ws or no; seying the mater speaketh for itself, that ze mon take upon zow the defence off our caus, giff ze have any respect for zour awne weill. Their preparatives in France, and levying of men in Germany, (quheyroff I am lately advertised,) ar not altogydder ordeyned for us; ze ar the mark they shote at; they seke our realme, but for ane entrey to zours. Giff they should directly schaw hostilitie to zow, they knaw zow wald mak redy for theyme, therefor they do, by indirect meanes, to blind zow, the thing they dare not as zit planely attempte. They seme to invade us to th' end, that having assembled theyr hale forces sa nere zour bordours, they may unlok it to attack zow: it is ane off their ald fetches, making a schaw to one place, to lyght one ane other. Remember how covertly zour places about Boulougne were assaizeit, and carried away, ze being in peace as now. How the enterprise of Calais was fynely dissembled, I think ze have not sa sone forgotten. Beware of the third, prevent theyr policy by prudence. Giff ze se not the lyke disposition presently in them, ze se nathing. It is a grosse ignorance to misknaw, what all nations planely speks off. Tak heed ze say not hereafter, "Had I wist;" ane uncomely sentence to procede off a wyse man's mouth. That is onwares chanced on to zow quhilk zow commonly wissed, that this countrey might be divorsed from the Frensche, and is sa comme to pass as was maist expedient for zow. For giff by your intysement we had taken the mater in hand, ze myght have suspected we would have been ontrusty frends, and na langer continued stedfaste then perril had appeared. But now, quhen off our self we have conceyved the hatered, provoked by private injuries, and that theyr evil dealing with ws hes deserved our inimitye, let no man doubte but they sall fynd ws ennemycs in ernest, that sa ungently hes demeyned our countrey, and at quhais hands we look for nathing but all extremitye, giff ever they may get the upper hand. Let not this occasion, sa happely offered, escape zow: giff ze do, neglecting the present opportunite, and hoping to have ever gode luk comme sleaping upon zow, it is to be feared zour enemye waxe sa great, and sa strang, that afterwards quhen ze wald, ze sall not be able to put him down; and then, to zour smart, after the tyme ze will acknowledge zour error. Ze have felt, by experience, quhat harme cometh off oversight, and trusting to zour enemyes promesse. We offer zow the occasion, quheyrby zour former losses may be repayred. Quhilk gif ze let over slyde, suffering ws to be owerrun, quha then, I pray zow, sall stay the Frensche, that they sall not invade zow in zour own boundes; sic is their lust to reygne, that they can neyther be content with theyr fortune present, nor rest and be satisfied when they have gode luk, but will still follow on, having in their awne brayne conceaved the image of sa

great a conquest, quhat think ye sall be the end? Is ther any of sa small jugement, that he doth not foresee already, that theyr hail force sall then be bent against zow?

It sall not be amis, to consider in quhat casc the Frensche be presently. Theyr estate is not always sa calme at hame as every man thinketh. And trewly it wes not theyr great redines for weyr made theym to tak this mater on hand at this tyme, but rather a vayne trust in their awne policy, thinking to have found na resistance; theyr opinion hes deceaved theym, and that makes them now amased. The estates off the empire (as I heare) has suted restitution off th' imperial towns Metz, Toull, and Verdun, quhilk may grow to some besynes; and all thing is not a calme within theyr awne countrey; the les fit they be presently for weyr, the mare oportune esteme ze the time for zow. Giff the lyke occasion wer offered to the Frensche against zow, wey, how gladly would they embrace it. Are ze not eschamed of zour sleuth, to spare theym that hes already compassed zour destruction, giff they wer able? Consider with zour self quhilk is to be choysed? To weyr against them outwith zour realme or within? Giff quhill ze sleape, we sal be overthrowne, then sall they not fayle to fyte zow in zour awne countrey, and use ws as a fote stole to overloke zow. But some will say, perhaps they meane it not. It is foly to think they wald not giff they wer able, quhen before hand they stick not to giff zour armes, and usurpe the style of zour crown. Then quhat difference there is to camp within zour awne bounds or without, it is manifest. Giff twa armyes should camp within zour countrey but a moneth; albeit ye receavcd na other harme, zit should zour losse be greatar nor all the charge ze will nede to bestow on our support will draw to, besydes the dishonour.

Let not men, that eyther lack gode advise, or ar not for perticular respects weill affected to the caus, move zow to subtract zour helping hand, by alleging things not apparent, for that they be possible. It is not, I grant, unpossible that we may reccave conditiones of peace; but I see little likelyhode that our ennemyes will offer ws sik as will remove all mistrust, and giff we wald have accepted others, the mater had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames our just querell with the name of conspiracy against our soverayne. It is her hyenes ryght we manetayne. It is the liberty off hir realme we study to preserve with the hazard of our lyves. We arc not (God knaweth) comme to this poynt for wantones, as men impacient of rewll, or willing to schake off the zoke of government, but ar drawne to it by necessite, to avoyde the tyranny of strangeares, seaking to defraude ws off lawful government. Giff we should suffer strangeares to plant themselffes peaceably in all the strenthes of our realme, fortify the sey-portes, and maist important places, as ane entre to a plain conquest, now in the minorite of our soverayne, beyng furth of the realme, should we not be thought oncareful off the common weill, betrayares of our native countrey, and evill subjects to her majeste? Quhat other opinion could sche have off ws? Might she not justly hereafter call ws to accompt, as negligent ministeres? Giff strangeares should be thus suffered to broke the chefe offices, beare the hail rewll, alter and pervert our lawes and liberty at theyr plesour, myght not the people esteem our noblemen unworthy the place of counsalours? We mean na wysc to subtrak our obedicnce from our soverayne, to defraud hir hyenes of her dew reverence, rents and revenues off hir crown. We seke nathing but that Scotland may remane, as of before, a fre realme, rewlit by hir hyenes and hir ministeres, borne men of the sam; and that the succession of the crown may remane with the lawful blode.

I wald not ze sould not sa lyttill esteme the frendship of Scotland, that ze juged it not worthy to be embraced. It sall be na small commodite for zow to be delivered off the anoyance of so neir a nyghtbour, quhais inimitye may morc trouble zow, then off any other nation albeit twyss as puissant, not lyeng dry marche with zow. Besydes that ze sall not nede to feare the invasion of any prince lackyng the commodite to invade zow by land, on our hand. Consider quhat superfluous charges ze bestowe on the fortification and keping of Barwick; quhilk ze may reduce to a mean sowmc, having ws to frendes. The realme of Ireland being of natour a godc and fertill countrey, by reason of the continewall unquietnes and lack of policy, ze knaw to be rather a burthen unto zow than great advantage; and giff it were peaceable may be very commodious. For pacification quhayroff, it is not onknowne to zow quhat service we ar abill to do. Refuse not theyr commoditeys, besides mony ma quhen they arc offred. Quhilks albeit I study not to amplify and dilate, yet is na othcr countrcy able to offer zow the lyke, and are the rather to be embraced, for that zour auncestors, by all meanes, maist earnestly suted our amity, and yct it was not theyr hap to come by it. The mater hes almaist carryed me beyond the boundes of a lettre, quharfor I will leave to trouble zow after I have given you this note. I wald wiss that ze, and they that ar learned, sould rede the twa former orations of Demosthenes, called Olynthiacæ, and considere quhat counsall that wyse oratour gave to the Athenians, his countrymen, in a lyke case; quhilk hes so great affinite with this cause of ours, that every word thereoff myght be applyed to our purpos. There may ze learne of him quhat advise is to be followed, when zour nyghbour's hous is on fyre. Thus I bid zow hartely fareweill. From Sant Andrews, the 20th of January 1559.

No. III. (Page 62.)

Part of a Letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 29th of April 1560.

An original in the Paper Office.

I WILL only, for this time, discharge myself of my promise to the earl of Huntley, who so desyreth to be recommended to you, as one, who, with all his heart, favoureth this cause, to the uttermost of his power. Half the words that come out of his mouth were able to persuade an unexperienced man to speak farther in his behalf, than I dare be bold to write. I leave it to your honour to judge of him, as of a man not unknown to you, and will myself always measure my thoughts as he shall deserve to be spoken of. With much difficulty, and great persuasion, he hath subscribed with the rest of the lords to join with them in this action; whatsomever he can invent to the furtherance of this cause, he hath promised to do with solemn protestation and many words; he trusteth to adjoin many to this cause; and saith surely that no man shall lie where he taketh part. He hath this day subscribed a bond between England and this nation; he saith, that there was never thing that liked him better.

No. IV. (Page 66.)

Randolph to Cecil, 10*th Aug.* 1560. *From Edinburgh.*

An original in the Paper Office.

SINCE the 29th of July, at what time I wrote last to your honour, I have heard of nothing worth the reporting. At this present it may please you to know, that the most part of the nobles are here arrived, as your honour shall receive their names in writing. The earl of Huntley excuseth himself by an infirmity in his leg. His lieutenant for this time is the lord of Lidington, chosen speaker of the parliament, or haranguemaker, as these men term it. The first day of their sitting in parliament will be on Thursday next. Hitherto as many as have been present of the lords have communed and devised of certain heads then to be propounded, as, who shall be sent into France, who into England. It is much easier to find them than the other. It seemeth almost to be resolved upon, that for England the master of Maxwell and laird of Lidington; for France, Pittarow and the justice-clerk. Also they have consulted whom they think meetest to name for the XXIV. of the which the XII. counsellors must be chosen. They intend very shortly to send away Dingwall the herald into France, with the names of those they shall choose; and also to require the king and queen's consent unto this parliament. They have devised how to have the contract with England confirmed by authority of parliament; how also to have the articles of the agreement between them and their king and queen ratified. These things yet have only been had in communication. For the confirmation of the contract with England I have no doubt; for that I hear many men very well like the same, as the earl of Athol, the earl of Sutherland, the l. Glamis, who dined yesterday with the l. James. The lord James requested me this present day to bring the contract unto him. I intend, also, this day, to speak unto the l. Gray, in our l. Gray's name, for that he promised in my hearing to subscribe, and then presently would have done it, if the contract could have been had. For the more assurance against all inconvenients, I would, besides that, that I trust it shall be ratified in parliament, that every nobleman in Scotland had put his hand and set his seal, which may always remain as a notable monument, though the act of parliament be hereafter disannulled. If it might, therefore, stand with your advice, that the lords might be written unto, now that they are here present, to that effect, or that I might receive from your hon^{r}. some earnest charge to travel herein, I doubt not but it would serve to good purpose. If it might be also known with what substantial and effectious words or charge you desire to have it confirmed, I think no great difficulty would be made. The earl marshal has often been moved to subscribe; he useth mo delays than men judged he would. His son told me yesterday, that he would speak with me at leisure, so did also Drumlanrick; I know not to what purpose. I have caused l. James to be the earnester with the l. marshal, for his authority's sake, when of late it was in consultation by what means it might be wrought, that the amity between these two realms might be perpetual; and among diverse men's opinion, one said that he knew of no other, but by making them both one, and that in hope of that mo things were done than would otherwise have ever been granted. The earl of Argyll advised him earnestly to stick unto that that he had promised, that it should pass his power and all the crafty knaves of his counsel, (I am bold to use unto your h. his own words,) to break so godly a purpose. This talk liked well the assisters, howsomever it pleased him to whom it was spoken unto. The barons, who in time past have been of the parliament, had yesterday a convention among themselves in the church, in very honest and quiet sort; they thought it good to require to be restored unto their ancient liberty, to have voice in parliament. They presented that day a bill unto the lords to that effect, a copy whereof shall be sent as soon as it can be had. It was answered unto gently, and taken in good part. It was referred unto the lords of articles, when they are chosen, to resolve thereupon. ——*Here follows a long paragraph concerning the fortifications of Dunbar*, &c.——This present morning, *viz.* the 9th, I understood that the lords intended to be at the parliament, which caused me somewhat to stay my letter, to see what I could hear or learn worth the reporting unto your hon^{r}. The lords, at ten of the clock, assembled themselves at the palace, where the duke lieth; from whence they departed towards the Tolbooth, as they were in dignity. Each one being set in his seat, in such order

as your h. shall receive them in this scroll. The crown, the mace, the sword, were laid in the queen's seat. Silence being commanded, the l. of Lidington began his oration. He excused his insufficiency to occupy that place. He made a brief discourse of things past, and of what necessity men were forced unto for the defence of their country, what remedy and support it pleased God to send them in the time of their necessity, how much they were bound heartily to acknowledge it, and to require it. He took away the persuasion that was in many men's mind that lay back, that misdeemed other things to be meant than was attempted. He advised all estates to lay all particulars apart, and to bend themselves wholly to the true service of God and of their country. He willed them to remember in what state it had been of long time for lack of government, and exercise of justice. In the end, he exhorted them to mutual amity and hearty friendship, and to live with one another as members all of one body.——He prayed God long to maintain this peace and amity with all princes, especially betwixt the realms of England and Scotland, in the fear of God, and so ended. The clerk of register immediately stood up, and asked them to what matter they would proceed. It was thought necessary that the articles of the peace should be confirmed with the common consent, for that it was thought necessary to send them away with speed into France, and to receive the ratification of them as soon as might be. The articles being read, were immediately agreed unto: a day was appointed to have certain of the nobles subscribe unto them, and to put to their seals, to be sent away by a herald, who shall also bring the ratification again with him. The barons, of whom I have above written, required an answer to their request: somewhat was said unto the contrary. The barons alleged for them custom and authority. It was in the end resolved, that there should be chosen six to join with the lords of the articles, and that if they, after good advisement, should find it right and necessary for the commonwealth, it should be ratified at this parliament for a perpetual law. The lords proceeded immediately hereupon to the chusing of the lords of the articles. The order is, that the lords spiritual chuse the temporal, and the temporal the spiritual, and the burgesses their own. There were chosen as in this other paper I have written. This being done, the lords departed and accompanied the duke, all as far as the Bow, (which is the gate going out of the High-street,) and many down into the palace where he lieth. The town all in armour, the trumpets sounding, and other music such as they have. Thus much I report unto your honour of that I did both hear and see. Other solemnities have not been used, saving in times long past the lords have had parliament robes, which are now with them wholly out of use.

The names of as many earls and lords spiritual and temporal as are assembled at this parliament.

The duke of Chatelherault.

Earls.	*Lords.*	*Lords spiritual.*
Arran.	Erskine.	St. Andrews.
Argyll.	Ruthven.	Dunkell.
Athole.	Lindsey.	Athens.
Crawford.	Somerville.	The bishop of the Isles.
Cassils.	Cathcart.	Abbots and priors, I know not how many.
Marshall.	Hume.	
Morton.	Livingston.	
Glencairn.	Innermeth.	
Sutherland.	Boyd.	
Caithness.	Ogilvy.	
Rothes.	Fleming.	
Monteith.	Glamis.	
	Gray.	
	Ochiltree.	
	Gordon.	

The Lords of the Articles.

Spiritual.	*Temporal.*	*Barons elected to be of the Articles.*
Athens.	The Duke.	Maxwell.
Isles.	Argyll.	Tillibardine.
Lord James.	Marshall.	Cunninghamhead.
Arbroath.	Athole.	Lochenvar.
Newbottle.	Morton.	Pittarow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten provosts of the chief towns, which also are of the Articles.
Kinross.	Erskine.	
Kilwinning.	Boyd.	
	Lindsay.	

So that, with the subprior of St. Andrews, the whole is 36.

It were too long for me to rehearse particularly the disposition, and chiefly the affections, of these men, that are at this time chosen lords of the articles. May it satisfy your honr. for this time to know, that, by the common opinion of men, there was not a substantialler or more sufficient number of all sorts of men chosen in Scotland these many years, nor of whom men had greater hope of good to ensue. This present morning, viz. the 10th, the l. of Lidington made me privy unto your letter; he intendeth, as much as may be, to follow your advice. Some hard points there are. He himself is determined not to go into France. He allegeth many reasons, but speaketh least of that that moveth him most, which is the example of the last, that went on a more grateful message than he shall carry, and stood on other terms with their prince than he doth, and yet your honr. knoweth what the whole world judgeth.

Petition of the Lesser Barons to the Parliament held August 1560.

My lords, Unto your lordships humbly means and shows, we the barons and freeholders of this realm, your

Enclosed in Randolph's letter to Cecil, 15th Aug. 1560.

brethren in Christ, That whereas the causes of true religion, and common well of this realm, are, in this present parliament, to be treated, ordered, and established to the glory of God, and maintenance of the commonwealth; and we being the greatest number in proportion, where the said causes concern, and has been, and yet are ready to bear the greatest part of the charge thereuntil, as well in peace as in war, both with our bodies and with our goods; and seeing there is no place where we may do better service now than in general councils and parliaments, in giving our best advice and reason, vote and councell for the furtherance thereof, for the maintenance of virtue and punishment of vice, as use and custom had been of old by ancient acts of parliament observed in this realm; and whereby we understand that we ought to be heard to reason and vote in all causes concerning the commonwealth, as well in councils, as in parliament; otherwise we think that whatsomever ordinances and statutes be made concerning us and our estate, we not being required and suffered to reason and vote at the making thereof, that the same should not oblige us to stand thereto. Therefore it will please your lordships to take consideration thereof, and of the charge born, and to be born by us, since we are willing to serve truly to the common well of the realm, after our estate, that ye will, in this present parliament, and all counsells, where the common well of the realm is to be treated, take our advice, counsell and vote, so that, without the same, your lordships would suffer nothing to be passed and concluded in parliament or councils aforesaid; and that all acts of parliament made, in times past, concerning us for our place and estate, and in our favour, be at this present parliament confirmed, approved, and ratified, and act of parliament made thereupon. And your lordships' answer humbly beseeches.

Of the success of this petition, the following account is given by Randolph; Lett. to Cecil, 19th Aug. 1560. The matters concluded and past by common consent on Saturday last, in such solemn sort as the first day that they assembled, are these: First, that the barons, according to an old act of parliament, made in the time of James I., in the year of God 1427, shall have free voice in parliament; this act passed without any contradiction.

No. V. (Page 68.)

A Letter of Thomas Randolph, the English Resident, to the Right Worshipful Sir William Cecil, Knt. Principal Secretary to the Queen's Majesty.

9th Aug. 1561. Cott. Lib. B. x. fo. 32.

I HAVE received your honour's letters of the first of this month, written at Osyes in Essex; and also a letter unto the lord James, from his kinsman St Come out of France: in this they agree both that the queen of Scotland is nothing changed of her purpose in home coming. I assure your honour that will be a stout adventure for a sick crased woman, that may be doubted as well what may happen unto her upon the seas, as also how heartily she may be received when she cometh to land of a great number, who are utterly persuaded that she intendeth their utter ruin, come when she will; the preparance is very small whensoever that she arrive, scarcely any man can be persuaded that she hath any such thought in her head. I have shown your honour's letter unto the lord James, lord Morton, lord Lidington; they wish, as your honour doth, that she might be stayed yet for a space, and if it were not for their obedience sake, some of them care not tho' they never saw her face. They travel what they can to prevent the wicked devices of these mischievous purposes of her ministers, but I fear that that will always be found that *filij hujus seculi*, they do what they can to stand with the religion, and to maintain amity with their neighbours: they have also need to look unto themselves, for their hazard is great, and that they see there is no remedy nor safety for themselves, but to repose themselves upon the queen's majesty, our sovereign's favour and support. Friends abroad they have none, nor many in whom they may trust at home. There are in mind shortly to try what they may be assured at of the queen's majesty, and what they may assuredly perform of that they intend to offer for their parties. This the queen of Scotland above all other things doubteth; this she seeketh by all means to prevent; and hath caused St Come, in her name, earnestly to write to charge him that no such things be attempted before her coming home; for that it is said, that they too already arrived here out of England for the purpose. What semblance somever the noblemen do make, that they are grieved with their queen's refusal, that cometh far from their hearts. They intend to expostulate with me hereupon. I have my answer ready enough for them. If she thrust Englishmen all out of this country, I doubt not but there will be some of her own that will bear us some kindness. Of me she shall be quit, so soon as it pleaseth the queen's majesty, my mistress, no longer to use my service in this place. By such talk as I have of late had with the lord James and lord of Lidington, I perceive that they are of mind that immediately of the next convention I shall repair towards you with their determinations, and resolutions, in all purposes, wherein your honour's advice is earnestly required and shortly looked for. Whatsomever I desire myself, I know my will ought to be subject unto the queen my sovereign's pleasure, but to content myself, would God I were so happy as to serve her majesty in as mean a state as ever poor gentleman did, to be quit of this place; not that I do in my heart wax weary of her majesty's service, but because my time and years require some place of more repose and quietness than I find in this country. I doubt also my insufficience when other trou-

bles in this country arise, or ought shall be required of me to the advancement of her majesty's service that either my will is not able to compass, or my credit sufficient to work to that effect, as perchance shall be looked for at my hands. As your honour hath been a means of my continuance in this room, so I trust that I shall find that continual favour at your hands, that so soon as it shall stand with the queen's majesty's pleasure, I may give this place unto some far worthier than I am myself, and in the mean season have my course directed by your good advice, how I may by my contrivance do some such service as may be agreeable to her majesty's will and pleasure.

These few words I am bold to write unto your honour of myself. For the rest, where that is wished that the lords will stoutly continue yet for one month, I assure your honour that there is yet nothing omitted of their old and accustomed manner of doing, and seeing that they have brought that unto this point, and should now prevail, they were unworthy of their lives.

I find not that they are purposed so to leave the matter. I doubt more her money than I do her fair words; and yet can I not conceive what great things can be wrought with forty thousand crowns, and treasure of her own here I know there is no sure or ready means to get it. The lord of Lidington leaveth nothing at this time unwritten, that he thinketh may be able to satisfye your desire, in knowledge of the present state of things here. Whatsomever cometh of that, he findeth it ever best that she come not; but if she do come, to let her know, at the first, what she shall find, which is due obedience, and willing service, if she embrace Christ, and desire to live in peace with her neighbours. By such letters as you have last received, your honour somewhat understandeth of Mr. Knox himself, and also of others, what is determined; he himself to abide the uttermost, and other never to leave him until God have taken his life; and thus together with what comfort somever it will please you to give him by your letters, that the queen's majesty doth not utterly condemn him, or at the least in that point that he is so sore charged with by his own queen, that her majesty will not allow her doing. I doubt not but it will be a great comfort unto him, and will content many others: his daily prayer is for the maintenance of unity with England, and that God will never suffer men to be so ungrate, as by any persuasion to run headlong unto the destruction of them that have saved their lives, and restored their country to liberty. I leave farther, at this time, to trouble your honour, desiring God to send such an amity between these two realms that God may be glorified to them of this world.—At Edenbourgh the 9th of August 1561.

a This is the complete paper of which that industrious and impartial collector, bishop Keith, has published a fragment, from what he calls his shattered MS. 154. note (a) 181.

No. VI. (Page 71.)

A Letter of Queen Elizabeth to Queen Mary.[a]

To the right excellent, right high, and mighty princesse, our right dear and well-beloved sister and cousin the queen of Scotland.

16th Aug. 1561. Paper Office, from a copy.

RIGHT excellent, right high, and mighty princesse, our right dear and right well-beloved sister and cousin, we greet you well. The lord of St Cosme brought to us your letters, dated the 8th of this present at Abbeville, whereby ye signify, that although by the answer brought to you by Monsieur Doyzell, ye might have had occasion to have entered into some doubt of our amity, yet after certain purposes passed betwixt you and our ambassador, you would assure us of your good meaning to live with us in amity, and for your purpose therein ye require us to give credit to the said St Cosme. We have thereunto thought good to answer as followeth: The same St Cosme hath made like declaration unto us on your part, for your excuse in not ratifying the treaty, as yourself made to our ambassador, and we have briefly answered to every the same points, as he can show you: and if he shall not so do, yet least in the mean season you might be induced to think that your reasons had satisfied us, somerally we assure you, that to our requests your answer cannot be reputed for a satisfaction. For we require no benefit of you, but that you will perform your promise whereunto you are bound by your seal and your hand, for the refusal whereof we see no reason alledged can serve. Neither covet we any thing, but that which is in your own power as queen of Scotland, that which yourself in words and speech doth confess, that which your late husband's our good brother's ambassadors and you concluded, that which your own nobility and people were made privy unto, that which indeed made peace and quietness betwixt us, yea that without which no perfect amity can continue betwixt us, as, if it be indifferently weighed, we doubt not but ye will perceive, allow, and accomplish. Nevertheless, perceiving, by the report of the bringer, that you mean furthwith upon your coming home, to follow herein the advice of your council in Scotland, we are content to suspend our conceipt of all unkindness, and do assure you that we be fully resolved, upon this being performed, to unite a sure band of amity, and to live in neighbourhood with you as quietly, friendly, yea as assuredly in the knot of friendship, as we be in the knot of nature and blood. And herein we be so earnestly determined, that the world should see if the contrary should follow (which God forbid) the very occasion to be in you and not in us; as the story witnesseth the

like of the king your father, our uncle, with whom our father sought to have knitt a perpetual bond, by inviting to come in this realm to York; of which matter we know there remain with us, and we think with you, sundry witnesses of our father's earnest good meaning, and of the error whereunto divers evil councillors induced your father; or finally where it seemeth that report hath been made unto you, that we had sent our admiral to the seas with our navy to empeache your passage, both your servants do well understand how false that is, knowing for a truth that we have not any more than two or three small barks upon the seas, to apprehend certain pirates, being thereto entreated, and almost compelled, by the earnest complaint of the ambassador of our good brother the king of Spain, made of certaine Scottishmen haunting our seas as pirates, under pretence of letters of marque, of which matter also we earnestly require you, at your coming to your realme, to have some good consideration, and the rather for respect that ought to be betwixt your realme and the countries of us, of France, of Spain, and of the house of Burgundy. And so, right excellent, right high, and mighty princesse, we recommend us to you, with most earnest request not to neglect these our friendly and sisterly offers of friendship, which, before God, we mean and intend to accomplish. Given under our signet at Henyngham, the 16th of August, in the third year of our reign.

No. VII. (Page 80.)

A Letter of Randolph to the Right Honourable Sir William Cecil, Knight, Principal Secretary to the Queen's Majesty.

15th May 1563. Paper Office, from the original.

Of late, until the arrival of Monsieur Le Croch, I had nothing worth the writing unto your honour.—Before his coming we had so little to hint upon, that we did nothing but pass our time in feasts, banquetting, masking, and running at the ring, and such like. He brought with him such a number of letters, and such abundance of news, that, for the space of three days, we gave ourselves to nothing else but to reading of writings, and hearing of tales, many so truly reported, that they might be compared to any that ever Luciane did write de veris narrationibus. Among all his tidings, for the most assured I send this unto your honour as an undoubted truth, which is, that the cardinal of Lorraine, at his being with the emperor, moved a marriage between his youngest son, the duke of Astruche, and this queen; wherein he hath so far travailed, that it hath already come unto this point, that if she find it good, the said duke will out of hand send hither his ambassador, and farther proceed to the consummation hereof, with as convenient speed as may be; and to the intent her mind may be the better known, Le Croch is sent unto her with this message from the cardinal, who hath promised unto the emperor to have word again before the end of May; and for this cause Le Croch is ready for his departure, and his letters writing both day and night. This queen being before advertised of his towardness, by many means hath sought far off to know my lord of Murray's mind herein, but would never so plainly deal with him, that he could learn what her meaning is, or how she is bent. She useth no man's counsel but only this man's that last arrived, and assuredly until the l. of Lidington's return, she will do what she can to keep that secret; and because resolution in his absence cannot be taken, she will, for this time, return Le Croch with request to have longer time to devise; and after, with the most speed she can, she fully purposeth to advertise him, I mean her uncle the cardinal, of her mind. Of this matter the l. of Lidington is made privy. I know not whether by some intelligence that he had before his departure, or since his arrival in France, divers letters have passed between her grace and him, whereof as much as it imported not greatly the knowledge of, was communicated to some, as much as was written in cypher is kept unto themselves. Whether also the l. of Lidington hath had conference with the Spanish ambassador in England of this matter or any like, I leave it unto your honour's good means to get true knowledge thereof. Guesses or surmizes in so grave matters, I would be loth to write for verities. This also your honour may take for truth, that the emperor hath offered with his son, for this queen's dower, the county of Tyroll, which is said to be worth 30,000 franks by year. Of this matter also the rhingrave wrote a letter unto this queen out of France, not long since. This is all that presently I can write unto your honour hereof; as I can come by farther knowledge, your honour shall be informed.

I have received your honour's writings by the Scottishman that last came into these parts; he brought also letters unto this queen from the l. of Lidington; their date was old, and contained only the news of France. I perceive divers ways that Newhaven is sore closed, but I am not so ignorant of their nature, but that I know they will say as much as they dare do, I will not say as the proverb doth, 'canis timidus fortius latrat.' From hence I do assure them, what means somever they make, or how pitiful somever their mone be, they are like to receive but small comfort for all their long allie. We stand daily in doubt what friendship we shall need ourself, except we put better order into our misruled papists than yet we do, or know how to bring to pass that we may be void of their comber.

To-morrow, the 15th of this instant, the queen departeth of this town, towards Edenborough. If my hap be good, you shall thoroughly hear some merry tidings of the Bp. of St. Andrews: upon Wednesday next, he shall be arreigned, and five other priests, for their massing at Easter last. Thus

most humbly I take my leave. At St. Andrews, the 15th of May, 1593.

No. VIII. (Page 82.)

Letter of Randolph to the Right Honourable Sir William Cecil, Knight, Principal Secretary to the Queen's Majesty.

10th April 1563. Paper Office, from the original in his own hand.

MAY it please your honour, the 7th of this instant, Rowlet, this queen's secretary, arrived here; he reporteth very honestly of his good usage; he brought with him many letters unto the queen that came out of France, full of lamentation and sorrow. She received from the queen-mother two letters, the one contained only the rehearsal of her griefs, the other signify the state of France as then it was, as in what sort things were accorded, and what farther was intended for the appeasing of the discords there, not mistrusting but that if reason could not be had at the queen of England's hands, but that the realm of France should find her ready and willing to support and defend the right thereof, as by friendship and old alliance between the two realms she is bound.

How well these words do agree with her doings your honour can well consider, and by her writings in this sort unto this queen, (which I assure your honour is true,) you may assuredly know, that nothing shall be left undone of her part, that may move debate or controversie between this queen and our sovereign.

It was much mused by the queen herself, how this new kindness came about, that at this time she received two long letters written all with her own hand, saying, all the time since her return she never received half so many lines as were in one of the letters, which I can myself testify by the queen's own saying, and other good assurance, where hitherto I have not been deceived. I can also farther assure your honour, that this queen hath sayed that she knoweth now, that the friendship of the queen's majesty my sovereign may stand her more in stead than that of her good mother in France, and as she is desirous of them both, so will she not lose the one for the other. I may also farther assure your honour, that whatsomever the occasion is, this queen hath somewhat in her heart that will burst out in time, which will manifest that some unkindness hath passed between them that will not be easy forgotten. In talk sometimes with myself, she saith that the queen-mother might have used the matter otherwise than she hath done, and doth much doubt what shall be the success of her great desire to govern alone, in all things to have her will. Seeing then that presently they stand in such terms one with the other, I tho't it better to confirm her in that mind, (this queen I mean,) than to speak any word that might cause her to conceive better of the other. And yet I am assured she shall receive as friendly letters, and as many good words from this queen, as the other did write unto her. Whether the queen-mother will speak any thing unto the l. of Lidington of that purpose she did write unto this queen of, I know not; but if she do, I think it hard if your honour can get no favour thereof, at his return, or I perchance by some means here. It may perchance be written only by that queen, to try what answer this queen will give, or understand what mind she beareth unto the queen's majesty our sovereign. The queen knoweth now that the earl Bothwell is sent for to London. She caused a gentleman of hers to inquire the cause; I answered, that I knew none other but that his takers were in controversy who took him, and that it should be judged there. I know that she thinketh much that he is not sent into Scotland. It is yet greatly doubted that if he were here, he would be reserved for an evil instrument. If the lord of Lidington have not been plain with your honour herein, he is in the wrong to those who are his friends here, but most of all to himself. There comes a vulture in this realm, if ever that man come again into credit.

No. IX. (Page 84.)

The Oration made by William Maitland of Lethington, Younger Secretary for the time, in the Parliament holden by our Sovereign the King's Mother, Queen of this Realm for the time, the time of the Restitution of umquile Matthew Earl of Lenox.

MY lords, and others here convened. Albeit, be that it has pleased her majesty most graciously to utter unto you, by her own mouth, ye may have sufficiently conceived the cause of this your present assembly; yet having her majesty's commandment to supply my lord chancellor's place, being presently as ye see deceased, I am willed to express the same somewhat more at large.

Notour it is, how, in her highness's minority, a process of forfaltour was decreed against my lord of Lennox, for certain offences alledged committed by him; specified in the dome and censement of parliament given thereupon; by reason whereof he has this long time been exiled, and absent forth of his native country. How grievous the same has been unto him, it has well appeared by divers his suites, sundry ways brought unto her majesty's knowledge, not only containing most humble and due submission, but always bearing witness of his good devotion to her majesty, his natural princess, and earnest affection he had to her highness's most humble service, if it should please her majesty of her clemency to make him able to enjoy the benefit of a subject. Many respects might have moved her highness favourably to incline to his request, as the anciency of his house, and the sirname he bears, the honour he has to appertain to her majesty by affinity, by reason of my lady Margaret her highness's aunt, and divers other his good considera-

tions, as also the affectuous request of her good sister the queen's majesty of England, whose earnest commendation was not of least moment; besides that, of her own natural, her majesty has a certain inclination to pity the decay of noble houses, and as we heard, by her own report, has a great deal more pleasure to be the instrument of the uphold, maintenance, and advancement of the ancient blood, than to have matter ministered of the decay or overthrow of any good race. Upon this occasion, her majesty the more tenderly looked upon his request, and her good sister the queen of England's favourable letter, written for recommendation of his cause; in consideration whereof, not only has she granted unto him her letter of restitution, by way of grace, but also licensed him to pursue, by way of reduction, the remedies provided by the law for such as think themselves grieved by any judgment, unorderly led, and to have the process reversed; for examination whereof, it has pleased her majesty presently to assemble you the three estates of this her realme, by whose advice, deliberation, and decision, at her majesty's mind, to proceed forward upon his complaints, as the merits of the cause, laws of the realme, and practice observed in such cases, will bear out. The sum of all your proceedings at this time being, by that we have heard, thus as it were pointed out, I might here end, if the matter we have in hand gave me not occasion to say a few more words, not far different from the same subject, wherein I would extend the circumstances more largely, if I feared not to offend her highness, whose presence and modest nature abhors long speaking and adulation, and so will compel me to speak such things as may seem to tend to any good and perfect point; and lest it should be compted to me, as that I were oblivious if I should omit to put you in remembrance, in what part we may accept this, and the like demonstrations of her gentill nature; whose gracious behaviour towards all her subjects, in general, may serve for a good proof of that felicity we may look for under her happy government, so long as it shall please God to grant her unto us; for a good harmony to be had in the common weill, the offices between the prince and the subjects must be reciproque, as by her majesty's prudence we enjoy this present peace with all foreign nations, and quietness among yourselves, in such sort, that I think justly it may be affirmed Scotland, in no man's age, that presently lives, was in greater tranquillity; so is it the duty of all us her loving subjects, to acknowledge the same as a most high benefit proceeding from the good government of her majesty, declaring ourselves thankful for the same, and rendering to her majesty such due obedience, as a just prince may look for at the hands of faithful and obedient subjects. I mean no forced nor unwilling obedience, which I know her nature does detest, but such as proceeds from the contemplation of her modest kind of regiment will for love and duty sake produce the fruits thereof. A good proof have we all in general had of her majesty's benignity these three years that she has lived in the government over you, and many of you have largely tasted of her large liberality and frank dealing: on the other part, her highness has had large appearance of your dutiful obedience, so it becomes you to continue, as we have begun, in consideration of the many notable examples of her clemency above others her good qualities, and to abhor and detest all false bruites and rumours, which are the most pestilent evils that can be in any common weil, and the sowers and inventors thereof. Then may we be well assured to have of her an most gracious princesse, and she most faithful and loving subjects; and so both the head and the members, being encouraged to maintain the harmony and accord of the politic bodies, whereof I made mention before, as the glory thereof shall partly appertain to her majesty, so shall no small praise and unspeakable commodity redound therethrough to you all universally her subjects.

No. X. (Page 87.)

The perils and troubles that may presently ensue, and in time to come follow, to the Queen's Majesty of England and state of this realm, upon the Marriage of the Queen of Scots to the Lord Darnley.

First, The minds of such as be affected to the queen of Scotts, either for herself, or for the opinion of her pretence to this crown, or for the desire to have change of the forme of religion in this realm, or for the discontentation they have of the queen's majesty, or her succession, or of the succession of any other beside the queen of Scotts, shall be, by this marriage, erected, comforted, and induced to devise and labour how to bring their desires to pass: and to make some estimate what persons those are, to the intent the quantity of the danger may be weighed, the same may be compassed in those sorts, either within the realm or without.

The first are such as are specially devoted to the queen of Scotts, or to the lord Darnley, by bond of blood and alliance; as first, all the house of Lorrain and Guise for her part, and the earl of Lennox and his wife, all such in Scotland as be of their blood, and have received displeasures by the duke of Chatelherault and the Hamiltons. The second are all manner of persons, both in this realm and other countries, that are devoted to the authority of Rome, and mislike of the religion now received; and in these two sorts are the substance of them comprehended, that shall take comfort in this marriage.

Next therefore to be considered what perils and troubles these kind of men shall intend to this realm.

First, the general scope and mark of all their desires is, and always shall be, to bring the queen of Scotts to have the royal crown of this realm; and therefore, though the devisees may vary among

themselves for the compassing hereof, according to the accidents of the times, and according to the impediments which they shall find by means of the queen's majesty's actions and governments, yet all their purposes, drifts, devises, and practices, shall wholly and only tend to make the queen of Scotts queen of this realm, and to deprive our sovereign lady thereof: and in their proceedings, there are two manners to be considered, whereof the one is far worse than the other; the one is intended by them, that either from malicious blindness in religion, or for natural affection to the queen of Scotts, or the lord Darnley, to persuade themselves that the said queen of Scotts hath presently more right to the crown than our sovereign lady the queen, of which sort be all their kindred on both sides, and all such as are devoted to popery, either in England, Scotland, Ireland, or elsewhere; the other is meant by them, which, with less malice, are persuaded that the queen of Scotts hath only right to be the next heir to succeed the queen's majesty and her issue, of which sort few are without the realm, but here within, and yet of them, not so many as are of the contrary; and from these two sorts shall the peril, devises, and practices proceed. From the first, which imagine the queen of Scotts to have perpetually right, are to be looked for these perils. First, is it to be doubted the devil will infect some of them to imagine the hurt of the life of our dear sovereign lady, by such means as the devil shall suggest to them, although it is to be assuredly hoped, that Almighty God will, as he has hitherto, graciously protect and preserve her from such dangers? Secondly, there will be attempted, by persuasions, by bruites, by rumours, and such like, to alienate the minds of good subjects from the queen's majesty, and to conciliate them to the queen of Scotts, and on this behalf the frontiers and the north will be much solicited and laboured. Thirdly, there will be attempted causes of some tumults and rebellions, especially in the north toward Scotland, so as thereupon may follow some open enterprise set by violence. Fourthly, there will be, by the said queen's council and friends, a new league made with France, or Spain, that shall be offensive to this realm, and a furtherance to their title. And as it is also very likely, that they will set a-foot as many practices as they can, both upon the frontiers and in Ireland, to occasion the queen's majesty to increase and continue her charge thereby, to retain her from being mighty or potent, and for the attempting of all these things, many devises will be imagined from time to time, and no negligence will therein appear.

From the second sort, which mean no other favour to the queen of Scotts, but that she should succeed in the title to the queen's majesty, is not much to be feared, but that they will content themselves to see not only the queen's majesty not to marry, and so to impeach it, but to hope, that the queen of Scotts shall have issue, which they will think to be more pleaseable to all men, because thereby the crowns of England and Scotland shall be united in one, and thereby the occasion of war shall cease; with which persuasion many people may be seduced, and abused to incline themselves to the part of the queen of Scotts.

The remedies against these perils.

A Duplicat.

A summary of the consultation and advice given by the lords and others of the privy council. Collected out of the sundry and several speeches of the said counsellors.

4th June 1565. Cott. Lib. Cal. B. x. fol. 290.

Lord Keeper,
Lord Treasurer,
Earls of { Derby, Bedford, Leicester,
Lord Admiral,
Lord Chamberlain.
Mr. Comptroller,
Mr. Vice-Chamberlain,
Mr. Secretary,
Cave,
Peter,
Mason.

Questions propounded were these two:

1. First, what perils might ensue to the queen's majesty, or this realm, of the marriage betwixt the queen of Scotts and the lord Darnley.

2. What were meet to be done, to avoid or remedy the same.

To the First.

The perils being sundry, and very many, were reduced by some counsellors into one only.

1. *First*, That by this marriage, the queen of Scots, (being not married,) a great number in this realm, not of the worst subjects, might be alienated in their minds from their natural duties to her majesty, to depend upon the success of this marriage of Scotland, as a mean to establish the succession of both the crowns in the issue of the same marriage, and so favour all devises and practices that should tend to the advancement of the queen of Scotts.

2. *Secondly*, That considering the chief foundation of them, which furthered the marriage of lord Darnley, was laid upon the trust of such as were papists, as the only means left to restore the religion of Rome, it was plainly to be seen, that both in this realm and Scotland, the papists would most favour, maintain, and fortify this marriage of the lord Darnley, and would, for furtherance of faction in religion, devise all means and practices that could be within this realm, to disturb the estate of the queen's majesty, and the peace of the realm, and consequently to atchieve their purposes by force rather than fail. By some other, these perils having indeed many branches, were reduced, though somewhat otherwise, into two sorts, and these were in nature such as they could not be easily severed the one from the other, but were knit and linked together naturally, for maintaining the one with the

other. The first of these sort of perils was, that by this marriage with the lord Darnley, there was a plain intention to further the pretended title of the queen of Scots, not only to succeed the queen's majesty, as in her best amity she had professed, but that to occupy the queen's estate, as when she was in power she did manifestly declare.

The second was, that hereby the Romish religion should be erected, and increased daily in this realm, and these two were thus knit together, that the furtherance and maintenance of the title staid in furthering of the religion of Rome within this realm; and in like manner the furtherance of the same religion stood by the title, for otherwise the title had no foundation.

Proves of the first.) And to prove that the intention to advance the title to disturb the queen's majesty must needs ensue, was considered that always the intention and will of any person is most manifest when their power is greatest, and contrary when their power is small; then the intention and will of every person is covered and less seen. So as when the queen of Scotts power was greatest, by her marriage with the Dauphin of France, being afterwards French king, it manifestly appeared of what mind she and all her friends were, using then manifestly all the means that could be devised to impeach and dispossess the queen's majesty, first by writing and publishing herself in all countries queen of England; by granting charters, patents, and commissions, with that style, and with the arms of England, both the French and Scotts, which charters remain still undefaced; and to prosecute it with effect, it is known what preparations of war were made, and sent into Scotland; and what other forces were assembled in foreign countries; yea, in what manner a shameful peace was made by the French with king Philip, to employ all the forces of France to pursue all the matters by force, which by God's providence and the queen's majesty contrary power, were repelled; and afterwards, by her husband's death, her fortune and power being changed, the intention began to hide itself, and although by the Scottish queen's commissaries an accord was made at Edenbrough, to reform all those titles, and claims, and pretences, yet to this day, by delays and cavillations, the ratification of that treaty has been deferred. And so now, as soon as she shall feel her power, she will set the same again abroad, and by considering of such errors as were committed in the first, her friends and allies will amend the same, and proceed substantially to her purpose. By some it was thought plainly, that the peril was greater of this marriage with the lord Darnley, being a subject of this realm, than with the mightiest prince abroad, for by this he, being of this realm, and having for the cause of religion, and other respects, made a party here, should encrease by force with diminution of the power of the realm; in that whatsoever power he could make by the faction of the papists, and other discontented persons here, should be as it were deducted out of the power of this realm; and by the marriage of a stranger, she could not be assured of any part here; so as by this marriage she should have a portion of her own power to serve her turn; and a small portion of adversaries at home in our own bowels, always seem more dangerous than treble the like abroad, whereof the examples are in our own stories many, that foreign powers never prevailed in this realm, but with the help of some at home. It was also remembered, that seeing how before this attempt of marriage, it is found, and manifestly seen, that in every corner of the realm the faction that most favoureth the Scottish title is grown stout and bold, yea seen manifestly in this court, both in hall and chamber, it could not be but (except good heed were speedily given to it) by this marriage, and by the practice of the fautors thereof, the same faction would shortly increase, and grow so great and dangerous, as the redress thereof would be almost desperate. And to this purpose it was remembered, how of late in perusing of the substance of the justices of the peace, in all the countries of the realm, scantly a third was found fully assured to be trusted in the matter of religion, upon which only string the queen of Scotts title doth hang, and some doubt might be, that the friends of the earl of Lennox, and his had more knowledge hereof than was thought, and thereby made avant now in Scotland, and their party was so great in England as the queen's majesty durst not attempt to contrary his marriage. And in this sort was the sum of the perils declared, being notwithstanding more largely and plainly set out, and made so apparent by many sure arguments, as no one of the council could deny them to be but many and very dangerous.

Second Question.

The question of this consultation was, what were meet to be done to avoid these perils, or else to divert the force thereof from hurting the realm; wherein there were a great number of particular devises propounded, and yet the more part of them was reduced by some into three heads.

1. The first thought necessary by all persons, as the only thing of the most moment and efficacy, to remedy all these perils, and many others, and such as without it no other remedy could be found sufficient, and that was to obtain that the queen's majesty would marry, and make therein no long delay.

2. The second was, to advance, establish, and fortify indeed the profession of religion, both in Scotland and in England, and to diminish, weaken, and feeble the contrary.

3. The third was, to proceed in sundry things, either to disappoint and break this intended marriage, or, at the least, thereby to procure the same not to be so hurtful to this realm as otherwise it will be.

The first of these three hath no particular rights in it, but an earnest and unfeigned desire and suite,

with all humbleness, by prayer to Almighty God, and advice and counsel to the queen's majesty, that she would defer no more time from marriage, whereby the good subjects of the realm might stay their hearts to depend upon her majesty, and the issue of her body, without which no surety can be devised to ascertain any person of continuance of their families or posterities, to enjoy that which otherwise should come to them.

Second, concerning the matters of religion, wherein both truth and policy were joined together, had these particulars.

First, Whereas of late the adversaries of religion, in the realm, have taken occasion to comfort and increase their faction, both in England, Scotland, and abroad, with a rumour and expectation that the religion shall be shortly changed in this realm, by means that the bishops, by the queen's majesty's commandment, have of late dealt streightly with some persons of good religion, because they had forborn to wear certain apparel, and such like things, being more of form and accidents than of any substance, for that it is well known that her majesty had no meaning to comfort the adversaries, but only to maintain an uniformity as well in things external as in the substance, nor yet hath any intention to make any change of the religion, as it is established by laws: It was thought by all men very necessary, for the suppressing of the pride and arrogancy of the adversaries, indirectly hereby to notify, by her special letters to the two archbishops, that her former commandment was only to retain an uniformity, and not to give any occasion to any person to misjudge of her majesty in the change of any part of religion, but that she did determine firmly to maintain the form of her religion, as it was established, and to punish such as did therein violate her laws. And in these points, some also wished that it might please her archbishops, that if they should see that the adversaries continued in taking occasion to fortify their faction, that in that case they should use a moderation therein until the next parliament, at which time, some good, uniform, and decent order might be devised, and established, for such ceremonies, so as both uniformity and gravity might be retained amongst the clergy.

The second means was, that the quondam bishops, and others, which had refused to acknowledge the queen's majesty's power over them, according to the law, and were of late dispersed in the plague time to sundry places abroad, where it is known they cease not to advance their faction, might be returned to the tower, or some other prison, where they might not have such liberty to seduce and inveigle the queen's majesty's subjects as they daily do.

The third means was, that where the bishops do complain that they dare not execute the ecclesiastical laws, to the furtherance of religion, for fear of the premunire wherewith the judges and lawyers of the realm, being not best affected in religion, do threaten them, and in many cases lett not to pinch and deface them, that upon such cases opened, some convenient authority might be given them from the queen's majesty, to continue during her pleasure.

The fourth was, that there were daily lewd, injudicious, and unlawful books in English brought from beyond seas, and are boldly received, read, and kept, and especially in the north, seducing of great numbers of good subjects, the like boldness whereof was never suffered in any other princess's time, that some streight order might be given to avoid the same, and that it might be considered by the judges, what manner of crime the same is, to maintain such books, made directly against her majesty's authority, and maintaining a foreign power, contrary to the laws of the realm.

The fifth was, that where a great number of monks, fryars, and such lewd persons, are fled out of Scotland and do serve in England, especially in the North, as curates of churches, and all such of them as are not found honest and conformable, may be banished out of the realm, for that it appeareth they do sow sedition in the realm in many places, and now will increase their doings.

The sixth, where sundry having ecclesiastical livings, are on the other side the sea, and from thence maintain sedition in the realm; that livings may be better bestowed to the commodity of the realm, upon good subjects.

The seventh is, that the judges of the realm, having no small authority in this realm, in governance of all property of the realm, might be sworn to the queen's majesty, according to the laws of the realm, and so thereby they should for conscience sake maintain the queen's majesty's authority.

The particulars of the third intention to break and avoid this marriage, or to divert the perils.

First, To break this marriage, considering nothing can likely do it but force, or fear of force, it is thought by some that these means following might occasion the breach of the marriage.

1. That the earl of Bedford repair to his charge.
2. That the works at Berwick be more advanced.
3. That the garrison be there increased.
4. That all the wardens put their frontiers in order with speed, to be ready at an hour's warning.
5. That some noble person, as the duke of Norfolk, or the earl of Salop, or such other, be sent into Yorkshire, to be lieutenant-general in the North.
6. That preparations be made of a power, to be in readiness to serve, either at Berwick, or to invade Scotland.
7. That presently lady Lennox be committed to some place, where she may be kept from giving or receiving of intelligence.
8. That the earl of Lennox and his son may be sent for, and required to be sent home by the queen of Scotts, according to the treaty; and if they shall not come, then to denounce to the queen of Scotts the breach of the treaty, and thereupon to enter with hostility; by which proceeding, hope is conceived

(so the same be done in deeds and not in shews) that the marriage will be avoided, or at the least that it may be qualified from many perils; and whatsoever is to be done herein, is to be executed with speed, whilst she has a party in Scotland that favoureth not the marriage, and before any league made by the queen of Scotts with France or Spain.

9. Some other allows well of all these proceedings, saving of proceeding to hostility, but all do agree in the rest, and also to these particularities following.

10. That the earl's lands upon his refusal, or his son's refusing, should be seized, and bestowed in gift or custody, as shall please her majesty, upon good subjects.

11. That all manifest favourers of the earl, in the North or elsewhere, be inquired for, and that they be, by sundry means, well looked to.

12. That enquiry be made in the North, who have the stewardship of the queen's majesty's land there, and that no person, deserving mistrust, be suffered to have governance or rule of any of her subjects or lands in the North, but only to retain their fees, and more trusty persons have rule of the same people's lands.

13. That all frequent passages into this realm, to and from Scotland, be restrained to all Scottish men, saving such as have safe-conduct, or be especially recommended from Mr. Randolph, as favourers of the realm.

14. That some intelligence be used with such in Scotland as favour not the marriage, and they comforted from time to time.

15. That the queen's majesty's household, chamber, and pensioners, be better seen unto, to avoid broad and uncomely speech used by sundry against the state of the realm.

16. That the younger son of the earl of Lennox, Mr. Charles, be removed to some place where he may be forthcoming.

17. That considering the faction and title of the queen of Scotts hath now of long time received great favour, and continued, by the queen's majesty's favour herein to the queen of Scotts and her ministers, and the lady Catharine, whom the said queen of Scotts accompted as a competitor unto her in pretence of title, it may please the queen's majesty, by some exterior act, to show some remission of her displeasure to the lady, and to the earl of Hartford, that the queen of Scotts thereby may find some change, and her friends put in doubt of further proceeding therein.

18. That whosoever shall be lieutenant in the North, sir Ralph Sadler may accompany him.

19. That with speed the realm of Ireland may be committed to a new governor.

20. Finally, that these advices being considered by her majesty, it may please her to choose which of them she liketh, and to put them in execution in deeds, and not to pass them over in consultations and speeches.

For it is to be assured, that her adversaries will use all means to put their intention in execution; some by practice, some by force, when time shall serve, and no time can serve so well the queen's majesty to interrupt the perils as now at the first, before the queen of Scotts purposes be fully settled.

No. XI. (Page 90.)

Randolph to the Earl of Leicester, from Edinburgh, the 31st of July 1565.

Cott. Lib. Cal. B. ix. fol. 216. An original.

May it please your lordship, I have received your lordship's letter by my servant, sufficient testimony of your lordship's favour towards me, whereof I think myself always so assured, that what other mishap soever befal me, I have enough to comfort myself with. Though I have not at this time received neither according to the need I stand, nor the necessity of the service that I am employed in, I will rather pass it as I may with patience, than trouble your lordship to be further suiter for me, when there is so little hope that any good will be done for me. I doubt not but your lordship hath heard by such information as I have given from hence, what the present state of this country is; how this queen is now become a married wife, and her husband, the self-same day of his marriage, made a king. In their desires, hitherto, they have found so much to their contentment, that if the rest succeed and prosper accordingly, they may think themselves much happier than there is appearance that they shall be. So many discontented minds, so much misliking of the subjects to have these matters thus ordered, and in this sort to be brought to pass, I never heard of any marriage; so little hope, so little comfort as men do talk was never seen, at any time, when men should most have shewed themselves to rejoice, if that consideration of her own honour and well of her country had been had as appertained in so weighty a case. This is now their fear, the overthrow of religion, the breach of amitie with the queen's majesty, and the destruction of as many of the nobility, as she hath misliking of, or that he liketh to pitch a quarrel unto. To see all these inconveniences approaching, there are a good number that may sooner lament with themselves and complain to their neighbours, than be able to find remedie to help them; some attempt with all the force they have, but are too weak to do any good; what is required otherways, or what means there is made, your lordship knoweth; what will be answered, or what will be done therein, we are in great doubt, and though your intent be never so good unto us, yet do we so much fear your delay, that our ruin shall prevent your support when council is once taken. Nothing so needful, as speedy execution. Upon the queen's majesty we wholly depend; in her majesty's hands it standeth to save our lives, or to suffer us to perish; greater honour her majesty cannot have, than in that which lieth in her majes-

ty's power to do for us: the sums are not great, the numbers of men are not many that we desire; many will daily be found, though this will be some charge; men grow daily, though, at this time, I think her majesty shall lose but few. Her friends here being once taken away, where will her majesty find the like? I speak least of that which I think is most earnestly intended by this queen, and her husband, when by him it was lately said, that he cared more for the papists in England, than he did for the protestants in Scotland; if therefore his hopes be so great in the papists of England, what may your lordship believe that he thinketh of the protestants there? for his birth, for his nurritour, for the honour he hath to be of kine to the queen my mistress, if in preferring those that are the queen's majesty's worst subjects to those that are her best, he declareth what mind he beareth to the queen's majesty's self, any man may say it is slenderly rewarded, and his duty evil forgotten. He would now seem to be indifferent to both the religions, she to use her mass, and he to come sometimes to the preaching. They were married with all the solemnities of the popish time, saving that he heard not the mass: his speech and talk argueth his mind, and yet would he fain seem to the world that he were of some religion; his words to all men against whom he conceiveth any displeasure, how unjust soever it be, so proud and spiteful, that rather he seemeth a monarch of the world, than he that, not long since, we have seen and known the lord Darnley: he looketh now for reverence of many that have little will to give it him: and some there are that do give it, that think him little worth of it. All honour that may be attributed unto any man by a wife, he hath it wholly and fully; all praises that may be spoken of him, he lacketh not from herself; all dignities that she can endue him with, which are already given and granted; no man pleaseth her that contenteth not him; and what may I say more, she hath given over to him her whole will, to be ruled and guided as himself best liketh: she can as much prevail with him, in any thing that is against his will, as your lordship may with me to persuade that I should hang myself; this last dignity out of hand to have been proclaimed king, she would have it deferred untill it were agreed by parliament, or he had been himself 21 years of age, that things done in his name might have the better authority. He would, in no case, have it deferred one day, and either then or never; whereupon this doubt has risen amongst our men of law, whether she being clad with a husband, and her husband not twenty-one years, any thing without parliament can be of strength that is done between them. Upon Saturday at afternoon these matters were long in debating, and before they were well resolved upon, at nine hours at night, by three heralds, at sound of the trumpet he was proclaimed king. This was the night before the marriage. This day, Monday at twelve of the clock, the lords. all that were in the town, were present at the proclaiming of him again, where no man said so much as Amen, saving his father, that cried out aloud, God save his queen! The manner of the marriage was in this sort: upon Sunday in the morning, between five and six, she was conveyed by divers of her nobles to the chapell; she had upon her back the great mourning gown of black, with the great wide mourning hood, not unlike unto that which she wore the doulful day of the burial of her husband: she was led into the chapell by the earl of Lennox and Athol, and there was she left until her husband came, who also was conveyed by the same lords; the minister priests, two, do there receive them; the bands are asked the third time, and an instrument taken by a notour that no man said against them, or alledged any cause why the marriage might not proceed. The words were spoken, the rings, which were three, the middle a rich diamond, were put upon her finger; they kneel together, and many prayers said over them; she tarrieth out the mass, and he taketh a kiss, and leaveth her there, and went to her chamber, whither within a space she followeth; and being required, according to the solemnity, to cast off her cares and leave aside those sorrowful garments, and give herself to a more pleasant life, after some pretty refusall, more I believe for manner sake than grief of heart, she suffered them that stood by, every man that could approach, to take out a pin, and so being committed to her ladies, changed her garments, but went not to bed, to signify to the world that it was not lust that moved them to marry, but only the necessity of her country, not, if God will, long to leave it destitute of an heir. Suspicious men, or such as are given of all things to make the worst, would that it should be believed, that they knew each other before that they came there; I would not your lordship should so believe it, the likelihoods are so great to the contrary, that if it were possible to see such an act done I would not believe it. After the marriage followeth commonly great cheer and dancing: to their dinner they were conveyed by the whole nobility; the trumpets sound; a largess cried; money thrown about the house in great abundance, to such as were happy to get any part; they dine both at one table, she upon the upper hand; there serve her these earls, Athole sewer, Morton carver, Craufoord cup-bearer; these serve him in like offices, earls Eglinton, Cassels, and Glencairn. After dinner they danced awhile, and then retired themselves till the hour of supper; and as they dined so do they sup, some dancing there was, and so they go to bed. Of all this I have written to your lordship, I am not oculatus testis to this, but of the verity your lordship shall not need to doubt, howsoever I came by it. I was sent for to have been at the supper, but like a currish or uncourtly earle I refused to be there; and yet that which your lordship may think might move me much, to have had the sight of my mistress, of whom these eighteen days by just account I got not a sight. I am, my

lord, taken by all that sort as a very evil person, which in my heart I do well allow, and like of myself the better, for yet can I not find either honest or good that liketh their doings. I leave at this time further to trouble your lordship, craving pardon for my long silence; I have more ado than I am able to discharge. I walk now more abroad by night than by day, and the day too little to discharge myself of that which I conceive, or receive in the night. As your lordship, I am sure, is partaker of such letters as I write to Mr. Secretary, so that I trust that he shall be to this, to save me of a little labour to write the same again, most humbly I take my leave at Edinburgh, the last day of July, 1565.

No. XII. (Page 91.)

Letter of the Earl of Bedford to the Honourable Sir William Cecil, Knt. her Majesty's Principal Secretary, and one of her Highness's Privy Council.

2d of Sept. 1565. Paper Office, from the original.

AFTER my hearty commendations: This day at noon captain Brickwell came hither, who brought with him the queen's majesty's letters, containing her full resolution and pleasure for all things he had in charge to give information of, saving that for the aid of the lords of the Congregation there is nothing determined, or at the least expressed in the same letters; and for that purpose received I this morning a letter subscribed by the duke, the earl of Murray, Glencarne, and others, craving to be holpen with 300 harquebusyers out of this garrison, for their better defence. And albeit I know right well the goodness of their cause, and the queen's majesty our sovereign's good will and care towards them; and do also understand that it were very requisite to have them holpen, for that now their cause is to be in this manner decided, and that it now standeth upon their utter overthrow and undoing, since the queen's party is at the least 5000, and they not much above 1000; besides that the queen hath harquebusyers, and they have none, and do yet want the power that the earl of Arguile should bring to them, who is not yet joined with theirs; I have thereupon thought good to pray you to be a means to learn her majesty's pleasure in this behalf, what, and how, I shall answer them, or otherwise deal in this matter, now at this their extreme necessity. For, on the one side, lyeth thereupon their utter ruin and overthrow, and the miserable subversion of religion there; and, on the other side, to adventure so great and weighty a matter as this is, (albeit it be but of a few soldiers, for a small time,) without good warraunte, and thereby to bring, peradventure, upon our heads some wilful warrs, and in the mean time to leave the place unfurnished, (having in the whole but 800,) without any grant of new supply for the same; and by that means also to leave the marches here the more subject to invasion, while in the mean season new helps are preparing; to this know not I what to say or how to do. And so much more I marvel thereof, as that having so many times written touching this matter, no resolute determination cometh. And so between the writing and looking for answer, the occasion cannot pass, but must needs proceed and have success. God turn it to his glory; but surely all men's reason hath great cause to fear it. Such a push it is now come unto, as this little supply would do much good to advance God's honour, to continue her majesty's great and careful memory of them, and to preserve a great many noblemen and gentlemen. If it be not now helpen it is gone for ever. Your good will and affection that way I do nothing mistrust, and herein shall take such good advice as by any means I can. I received from these lords two papers inclosed, the effect whereof shall appear unto you. For those matters that captain Brickwell brought, I shall answer you by my next, and herewith send you two letters from Mr. Randolph, both received this day. By him you shall hear that the protestants are retired from Edenborough, further off. So I hope your resolution for their aid shall come in time, if it come with speed, for that they will not now so presently need them; and so with my hearty thanks commit you to God. From Berwick, this 2d of Sept. 1565.

No. XIII. (Page 91.)

The Queen to the Earl of Bedford.

12th Sept. 1565. Paper office.

Upon the advertizements lately received from you, with such other things as came also from the lord Scrope and Thomas Randolph, and upon the whole matter well considered, we have thus determined. We will, with all the speed that we can, send to you £3000 to be thus used. If you shall certainly understand that the earl of Murray hath such want of money, as the impresting to him of £1000 might stand him in stead for the help to defend himself, you shall presently let him secretly to understand, that you will, as of yourself, let him have so much, and so we will that you let him have, in the most secret sort that you can, when the said sum shall come to you, or if you can, by any good means, advance him some part thereof beforehand.

The other £2000 you shall cause to be kept whole, unspent, if it be not that you shall see necessary cause to imprest some part thereof to the now numbers of the 600 footmen and 100 horsemen; or to the casting out of wages of such workmen, as by sickness, or otherwise, ought to be discharged. And where we perceive, by your sundry letters, the earnest request of the said earl of Murray and his associates, that they might have at the least 300 of our soldiers to aid them; and that you also write, that tho' we would not command you to give them aid, yet if we would but wink at your doing herein, and seem to blame you for attempting such things, as you with the help of others should bring about,

you doubt not but things would do well; you shall understand for a truth, that we have no intention, for many respects, to maintain any other prince's subjects to take arms against their sovereign; neither would we willingly do any thing to give occasion to make wars betwixt us and that prince, which has caused us to forbear, hitherto, to give you any power to let them be aided with any men. But now, considering we take it that they are pursued, notwithstanding their humble submission and offer to be ordered and tried by law and justice, which being refused to them, they are retired to Dumfrese, a place near our west marches, as it seemeth there to defend themselves, and adding thereunto the good intention that presently the French king pretendeth, by sending one of his to join with some one of ours, and jointly to treat with that queen, and to induce her to forbear this manner of violent and rigorous proceeding against her subjects, for which purpose the French ambassador here with us has lately written to that queen, whereof answer is daily looked for; to the intent in the mean time the said lords should not be oppressed and ruined for lack of some help to defend them, we are content and do authorize, if you shall see it necessary for their defence, to let them (as of your own adventure, and without notifying that you have any direction therein from us) to have the number of 300 soldiers, to be taken, either in whole bands, or to be drawn out of all your bands, as you shall see cause. And to cover the matter the better, you shall send these numbers to Carlisle, as to be laid there in garrison, to defend that march, now in this time that such powers are on the other part drawing to those frontiers, and so from thence, as you shall see cause to direct of, the same numbers, or any of them, may most covertly repair to the said lords, when you shall expressly advertize that you send them that aid only for their defence, and not therewith to make war against the queen, or to do any thing that may offend her person; wherein you shall so precisely deal with them, that they may perceive your care to be such as, if it should otherwise appear, your danger should be so great, as all the friends you have could not be able to save you towards us. And so we assure you our conscience moveth us to charge you so to proceed with them; for otherwise than to preserve them from ruin, we do not yield to give them aid of money or men: And yet we would not that either of these were known to be our act, but rather to be covered with your own desire and attempt.

No. XIV. (Page 93.)

Randolph to Cecil, from Edinburgh, 7th Feb. 1565-6.

An original.

My humble duty considered; what to write of the present state of the country I am so uncertain, by reason of the daily alterations of men's minds, that it maketh me much slower than otherwise I would. Within these few days there was some good hope, that this queen would have showed some favour towards the lords, and that Robert Melvin should have returned unto them with comfort upon some conditions. Since that time, there are come out of France Clernau by land, and Thorneton by sea; the one from the cardinal, the other from the bishop of Glasgow. Since whose arrival neither can there be good word gotten, nor appearance of any good intended them, except that they be able to perswade the queen's majesty, our sovereign, to make her heir apparent to the croun of England. I write of this nothing less than I know that she hath spoken. And by all means that she thinketh the best, doth travaile to bring it to pass. There is a band lately devised, in which the late pope, the emperor, the king of Spain, the duke of Savoy, with divers princes of Italy, and the queen-mother suspected to be of the same confederacy, to maintain papistry throughout Christiandom; this band was sent out of France by Thorneton, and is subscribed by this queen, the copy thereof remaining with her, and the principal to be returned very shortlie, as I hear, by Mr. Stephen Willson, a fit minister for such a devilish devise; if the coppie hereof may be gotten, that shall be sent as I conveniently may. Monsieur Rambollet came to this toun upon Monday; he spoke that night to the queen and her husband, but not long; the next day he held long conferences with them both, but nothing came to the knowledge of any whereof they intreated. I cannot speak with any that hath any hope that there will be any good done for the lords by him, though it is said that he hath very good will to do so to the uttermost of his power. He is lodged near to the court, and liveth upon the queen's charges. Upon Sunday the order is given, whereat means made to many to be present that day at the mass. Upon Candlemas-day there carried their candles with the queen, her husband, the earle of Lennox, and earle Athol; divers other lords have been called together and required to be at the mass that day; some have promised, as Cassels, Montgomerie, Seton, Caithness; others have refused, as Fleming, Levingston, Lindsay, Huntley, and Bothel, and of them all Bothel is the stoutest, but worst thought of. It was moved in counsil that mass should have been in St. Giles church, which I believe was rather to tempt men's minds, than intended indeed: She was of late minded again to send Robert Melvin to negociate with such as she trusteth in amongst the queen's majesty's subjects, of whose good willis this way I trust that the bruit is greater than the truth; but in these matters her majesty is too wise not in time to be ware, and provide for the worst: some in that country are thought to be privie unto the bands and confederacie of which I have written, whereof I am sure there is some things, tho' perchance of all I have not heard the truth. In this court divers quarles, contentions, and debates, nothing so much sought as to maintain mischief and

disorder. David yet retaineth still his place, not without heart-grief to many, that see their sovereign guided chiefly by sueh a fellow. The queen hath utterly refused to do any good to my lord of Argyll, and it is said that shall be the first voyage that she will make after she is delivered of being with ehild; the bruit is common that she is, but hardly believed of many, and of this, I can assure you, that there have of late appeared some tokens to the contrary.

No. XV. (Page 96.)

Part of a Letter from the Earl of Bedford and Mr. Thomas Randolph to the Lords of the Council of England, from Barwick, 27th of March 1566. *An Original in the Cotton Library, Caligula, b.* 10. *fol.* 372.

May it please your Honours,

27 March. HERING of so maynie matters as we do, and fyndinge sueh varietie in the reports, we have myche ado to decerne the veritie; which maketh us the slower and loother to put any thing in wrytinge, to the entente we wold not that your honours, and by you the queen's majestie, our sovereigne, should not be advertised but of the verie trothe as we can possible. To this end we thought good to send up captain Carewe, who was in Edinbourge at the tyme of the last attemptate, who spoke there with diverse, and after that with the queen's self and her husband: conforme to that which we have learned by others and know by this reporte, we send the same, confirmed by the parties self that were there present, and assysters unto these that were exccutors of the acte.

This we fynde for certain, that the queen's husband being entered into a vehement suspicion of David, that by hym some thynge was committed which was most agaynste the queen's honour, and not to be borne of his perte, fyrste communicated his mynde to George Duglas, who fynding his sorrowes so great, sought all the means he coulde to put some remedie to his grieff; and communicating the same unto my lord Ruthen by the king's commandment, no other waye couldc be found than that David should be taken out of the waye. Whérein he was so earnest and daylye pressed the same, that no reste could be had untyll it was put in execution. To this that was found good, that the lord Morton and lord Lyndsaye should be made privie to th' intente, that theie might have their friends at hande, yf neade required; which caused them to assemble so mayny as theie thought sufficient against the tyme that this determination of theirs should bc put in exeeutione; which was determined the ixth of this instant 3 daies afore the parliament should begyne, at which time the sayde lordes were assured that the erles Argyle, Morraye, Rothes and their complyees, sholde have been forfeited, yf the king could not be persuaded through this means to be their friends; who for the desyre he hade that this intent should take effect the one waye, was contente to yielde without all diffieultie to t'other, with this condition, that theie should give their consents that he might have the crowne matrimonial. He was so impatient to see these things he saw, and were daylye brought to his eares, that he dayly pressed the said lord Ruthen that there might be no longer delaye; and to the intent that myght be manifest unto the world that he approved the acte, was content to be at the doing of that himself.

Upon Saturday at night neire unto VIII of the clock the king conveyeth himself, the lord Ruthen, George Duglass, and two others, throwe his owne chamber by the privy stayres up to the queen's chamber, going to which there is a cabinet about XII foot square; in the same a little low reposing bed and a table, at the which theyr were sitting at supper the queene, the lady Argile, and David with his capp upon his head. Into the cabinet there cometh in the king and lord Ruthen, who willed David to come forth, saying, that was no place for him. The queen said, that it was her will. Her howsband answerede, that y^{t} was against her honour. The lord Ruthen said, that he should lerne better his dutie, and offering to have taken him by the arm, David took the queen by the blychtes of her gown, and put himself behind the queen, who wold gladlee have saved him: but the king having loosed his hand, and holding her in his arms, David was thrust out of the cabinet throw the bed-chamber into the chamber of presens, whar were the lord Morton, lord Lindsey, who intending that night to have reserved him, and the next day to hang him, so many being about him that bore him evil will, one thrust him into the boddie with a dagger, and after him a great many others, so that he had in his bodie above wonds. It is told for certayne, that the kinges own dagger was left sticking in him. Wheather he stuck him or not we cannot here for certayn. He was not slayne in the queen's presens, as was said, but going down the stayres out of the chamber of presens.

There remained a long tyme with the queen her howsband and the lord Ruthen. She made, as we here, great intereession that he shold have no harm. She blamed greatlee her howsband that was the actor of so foul a deed. It is said that he did answer, that David had more companie of her boddie than he for the space of two months; and therefore for her honour and his own contentment he gave his consent that he should be taken away. "It is not" (saythe she) "the woman's part to seek the husband," and therefore in that the fault was his own. He said that when he came, she either wold not or made herself sick. "Well," saythe she, "you have taken your last of me and your farewell." Then were pity, saythe the lord Ruthen, he is your majesty's husband, and must yield dutie to eaeh other. "Why may I not," saythe she, "leave him as well as your wife did her husband? Other have

done the like." The lord Ruthen said that she was lawfully divorced from her husband, and for no such cause as the king found himself greve. Besydes this man was mean, basse, enemie to the nobility, shame to her, and destruction to herself and country. "Well," saythe she, "that shall be dear blude to some of you, yf his be spylt." God forbid, saythe the lord Ruthen; for the more your grace showe yourself offended, the world will judge the worse.

Her husband this tyme speaketh little, herself continually weepeth. The lord Ruthen being ill at ease and weak, calleth for a drink, and saythe, "This I must do with your majesties pardon," and persuadeth her in the best sort he could, that she would pacify herself. Nothing that could be said could please her.

In this mean time there rose a nombre in the court; to pacify which there went down the lord Ruthen, who went strayt to the erles Huntley, Bothwell, and Atholl, to quiet them, and to assure them from the king that nothing was intend against them. These notwithstanding taking fear, when theie heard that my lord of Murray would be there the next day, and Argile meet them, Huntley and Bothwell both get out of a window and so depart. Atholl had leave of the king with Flysh and Glandores (who was lately called Deysley the person of Owne) to go where they wold, and bring concorde out of the court by the lord of Lidington. Theie went that night to such places where they thought themselves in most sauftie.

Before the king left talk with the queen, in the hering of the lord Ruthen she was content that he shold lie with her that night. We know not how he * * himself, but came not at her, and excused hymself to his friends, that he was so sleepie that he could not wake in due season.

There were in this companie two that came in with the king; the one Andrewe Car of Fawdenside, whom the queen sayth would have stroken her with a dagger, and one Patrick Balentine, brother to the justice-clerk, who also, her grace sayth, offered a dag against her belly with the cock down. We have been earnestly in hand with the lord Ruthen to know the varitie; but he assureth us of the contrarie. There were in the queen's chamber the lord Robert, Arthur Arskin, one or two others. They at the first offering to make a defence, the lord Ruthen drawd his dagger, and 4 mo weapons then, that were not drawn nor seen in her presens, as we are by this lord assured.

[The letter afterwards gives an account of the flight to Dunbar castle, whither resorted unto the lords Huntley, and Bothwell: That the earl of Morton and lord Ruthven find themselves left by the king for all his fair promises, bonds, and subscriptions. That he had protested before the council, that he was never consenting to the death of David, and that it is sore against his will: "That of the great substance David had there is much spoken, some say in gold to the value of 11[m]£. His apparel was very good, as it is said, 28 pair of velvet hose. His chamber well furnished, armour, dagger, pystoletts, harquebuses, 22 swords. Of all this nothing spoyld or lacked saving 2 or 3 dagger. He had the custody of all the queen's letters, which all were delivered unlooked upon. We hear of a juill that he had hanging about his neck of some price, that cannot be heard of. He had upon his back when he was slayn, a night gown of damask furred, with a satin doublet, a hose of russet velvet."]

No. XVI. (Page 98.)

Part of a Letter from Randolph to Cecil, Jan. 16, 1565-6.

——I CANNOT tell what misliking of late there hath been between her grace and her husband; he presseth carnestly for the matrimonial crown, which she is loth hastily to grant, but willing to keep somewhat in store, until she know how well he is worth to enjoy such a sovereignty; and therefore it is thought that the parliament for a time shall be deferred, but hereof I can write no certainty.

From Mr. Randolph's Letter to Secretary Cecil.

——The justice-clerk in hard terms, more for his brother's cause than any desert, and as far as I can hear, the king of all other in worst; for neither hath the queen good opinion of him for attempting of any thing that was against her will, nor the people that he hath denied so manifest a matter, being proved to be done by his commandment, and now himself to be the accuser and pursuer of them that did as he willed them. This Scott that was executed, and Murray that was yesterday arreigned, were both accused by him. It is written to me for certain, by one that upon Monday last spoke with the queen, that she is determined that the house of Lennox shall be as poor in Scotland as ever it was. The earl continueth sick, sore troubled in mind; he staith in the abbey; his son has been once with him, and he once with the queen, since she came to the castle. The queen hath now seen all the covenants and bands that passed between the king and the lords, and now findeth that his declaration, before her and council, of his innocency of the death of David, was false; and grievously offended that, by their means, he should seek to come to the crown matrimonial.

4th April 1566. Paper Office, from the original.

Part of a Letter from Randolph to Cecil, from Berwick, 25th April 1566.

——There is continually very much speech of the discord between the queen and her husband, so far that is commonly said and believed of himself, that Mr. James Thornton is gone to Rome to sue for

a divorce between them. It is very certain that Malevasier had not spoken with him within these three days. He is neither accompany'd nor looked upon of any nobleman: attended upon by certain of his own servants, and six or seven of the guard; at liberty to do and go where and what he will; they have no hope yet among themselves of quietness.

———David's brother, named Joseph, who came this way with Malevasier, unknown to any man here, is become secretary in his brother's place.

No. XVII. (Page 99.)

The earl of Bedford to Cecil, 3d August 1566.

THE queen and her husband agree after the old manner, or rather worse. She eateth but very seldom with him, lieth not, nor keepeth company with him, nor loveth any such as love him. He is so far out of her books, as at her going out of the castle of Edinburgh, to remove abroad, he knew nothing thereof. It cannot for modesty, nor with the honour of a queen, be reported what she said of him. One Hickman, an English merchant there, having a water spaniel which was very good, gave him to Mr. James Melvil, who afterwards, for the pleasure which he saw the king have in such kind of dogs, gave him to the king. The queen thereupon fell marvellously out with Melvil, and called him dissembler and flatterer, and said she could not trust one who would give any thing to such a one as she loved not.

The Earl of Bedford to Cecil, Aug. 8.

The disagreement between the queen and her husband continueth, or rather increaseth. Robert Melvill drawing homewards, within twelve miles of Edinburgh, could not tell where to find the queen; sith which time she is come to Edinburgh, and had not twelve horses attending on her. There was not then, nor that I can hear of since, any lord, baron, or other nobleman in her company. The king her husband is gone to Dumfermling, and passeth his time as well as he may; having at his farewell such countenance as would make a husband heavy at his heart.

Sir John Forster to Cecil, 8th Sept. from Berwick.

The queen hath her husband in small estimation, and the earl of Lennox came not in the queen's sight since the death of Davy.

Sir John Forster to Cecil, 11th Dec.

The earl of Bothwell is appointed to receive the ambassadors, and all things for the christening are at his lordship's appointment, and the same is scarcely well liked of the nobility, as is said. The king and queen is presently at Craigmillar, but in little greater familiarity than he was all the while past.

Advertisements out of Scotland from the Earl of Bedford.

August 1566. Paper Office. From the original.

That the king and queen agreed well together two days after her coming from ———; and after my lord of Murray's coming to Edinburgh, some new discord has happened. The queen hath declared to my lord of Murray that the king bears him evil will, and has said to her that he is determined to kill him, finding fault that she doth bear him so much company; and in like manner hath willed my lord of Murray to spiere it at the king, which he did a few nights since in the queen's presence, and in the hearing of divers. The king confessed, that reports were made to him, that my lord of Murray was not his friend, which made him speak that thing he repented; and the queen affirmed, that the king had spoken such words unto her, and confessed before the whole house, that she could not be content that either he or any other should be unfriend to my lord of Murray. My lord of Murray enquired the same stoutly, and used his speech very modestly. In the mean time the king departed very grieved; he cannot bear that the queen should use familiarity either with man or woman, and especially the ladies of Arguile, Murray, and Marre, who keep most company with her. My lord of Murray and Bothwell have been at evil words for the l. of Ledington before the queen, for he and sir James Balfour had new come from Ledington, with his answer upon such heads or articles as Bothwell and he should agree upon; which being reported to the said earl in the queen's presence, made answer, that ere he parted with such lands as was desired, he should part with his life. My lord of Murray said stoutly to him, that twenty as honest men as he should lose their lives ere he reafte Ledington. The queen spake nothing, but heard both; in these terms they parted, and since, that I hear of, have not met. The queen after her hunting came to Edinburgh, and carryeth the prince thence to Stirling with her. This last Saturday was executed a servant of lord Ruthven's, who confessed that he was in the cabinet, but not of council of the fact. The queen hath also opened to my lord of Murray, that money was sent from the pope, how much it was, and by whom, and for what purpose it was brought.

No. XVIII. (Page 103.)

Part of a Letter from Elizabeth to Mary, Feb. 20. 1569. *A copy interlined by Cecil. It contains an answer to a complaining letter of Mary's upon the imprisoning of the Bishop of Ross.*

——— AFTER this [i. e. Mary's landing in Scotland] how patiently did I bear with many vain de-

lays in not ratifying the treaty accorded by your own commissioners, whereby I received no small unkindness, besides the manifold causes of suspicion that I might not hereafter trust to any writings. Then followed a hard manner of dealing with me, to entice my subject and near kinsman, the lord Darnley, under colour of private suits for land, to come into the realm, to proceed in treaty of marriage with him without my knowledge, yea to conclude the same without my assent or liking. And how many unkind parts accompany'd that fact, by receiving of my subjects that were base runnagates and offenders at home, and enhancing them to places of credit against my will, with many such like, I will leave, for that the remembrance of the same cannot but be noysome to you. And yet all these did I as it were suppress and overcome with my natural inclination of love towards you; and did afterwards gladly, as you know, christen your son, the child of my said kinsman, that had before so unloyally offended me, both in marriage of you, and in other undutiful usages towards me his sovereign. How friendly also dealt I by messages to reconcile him, being your husband, to you, when others nourished discord betwixt you, who as it seemed had more power to work their purposes, being evil to you both, than I had to do you good, in respect of the evil I had received. Well, I will overpass your hard accidents that followed for lack of following my counsel. And then in your most extremity, when you was a prisoner indeed and in danger of your life from your notorious evil willers, how far from my mind was the remembrance of any former unkindness you had shewed me. Nay, how void was I of respect to the designs which the world had seen attempted by you to my crown, and the security that might have ensued to my state by your death; when I finding your calamity to be great, that you were at the pit's brink to have miserably lost your life, did not only intreat for your life, but so threatened some as were irritated against you, that I only may say it, even I was the principal cause to save your life.

No. XIX. (Page 108.)

Letter of Q. Elizabeth to Q. of Scots. Thus marked on the back with Cecil's hand,—Copia Literarum Regiæ Majestatis ad Reginam Scotorum, VIII Aprilis.

Paper Office. MADAME, vous ayant trop molesté par M. de Crocq, je n'eusse eu si peu de consideration de vous fascher de cette lettre, si les liens de charité vers les ruinez, et les prieres des miserables ne m'y contraignassent. Je entens que un edit a été divulgué de par vous, madame, que ung chascun, que veult justifier que ons esté les meurtriers de votre feu mari, et mon feu cousin, viennent a le faire le XIIIme de ce mois. La quelle chose, comme c'est plus honorable et necessaire, qui en tel cas se pourra faire, ne y estant caché quelque mistère ou finesse, ainsi le pere et amis du mort gentelhomme m'ont humblement requis, que je vous priasse de prolongue le jour, pour ce qu'ilz cognoissent que les iniques se sont combinés par force de faire ce que par droict ils ne pourront pas faire; partant, je ne puis mais sinon pour l'amour de vous meme, a qui il touche le plus, et pour la consolation des innocens, de vous exhorter le leur concedder cette requeste, laquelle, si elle les seroit nié, vous tourneroit grandement en soupçon, de plus que j'espere ne pensez, et que ne voudriez volontiers ouyr. Pour l'amour de Dieu, madame, usez de telle sincerité & prudence en ce cas qui vous touche de si pres, que tout le monde aye raison de vous livrer comme innocente d'ung crime si enorme, chose que si ne fistes, seriez dignement esbloyë hors de rancz de princesses, & non sans cause faite opprobre de vulgaire, et plutot que cela vous avienne, je vous souhaiterois une sepulture honorable, qu'une vie maculée; vous voiez, madame, que je vous traite comme ma fille, et vous promets, que si j'en eusse, ne luy souhaiterois mieulx, que je vous desire, comme le Scigneur Dieu me porte tesmoignage, a qui je prie de bon cœur de vous inspirer a faire ce qui vous sera plus a honneur, et a vos amis plus de consolation, avec mes tres cordialles recommendations comme a icelle a qui se souhaite le plus de bien, qui vous pourra en ce monde avenir. De West. ce 8 jour de Janvier[b] en haste.

No. XX. (Page 111.)

Account of the sentence of divorce between the Earl of Bothwell and Lady Jean Gordon his wife. From a manuscript belonging to Mr. David Falconer, advocate. Fol. 455.

UPON the 29 of Apryle 1567, before the Richt Hon. Mr. Robert Maitland dean of Aberdene, Mr. Edward Henryson, doctor in the laws, two of the senators of the college of justice, Mr. Clement Little, and Mr. Alexander Syme advocattis, commissers of Edin[r]; compeered Mr. Henry Kinrosse, procurator for Jean Gourdoune countess of Bothwell, constitute be her for pursewing of ane proces of divorcement intendit by her contra James Erle Bothwel her husband for adultry, committed be him with Bessie Crawfurde the pursuer's servant for the time; and sicklyke, for the said Erle, compeared Mr. Edmund Hay, who efter he had pursued and craved the pursuer's procurator's oath de calumnia, if he had just caus to pursew the said action, and obtained it, denyed the libell, and the said Mr. Harric took the morne, the last day of Apryle, to prove the same pro prima. The quhilk day, having produced some witnesses, he took the next day, being the 1 of May, to do farther diligence. Upon the quhilk 1 of May, he produced some moe witnesses, and re-

b A mistake in the date, corrected with Cecil's hand VIII° Aprilis.

nounced farther probatioune. After quhilk, he desired a term to be assigned to pronounce sentence. To whom the said commissars assigned Satterday next, the 3 of May, to pronounce sentence therein, secundum allegata et probata, quilk accordingly was given that day in favour of the pursewar.

At the same time there was another proces intendit be the erl of Bothwell contr his lady, for to have their marriage declared nul, as being contracted against the canons, without a dispensation, and he and his lady being within degrees defendand, viz. ferdis a kin; and that wyse, for expeding of this process, there was a commissioune grantit to the archbishop of St. Androis to cognosce and determine it, and Rot bishop of Dunkeld, William bishop of Dumblane, Mr. Andro Craufurd chanon in Glasgow and parson of Egelshame, Mr. Alexander Creichtoun, and Mr. George Cooke chancellor of Dunkeld, and Mr. Johne Manderstoune chanon in Dunbar and prebendar of Beltoune, or any ane of them. This commissione is datit 27th Aprile 1567, was presented to two of the saids commissioners, viz. Mr. Andr. Craufurd and Mr. John Manderstoune on Satterday 3 May, by Mr. Thomas Hepburne parson of Auldhamstocks, procurator for the erle of Bothwell, who accepted the delegatioune, and gave out their citation by precept, directed, Decano Christianitatis de Hadingtoune, nec non vicario seu curato eccle. parochiæ de Creichtounc, seu cuicunq; alteri cappellano debiti requisitis, for summoning, at the said erle's instance, both of the lady personally if she could be had, or otherways at the paroschc kerk of Creichtoune the time of service, or at her dwelling-place before witnesses, primo, secundo, tertio et peremptoric, unico tamen contextu protuplice edicto. And likeways to be witnesses in the said matter, Alex. Bishop of Galloway, who did marry the said Erle and his lady in Halerud-hous kirk, in Feb. 1565, sir John Bannatyne of Auchnole, justice-clerk, Mr. Robert Creichtoun of Elliok the queen's advocate, Mr. David Chalmers provost of Creichtoun and chancellor of Ross, Michael —— abbot of Melross, and to compear before the said judges or any one of them in St. Geil's kirk in Edr on Monday the 5 of May, be thamselves, or their procurators. Upon the said 5 day, Mr. John Manderstoun, one of the judge's delegat only being present, compeared the same procurators for both the parties that were in the former proces, Mr. Edmund Hay (articulatlie) and some of the witnesses summoned, produced and received for proving the same. The said procurator renounced farder probatioune, and the judge assigned the morne, the 6th of May, ad publicandum producta, nempe depositiones ipsorum testium. The quhilk day, post publicatas depositiones prædictas, Mr. Hen. Kinrosse, procurator for the lady instanter objecit objectiones juris generaliter, contra producta, insuper renunciavit ulteriori defensioni; proinde conclusa de consensu procura-

Two words in the parenthesis illegible.

torum hinc inde causa, judex prædictus statuit crastinum diem pro termina, ad pronunciandum suam sententiam definitivam, ex deductis coram eo, in præsenti causa et processu. Conform hereunto, on Wednesday the 7th of May, the said judge gave out his sentence in favour of the erle, declaring the marriage to be, and to have been null from the beginning, in respect of their contingence in blood, which hindered their lawful marriage without a dispensation obtained of befoir.

No. XXI. (Page 112.)

A Letter from England concerning the Murder of King Henry Darnley.

E. of Morton's Archives. Bundle B. No. 25.

Having the commodity of this bearer, Mr. Clark, I tho't good to write a few words unto you. I have recd some writs from you, and some I have seen lately sent others from you, as namely to the earl of Bedford of the 16th of May. I have participat the contents thereof to such as I thought meet. This mekle I can assure you, the intelligence given hithere by the French was untrue, for there was not one papist nor protestant which did not consent that justice should be done, be the queen my sovns aid and support, against such as had committed that abominable ill murder in your country; but to say truth, the lack and coldness did not rise from such as were called to council, but from such as should give life and execution thereunto. And further, I assure you, I never knew no matter of estate proponed which had so many favourers of all sorts of nations as this had: yea, I can say unto you, no man promoted the matter with greater affection than the Spanish ambassador. And sure I am that no man dare openly be of any other mind, but to affirm that whosoever is guilty of this murder, handfasted with advoutre, is unworthy to live. I shall not need to tell you, which be our letts and stayes from all good things here; you are acquainted with them as well as I. Neds I must confess, that howsoever we omit occasions of benefit, honour, and surety, it behoveth your whole nobility, and namely such as before and after the murder were deemed to allow of Bodwell, to prosecute with sword and justice the punishment of those abominable acts, though we lend you but a cold aid; and albeit you, and divers others, both honourable and honest, be well known to me, and sundry others here, to be justifiable in all their actions and doings; yet think not the contrary but your whole nation is blemished and infamit by these doings which lately passed among you. What we shall do I know not, neither do I write unto you assuredly, for we be subject unto many mutations, and yet I think we shall either aid you, or continue in the defence and safeguard of your prince, so as it appear to us that you mean his safeguard indeed, and not to run the for-

tune of France, which will be your own destruction if you be unadvised. I know not one, no not one of any quality or estate in this country, which does allow of the queen your sovereign, but would gladly the world were rid of her, so as the same were done without further slander, that is to say by ordinary justice. This I send the 23d of May.

No. XXII. (Page 114.)

Part of a Letter from Sir Nicolas Throkmorton to Cecil, 11th of July 1567, from Berwick.

An original. Paper Office. ——Sir, Your letter of the 6th of July I received the 10th, at Berwick. I am sorry to see that the queen's majesty's disposition altereth not towards the lords, for when all is done, it is they which must stand her more in stead than the queen her cousin, and will be better instruments to work some benefite and quietness to her majesty and her realm, than the queen of Scotland, which is void of good fame.

A Letter from Sir Nicolas Throkmorton to Cecil, from Fastcastle, 12th of July 1567.

Paper Office. Sir, As yow might perceive by my letter of the 11th July, I lodged at Fastcastle that night, accompanied with the lord Hume, the lord of Ledington, and James Melvin, where I was entreated very well according to the state of the place, which is fitter to lodge prisoners than folks at liberty; as it is very little, so it is very strong. By the conference I have had with the lord of Ledington, I find the lords his associates and he hath left nothing unthought of, which may be either to their danger or work them suerty, wherein they do not forget what good and harme France may do them, and likewise they consider the same of England; but as farr as I can perceive, to be plain with yow, they find more perril to grow unto them through the queen's majesty's dealing, than either they do by the French, or by any contrary faction amongest themselves, for they assure themselves the queen will leave them in the bryers if they run her fortoun; and though they do acknowledge great benefit as well to them as to the realm of England, by her majesty's doings at Leith, whereof they say mutually her majesty and both the realms have received great fruit; yet upon other accidents which have chanced since, they have observed such things in her majesty's doings as have ended to the danger of such as she hath dealt withal, to the overthrow of your own designments, and little of the suerty of any party: and upon these considerations and discourses at length, methinketh I find a disposition in them, that either they mind to make their bargain with France, or else do deal neither with France nor yow, but to do what they shall think meet for their state and suerty, and to use their remedys as occasion shall move them; meaning neither to irritate France nor England, untill such time as they have made their bargain assuredly with one of yow; for they think it convenient to proceed with yow both for a while pari passu, for that was my lord of Ledington's terms. I do perceave they take the matter very unkindly, that no better answer is made to the letter which the lords did send to her majesty, and likewise that they hear nothing from yow to their satisfaction. I have answered as well as I can, and have alleged their own proceedings so obscurely with the queen, and their uncertainty, hath occasioned this that is yet happened, and therefore her majesty hath sent me to the end I may inform her throughly of the state of the matters, and upon the declaration of their minds and intents to such purposes as shall be by me proposed on her majesty's behalf unto them, they shall be reasonably and resolutely answered. At these things the lord of Ledington smiled and shook his head, and said it were better for us yow would let us alone, than neither to do us nor yourselves good, as I fear me in the end that will prove: S^{r}, if there be any truth in Ledington, Le Crocq is gone to procure Ramboilet his coming hither, or a man of like quality, and to deliver them of their queen for ever, who shall lead her life in France in a abbey reclused, the prince at the French devotion, the realm governed by a council of their election of the Scottish nation, the forts committed to the custody of such as shall be chosen amongst themselves. As yet I find no great likelihood that I shall have access to the queen: it is objected they may not so displease the French king, unless they were sure to find the queen of England a good friend; and when they once by my access to the queen have offended the French, then they say yow will make your profit thereof to their undoing; and as to the queen's liberty, which was the first head that I proposed, they said that thereby they did perceive that the queen wants their undoing, for as for the rest of the matters it was but folly to talk of them, the liberty going before; but said they, if you will do us no good, do us no harm, and we will provide for ourselves. In the end they said, we shall refuse our own commodity, before they concluded with any other, which I should hear of at my coming to Edn^{r}; by my next I hope to send yow the band concluded by Hamiltons, Argyll, Huntley, and that faction, not so much to the prejudice of the lords of Edin^{r}, as that which was sent into France. Thus having no more leisure, but compell'd to leap on horseback with the lords to go to Edin^{r}, I humbly take my leave of from Fastcastle the 12th of July 1567.

To Sir Nicolas Throkmorton, being in Scotland. By the Queen, the 14th July 1567.

Paper Office. Trusty and well beloved we greet you well; though we think that the

causes will often change upon variety of accidents, yet we think for sundry respects not amiss, that as yow shall deal with the lords having charge of the young prince for the committing of him into our realm, so shall yow also do well, in treaty with the queen, to offer her, that where her realm appeareth to be subject to sundry troubles from time to time, and thereby (as it is manifest) her son cannot be free, if she shall be contented that her son may enjoy suerty and quietness within this our realm, being so near as she knows it is; we shall not faill to yield her as good suerty therein for her child, as can be devised for any that might be our child born of our own body, and shall be glad to shew to her therein the trew effect of nature; and herein she may be by yow remembered how much good may ensue to her son to be nourished and acquainted with our country: and therefore, all things considered, this occasion for her child were rather to be sought by her, and the friends of him, than offered by us; and to this end, we mean that yow shall so deal with her, both to stay her indeed from inclining to the French practice, which is to us notorious, to convey her and the prince into France, and also to avoid any just offence that she might hereafter conceive, if she should hear that we should deal with the lords for the prince.

Sir Nicolas Throkmorton to Queen Elizabeth, 14th July 1567. From Edinburgh.

An original. Paper Office.

It may please your majesty to be advertized, I did signifie unto Mr. Secretary by my letters of the 11th and 12th of July, the day of mine entry into Scotland, the causes of my stay, my lodging at Fasteastle, a place of the lord Hume's, where I was met by the said lord and by the lord Lidington, and what had passed in conference betwixt us, whilest I was at the said Fastcastle. Since which time, accompanyed with the lords aforesaid, and with 400 horses by their appointment for my better conduct, I came to Edin^{r} the 12th of this present. The 13th being Sunday appointed for a solemne communion in this town, and also a solemne fast being published, I could not have conference with the lords which be assembled within this town, as I desired, that is to say, the earles of Athole and Morton, the lord Hume, the lord of Lidington, sir James Balfour captain of the castle, Mr. James M'Gill, and the president of the session.

Nevertheless I made means by the lord of Lidington that they would use no protracte of time in mine audience, so did I likewise to the earle of Morton, whom I met by chance; I was answered by them both, that albeit the day were destined to sacred exercises, such as were there of the council would consult upon any moyen touching my access unto them and my conference with them, and said also, that in the afternoon either they would come to me, or I should hear from them. About 4 of the clock in the afternoon, the said thirteenth day, the lord of Lidington came to my lodgings, and declared unto me on the behalf of the lords and others, that they required me to have patience, though they had deferred my conference with them, which was grounded principally upon the absence of the earles of Mar and Glencairn, the lords Semple, Crighton, and others of the council, saying also that they did consider the matters which I was on your behalf to treate with them of, were of great importance, as they could not satisfy nor conveniently treate with me, nor give me answer without the advice of the lords, and others their associates: the lord of Lidington also said unto me, that where he perceived, by his private conference with me in my journey hitherwards, that I pressed greatly to have speedy access to the queen their sovereign, he perceived by the lords and others which were here, that in that matter, there was great difficulty for many respects, but specially because they had refused to the French ambassador the like access, which being granted unto me, might greatly offend the French, a matter which they desired and intended to eschew; for they did not find by your majesty's dealings with them hitherto, that it behoved them to irritate the French king, and to lose his favour and good intelligence with him. I answered, that as to their refusal made unto the French ambassador, Monsieur de Ville Roye was dispatched forth of France before these accidents were happened, and his special errand was to impeach the queen's marriage with the earle of Bothel; (for so indeed since my coming hither, I learned his commission tended to that end, and to make offer to the queen of another marriage;) and as to Monsieur de Crocq, he could have no order forth of France concerning these matters, since they happened; and therefore they might very well hold them suspected to have conference with the queen, lest they might treate of matters in this time without instructions, and so rather do harm than good: but your majesty being advertized of all things which had chanced, had sent me hither to treat with them, for the well of the realm; for the conservation of their honors and credit, and for their suerty; and I might boldly say unto him, that your majesty had better deserved than the French had. He said, for his own part, he was much bound unto your majesty, and had always found great favour and courtesy in England; but to be plain with you, sir, sayed he, there is not many of this assembly that have found so great obligation at the queen your sovereign's hands, as at the French king's; for the earles of Morton and Glencairn be the only persons which took benefit by the queen's majesty's aid at Leith, the rest of the noblemen were not in the action; and we think, said he, the queen's majesty your sovereign, by the opinion of her own council, and all the world, took as great benefit by that charge as the realm of Scotland, or any particular person; and not to talk with you as an ambassador, but with sir Nicholas Throkmorton, my lord

Morton, and such as were in pain for the death of Davie, found but cold favour at the queen's majesty's hands, when they were banish'd forth of their own country; but I would all our whole company were as well willing to accomplish the queen your sovereign's intents and desires as I am: for mine own part, I am but one, and that of the meanest sort, and they be many noblemen and such as have great interest in the matter; mary, yow shall be assured I will imploy myself to imploy my credit, and all that I may do, to satisfie the queen your mistress, as much as lyeth in me, and for your own part you have a great many friends in this assembly; with many other good words. But for conclusion I must take this for an answer, to stay untill the other lords were come, and thereupon I thought meet to advertize your majesty what hath passed, and how far forth I have proceeded; your expectation being great to hear from hence.

And now to advertize your majesty of the state of all things, as I have learned since my coming hither, it may please your majesty to understand as followeth.

The queen of Scotland remaineth in good health in the castle of Lochleven, guarded by the lord Lindsay, and Lochleven the owner of the house; for the lord Ruthven is employed in another commission, because he began to show great favour to the queen, and to give her intelligence. She is waited on with 5 or 6 ladys, 4 or 5 gentlewomen, and 2 chamberers, whereof one is a French woman. The earle of Buchan, the earle of Murray's brother, hath also liberty to come to her at his pleasure; the lords aforesaid, which have her in guard, doe keep her very straitly, and as far as I can perceive, their rigour proceedeth by their order from these men, because that the queen will not by any means be induced to lend her authority to prosecute the murder, nor will not consent by any perswasion to abandon the lord Bothell for her husband, but avoweth constantly that she will live and die with him; and saith, that if it were put to her choice to relinquish her crown and kingdom, or the lord Bothell, she would leave her kingdom and dignity, to go as a simple damsell with him, and that she will never consent that he shall fare worse or have more harm than herself.

And as far as I can perceive, the principall cause of her detention is, for that these lords do see the queen being of so fervent affection towards the earle Bothell as she is, and being put at, as they should be compelled to be in continual arms, and to have occasion of many battles, he being with manifest evidence notoriously detected to be the principal murderer, and the lords meaning prosecution of justice against him according to his merits.

The lords mean also a divorce betwixt the queen and him, as a marriage not to be suffered for many respects, which separation cannot take place if the queen be at liberty, and have power in her hands.

They do not also forget their own perill, conjoin'd with the danger of the prince, but as far as I can perceave, they intend not either to touch the queen in suerty or in honor, for they do speak of her with respect and reverence, and do affirm, as I do learn, that the conditions aforesaid accomplished, they will both put her to liberty, and restore her to her estate.

These lords have for the guard of their town 450 harqubushers which be in very good order, for the entertainment of which companys, untill all matters be compounded, they did sue unto your majesty to aid them with such sum of money as hath been mentioned to Mr. Secretary by the lord of Lidington's writing, amounting as I perceive to ten or twelve thousand crouns of the

They were lately advertized that the French king doth mind to send hither Monsieur de la Chapell des Ursine, a knight of the French order, and always well affectionate to the house of Guise; and howsoever La Forest, Villaroy, and Du Crocq have used language in the queen's favour and to these lords disadvantage there, to your Majesty, La Crocq doth carry with him such matter as shall be little to the queen's advantage; so as it is thought the French king, upon his coming to his presence, will rather satisfie the lords than pleasure the queen; for they have their party so well made, as the French will rather make their profit by them, than any other way.

Herewith I send your majesty the last bond agreed on, and signed by the Hamiltons, the earl of Argyll, Huntley, and sundry others, at Dumbarton.

Nevertheless, since my coming to this town, the Hamiltons have sent unto me a gentleman of their surname, named Robert Hamilton, with a letter from the bishop of St Andrew's, and the abbot of Arbroth, the copy whereof I send your majesty and mine answer unto them, referring to the bearer the declaration of some things as these did by him unto me.

The earle of Argyll hath, in like manner, sent another unto me with a letter and credit; I have used him as I did the others, the copy of both which letters I send your majesty also. The lord Harrys hath also sent unto me but not written, and I have returned unto him in like sort.

Against the 20th day of this month there is a generall assembly of all the churches, shires, and boroughs towns of this realm, namely of such as be contented to repair to these lords to this town, where it is thought the whole state of this matter will be handeled, and I fear me much to the queen's disadvantage and danger; unless the lord of Lidington and some others which be best affected unto her do provide some remedy; for I perceave the great number, and in manner all, but chiefly the common people, which have assisted in these doings, do greatly dishonour the queen, and mind seriously either her deprivation, or her destruction; I used the best means I can (considering the furie of the world here) to prorogue this assembly, for that appeareth to me to be the best remedy: I may not speak of dissolution of it, for that may not be abiden,

and I should thereby bring myself into great hatred and peril. The chiefest of the lords which be here present at this time dare not show so much lenity to the queen as I think they could be contented, for fear of the rage of the people. The women be most furious and impudent against the queen, and yet the men be mad enough; so as a stranger over busie may soon be made a sacrifice amongst them.

There was a great bruit that the Hamiltons with their adherents would put their force into the fields against the 24th of this month, but I do not find that intent so true as the common bruit goeth.

The earle of Argyll is in the Highlands, where there is trouble among his own countrymen.

The earle of Lennox is by these lords much desired here, and I do believe your majesty may so use him, and direct him, as he shall be able to promote your purpose with these men.

The earle of Argyll, the Hamiltons and he be incompatible.——I do find amongst the Hamiltons, Argyll, and the company, two strange and sundry humours.

Hamiltons do make shew of the liberty of the queen, and prosecute that with great earnestness, because they would have these lords destroy her, rather than she should be recovered from them by violence; another time they seem to desire her liberty and Bothwell's destruction, because they would compass a marriage betwixt the queen and the lord of Arbroth.

The earle of Argyll doth affect her liberty, and Bothwell's destruction, because he would marry the queen to his brother.

And yet neither of them, notwithstanding their open concurance, (as appeareth by their bond,) doth discover their minds to each other, nor mind one end: Knox is not here, but in the west parts; he and the rest of the ministers will be here at the great assembly, whose austerity against the queen I fear as much as any man's.

By some conference which I had with some of this councill, me thinketh that they have intelligence that there is a disposition in the queen of Scotland to leave this realm, and to retire herself either into England or into France, but most willingly into England; for such —— and mislikings as she knoweth hath been, and is meant unto her in France, leaving the regiment either to a number of persons deleagued, and authorized by her, or to some one or more.

And it may please your majesty, I think it not amiss to put yow in remembrance, that in case the said queen come into England by your allowance, without the French king's consent, she shall loose her dowery in France, and have little or nothing from hence to entertain her; and in case she do go into France with the king's contentment, she may be an instrument (if she can recover favour, as time will help to cancell her disgrace) either by matching with some husband of good quality, or by some other devise, to work new unquietness to her own country, and so consequently to your majesty's.

Therefore it may please your majesty to consider of this matter, and to let me know your pleasure with convenient speed, how I shall answer the same, if it be propounded unto me, either by the queen or by the councill, as a piece of the end and composition. For I am sure, of late, she hath seemed very desirous to have the matter brought to pass that she might go into England, retaining her estate and jurisdiction in herself, though she do not exercise it; and likewise I understand that some of this council which be least affected to her safety do think there is no other way to save her. Thus Almighty God preserve your majesty in health, honour, and all felicity. At Edin^{r}, the 14th July 1567.

Sir Nicolas Throkmorton to Queen Elizabeth, the 18th of July 1567, from Edinburgh.

An Original Paper Office.

It may please your majesty, yow might perceave by my letters of the 16th how far I had proceeded with these lords, and what was their answer; since which time I have spoken particularly with the earle Morton, the lord of Lidington, and sir James Balfour captain of this castle; at whose hands I cannot perceave that as yet access to the queen to Lochleven will be granted me, staying themselves still by the absence of the lords and others their associates, which (they say) they look for within two days; and for that I find, by likelihood and apparent presumptions, that mine access to the queen will hardly be granted, I have thought good not to defer this dispatch untill I have a resolute answer in that matter.

May it therefore please your majesty to understand, Robert Melvin returned from the queen in Lochleven, to this town, the 6th of July, and brought a letter from her written of her own hand to these lords, which doth contain, as I understand, matter as followeth:—A request unto them to have consideration of her health, and if they will not put her to liberty, to change the place of restraint to the castle of Stirling, to the end she might have the comfort and company of her son; and if they will not change her from Lochleven, she required to have some other gentlewomen about her, naming none.

To have her apothecary; to have some modest minister: to have an imbroiderer to draw forth such work as she would be occupied about, and to have a varlet of the chamber.——Touching the government of the realm she maketh two offers, which are but generally touched in her letter, the particularitys be not specified, but referred to Robert Melvin's credit; the one is to commit it only and wholly to the earle of Murray; the other is, to the lords whose names ensue, assisted with such others as they shall call unto them, that is to say, the duke of Chattelrault, the earls of Morton, Murray, Marr, and Glencairn.

She hath written unto them that I might have access unto her.——She requireth further, that if they will not treat her and regard her as their queen, yet

to use her as the king their sovereign's daughter (whom many of them knew) and as their prince's mother.—She will by no means yield to abandon Bothell for her husband, nor relinquish him; which matter will do her most harm of all, and hardeneth these lords to great severity against her.

She yieldeth in words to the prosecution of the murder.

I have the means to let her know that your majesty hath sent me hither for her relief.

I have also persuaded her to conform herself to renounce Bothell for her husband, and to be contented to suffer a divorce to pass betwixt them; she hath sent me word that she will in no ways consent unto that, but rather die; grounding herself upon this reason, taking herself to be seven weeks gone with child, by renouncing Bothell she should acknowledge herself to be with child of a bastard, and to have forfeited her honour, which she will not do to die for it; I have perswaded her, to save her own life and her child, to choose the least hard condition.

Mr. Knox arrived here in this town the 6th of this month, with whom I have had some conference, and with Mr. Craig also, the other minister of this town.

I have perswaded with them to preach and perswad lenity. I find them both very austere in this conference; what they shall do hereafter I know not; they are furnished with many arguments, some forth of the Scripture, some forth of histories, some grounded (as they say) upon the laws of this realm, some upon practices used in this realm, and some upon the conditions and oath made by their prince at her coronation.

The bishop of Galloway, uncle to the carle of Huntley, hath sent hither to these lords, that his nephew the earle and some others of that side may, at Linlithgow or at Stirling, have some communication with some appointed on this side, assuring them that there is a good disposition in the lords of the other party to concurre with these, assuring further that they will not dissent for trifles or unnecessary things, and (as I am given to understand) they can be pleased the queen's restraint be continued untill the murder be pursued in all persons, whereby the separation of the queen and Bothell is implyed, the preservation of the prince, the security for all men, and a good order taken for the governance of the realm in tranquillity.

Captain Clerk, which hath so long served in Denmark, and served at Newhaven, did the 16th of this month (accompanyed with one of his soldiers, or rather the soldier as the greater fame goeth) kill one Wilson a seaman, and such a one as had great estimation with these lords, both for his skill, his hardiness, honesty, and willingness in this action; whereupon Clerk hath retired himself; their quarrel was about the ship which took Blacketer, which ship was appointed by these lords to go to the north of Scotland to impeach the passage of the earle Bothell, in case he went either to the isles, or to any other place; by the death of this man this enterprize was dashed.

The bishop of Galloway is come to Linlithgow, and doth desire to speak with the lord of Lidington.

The abbot of Kilwinning hath sent for sir James Balfour, captain of the castle, to have conferenee with him.

As I wrote unto your majesty in my last, the Hamiltons now find no matter to disever these lords and them asunder, but would concurr in all things (yea in any extremity against the queen) so as that they might be assured the prince of Scotland were crouned king, and should die without issue, that the earle of Lenox's son living should not inherit the croun of this realm, as next heir to his nephew.

And although the lords and counselors speak reverently, mildly, and charitably of their queen, so as I cannot gather by their speech any intention to cruelty or violence, yet I do find by intelligence, that the queen is in very great peril of her life, by reason that the people assembled at this convention do mind vehemently the destruction of her.

It is a public speech among all the people, and amongst all estates (saving of the counselors) that their queen hath no more liberty nor privilege to commit murder nor adultery, than any other private person, neither by God's laws, nor by the laws of the realm.

The earl of Bothell, and all his adherents and associates, be put to the horn by the ordinary justice of this town, named the lords of the session; and commandment given to all sherriffs, and all other officers, to apprehend him, and all other his followers and receiptors.—The earl of Bothell's porter, and one of his other servitors of his chamber, being apprehended, have confessed such sundry circumstances, as it appeareth evidently, that he the said earl was one of the principal executors of the murder, in his own person, accompanyed with sundry others, of which number I cannot yet certainly learn the names but of three of them, that is to say, two of the Ormistons of Tivotdall, and one Hayborn of Bolton. The lords would be glad that none of the murderers should have any favour or receipt in England, and hereof their desire is, that the officers upon the border may be warned. Bothell doth still remain in the north parts, but the lord Seaton and Fleming, which have been there, have utterly abandoned him, and do repair hitherwards.—The intelligence doth grow daily betwixt these lords, and those which held off; and notwithstanding these lords have sent an hundred and fifty harqubushers to Stirling, to keep the town and passage from surprize; and so have they done in like manner to St Johnston, which be the two passages from the north and west to this town. I do understand the captain of Dunbar is much busied in fortifying that place; I do mervile the carriages be not impeached otherwise than they be.

Of late this queen hath written a letter to the captain of the said castle, which hath been surprized; and

thereby matter is discovered which maketh little to the queen's advantage.

Thus, having none other matter worthy your majesty's knowledge, I beseech God to prosper your majesty with long life, perfect health, and prosperous felicity. At Edinburgh, the 18th of July 1567.

Letter of Sir Nicolas Throkmorton to the Right Honourable the Earl of Leicester, Knight of the Order, and one of the Lords of her Majesty's Most Honourable Privy Council.

24th of July 1567. Paper Office. From the original.

By my former despatches sent to her majesty, and Mr. Secretary, since the 12th of July, your lordship might have perceived the state of this country, and to what end these matters be like to come. So as not to trouble your lordship with many words, this queen is like very shortly to be deprived of her royal estate, her son to be crowned king, and she detained in prison within this realm, and the same to be governed in the young king's name, by a counsel, consisting of certain of the nobility, and other wise men of this realm; so as it is easy to be seen that the power and ability to do any thing to the commodity of the queen's majesty, and the realm of England, will chiefly, and in manner wholly, rest in the hands of these lords, and others their associates, assembled at Edinburgh. Now if the queen's majesty will still persist in her former opinion towards the queen of Scotland, (unto whom she shall be able to do no good,) then I do plainly see that these lords and all their accomplices will become as good French as the French king can wish, to all intents and purposes. And as for the Hamiltons, the earls of Arguile, Huntlye, and that faction, they be already so far inchanted that way, as there needeth little devise to draw them to the French devotion. Then this is the state of things so come to pass of this country, that France has Scotland now as much conjoined unto them, to all purposes, as ever it was; and what an instrument the young prince will prove, to unquiet England, I report me to your lordship's wisdom; and therefore considering the weight of the matter, and all the circumstances, I trust your lordship will well bethink you in time (for 'tis high time) how to advise her majesty, to leave nothing undone that may bring the prince of Scotland to be in her possession, or, at the least, to be at her devotion. And amongst other things that I can imagine, for the first degree nothing is more meet to bring this to effect, than to allure this company here assembled to bear her majesty their favour. Some talk hath passed between the lord of Lidington and me, in certain conferences about this matter. By him I find, that when her majesty shall have won these men to her devotion, the principal point that will make them conformable to deliver their prince into England, will rest upon the queen, and the realm's enabling him to the succession of the crown of England, for fault of issue of the queen's majesty's body; some other things will also be required, as the charge of said prince and his train to be at the charge of England. I do well perceive that these men will never be brought to deliver their prince into England without the former condition, for the succession of England; for (saith Lidington) that taking place, the prince shall be as dear to the people of England as to the people of Scotland; and the one will be as careful of his preservation as the other. Otherwise, he saith, all things considered, it will be reported that the Scottishmen have put their prince to be kept in safety, as those which commit the sheep to be kept by the wolves. So as for conclusion, your lordship may perceive here will be the scope of this matter. As unto the delivering of him upon hostages, he sayeth, let no man think, that the condition of the succession not being accomplished, the nobility and the gentry will never consent to leave themselves destitute of their sovereign upon any hostages, neither upon any promises, nor likelihood of good to issue in time to come. It were not good for yourselves (saith he) that the matter were so handled; for then you should adventure all your goods in one ship, which might have a dangerous effect, considering the unwillingness of the queen your sovereign to consent to establishing any successor to the crown. And then, how unmete were it, that her majesty having in her possession already all such persons as do pretend to it, or be inheritable to the crown, to have our prince also in her custody. For so there might follow, without good capitulations, a strange and dangerous issue, tho' the queen your mistress do think that such imaginations could not proceed but from busy heads, as you have uttered unto us on her behalf. What is come to pass since my last despatch, and how far forth things are proceeded, I refer your lordship to be informed by my letters sent unto her majesty at this time. And so I pray Almighty God preserve your lordship in much honour and felicity. At Edenburgh, this 24th of July 1567.

It may please your good lordship to make my lord Stuart partner of this letter.

The Queen to Sir Nicolas Throkmorton.

By the Queen.

6th Aug. 1567.

Trusty and right well-beloved, we greet you well. For as much as we do consider that you have now a long time remained in those parts without expedition in the charge committed unto you, we think it not meet, seeing there hath not followed the good acceptation and fruit of our well meaning towards that state, which good reason would have required that you should continue there any longer; our pleasure, therefore, is, that you shall, immediately upon the receipt hereof, send your servant Middlemore unto the lords and estates of that realm, that are assembled together, willing him to declare unto them, that it

cannot but seem very strange unto us, that you having been sent from us, of such good intent, to deal with them in matters tending so much to their own quiet, and to the benefit of the whole estate of their country, they have so far forgotten themselves, and so slightly regarded us and our good meaning, not only in delaying to hear you, and deferring your access to the queen their sovereign, but also, which is strangest of all, in not vouchsafing to make any answer unto us. And altho' these dealings be such, indeed, as were not to be looked for at their hands, yet do we find their usage and proceeding towards their sovereign and queen, to overpass all the rest in so strange a degree, as we for our part, and we suppose the whole world besides, cannot but think them to have therein gone so far beyond the duty of subjects, as must needs remain to their perpetual tauche for ever. And therefore ye shall say, that we have tho't good, without consuming any longer time in vain, to revoke you to our presence, requiring them to grant you licence and passport so to do, which when you shall have obtained, we will that you make your repair hither unto us, with as convenient speed as you may. Given, &c.

Indorsed 6th August, 1567.

Throkmorton to the Right Honourable Sir William Cecil, Knight, one of her Majesty's Privy Council and Principal Secretary, give these.

SIR,

12th Aug. 1567. Paper Office. From the original. What I have learned, since the arrival of my lord of Murray, and Mons. de Linnerol, you shall understand by my letter to her majesty, at this time. The French do in their negotiations, as they do in their drink, put water to their wine. As I am able to see into their doings, they take it not greatly to the heart how the queen sleep, whether she live or die, whether she be at liberty or in prizon. The mark they shoot at is, to renew their old league; and can be as well contented to take it of this little king, (howsoever his title be,) and the same by the order of these lords, as otherwise. Lyneroll came but yesterday, and methinketh he will not tarry long; you may guess how the French will seek to displease these lords, when they changed the coming of La Chapelle des Oursins for this man, because they doubted that de la Chapelle should not be grateful to them, being a papist. Sir, to speak more plainly to you than I will do otherwise, methinketh the earl of Murray will run the course that those men do, and be partaker of their fortune. I hear no man speak more bitterly against the tragedy, and the players therein, than he, so little like he hath to horrible sins. I hear an inkling that Ledington is to go into France, which I do as much mislike as any thing for our purpose. I can assure you the whole protestants of France will live and die in these mens quarrels; and, where is bruit amongst you, that aid should be sent to the adverse party, and that Martigues should come hither with some force, Mons. Baudelot hath assured me of his honour, that instead of Martigues coming against them, he will come with as good a force to succour them; and if that be sent under meaner conduct, Robert Stuart shall come with as many to fortify them. But the constable hath assured these lords, that the king meaneth no way to offend them. Sir, I pray you find my revocation convenient, and speed you to further it, for I am here now to no purpose, unless it be to kindle these lords more against us. Thus I do humbly take my leave of you, from Edinburgh, the 12th of August 1567.

Yours to use and command.

The Queen to Nicolas Throkmorton.

Trusty and well-beloved, we greet you well. We have, within these two days, received three sundry letters of yours, of the 20th, 22d, and 23d of this month, having not before those received any seven days before; and do find, by these your letters, that you have very diligently and largely advertized us of all the hasty and peremptory proceedings there; which as we nothing like, so we trust in time to see them wax colder, and to receive some reformation. For we cannot perceive, that they with whom you have dealt can answer the doubts moved by the Hamiltons, who howsoever they may be carried for their private respects, yet those things which they move will be allowed by all reasonable persons. For if they may not, being noblemen of the realm, be suffered to hear the queen their sovereign declare her mind concerning the reports which are made of her, by such as keep her in captivity, how should they believe the reports, or obey them which do report it? And therefore our meaning is, you shall let the Hamiltons plainly understand that we do well allow of their proceedings; (as far forth as the same doth concern the queen their sovereign for her relief;) and in such things as shall appear reasonable for us therein to do for the queen our sister, we will be ready to perform the same. And where it is so required, that upon your coming thence the lord Seroope should deal with the lord Herris to impart their meanings to us, and ours to them, we are well pleased therewith, and we require you to advertize the lord Seroope hereof by your letters, and to will him to show himself favourable to them in their actions, that may appear plainly to tend to the relief of the queen, and maintenance of her authority. And as we willed our secretary to write unto you, that, upon your message done to the earl of Murray, you might return, so our meaning is you shall. And if these our letters shall meet you on the way, yet we will have you advertize both the lord Seroope and the Hamiltons of our meaning.

Indorsed 29 Aug. 1567.

No. XXIII. (Page 116.)

Sir Nicolas Throkmorton to the Archbishop of St. Andrew's and the Abbot of Arbrothe.

13th Aug. 1567. Paper Office. From a copy which Sir Nicolas sent to the queen.

After my good commendations to your good lordships, this shall be to advertize you, that the queen's majesty my sovereign having sent me hither her ambassador to the queen her sister your sovereign, to communicate unto her such matter as she thought meet, considering the good amity and intelligence betwixt them, who being detained in captivity (as your lordships know) contrary to the duty of all good subjects, for the enlargement of whose person, and the restitution of her to her dignity, her majesty gave me in charge to treat with these lords, assembled at Edenburgh, offering them all reasonable conditions and means as might be, for the safeguard of the young prince, the punishment of the late horrible murder, the dissolution of the marriage betwixt the queen and the earl of Bodwell, and lastly for their own sureties. In the negotiation of which matters I have (as your lordships well know) spent a long time to no purpose, not being able to prevail in any thing with those lords to the queen my sovereign's satisfaction. Of which strange proceedings towards her majesty, and undutiful behaviour towards their sovereign, I have advertized the queen's majesty; she (not being minded to bear this indignity) hath given me in charge to declare her further pleasure unto them, in such sort as they may well perceive her majesty doth disallow of their proceedings, and thereupon hath revoked me: And further hath given me in charge to communicate the same unto your lordships, requiring you to let me know, before my departure hence (which shall be, God willing, as soon as I have received answer from you) what you and your confederates will assuredly do to set the queen your sovereign at liberty, and to restore her to her former dignity by force or otherwise, seeing these lords have refused all other mediation, to the end the queen's majesty my sovereign may concur with your lordships in this honourable enterprize.

And in case, through the dispersion of your associates, your lordships can neither communicate this matter amongst you, nor receive resolution of them all by that time, it may please you to send me the opinion of so many of you as may confer together, within two or three days, so as I may have your answer here in this town by Monday or Tuesday next at the farthest, being the 19th of this August; for I intend (God willing) to depart towards England, upon Wednesday following. Thus I most humbly take my leave of your lordships at Edenburgh, the 13th of Aug. 1567.

Indorsed the 13th of Aug. 1567.

Sir Nicolas Throkmorton to the Lord Herrys.

24th Aug. 1567. Paper Office. From a copy which Sir Nicolas sent to Secretary Cecil.

Your good lordship's letter of the 13th of August I have received the 19th of the same. For answer whereunto it may like your lordship to understand, that I will signify unto you plainly, how far forth I am already thoroughly instructed of the queen's majesty my sovereign's pleasure concerning the detention of the queen your sovereign, and concerning her relief.

To the first her majesty hath given in charge, to use all kinds of persuasion in her name, to move these lords assembled at Edenburgh to desist from this violent and undutiful behaviour which they use towards their sovereign. And in this part, besides the show of many reasons, and sundry persuasions of amicable treaty with them, her majesty hath willed me to use some plain and severe speech unto them, tending so far forth, as if they would not be better advised, and reform these their outrageous proceedings exercised against their sovereign, that then they might be assured her majesty neither would nor could endure such an indignity to be done to the queen, her good cousin and neighbour.

And notwithstanding these my proccedings with them, they have made proof to be little moved thereby; for as yet neither will they consent to the enlargement, neither suffer me to speak with her. So as it seemeth to me, it is superfluous to treat any more with them after this manner. Whereupon I have advertised the queen's majesty my sovereign, expecting daily her majesty's further order; and as I shall be advertised thereof, so will not fail to signify the same to your good lordship; and in the mean time will advertise her majesty also, what your lordship hath written unto me. Thus, with my due commendations to your good lordship, I commit the same to Almighty God, resting always to do you the pleasure and service that I can lawfully. At Edenburgh.

Indorsed 24th of August, 1567.

No. XXIV. (Page 119.)

Account of Lord Herries's behaviour in the Parliament held December 15, 1567.

Paper Office.

The lord Herrys made a notable harangue in the name of the duke and himself, their friends and adherents, (the duke himself, the earl of Cassilles, and the abbot of Kilwinning being also present,) to persuade the union of the whole realm in one mind. Wherein he did not spare to set forth solemnly the great praise that part of this nobility did deserve, which in the beginning took meanes for the punishment of the earl of Bothwell; as also seeing the queen's inordinate affection to that wicked man, and that she could not be induced by their persuasion to leave him,

that in sequestring her person within Lochleven, they did the duty of noblemen. That their honourable doings, which had not spared to hazard their lives, and to avenge their native country from the slanderous reports that were spoken of it among other nations, had well deserved that all their brethren should join with them in so good a cause. That he and they, in whose names he did speak, would willingly, and without any compulsion, enter themselves in the same yoke, and put their lives and lands in the like hazard, for maintenance of our cause. And if the queen herself were in Scotland, accompanied with 20,000 men, they will be of the same mind, and fight in our quarrel. He hoped the remainder noblemen of their party, Huntley, Arguile, and others, which had not as yet acknowledged the king, would come to the same conformity, whereunto he would also earnestly move them. And if they will remain obstinate, and refuse to qualify themselves, then will the duke, he and their friends, join with us to correct them that otherwise will not reform themselves. So plausible an oration, and more advantageous for our party, none of ourselves could have made. He did not forget to term my lord regent by the name of regent, (there was no mention at all of the earl of Murray,) and to call him grace at every word, when his speeches were directed to him, accompanying all his words with low courtesies after his manner.

No. XXV. (Page 125.)

Queen Mary to Queen Elizabeth.

MADAM,

Cott. Lib. Cal. 1. A copy, and probably a translation.

ALTHOUGH the necessity of my cause (which maketh me to importune to you) do make you to judge that I am out of the way; yet such as have not my passion, nor the respects whereof you are persuaded, will think that I do as my cause doth require. Madam, I have not accused you, neither in words, nor in thought, to have used yourself evil towards me. And I believe that you have no want of good understanding, to keep you from perswasion against your natural good inclination. But in the mean time I can't chuse (having my senses) but perceive very evil furtherance in my matters, since my coming hither. I thought that I had sufficiently discoursed unto you the discommodities which this delay bringeth unto me; and especially that they think, in this next month of August, to hold a parliament against me and all my servants; and in the mean time I am stayed here, and yet will you, that I should put myself further into your country, (without seeing you,) and remove me further from mine; and there do me this dishonour at the request of my rebels, as to send commissioners to hear them against me as you would do to a mere subject, and not hear me by mouth. Now, madam, I have promised you to come to you, and having there made my moan and complaint of these rebels, and they coming thither, not as possessors, but as subjects to answer, I would have besought you to hear my justification of that which they have falsely set forth against me, and if I could not purge myself thereof, you might then discharge your hands of my causes, and let me go for such as I am. But to do as you say, if I were culpable I would be better advised; but being not so, I can't accept this dishonour at their hands, that being in possession they will come and accuse me before your commissioners, whereof I can't like: and seeing you think it to be against your honour and consignage to do otherwise, I beseech you that you will not be mine enemy, untill you may see how I can discharge myself every way, and to suffer me to go into France, where I have a dowry to maintain me; or at least to go into Scotland, with assurance that if there come any strangers thither, I will bind myself for their return without any prejudice to you; or if it pleis you not to do thus, I protest that I will not impute it to falsehood if I receive strangers in my country without makeing you any other discharge for it. Do with my body as you will, the honour or blame shall be yours. For I had rather die here, and that my faithful servants may be succoured (tho' you would not so) by strangers, than to suffer them to be utterly undone, upon hope to receive in time to come particular commodity. There be many things to move me to fear that I shall have to do in this country with others than with you. But forasmuch as nothing hath followed upon my last moan, I hold my peace, happen what may hap. I have as leef to {abide / endure} my fortune, as to seek it and not find it. Further, it pleased you to give license to my subject to go and come. This has been refused by my lord Scroop and Mr. Knolls (as they say) by your commandment, because I would not depart hence to your charge, untill I had answer of this letter, tho' I shewed them, that you required my answer upon the two points contained in your letter.

The one is to let you briefly to understand, I am come to you to make my moan to you, the which being heard, I would declare unto you mine innocency, and then require your aid; and for lack thereof, I can't but make my moan and complaint to God, that I am not heard in my just quarrel, and to appeal to other princes to have respect thereunto as my case requireth; and to you, madam, first of all, when you shall have examined your conscience before him, and have him for witness.——And the other, which is to come further into your country, and not to come to your presence, I will esteem that as no favour, but will take it for the contrary, obeying it as a thing forced. In the mean time, I beseech you to return to me my lord Herries, for I can't be without him, having none of my counsal here, and also to suffer me, if it please you, without further delay, to depart hence, whithersoever it be out of this country. I am sure you will not deny

me this simple request for your honour's sake, seeing it doth not please you to use your natural goodness towards me otherwise, and seeing that of mine own accord I am come hither, let me depart again with yours. And if God permit my causes to succeed well, I shall be bound to you for it; and happening otherwise, yet I can't blame you. As for lord Fleeming, seeing that upon my credit you have suffered him to go home to his house, I warrant you he shall pass no further, but shall return when it shall please you. In that you trust me, I will not (to die for it) deceive you. But *from* [perhaps *for*] Dumbarton I answer not, when my l. Fleeming shall be in the tower. For they which are within it will not forbear to receive succour, if I don't assure them of yours; no, tho' you would charge me withal, for I have left them in charge to have more respect to my servants and to my estate than to my life. Good sister, be of another mind; win the heart, and all shall be yours, and at your commandment. I thought to satisfy you wholly, if I might have seen you. Alas! do not as the serpent, that stoppeth his hearing, for I am no enchanter, but your sister, and natural cousin. If Cæsar had not disdained to hear or read the complaint of an advertiser, he had not so died; why should princes ears be stopped, seeing that they are painted so long? meaning that they should hear all and be well advised, before they answer. I am not of the nature of the basilisk, and less of the chamelion, to turn you to my likeness; and tho' I should be so dangerous and curs'd as men say, you are sufficiently armed with constancy and with justice, which I require of God, who give you grace to use it well with long and happy life. From Carlisle, the 5th of July 1568.

No. XXVI. (Page 125.)

Part of a Letter from Sir Francis Knollys to Cecil, 8th Aug. 1568, from Bolton.

An original. Paper Office.

——But surely the queen doth seem, outwardly, not only to favour the form, but also the chief article, of the religion of the gospel, namely, justification by faith only; and she heareth the faults of papistry revealed by preaching or otherwise, with contented ears, and with gentle and weak replys, and she doth not seem to like the worse of religion throw me.

Part of a Letter from Sir Francis Knollys to Cecil, 21st Sept. 1568, from Bolton.

——It came to this queen's ears of late that she was bruited to be lately turned to the religion of the gospell, to the great disliking of the papists hereabouts, which thing she herself confessed unto me, and yesterday openly in the great chamber, when the assembly was full, and some papists present, she took occasion to speak of religion, and then openly she professed herself to be of the papist religion, and took upon her to patronize the same more earnestly than she had done a great while afore, altho' her defences and arguments were so weak, that the effect of her speech was only to shew her zeal; and afterwards to me alone, when I misliked to see her become so confidently backward in religion, Why, said she, would you have me to lose France and Spain, and all my friends in other places, by seeming to change my religion, and yet I am not assured the queen my good sister will be my assured friend, to the satisfaction of my honour and expectation.

No. XXVII. (Page 125.)

A Letter from my Lord Herries to my Lord Scroop and Sir F. Knollys, Sept. 3d, 1568.

Cott. Lib. Cal. C. An original in his own hand.

My lords, pleasit your honourable lordships, I am informed by James Borthwick, lately come from the queen's majesty your soverane, that is schawin to her highness I shuld have ridden in Crafurdmure, sen my last cuming into this realm, upon the earl of Murray's dependants; and that I suld have causit, or been of counsall to Scottismen to have ridden in Ingland, to slay or spulzie her majesty's subjects.

My lords, I thought it right needful, because your lordships is, by your soverane, commanded to attend upon the queen's majesty my mistress, so having daily access in thir matters, to declare upon the truth; humbly desiring that your lordships will, for God's cause, certificate the queen your soverane the same.

As God lives, I have neither consented, nor any wise had knowledge of any Scottisman's riding in England, to do the subjects thereof hurt in bodies or goods, sene the siege of Leith; and as I understand it shall be fund true, that gif ony sic open hurt be done, it is by the queen my sovereign's disobedients; and that I have not ridden nor hurt no Scottisman, nor commanded no hurt to be done to them, sen my coming from the queen's majesty of England, it is well kend, for that never ane will complain of me.

I have done more good to Crawfurdmure nor ever the earl of Murray has done, and will be loather to do them any harm than he will. Except the queen's majesty your sovereign command sic false reports to be tryit, quhereof this is altogidder an inventit leasing, her grace sall be trublit, and tyne the hearts of true men here, quhom of sic report sall be made, that baith would serve hir, and may, better than they unworthy liars.

My lords, I understand the queen's majesty your sovereign is not contented of this bruite, that there should ony Frenchman come in this realm, with the duke of Chattelherault. Truth it is, I am no manner of way the counsall of their cuming, nor has no sic certainty thereof as I hear, by Borthwick's re-

port, from the queen's majesty your sovereign. And gif I might as well say it, as it is true indeed, her grace's self is all the wyitt, and the counsall that will never let her take order with my maistress cause. For that our sovereign havand her majesty's promise, be writing, of luff, friendship, and assistance, gif need had so requirit, enterit that realm upon the 16 day of May; sen that time the queen's majesty has commanded me diverse times to declare she would accept her cause, and do for her, and to put her in peaceable possession of this realme; and when I required of her majesty, in my maistress name, that her highness would either do for her, (as her special trust was she wold,) according to her former promises, or otherwise give her counsal, wold not consent, (as I show her grace I fand diverse repugnant,) then that she would permit her to pass in France, or to some other prince to seek support, or failing hereof, (quhilk was agains all reason,) that she would permit her to return in her awin countrie, in sic semple manner as she came out of it, and said to her majesty ane of thir, for her honour, would not be refusit, seeand that she was comed in her realm upon her writings and promises of friendship. And sicklike, I said to her highness, gif my maistress had the like promise of her nobility and estates, as she had of herself, I should have reprovit them highly, gif they had not condescendit to one of thir three; and so I say, and so I write, that in the world it shall be maist reprehendable, gif this promise taketh not other good effect nor yet it does. Notwithstanding, I get gud answer of thir promises of friendship made to my sovereign, and to put her grace in this her awin countrie peaceably, we have fund the contrary working by Mr. Middlemore directit from her highness to stay the army that cuist down our houses. And alsua, in the proceeding of this late pretendit parliament, promised twenty days before the time to myself, to have caused it been dischargit. And yet contrary to this promise, have they made their pretendit manner of forfaulture of 31 men of guid reputation, bishops, abbottis, and baronis, obedient subjects to our sovereign, only for her cause.

They have also disponit, sen our sovereign's cause was taken upon hand be the queen's majesty of that realm, an hundred thousand pound Scots worth of her awin true subjects geir, under the colour of the law, groundit upon their false, treasonable, stowin, authority.

The murders, the oppressions, the burnings, the ravishing of women, the destruction of policy, both ecclesiastical and temporal, in this mean time, as in my former writings I said, it was lamentable to ony christian man to hear of; except God gif grace, the profession of the evangile of Jesus Christ professit be your prince, counsall and realme, be mair myndit, nor the auld inamity that has stand betwixt the realms, many of my countrymen will doubt in this article, and their proceedings puttis myself in Sanct Thomas belief

Now, my lords, gif the queen's majesty of that realm, upon quhais promise and honour my maistress came there, as I have said, will leave all the French writings, and French phrases of writings, quhilks amongis them is over meikle on baith the sides unfit, and plainly, according to the auld true custom of Ingland and Scotland, quherein be a word promist truth was observ'd, promise, in the name of the eternal God, and upon the high honour of that nobill and princely blude of the kings of Ingland, quhereof she is descendit, and presently wears the diadem, that she will put my maistress in her awin country, and cause her as queen thereof in her authority and strength to be obeyit, and to do the same will appoint an certain day within two months at the farthest, as we understand this to be our weil, sua will we, or the maist part of us all, follow upon it, leaving the Frenchmen, and their evil French phrases togidder. And therefore, and for the true perpetual friendship of that realm, will condition, and for our part, with the grace of Almighty God, keep sic heads and conditions of agreement, as noble and wise men can condescend upon, for the weill of this hail island. As I have been partlings declaring to the queen your sovereign, quhilk I shew to your lordships selfis both in religion, in the punishment of the earl Bothwile, for the queen's last husband's slaughter, and for a mutual band of amity perpetually to remain amangis us.

Doubtless, my lords, without that we may find sic time and friendly working, as may give us occasion baith to forgette Middlemore and his late pretendit parliament, we will turn the leaf, leaving our sovereign agains our will to rest where she is, under the promise of friendship, as I have baith said, and will ever affirm, made by your sovereign, quhilk was only cause of her grace's coming in that realme, and seek the help and moyen of French, or Spanish, till expulse this treasonable and false pretendit authority, quhilk means to reign above us.

My lords, I desire your lordships consider, that it is he that maist desires the amity betwixt Ingland and Scotland to continue, and of a poor man best cause has, that writ this.

My brother, the laird of Skirling, schaws me, that in your lordships communing with him, it appearit to him your mind was we shold suffer the earl of Murray to work, altho' it were agains reason to us, and complain thereof to the queen's majesty, and her highness wald see it reformit. My lords, her majesty will be over meikle troublit to reform the wranges we have sustainit already. For I am sure, gif reason and justice may have place, our maistress, and we her subjects, have received express wrangs far above two hundred thousand pounds sterling, in the time of this unhappy government; seeing the reformation of sa great causes comes, now a days, so slowly, and the ungodly law of oblivion in sic matters so meikle practis'd, I think, nowther for the queen's honour, nor our weill, your lordships would sua mean, nor that it is good to us

to follow it. And that ye will give your sovereign sic advertisement thereof, as your good wisdoms shall find in this cause meet. It will be true and friendful working for us indeed, and nowther French phrases, nor boasting, and finding little other effect, that will cause us to hold away the Frenchmen. This is plainly written, and I desire your lordships plain answer, for in truth and plainness langest continues gud friendship, quhilk in this matter I pray God may lang continue, and have your lordships in his keeping. Off Dumfreis, the 3d day of September 1568.

Your lordships at my power
to command leifully,
HERRIS.

Queen Mary to Queen Elizabeth.

1568.
Cott. Lib. Cal. 1. An original.

Madame ma bonne soeur. J'ay resceu de vos lettres, d'une mesme dete ; l'une, ou vous faites mention de l'excuse de Mons^r. de Murra pour tenir son pretendu parlement, qui me semble bien froid, pour obtenir plus de tollerance que je m'estois persuadée n'avoir par vostre promesse, quant a n'osser donner commission de venir sans un parlement pour leur peu de nombre de noblesse alors, je vous respons, qu'ils n'ont que trois ou quatre d'avantage, qui eussent aussi bien dit leur opinion hors de parlement, qui n'a esté tenu tant pour cette effect, mais pour faire ce qu'expressement nous avions requis estre empeschés, qui est la forfalture de mes subjects pour m'avoir estés fidelles, ce que je m'assurois, jusques a hier, avoir eu en promesse de vous, par la lettre ecrite a mi Lord Scrup e Maistre Knoleis vous induire a ire contre eulx, voire, a les ensayre resentir ; toutefois je vois que je l'ay mal pris, j'en suis plus marrie, pour ce que sur votre lettre qu'il me montrerent, et leur parole, je l'ay si divulguement assuray que pour vengeance que j'en desirasse, si non mettre difference entre leur faux deportemens, et les miens sinceres. Dans vostre lettre aussi datée du 10^me^ d'Aoust, vous metties ces mots : " I think your adverse party, upon my sundry former advices, will hold no parliament at all ; and if they do, it shall be only in form of an assembly to accord whom to send into this realm, and in what sort ; for otherwise, if they shall proceed in manner of a parliament, with any act of judgment against any person, I shall not, in any wise, allow thereof ; and if they shall be so overseen, then you may think the same to be of no other moment than the former procedures ; and by such their rash manner of proceeding, they shall most prejudice themselves, and be assured to find me ready to condemn them in their doings." Sur quoy, j'ay contremandé mes serviteurs, les faissant retirer, souffrant selon vostre commandement d'etre faussement nommés traitres, par ceulx, qui le sont de vray ; et encore d'etre provoques par escarmons dies, et par prinses de mes gens et lettres, et au contraire vous etes informée que mes subjects ont evahis les vostres, Madame, qui a fait ce rapport n'est pas homme de bien, car Laird de Sesford et son fils sont et ont estes mes rebelles depuis le commencement ; enquirés vous, s'ils n'estoient a Donfris aveques eulx ; j'avois offri respondre de la frontiere, ce que me fut refusé, ce que m'en devroit asses descharger ; neanmoins, pour vous faire preuve de ma fidelité, et de leur falsité, s'il vous me fayte donner le nom des coulpables, et me fortifier, je commanderay mes subjects les pour suivre, ou si vous voules que ce soit les vostres, les miens leur ayderont ; je vous prie m'en mander vostre volonté, au reste mes subjects fidelles seront responsables a tout ce que leur sera mis su les contre vous, ni les vostres, ni les rebelles, despuis que me conseillates les faire retirer. Quant aux François, j'escrivis que l'on me'n fit nulle poursuite, car j'esperois tant en vous, que je n'en aurois besoign,—je ne sçcu si le dict aura en mes lettres, mais je vous jure devant Dieu que je ne scay chose du monde le leur venue, que ce que m'en aves manday, ni n'en ai oui de France mot du monde, et ne le puis croire pour cest occasion, et si ils si sont, c'est sans mon sceu ni consentement. Pourquoy je vous supplie ne me condamner sans m'ouire, car je suis prest de tenir tout ce que j'ay offert a Mester Knoleis, et vous assure que vostre amité, qu'il vous plest m'offrir, sera rescue avant toutes les choses du monde, quant France servit la pour presser leur retour a ceste condition, que prenies mes affaires en mein, en soeur, et bonne ami, comme ma Francé est en vous ; mais une chose seule me rende confuse, j'ay tant d'enemies qu'ont votre oreille, la quelle ne pouvant avoir par parolle, toutes mes actions vous sont desguisées, et falsement raporteés, par quoi il m'est impossible de m'assurer de vous, pour les manteries qu'on vous a fait, pour destruire vostre bonne volonté de moy ; par quoy je desirerois bien avoir ce bien vous faire entendre ma sincere et bonne affection, laquelle je ne puis si bien descrire, que mes enemis a tort ne la decoloré. Ma bonne soeur, gagnes moy ; envoyés moy querir, n'entrés en jalousie paur faulx raports de celle que ne desire que votre bonne grace ; je me remettray sur Mester Knoleis, a qui je me suis librement descouverte, et apres vous avoir baisée les mains, je prierai Dieu vous donner en santé, longue et heureuse vie. De Boton, ou je vous promets, je n'espere pertir qu'aveques vostre bonne grace, quoyque les menteurs mentent. Ce 26 d'Aoust.

No. XXVIII. (Page 126.)

Queen Elizabeth to the Earl of Murray.

Paper Office. From a copy corrected by Secretary Cecil.

RIGHT trusty and right well-beloved cousin, we greet you well. Where we hear say, that certain reports are made in sundry parts of Scotland, that whatsoever should fall out now upon the hearing of the queen of Scotts cause, in any proof to convince or to acquit the said queen concerning the horrible murder of her late

husband our cousin, we have determined to restore her to her kingdom and government, we do so much mislike hereof, as we cannot indure the same to receive any credit; and therefore we have thought good to assure you, that the same is untruly devised by the authors to our dishonour. For as we have been always certified from our said sister, both by her letters and messages, that she is by no means guilty or participant of that murder, which we wish to be true, so surely if she should be found justly to be guilty thereof as hath been reported of her, whereof we would be very sorry, then indeed, it should behoove us to consider otherwise of her cause than to satisfy her desire in restitution of her to the government of that kingdom. And so we would have you and all others think, that should be disposed to conceive honourably of us and our actions.

Indorsed 20 Sept. 1568.

No. XXIX. (P. 127.)

Sir Francis Knollys to Cecil, the 9th of October, 1568, from York.

An original. Paper office.

My lord's grace of Norfolk sending for me to Bolton, to attend upon him here Thursday last, I made my repair hither accordingly, meaning to stay here until Munday next: as touching the matters of the commission, that his grace and the rest have from her highness, his grace hath imparted unto me of all things thereunto appertaining, and what hath hitherto passed; and altho' the matters be too weighty for my weak capacity, to presume to utter any opinion of mine own thereof, yet I see that my lord Herris for his parte laboureth a reconciliation, to be had without the extremity of odious accusations; my lord of Ledington also saith to me, that he could wish these matters to be ended in dulce maner, so that it might be done with safety: Of the rest you can conceive by the advertisements and writings sent up by our commissioners.

A Letter from the Bishop of Ross to the Queen of Scots, from York, October 1568.

Cott. Lib. Calig. C. 1. A copy.

Pleis your Majesty I conferred at length with A. anc great part of a night, who assurit me that he had reasoned with B. this Saturday C. on the field, who determinate to him that it was the D. determinit purpose not to end your cause at this time, but to hold the same in suspense, and did what was in her power to make the E. pursue extremity, to the effect F. and his adherents might utter all they could to your dishonour, to the effect to cause you come in disdain with the hail subjects of this realm, that ye may be the mair unable to attempt any thing to her disadvantage. And to this effect is all her intention; and when they have produced all they can against you, D. will not appoint the matter instantly, but transport you up in the country, and retain you there till she think time to show you favour, which is not likely to be hastily, because of your uncles in France, and the fear she has of yourself to be her unfriend. And therefore their counsel is, that ye write an writing to the D. meaning that ye are informit that your subjects which has offendit you—This in effect, that your majesty hearing the estate of your affairs as they proceed in York, was informed that her majesty was informed of you, that you could not gudely remit your subjects in such sort as they might credit you hereafter, which was a great cause of the stay of this controversy to be ended. And therefore persuading her D. effectually not to trust any who had made such narration. But like as ye had rendered you in her hands, as most tender to you of any living, so prayit her to take na opinion of you, but that ye wald use her counsell in all your affairs, and wald prefer her friendship to all others, as well uncles as others, and assure her to keep that thing ye wald promise to your subjects by her advice. And if D. discredit you, ye wald be glad to satisfy her in that point be removing within her realm in secret and quiet manner, where her G. pleased, until the time her G. were fully satisfied, and all occasion of discredit removed from her; so that in the mean time your realm were holden in quietness, and your true subjects restored and maintained in their own estate, and sic other things tending to this effect. And affirms that they believe that this may be occasion to cause her credit you that ye offer so far; and it may come that within two or three months she may become better minded to your grace, for now she is not well-minded, and will not shew you any pleasure for the causes aforsaid.

N. B. The title of this paper is in Cecil's hand; the following key is added in another hand.

A. The laird of Lethington.
B. The duke of Norfolk.
C. Was the day he rode to Cawood.
D. The queen of England.
E. The queen of Scots' commissioners.
F. The earl of Murray.

No. XXX. (Page 130.)

Deliberation of Secretary Cecil's concerning Scotland, Dec. 21, 1568.

Paper Office.

The best way for England, but not the easiest, that the queen of Scots might remain deprived of her crown, and the state continue as it is.

The second way for England profitable, and not so hard.—That the queen of Scots might be induced, by some perswasions, to agree that her son might continue king, because he is crowned, and herself to remain also queen; and that the government of the realm might be committed to such persons as

the queen of England should name, so as for the nomination of them it might be ordered, that a convenient number of persons of Scotland should be first named to the queen of England, indifferently for the queen of Scots and for her son; that is to say, the one half by the queen of Scots, and the other by the earle of Lennox, and lady Lennox, parents to the child; and out of those, the queen's majesty of England to make choice for all the officers of the realm, that are, by the laws of Scotland, disposable by the king or queen of the land.

That untill this may be done by the queen's maiesty, the government remain in the hands of the earle of Murray as it is, providing he shall not dispose of any offices or perpetuals to continue any longer but to these offercd of the premises.

That a parliament be summoned in Scotland by several commandments, both of the queen of Scots and of the young king.

——That hostages be delivered unto England on the young king's behalf, to the number of twelve persons of the earle of Murray's part, as the queen of Scots shall name; and likewise on the queen's behalf, to the like number as the earle of Murray shall name; the same not to be any that have by inheritance or office cause to be in this parliament; to remain from the beginning of the summons of that parliament, untill three months after that parliament; which hostages shall be pledges, that the friends of either part shall keep the peace in all cases, till by this parliament it be concludcd, that the ordinance which the queen of England shall devise for the government of the realm (being not to the hurt of the crown of Scotland, nor contrary to the laws of Scotland for any man's inheritance, as the same was before the parliament at Edin^{r} the Decem^{r} 1567) shall be established to be kept and obeyed, under pain of high treason for the breakers thereof.

——That by the same parliament also be established all executions and judgments given against any person for the death of the late king.

——That by the same parliament, a remission be made universally from the queen of Scots to any her contrarys, and also from every one subject to another, saving that restitution be made of lands and houses, and all other things heritable, that have been by either side taken from them which were the owners thereof at the committing of the queen of Scots to Lochleven.

That by the same parliament it be declared who shall be successors to the crown next after the q. of Scots and her issue; or else, that such right as the d. of Chattelherault had at the marriage of the q. of Scots with the lord Darnley, may be conserved and not prejudiced.

That the q. of Scots may have leave of the queen's majesty of England, twelve months after the said parliament, and that she shall not depart out of England, without special licence of the queen's majesty.

That the young king shall be nourished and brought up in England till he be years of age.

It is to be considered, that in this cause the composition between the queen and her subjects may be made with certain articles, outwardly to be seen to the world for her honour, as though all the parts should come of her, and yet for the surety of contrarys, that certain betwixt her and the queen's majesty are to be concluded.

No. XXXI. (Page 131.)

The Queen to Sir Francis Knolleys, 22 January 1568-9.

Paper Office.

We greet you well: We mean not, at this point, by any writing, to renew that which it hath pleased God to make grievous to us and sorryful to yow; but forbearing the same as unmect at this point, having occasion to command yow in our service, and yow also whilest yow are to serve us, we require yow to consider of this that followeth, with like consideration and diligence as hitherto yow have accustomate in our servise. At the time of our last letters written to yow the fourteenth of this month for removing of the queen of Scots, we had understanding out of Scotland of certain writings sent by her from thence into Scotland, amongst the which one is found to contain great and manifest untruths touching us and others also, as shall and may plainly appear unto yow by the copy of the same, which likewisc we send yow, and because at the same time we were advertised, that it should be shortly proclaimed in Scotland, though then it was not, we thought good first to remove the queen, before we would disclose the same, and then expect the issue thereof; and now, this day, by letters from our cousin of Hunsdon we are ascertained, that since that time the same matters contained in the writing are published in divers parts of Scotland, whereupon we have thought it very meet, for the discharge of our honor, and to confound the falsehood contained in that writting, not only to have the same reproved by open proclamation upon our frontiers, the coppy whereof we do herewith send yow, but also in convenient sort to charge that queen therewith, so as she may be moved to declare the authors thereof, and persuaders of her to write in such slanderous sort such untruths of us; and in the mean season, we have here stayed her commissioners, knowing no other whom we may more probably presume to be parties hereunto than they, untill the queen shall name some other, and acquit them; who being gencrally charged, without expressing to them any particularity, do use all manner of speeches to discharge themselves; wherefore our pleasure is, that ye shall, after ye have well perused the coppy of this writting sent to yow, spcedily declare unto her, that we have good understanding given us of diverse letters and writtings sent by her into Scotland, signed by her own hand,

amongst which one such writting is sent with her commandment, expressly as now it is already published, as we are much troubled in mind that a princess as she is, having a cause in our hands so implicated with difficultys and calamitys, should either conceave in her own mind, or allow of them that should devise such false, untrue, and improbable matters against us and our honor, and specially to have the aventure to have the same, being known so untrue, to be published; and you shall also say, because we will not think so ill of her as that it should proceed of herself, but rather she hath been counselled thereunto, or by abuse made to think some part thereof to be true, we require her, even as she may look for any favour at our hands, that she will disburden herself as much as truly she may herein, and name them which have been the authors and perswaders thereof, and so she shall make as great amends to us as the case may require. After you have thus far proceeded, and had some answer of her, whether she shall deny the writing absolutely, or name any that have been the advisers thereof, you shall say unto her that we have stayed her commissioners here, untill we may have some answer hereof, because we cannot but impute to them some part of this evil dealing, untill by her answer the authors may be known. And as soon as you can have direct answers from her, we pray you to return us the same; for as the case standeth, we cannot but be much disquieted with it, having our honour so deeply touched contrary to any intention in us, and for any thing we know in our judgment, the earl of Murray and others named in the same writting, void of thought for the matters to them therein imputed. You may impart to the queen of Scots either the contents of the slanderous letter, or shew her the copy to read it, and you may also impart this matter to the lord Scroop, to join with you there as you shall think meet.

Sir Francis Knolleys to Queen Elizabeth, from Wetherby, the 28th January 1568.

An original. Paper Office.

——I will supress my own grieffs, and pass them over with silence, for the present learning of your majesty.—And for this queen's answer to the coppie of her supposed letter sent unto Scotland, I must add this unto my brother's letter, sent unto Mr. Secretary yesternight late; in process of time she did not deny but that the first lines contained in the same coppie was agreeable to a letter that she had sent unto Scotland, which touched my lord of Murray's promise to deliver her son into your majesty's hands, and to avoid that the same should not be done without her consent, made her, she saith, to write in that behalf: she saith also that she wrote that they should cause a proclamation to be made to stir her people to defend my lord of Murray's intent and purpose for delivering of her said son, and impunge his rebellious government, as she termed it; but she utterly denyeth to have written any of the other slanderous parts of the said letter touching your majesty: she said also, that she suspected that a Frenchman, now in Scotland, might be the author of some Scotch letters devised in her name, but she would not allow me to write this for any part of her answer.

No. XXXII. (Page 133.)

Sir Nicolas Throkmorton to the Right Honourable the Lord of Liddington.

20th of July 1569. From the original.

YOUR letter of the 3rd of July, I have received the 15th of the same. For answer whereunto you shall understand, that friends here to my lord regent and you do wish such a concurrence in all doings, as in matter and circumstances there arise no dissension, or at the least, no more nor other than the difference of countries doth necessarily require. We here do think convenient that as few delays be used as may be, for the consummation of the matter in hand, which principally to advance your allowance, prosecution, and speedy promotion in Scotland, is most requisite; for you are so wise, and well acquainted with the state of the world, and with all our humours, as you know that some do allow and disallow for reason, some for respect of multitude, some for respect of persons, and so the cause is to go forward as men do like to set it forward. You are not to seek that some will use cautions, some neutrality, some delays, and some will plainly impunge it. And yet all and every of these sorts will alter their doings, when they shall see the regent and his favourers accord with the best and greatest part there, and agree with the wisest and strongest party here. Tho' the matter has taken its beginning here, upon deep and weighty considerations, for the weil of both the princes and their realms, as well presently as in time to come, yet it is thought most expedient that the regent, and realm of Scotland, by you, should propose the matter to the queen our sovereign, if you like to use convenience, good order, or be disposed to leave but a scar, and no wound of the hurts past. I would be glad that this my letter should come to your hands before the convention, whereat it seems your queen's restoration and marriage to the duke of Norfolk shall be propounded, either to wynne in them both allowance or rejection. To which proceedings, because you pray me to write frankly, I say and reason thus: Methinketh you use a prepostcrous order to demand the consent of such persons, in such matters, as their minds to a good end hath neither been felt or prepared, and therefore there must needs follow either a universal refusal, or factious division amongst you, whereby a bloustering intelligence must needs come to queen Elizabeth of the intended marriage from thence, which ought to have been secretly and advisedly propounded unto her high-

ness; hereby you see then the meaning is, by this dealing, her majesty shall be made inexorable, and so bring the matter to such passe, as this which should have wrought surety, quietness, and a stay to both queens and their realms, shall augment your calamity, and throw us your best friends into divorce with you, and into unhappy division amongst ourselves; for you may not conjecture that the matter is now in deliberation, but expecteth good occasion for executing. Sure I am you do not judge so slenderly of the managing of this matter, as to think we have not cast the worst, or to enter therein so far without the assistance of the nobility, the ablest, the wisest, and the mightiest of this realm, except queen Elizabeth, from whom it hath been concealed, until you, as the fittest minister, might propound it to her, on the behalf of the regent and the nobility of Scotland. How far master Woddes defamations do carry them of queen Elizabeth's affections, and master Secretary's, to assist the regent and to suppress the queen of Scotts, I know not, nor it is not material; but I do assuredly think, that her majesty will prefer her surety, the tranquillity of her reign, and the conservation of her people, before any device, which may proceed from vain discourse, or imperfections of passions and inconsiderate affections. And as for Mr. Secretary, you are not to learn that as he liketh not to go too fast afore, so he coveteth not to tarry too far behind, and specially when the reliques be of no great value or power. If I could as well assure you of his magnanimity, and constancy, as of his present conformity, I would say confidently, you may repose as well of him in this matter, as of the duke of Norfolk, the earls of Arundel, Pembroke, Leicester, Bedford, Shrewsbury, and the rest of the nobility; all which do embrace and proteste the accomplishment of this case. I have, according to your advice, written presently to my lord regent, with the same zeal and care of his well-doing that I owe to him, whom I love and honour. Mr. Secretary hath assured unto him the queen of Scotland's favour and good opinion, wherewith he seemeth to be well satisfy'd. If your credit be as I trust, hasten your coming hither, for it is very necessary that you were here presently. Q. Elizabeth both doth write to my lord regent in such sort, as he may perceive Mr. Wood's discourses of her majesty's affection to be vain, and Mr. Secretary otherwise bent than he conjectureth of him, the effect of which her majesty's letter you shall understand by my lord Leicester's letter unto you at this dispatch. At the court, 20th July 1569.

No. XXXIII. (Page 134.)

Part of a Letter from the Earl of Murray to L. B. (probably Lord Burleigh.)

1569, Harl. Lib. 37. B. 9. fo. 43.

——Because I see that great advantage is taken on small occasions, and that the mention of the marriage betwixt the queen my sovereign's mother, and the d. of Norfolk, hath this while past been very frequent in both the realms, and then I myself to be spoken of as a motioner, which I perceive is at the last come to her majesty's ears; I will, for satisfaction of her highness, and the discharge of my duty towards her majesty, manifest unto you my interest and medling in that matter, from the very beginning, knowing whatsoever is prejudicial to her highness, cannot but be hurtful to the king my sovereign, this his realm, and me. What conferences was betwixt the duke of Norfolk, and any of them that were with me within the realm of England, I am not able to declare; but I am no wise forgetful of any thing that passed betwixt him and me, either at that time, or since. And to the end her majesty may understand how I have been dealt with in this matter, I am compelled to touch some circumstances, before there was any mention of her marriage. In York, at the meeting of all the commissioners, I found very —— and neutral dealing with the duke, and others her highness's commissioners, in the beginning of the cause, as in the making of the others to proceed sincerely, and so furth. During which time, I entered into general speech, sticking at our just defence in the matters that were objected against us by the said queen's commissioners, looking certainly for no other thing, but summary cognition in the cause of controversy, with a final declaration to have followed. Upon a certain day the lord Lithington, secretary, rode with the duke to Howard. What purpose they had I cannot say, but that night Lithington returning, and entring into conferrence with me upon the state of our action, I was advised by him to pass to the duke, and require familiar conferrence, by the which I might have some feeling to what issue our matters would tend. According to which advice, having gotten time and place convenient in the gallery of the house where the duke was lodged, after renewing of our first acquaintance made at Berwick, the time before the assize of Leith, and some speeches passed betwixt us, he began to say to me, how he in England had favour and credit, and I in Scotland had will and friendship of many; it was to be tho't there could be none more fit instruments to travel for the continuance of the amity betwixt the realms, than we two. And so that discourse upon the present state of both and how I was entered in that action tending so far to the queen's dishonour, I was willed by him to consider how matters stood in this, what honour I had received of the queen, and what inconveniences her defamation in the matters laid to her charge might breed to her posterity. Her respect was not little to the crown of England, there was but one heir. The Hamiltons, my unfriends, had the next respect; and that I should esteem the issue of her body would be the more affectionate to me and mine, than any other that could attain to that crown. And so it should be meetest, that she affirmed her dismission made in Lochlevin, and we to abstract the

letters of her hand-write, that she should not be defamed in England. My reply to that was, how the matter had passed in parliament, and the letters seen of many, so that the abstracting of the same could not then secure her to any purpose, and yet should we, in that doing, bring the ignominy upon us; affirming it would not be fair for us that way to proceed, seeing the queen's majesty of England was not made privy to the matter as she ought to be, in respect we were purposely come in England for that end, and for the — of the grants of our cause. The duke's answer was, he would take in hand to handle matters well enough at the court. After this, on the occasion of certain articles that were required to be resolved on before we entered on the declaration of the very ground of our action, we came up to the court; where some new commissioners were adjoined to the former, and the hearing of the matter ordained to be in the parliament-house at Westminster, in presence of which commissioners of the said queen, and —— through the —— rebuking of the queen of England's own commissioners, we uttered the whole of the action, and produced such evidences, letters, and probations, as we had, which might move the queen's majesty to think well of our cause. Whereupon expecting her highness' declaration, and seeing no great likelihood of the same to be suddenly given, but daily motions then made to come to an accord with the said queen, our matters in hand in Scotland, in the mean season, standing in hazard and danger, we were put to the uttermost point of our wit, to imagine whereunto the matters would tend, tho' albeit we had left nothing undone for justification of our causes, yet appeared no end, but continual motions made to come to some accord with the queen, and restore her to whole or half reign. I had no other answer to give them, but that I should neither do against conscience or honour in that matter. Notwithstanding, seeing this my plain answer wrought no end nor dispatch to us, and that I was informed that the duke began to mislike of me, and to speak of me, as that I had reported of the said queen irreverently, calling her ——— [probably *adulterer*] and murderer, I was advised to pass to him, and give him good words, and to purge myself of the things objected to me, that I should not open the sudden entry of his evil grace, nor have him to our enemy —— considering his greatness. It being therewithal whispered and shewed to me, that if I departed, he standing discontented and not satisfied, I might peradventure find such trouble in my way, as my throat might be cut before I came to Berrick. And therefore, since it might well enough appear to her marriage, I should not put him in utter despair, that my good will could not be had therein. So, few days before my departing, I came to the park in Hampton court, where the duke and I met together, and there I declared unto him that it was come to my ears, how some misreport should be made of me to him, as that I should speak irreverently and rashly of the said queen my sovereign's mother, such words as before expressed, that he might ——— [probably *suspect.*] thereby my affection to be so alienate from her, as that I could not love her, nor be content of her preferment; howbeit he might persuade himself of the contrary, for as she once was the person in the world that I loved best, having that honour to be so near unto her, and having received such advancement and honour by her, I was not so ungrate or so unnatural ever to wish her body harm, or to speak of her as was untruly reported of me, (howsoever the truth was in the self); and as the preservation of her son, now my sovereign, had moved me to enter into this cause, and that her own pressing was the occasion of that was uttered to her ——— [probably *dishonour*] whensoever God should move her heart to repent of her bypast behaviour and life, and after her known repentance that she should be separate from that ungodly and unlawful marriage that she was entered in, and then after were joined with such a godly and honourable personage as were affectioned to the true religion, and whom we might trust, I could find in my heart to love her, and to shew her as great pleasure, favour, and good will, as ever I did in my life; and in case he should be that personage, there was none whom I could better like of; the queen —— in —— of England being made privy to the matter, and she allowing thereof; which being done, I should labour in all things that I could to her honour and pleasure, that were not prejudicial to the king my sovereign's estate, and prayed him not to think otherwise of me, for my affection was rather buried and hidden within me, awaiting until God should direct her to know herself, than utterly alienated and abstracted from her; which he seemed to accept in very good part, saying, Earl of Murray, thou thinks of me that thing, whereunto I will make none in England or Scotland privy, and thou hast Norfolk's life in thy hands. So departing, I came to my lodging; and by the way, and all night, I was in continual thought and agitation of mind how to behave myself in that weighty matter, first imagining whereunto this should tend, if it were attempted without the queen's majesty of England's knowledge and good will, this realm, and I myself in particular, having received such favour and comfort at her highness's hands, and this whole isle such peace and quietness, since God possessed her majesty with her crown. And on the other part, seeing the duke had disclosed him to me, protesting, none other were or should be privy to our speech, I tho't I could not find in my heart to utter any thing that might endanger him: moved to the uttermost with these cogitations, and all desire of sleep then removed, I prayed God to send me some good relief and outgate, to my discharge, and satisfaction of my troubled mind, which I found indeed; for upon the morn, or within a day or two thereafter, I entered in conversation with my lord of Leicester, in his chamber at the court, where

he began to find strange with me, that in the matter I made so difficult to him, standing so precisely on the conference, and how when I had in my communication with the duke come so far —— and there he made some discourse with me, about that which was talke betwixt us. I perceiving that the duke had ——— [probably *disclosed*] the matter to my lord of Leicester, and thinking me thereby discharged at the duke's hands, therefore I repeated the same communication in every point to my lord of Leicester, who desired me to show the same to the queen's majesty, which I refused to do, willing him, if he tho't it might import her highness any thing, that he as one —— by her majesty, and for many benefits received at her highness's hands, is obliged to wish her well, should make declaration of the same to her majesty, as I understand by some speech of her highness to me, he did. This my declaration to the duke was the only cause that staid the violence and trouble prepared for me unexecuted, as I have divers ways understood. The same declaration I was obliged to renew since in writing of ——— sent to my servant John Wood. The sum whereof, I trust, he shewed the duke, and something also I wrote to himself, for it was tho't this should redeem some time, that the duke should not suddenly declare him our enemy, for his greatness was oft laid before me, and what friendship he had of the chief of the nobility in England, so that it might appear to the queen's majesty of England ——so cold towards us, and doing nothing publicly that might seem favourable for us, we had some cause to suspect that her highness should not be contrarious to the marriage when it should be proposed to her. The sharp message sent by her majesty with the lord Boyd, who had the like commission from the duke tending so far to the said queen's preferment, as it were proposing one manner of conditions from both, gave us to think that her highness had been foreseen in the duke's design, and that she might be induced to allow thereof. But howbeit it was devised in England, that the lord of Lethington should come as from me, and break the matter to her highness, as her majesty in a letter declared that she looked for his coming, yet that devise proceeded never of me, nor the noblemen at the convention could no wise accord to his sending, nor allow of the matter motioned, but altogether misliked it, as bringing with it the same great inconveniences to the surety and quietness of this whole isle; for our proceedings have declared our misliking and disallowance of the purpose from the beginning, and if we had pleased he was ready for the journey. And in likewise it was devised to give consent that the ——— [probably *divorce*] between the said queen and Bothwell, should be suffered to proceed in this realm, as it was desired by the said lord Boyd, by reason we could not understand what was the queen's majesty's pleasure and allowance in that behalf—— and whereas ye mean, that her highness was not made privy of any such intention, the fault was not in me. The first motion being declared, as I have written to my lord of Leicester, and by him imparted to her majesty, so far as I could perceive by some speech of her highness's to me, before my departing. Thus I have plainly declared how I have been dealt withal for this marriage, and how just necessity moved me not to require directly that which the duke appeared so——unto. And for my threatenings to assent to the same, I have expressed the manner; the persons that laid the matter before me were of my own company. But the duke since hath spoken, that it was his writing which saved my life at that time. In conclusion, I pray you persuade her majesty, that she let no speeches nor any other thing passed and objected to my prejudice, move her majesty to alter her favour towards me, or any ways to doubt of my assured constancy towards her highness; for in any thing which may tend to her honour and surety, I will, while I live, bestow myself, and all that will do for me, notwithstanding my hazard or danger, as proof shall declare, when her majesty finds time to employ me.

No. XXXIV. (Page 137.)

William Maitland of Ledington to my lord of Leicester, March 20th, 1570, from Ledington.

An original.

THE great desolation threatened to this whole realm, be the divisions thereof in dangerous factions, doth press me to frame my letters to your lordship in other sort than were behovefull for me, if I had no other respect but only to maintain my private credit; therefore I am driven to furnish them with matter, which I know not to be plausible, whereupon, by misconstruing my meaning, some there may take occasion of offence, thinking that I rather utter my own passions, than go about to inform your lordship truly of the state; but I trust my plain dealing shall bear record to the sincerity of my meaning. To make the same sensible, I will lay before your lordship's eyes the plat of this country; which first is divided into two factions, the one pretending the maintenance of the king's reign, the other alledging the queen to have been cruelly dealt withall, and unjustly deprived of her state: the former is composed of a good number of nobility, gentlemen, and principal burroughs of the realme, who shall have, as Mr. Randolph beareth us in hand, the queen's majesty your sovereign's allowance and protection; the other hath in it some most principall of the nobility, and therewithall, good numbers of the inferior sort, throughout the whole realm, which also look assuredly that all kings do allow their quarrel, and will aid them accordingly. What consequence this division will draw after it, I leave it to your lordship's consideration. There is fallen out another division accidentally, by my lord regent's death, which is like to change the state of the other two factions, to increase the one, and diminish the other, which is

grounded upon the regiment of the realm. Some number of noblemen aspire to the government, pretending right thereto by reason of the queen's demission of the crown, and her commission granted at that time for the regiment during the king's minority; another faction doth altogether repine against that division, thinking it neither fit nor tolerable that three or four of the meanest sort amongst the earls, shall presume to challenge to themselves a rule over the whole realme, the next of the blood, the first in rank, the greatest alway both for the antientry of their houses, degree, and forces, being negleckted; this order they think preposterous, that the meaner sort shall be placed in public function to command, and the greater shall continue as private men to obey. Besides that, they think if the commission had in the beginning been valewable, (which the most part will not grant,) yet can it not be extended to the present; for that the conditions thereunto annexed are ceased, and so the effect of the whole void: The latter part of this division hath many pretences; for besides the queen's faction, which is wholly on that side, a great number of these that have heretofore professed the king's obedience, do favour the same, and will not yield to the government of the others, whose preferment for respects they mislike, when the queen's faction shall be increased with a part of the king's, and these not of least substance, and yow may judge what is like to ensue. Another incident is like to move men to enter in further discourses; it is given out here in Scotland that the queen's majesty is setting forth some forces towards the border, which shall enter this realm, to countenance these that aspire to the regiment, and suppress the contrary faction, and bruits are spread, that the same shall be here out of hand. These that think themselves of equal force with their contrary faction at home, or rather an overmatch to them, yet not able to encounter with the forces of another prince, rather than yield to their inferiors, will, I fear, take advice of necessity, and evill councillors, and seek also the maintenance of some foreign prince, whereby her majesty (altho' no further inconvenient were to be feared) must be given to excessive charges; and it would appear there were a conspiracy of all the elements at one time to set us together by the ears, for now, when the rumour of your forces coming towards the border is spread abroad, even at the same time is arrived at Dumbarton a galzeon, with a messenger sent expressly from the king of France, to that part of the nobility that favours the queen, to learn the state of the country, and what support they lack or desire, either for furtherance of her affairs, or for their own safety; assuredly this message will be well received, and suffered accordingly. This is the present state of Scotland. Now, if your lordship would also know my opinion, how to choice the best, as the case standeth, I will in that also satisfie your lordship. I am required from them to deal plainly, and your lordship shall judge wither I do so or not; for I think it plain dealing, when I simply utter my judgment, and go not about to disguise my intents. I trust the queen's majesty hath a desire to retain at her devotion the realme of Scotland, which she hath gone about to purchase, with bestowing great charges, and the loss of some of her people: this desire is honourable for her highness, profitable for both the countreys, and of none to be disallowed; specially if it be (as I take it) to have the amity of the whole realm, for it is not a portion of Scotland can serve her turn, nor will it prove commodious for her to suit the friendship of a faction of Scotland, for in so doing, in gaining the best, she may lose the more, and the same would bring all her actions with us in suspicion, if she should go about to nourish factions amongst us, which meaning I am sure never entered into her majesty's heart. Then if it be the friendship of the whole she doth demand, let her not, for pleasure of one part, go about to overthrow the remnant, which will not be so faisable as some may give her to understand; but rather, by way of treaty, let her go about to pacify the whole state, bring the parties to an accord, reduce us all by good means to an uniformity, so shall she give us all occasion to think well of her doings, that she tendeth our wealth, and provokes us universally to wish unto her majesty a most prosperous continuance; by the contrary, if, for the pleasure of a few, she will send forces to suppress these whom they mislike, and so consequently offend many, men be not so faint-hearted, but they have courage to provide for their own safety, and not only will embrace the means partly offered, but will also procure further at the hand of other princes. This for mine own part, I do abhor, and protest I desire never to see forces of strangers to set foot within this land; yet I know not what point necessity may drive men into, as if men in the middle of the sea were in a ship, which suddenly should be set on fire, the fear of burning would make them leap into the sea, and soon after the fear of the watter would drive them to cleive again to the fired ship, so for avoiding present evil, men will many times be inforced to have recourse to another no less dangerous. Trust me, forces will not bring forth any good fruit to her majesty's behove; it must be some way of treaty shall serve the turn, wherein by my former letters your lordship doth know already what is my judgement. You see how plainly I do write, without consideration in what part my letters may be taken, yet my hope is that such as will favourably interpret them, shall think that I mean as well to her majesty and that realme, as these that will utter other language. I wish the continuance of the amity betwixt the two countrys, without other respect, and will not conceal from her majesty any thing, to my knowledge, tending to the prejudice thereof; if I shall perceave her majesty taking frank dealings in evil part, I shall from thenceforth forbear; in the mean season, I will not cease to trowble your lordship, as I shall have occasion to write, and so I take my leave of your lordship.

No. XXXV. (Page 138.)

Letter of Queen Elizabeth to the Earle of Susseks, July 2d, 1570.

Calderw. MS. History, vol. 2. p. 189.

RIGHT trusty and well beloved cousin, we greet you well. This day we have receeived your letters of 28th the last month, with all other letters sent from Scotland, and mentioned in your letters, whereunto answer is desired to be given before the tenth of this month; which is a very short time, the weightiness of the matters, and the distanee of the places considered; nevertheless we have, as the shortness could suffer it, resolved to give this answer following, which we will that yow, by warrand hereof, shall eause to be given in our name to the earl of Lennox and the rest of the noblemen conveend with him. Where it is by them in their letters and writings alledg'd, that for lack of our resolute answer concerning the establishing of the regiment of the realm under their young king, great ineonveniences have happened, and therefore they have deferred now at their last convention to determine at the samine, who shall have the place of governour, until the 21st this month, before which time they require to have our advise, in what person or persons the government of that realm shall be established, we aecept very thankfully the good-will and reputation they have of us, in yielding so frankly to require and follow our advise in a matter that toucheth the state of their king, theirselves, and realm so near, wherein as we pereeive that by our former forbearing to intermeddle therein they have taken some discomfort, as though that we would not have regard to their state and suerty, so on the other part, they of their wisdoms ought to think that it might be by the whole world evil interpreted in us to appoint them a form of government, or a governor by name; for that howsoever we should mean well if we should do so, yet it could not be without some jealousy in the heads of the estate, nobility, and community of that realm, that the government thereof should be by me specially named and ordained; so as finding difficulty on both parts, and yet misliking most that they should take any discomfort by our forbearing to show our mind therein, we have thought in this sort for to proeeed, eonsidering with ourselves how now that realm had been a good space of time ruled in the name of their king, and by reason of his base age, governed heretofore by a very careful and honourable person, the earle of Murray, until that by a mischievous person (an evil example) he was murdered, whereby great disorder and confusion of neeessity had, and will more follow, if determination be not made of some other speciall person, or persons, to take the eharge of governour, or superior ruler speciall for administration of law and justice, we cannot but very well allow the desire of these lords to have some speciall governour to be chosen; and therefore being well assured, that their own understanding of all others is best to eonsider the state of that realm, and to discern the abilities and qualities of every person meet and capable for sueh a charge, we shall better satisfie ourselves whom they by their common consent shall first ehoose and appoint to that purpose, than of any to be by us aforehand uneertainly named; and that because they shall perceave that we have care of the person of their king, who by nearness of blood, and in respect to his so young years, ought to be very tender and dear to us, we shall not hide our opinion from them, but if they shall all accord to name his grandfather, our cousin, the earl of Lennox, to be governor alone, or jointly with others, (whom we hear to be in the mean time by their common eonsent appointed lieutenant-general,) reason moveth us to think that none can be chosen in that whole realm, that shall more desire the preservation of the king, and be more meet to have the government for his safety, being next to him in blood of any nobleman of that realm, or elsewhere; and yet hereby we do not mean to prescribe to them this choice, except they shall of themselves fully and freely allow thereof. Furthermore we would have them well assured, that whatsoever reports of devises are or shall be spread or invented, that we have already yielded our mind to alter the state of the king or government of that realm, the same are without just cause or ground by us given; for as we have already advertized them, that although we have yielded to hear, which in honour we could not refuse, what the queen of Scots on her part shall say and offer, not only for her own assurance, but for the wealth of that realm; yet not knowing what the same will be that shall be offercd, we mean not to break the order of law and justiee, by advancing her cause, or prejudging her contrary, before we shall deliberately and assuredly see, upon the hearing of the whole, some plaee necessary, and just cause to do; and therefore finding that realm ruled by a king, and the same affirmed by laws of that realm, and thereof invested by coronation and other solemnities used and requisite, and generally so received by the whole estates, we mean not, by yielding to hear the complaints or informations of the queen against her son, to do any act whereby to make conclusion of governments, but as we have found it, so to suffer the same to continue, yea not to suffer it to be altered by any means that we may impeshe, as to our honour it doth belong, as by your late actions hath manifestly appeared, until by some justice and clear eause we shall be directly induced otherwise to declare our opinion; and this we would have them to know to be our determination and eourse that we mean to hold, whereon we trust they for their king may see how plainly and honourably we mean to proeeed, and how little cause they have to doubt of us, whatsoever to the eontrary they have or shall hear; and on the other part, we pray them

of their wisdoms to think how unhonourable, and contrary to all human order it were for us, when the queen of Scotland doth so many ways require to hear her cause, and doth offer to be ordered by us in the same, as well for matters betwixt ourselves and her, as betwixt herself and her son and his party of that realm, against which offers no reason could move us to refuse to give ear, that we should aforehand openly and directly, before the causes be heard and considered as it were, give a judgment or sentence either for ourselves or for them whom she maketh to be her contraries. Finally ye shall admonish them, that they do not, by misconceiving our good meaning towards them, or by indirect assertions of their adversary, grounded on untruths, hinder or weaken their own cause, in such sort, that our good meaning towards them shall not take such effect towards them, as they shall desire, or themselves have need of. All this our answer ye shall cause be given them, and let them know, that for the shortness of time, this being the end of the second of this month, we neither could make any longer declaration of our mind, nor yet write any several letters, as if time might have served we would have done. 2d July 1570.

No. XXXVI. (Page 139.)

The Bishop of Ross to Secretary Lidington, from Chattisworth.

15th June, 1570. I HAVE received your letters dated the 26th of May, here, at Chattisworth, the 10th of January, but on the receipt thereof I had written to you at length, like as the queen did with my lord Levingston, by which you will be resolved of many points contained in your said letter. I writ to you that I received your letter and credit from Thos. Cowy at London, and sent to Leicester to know the queen of England's mind, whether you should come here or not. He sent me word that she will no ways have you come as one of the commissioners, because she is yet offended with you; and therefore it appears good that ye come not hither, but remain where you are, to use your wisdom and diligence as may best advance the queen's affairs, for I perceive your weill and safety depends thereon, in respect to the great feid and ennimity born against you by your Scots people, and the great heirship taken of your father's landis; both were sure demonstrations of their malice. Yet I am encouraged by your stout and deliberate mind. Assure yourself no diligence shall be omitted to procure supports forth off all parts where it may be had. We will not refuse the aid neither of papist, Jew, nor Gentil, after my advice; and to this end, during this treaty, let all things be well prepared. And seeing my lord Seaton is desirous to go into Flanders, the queen thinks it very necessary that he so do, for the duke D'Alva has gotten express command of the king of Spain to give support, and I am sure that there he shall have aid both of Flanders and the pope, for it abides only on the coming of some men of countenance, to procure and receive the same. He must needs tarry there, on the preparations thereof, during the treaty, which will be a great furtherance to the same here. The queen has already written to the duke D'Alva for this effect, advertizing of his coming: there is certain sums of money coming for support of the Englishmen, as I wrote to you before, from the pope. Whereupon I would he had a general commission to deal for them, and receive such sums as shall be given. The means shall be found to cause you be ensuerit of the sums you writ for, to be disposit upon the furnishing of the castle of Edinburgh, so being some honest and true man were sent to Flanders to receive it, as said is, which I would you prepared and sent. Orders shall be taken for the metals as you writ of. We have proponit your avyce in entring to treat with the queen of England, for retiring of her forces puntyoally for lack of aid. Your answers to the Englishmen are tho't very good, but above all keep you weill out of their hands, in that case, estote prudentes sicut serpentes. You may take experience with the hard dealing with me, how ye would be used if ye were here, and yet I am not forth of danger, being in media nationis pravæ; alway no fear, with God's grace, shall make me shrink from her majesty's service. Since the queen of England has refused that you come here, it appears to me quod nondum est sedata malitia amorreorum, &c. and therefore if Athol or Cathenes might by any means be procured to come, they were the most fit for the purpose; Rothes were also meet, if he and I were not both of one sirname; so the treaty would get the less credit either in Scotland or here. Therefore avys, and send the best may serve the turn, and fail not Robert Melvil come with them, whoever comes, for so is the queen's pleasure. In my last packet, with James Fogo, to you, in the beginning of May, I sent a letter of the queen's own handwriting to him, which I trust ye received. I am sorry ye come not for the great relief I hoped to have had by your presence, for you could well have handled the queen of England, after her humour, as you were wont to do. The rest I refer to your good wisdom, praying God to send you health. From Chattisworth the 15th of January.

No. XXXVII. (Page 144.)

The declaration of John Cais to the Lords of Grange and Lethington zoungare, upon the 8th day of Oct. 1571.

WHEREAS you desire to know the queen's majesty's pleasure, what she will do for appeasing of these controversies, and therewith has offered yourselves to be at her commandment, touching the common tranquillity of the whole isle, and the amity of both realms; her pleasure is in this behalf, that

ye should leave off the maintenance of this civil discord, and give your obedience to the king, whom she will maintain to the utmost of her power.

And in this doing, she will deal with the regent and the king's party to receive you into favour, upon reasonable conditions for security of life and livings.

Also she says, that the queen of Scotts, for that she has practised with the pope and other princes, and also with her own subjects in England, great and dangerous treasons against the state of her own country, and also to the destruction of her own person, that she shall never bear authority, nor have liberty while she lives.

If ye refuse these gentle offers now offered unto you, she will presently aid the king's party, with men, ammunition, and all necessary things, to be had against you.

Whereupon her majesty requires your answer with speed, without any delay.

No. XXXVIII. (Page 147.)

Articles sent by Knox to the General Assembly, August 5th, 1572.

Calderw. MS. History, vol. ii. 356.

First, desiring a new act to be made ratifying all things concerning the king and his obedience that were enacted of before without any change, and that the ministers who have contravened the former acts be corrected as accordeth.

That sute be made to the regent's grace, and nobility maintaining the king's cause, that whatsoever proceedeth in this treaty of peace, they be mindful the kirk be not prejudg'd thereby, in any sort, and they especially of the ministers that have been robbed of their possessions within the kirk during the time of the troubles, or otherwise dung and injured, may be restored.

To sute at the regent, that no gift of any bishoprick or other benefice be given to any person, contrary to the tenor of the acts made in the time of the first regent of good memory, and they that are given contrar the said acts, or to any unqualified person, may be revoked and made null be an act of secret council; and that all bishopricks so vacand may be presented, and qualified persons nominat thereunto, within a year after the vaking thereof, according to the order taken in Leith be the commissioners of the nobility and of the kirk in the month of January last, and in special to complain upon the giving of bishoprick of Ross to the lord Methven.

That no pensions of benefices, great or small, be given be simple donation of any lord regent, without consent of the possessor of the said benefices, having tittle thereto, and the admission of the superintendant or commissioners of the province where this benefice lyeth, or of the bishops lawfully elected according to the said order taken at Leith; and desire an act of council to be made thereupon, until the next parliament, wherein the samine may be specially enacted, with inhibition to the lords of session to give any letters, or decrects, upon such simple gifts of benefices or pensions not being given in manner above rehearsed, and that the kirk presently assembled declare all such gifts null, so far as lyeth in their power.

That the first form of presentation to benefices, which were in the first and second regent's time, be not chang'd as now it is commonly; but that this clause be contained in the presentation, that if the person presented make not residence, or be slanderous, or found unworthy either in life or doctrine be the judgment of the kirk, (to which alwise he shall be subject,) or meet to be transported to another room at the sight of the kirk, the said presentation and all that shall fall thereupon shall be null and of no force nor effect; and this to have place also in the nomination of the bishops.

That an act be made in this assembly, that all things done in prejudice of the kirk's assumption of the third, either by papists or others, by giving of fews, liferents, or taks, or any otherwise disponing the said assumed thirds, be declared null, with a solemn protestation the whole kirk dissenteth thereto.

That an act be made decerning and ordaining all bishops, admitted to the order of the kirk now received, to give account of their whole rents, and intromissions therewith, once in the year, as the kirk shall appoint, for such causes as the kirk may easily consider the same to be most expedient and necessar.

Anent the jurisdiction of the kirk, that the same be determined in this assembly, because this article hath long been postponed, to make sute to the regent and council for remedy against messengers and excommunicate persons.

Last, That orders be taken anent the procurers of the kirk, who procure against ministers and ministry, and for sutting of justice of the kirk's actions in the session.

No. XXXIX. (Page 149.)

Declaration of Henry Killigrewe, Esq. upon the peace concluded the 23rd Feb. 1572.

Be it known to all men, by these presents, that I Henry Killigrewe, Esq. ambassador for the queen's majesty of England, Forasmuch as, at the earnest motion and solicitation being made to me, on her highness's behalf, there is accord and pacification of the public troubles and civil war within this realm of Scotland agreed and concluded, and the same favourably extended towards the right honourable George earl of Huntley, lord Gordon and Baidzenoch, and the lord John Hamilton, son of the duke's grace of Chastellarault, and commendatour of the abby of Abirbrothock, for the surety of the lives, livings, honours, and goods of them, their

kinfolks, friends, servants, and partakers, now properly depending on them; in treating of the which said pacification, the murders of the late earl of Murray, uncle, and the earl of Levenax, grandfather, late regent to the king's majesty of Scotland his realm and lieges, as also an article touching the discharge for the fructis or moveable goods which the said persons have taken fra persons professing the king's obedience, before the damages done or committed by them, since the 15th of Junij 1567, and before the penult day of July last by passed, by reason of the common cause or any thing depending thereupon, being thought by the king's commissaries matteris of such wecht and importance, as the king's present regent could not conveniently, of himself, remit or discharge the same; yet in respect of the necessity of the present pacification, and for the weil of the king, and common quietness of this realm and lieges, it is accorded, that the matters of remission of the said murderers, and of the discharge of the said fructis, moveable goods, and other damages, be moved by the persons desiring the said remissions and discharge to the queen's majesty my sovereign, as to the princess nearest both in blood and habitation to the king of Scots. And whatsoever her majesty shall advise and counsel touching the said remission and discharge, the said lord regent, for the weil of the king and universal quietness of the realm of Scotland, shall perform, observe, and fulfil the same. And in likewise, the said earl Huntly, and Commendatour of Abirbrothock, being urged to have delivered pledges and hostages for observation of the conditions of the said accord and pacification, hath required me in place thereof, in her majesty's name, by virtue of my commission, to promise for them, that they shall truly and faithfully observe and keep the said pacification, and all articles and conditions thereof, for their parts, and that it would please her majesty to interpose herself, as surety and cautioner for them to that effect, to the king's majesty of Scotland their sovereign and his said regent, which I have done and promise to do, by virtue of her majesty's commission, as by the honourable and plain dealing of the said earl and lord, their intention to peace well appears, the same being most agreeable to the mind of the queen's majesty my sovereign, which so long by her ministers hath travelled for the said pacification, and in the end, at her motion and solicitation the same is accorded. Knowing her majesty's godly desire that the same may continue unviolate, and that the noblemen and others now returning to the king's obedience shall have sufficient surety for their lives, livings, honours, and goods; Therefore in her majesty's name, and by virtue of my commission, I promise to the aforesaid earl Huntley and commendatour of Abirbrothock, that by her majesty's good means the said remission and discharge shall be purchased and obtained to them, their kinfolks, friends, servants, and partakers, now properly depending upon them, (the persons specified in the first abstinence always excepted,) as also that the said pacification shall be truly observed to them, and that her majesty shall interpose herself as conservatrix thereof, and endeavour herself to cause the same to be truly and sincerely kept in all points and articles thereof accordingly. In witness whereof I have to this present subscribed with my hand, and sealed the same with mine own seal the 13th day of Feb. Anno Domini 1572. And this to be performed by me, betwixt the date hereof and the parliament which shall be appointed for their restitution, or at the furthest before the end of the said parliament. Sic subscribitur.

The Bishop of Glasgow's Note concerning the Queen of Scotland's dowry.

1576. Cott. Lib. Cal. B. 4.

The queen of Scotland, dowager of France, had for her dowry, besides other possessions, the dukedom of Turene, which was solemnly contracted and given to her by the king and estates of parliament; which dukedom she possessed peacefully till 1576, and then, upon the pacification betwixt the king and mons. his brother, to augment whose appenage this dutchy was given, to which the queen of Scotland yielded upon account of princes who were her near relations, provided the equivalent which was promised her should be faithfully performed. So that year, after a great many solicitations, in lieu of that dutchy, she had granted her the county of Vermandaise, with the lands and bailiwicks of Seuley and Vetry; tho' 'tis known that country and the other lands were not of equal value with Turene, but was promised to have an addition of lands in the neighbourhood to an equal value. Upon this letters patent were granted, which were confirmed in the courts of parliament, chamber of accompts, court of aids, chamber of the treasury, and others necessary: upon which she entered into possession of that county, &c. Afterwards, by a valuation of the commissioners of the chamber of accompts, it was found that the revenue of that county, &c. did not amount to those of Turene by 3000 livres. But instead of making up this deficiency according to justice, some of the privy-council, viz. M. de Cheverny, the presidents of Bellievre, Nicocholay, and St. Bonet, in the name of the king, notwithstanding of her aforesaid losses, did sell and alienate the lands of Senlis, and the dutchy of Estaimpes, to Madame de Montpensier, from whom the king received money; of which sale the counsellors aforesaid obliged themselves to be guarantees, which hath hindered the aforesaid queen to have justice done her. So that Madam de Montpensier hath been put in possession of these lands of Senlis, contrary to all the declaration, protestation, and assurances of the king of France to queen Mary's ambassadors. So that the queen of Scotland is dispossessed of her dowry, contrary to all equity, without any regard to her quality.

No. XL. (Page 150.)

A Letter from the Lord of Lochlevin to the Regent Mortoun.

3d March 1577. E. of Morton's Archives. Bund. B. No. 19.

It will pleasc your grace, I received your grace's letter, and has considered the same. The parson of Camsey was here at me before the receit thereof, directed fra my lord of Mar, and the master, anent my last written, which was the answer of the writing that the master sent to me, which I send to your gracc, desiring me to come to Stirling to confer with them. I had given my answer before the receit of your grace's letter, that I behuiffit to be besyd Sanct Androis, at ane friend's tryst, which I might not omit; I understand by my said cousin, that the king's majesty is to write to divers of the nobility to come there, anent your lordship's trial, and that he had written before his departing to my lord Monthrois. I understand likewise, he will writc to your grace to come there for the same effect, which I tho't good to make your grace foreseen of the same, praying your grace, for the love of God Almighty, to look upon the best, and not to sleep in security, but to turn you with unfeigned heart to God, and to consider with yourself, that when the king's majesty was very young, God made him the instrument to divest his mother from her authority, who was natural princess, for offending of his divine Majesty, and that there ran no vice in her, but that thc same is as largely in you, except that your grace condescended not to the destruction of your wife. For as to harlotry and ambition, I think your grace has as far offended God, and far more in avaritiousness; which vycis God never left unplagued, except speedy repentance, which I pray God grant to your grace, for otherwise your grace can never have thc love of God nor man. I pray your grace flatter not yourself: for if your grace believes that ye have the good-will of them that are thc king's good-willers, ye deceive yourself; for surely I see perfectly that your own particulars arc not contented, lat be the rest, and that most principally for your hard dealing. I pray your grace, bear with mc that I am thus hamlie, for certainly it proceeds from no grudge, but from the very affection of my heart towards your grace, which has continued since we were acquainted. And now I see, because the matter stands in your grace's handling with the king's majesty, for certainly if your grace fall forth with him now, I see not how ye shall meet hercafter; pray I your grace to call to God, and look on the best, and cast from your grace both your vices, to wit, ambition and avaritiousness. I am riding this day to Sanct Androis, and trust to return on Wednesday at the farthest. If your grace will command me in any offices that are honest, that I may do your grace pleasure in at Stirling, advertise of your grace's mind, and shall do to my power and knowledge, and this with my heartlie, &c. &c.

To our Trusty Cousin the Lord Lochleven.

From the original. E. of Morton's Archives. Bund. B. No. 31.

Trusty cousin, after our most hearty commendations, we received your letter of the 3d of March, and as we take your plainness therein in good part, as proceeding from a friend and kinsman, in whose good affection towards us we never doubted, so ye may not think it strange that we purge ourselves so far of your accusation, as in conscience we find not ourselves to have offended in. As touching our offence to God, we intend not to excuse it, but to submit us to his mercy: for ambition surely we think none can justly accuse us; for in our private estate we could and can live as well contented, as any of our degree in Scotland, without further aspiring. The bearing too the charge of the government of the realm, indeed, mon lead us, or any other that shall occupy that place, not simply to respect ourself, but his majesty's rowme, which we supply, and therein not transcending the bounds of measure, as we trust it shall not be found we have done, it ought not to be attributed to any ambition in us. For as soon as ever his majesty shall think himself ready and able for his own governmcnt, none shall more willingly agree and advance thc same nor I, since I think never to set my face against him, whose honour, safcty, and preservation has been so dear unto me; nor I will never believe to find otherwise at his hand than favour, although all the unfriends I have in the earth were about him, to persuade him to the contrary. As we write unto you, our friendly dealing and confidence in the house of Mar is not thankfully acquit; as we trust yourself considers; but because the ambassadors of England, my lord of Angus, the chancellor, treasurer, and some noblemen rides west this day to see the king, we pray you heartily address yourself to be there as soon as ye can, and as ye shall find the likelihood of all things, let us be advertised thereof with your own advice, by Alex^{r}. Hay, whom we have thought good to send west, seeing my lord of Angus from Stirling rides to Douglas. And so we commit you in the protection of God. At Holyroodhouse, the 4th of March, 1577.

For the avaritiousness laid to our charge, indeed it lies not in us so liberally to deal the king's geare, as to satisfy all cravers, nor never shall any sovereign and native-born prince, let be any officer, eschew the disdains of such as thinks them judges to their own reward; in many cases I doubt not to find the assistance of my friends, but where my actions shall appear unhonest, I will not crave their assistance, but let me bear my own burthen.

No. XLI. (Page 158.)

Letter of Walsingham's to Randolph, February 3, 1580-1.

Cott. Lib. Calig. C. 6.

SIR,—I have received from my lord-lieutenant the copy of your letter of the 25th of the last directed unto his lordship, containing a report of your negotiation with the king and his council, in your second audience, wherewith having made her majesty acquainted, she seemed somewhat to *mislike* that you should so long *defer to deal for the enlargement of* Empedocles. But I made answer in your behalf, that I thought you were directed by the advice of the said Empedocles' *friends*, in the soliciting of that cause, who knew what time was fittest for you to take to deal therein, with most effect, and best success; with which answer her majesty did in the end rest very well satisfied, touching that point.

Your putting of us in hope that D'Aubigney might easily be won at her majesty's devotion, was at first interpreted to have been ironie spoke by you. But since it seemeth you insist upon it, I could wish you were otherwise persuaded of the man, or at least kept that opinion to yourself; for considering the end and purpose of his coming into Scotland, as may be many ways sufficiently proved, was only to advance the queen's liberty, and reception into that government, to overthrow religion, and to procure a foreign match with Villenarius, wherein the inclosed copy, which you may use to good purpose there, shall partly give you some light; there is no man here can be persuaded that he will change his purpose for so small advantage as he is likely to find by it, and therefore you shall do well to forbear to harp any more upon that string, as I have already written to you. The Prince of Orange sending, I fear will not be in time that it may do any good; for besides that these people are in themselves slow in their resolutions, their own affairs are, at present, so great, their state so confused, and the prince's authority so small, that he cannot so soon take order in it; and yet, for mine own part, I have not been negligent or careless in the matter, having more than three weeks past sent one about it, from whom nevertheless I do yet hear nothing. The letters you desire should be written thither by the French ministers, I have given order to Mr. Killingrew to procure, who, I doubt not, will carefully perform it, so that, I hope, I shall have them to send you by the next. And so I commit you to God. At Whitehall, the 3d of February 1580.

Your very loving cousin and servant,

FRA. WALSINGHAM.

This letter is an original, and in some parts of it wrote in cyphers and explained by another hand. By Empedocles is understood Morton. By Villenarius, the king of Scots. D'Aubigney is marked thus o——^{1}——o.

3d Feb. 1580.

Sundry notes gathered upon good diligence given, and in time to be better manifested, being now thought meet to be in convenient sort used and laid against D'Aubigney, to prove him abusing the king, the nobility, and that state.

Cott. Lib. Calig. C. 6. An original.

First, it hath been informed by credible means, that D'Aubigney was privy and acquainted with La Navè the king's mother's secretary, coming into Scotland, and of his errand there, tending chiefly to persuade the king to think and esteem it an evil president for princes that subjects might have power to deprive their lawful sovereigns, as they did his mother, who was not minded, by any mean, to defeat him, either of the present government of that realm, or yet of the possession of the crown and inheritance thereof, but rather to assure the same to him: and that for the accomplishment of that assurance, the king should have been advised and drawn to have governed, for some short time, as prince, calling D'Aubigney to rule as governor of the prince, by commission from the queen his mother, until the king's enemies were suppressed; after which time D'Aubigney should have power given to establish and resign that kingdom to the king, by his mother's voluntary consent, whereby all such as had before been in action against the queen or her authority, might be brought to stand in the king's mercy. And for that the king might live in more surety, D'Aubigney should be declared both second person in succession of that crown, and also lieutenant-general of Scotland, and that D'Aubigney, before his departure out of France, received commission from the king's mother to the effects remembered, or near the same. That in this behalf he had conference with the bishops of Glasgow and Ross, and with sir James Baford, with which persons, and with the duke of Guise, he had and hath frequent intelligence; and by sir James Baford he was advised to confer with the lord John Hamilton before his repair into Scotland, whereunto he agreed, and yet afterwards he sent one John Hamilton to the said lord John to excuse him in this part, alledging that he did forbear to come to him, lest thereby he should mar or hinder greater effects to be executed by him in Scotland.

That before his coming into that realm, the nobility and country were well quieted and united in good concord, with great love betwixt the king and nobility, and amongst the noblesse, but he hath both drawn the king against sundry of the chiefest of his nobility, that have been most ready, and have expended their blood and possessions to preserve religion, and defend the king's person, his government and estate, and also hath given occasion of great suspicions and offence to be engendered betwixt the king and his nobility, and especially

with such as have been in action against the king's mother, and her authority, who by force and means of the said commission and practice, should have been brought into most dangerous condition; and who also may find themselves in no small perill while he possesses the king's ear, abuseth his presence, and holdeth such of the principal keys and ports of this realm, as he presently enjoyeth.

That he hath drawn the king not only to forget the great benefits done to him and his realm, by the queen's majesty of England, but also to requite the same with sundry signs of great unthankfulness, and wounding therewith the honour of her majesty, and thereby hath adventured to shake the happy amity long time continued betwixt those princes.

And whereas these griefs were to be repaired by gentle letter and good offers, to have passed and been done betwixt them; in which respect the king and council having resolved to write to her majesty, for her highness' better satisfaction in the late negotiation of Mr. Alexander Hume of North-Berwick, had given order to the king's secretary to frame that letter: He minding to break the bond of amity in sunder, willed the secretary to be sure that nothing should be inserted in that letter whereby the king should crave any thing at her hands, seeking thereby to cut off all loving courtesies betwixt them, as by the declaration of the said secretary may be better learned, und thereupon further approved.

That under the hope and encouragement of D'Aubigney's protection, Alexander King presumed with that boldness to make his lewd harangue, and by his means hath hitherto escaped chastisement and correction due for his offence.

That sir James Baford, condemned of the slaughter of the king's father, hath been called into the realm by Lennox, without the privity of the king. and whereas the said sir James found in a green velvet desk, late the earl of Bothwell's, and saw and had in his hands the principal band of the conspirators in that murder, and can best declare and witness who were authors and executors of the same; he is drawn by Lennox to suppress the truth, and to accuse such as he himself knoweth to be innocent; and as by order of law will be so found, if they may have due trial, which, contrary to all justice, is by Lennox means denied.

This is the charge against D'Aubigney, mentioned in the foregoing letter by Walsingham; but by Baford they mean Sir James Balfour.

No. XLII. (Page 162.)

The copy of the King of France his directions sent to Scotland with Seigneur de la Motte Fenelon. Translated out of the French.

Calderw. MS. History, vol. 3. p. 208.

First, on their majestys' most christian part, he shall make the most honourable salutation and visiting to the most serene king of Scotland, their good brother and little son, that in him is possible.

To give him their letters that are closed, such and such like as they have written to him with their hands, and to show expressly the perfect friendship and singular affection that their majestys bear to him, and to bring back the answer.

To take heed to the things which touch near the most serene king, to the effect that his person may be in no danger, but that it may be most surely preserved.

And that he be not hindered in the honest liberty that he ought to have, and that no greater or straiter guards be about him than he had before.

And such like, that he be not impeached in the authority that God hath given to him of king and prince sovereign above his subjects, to the effect he may as freely ordain and command in his affairs, and in the affairs of his country, with his ordinary council, as he was used to do of before.

That his nobility, barons, and commonalty of his country, may have their free liberty to resort to his serene majesty without suspicion of greater guards or more armed men about his person than the use was, that they be not afraid and hindered to resort; and further, that the seigneur de la Motte Fenelon sall liberally and freely speak of the said serene king and council, requiring the re-establishing of that that may or hath been changed or altered.

And that he may know if the principalls of the nobility and other men of good behaviour of the towns, and commonality of the contry, conveens, and are content with the form of government presently with the said serene king, to the end that if there be any miscontent he may travaile to agree them together, and that he return not without the certainty of the samine.

And if he may understand that there be any who have not used them so reverently towards the said serene king their sovereign lord, as the duty of their obedience required, that he may pray on this behalf of his majesty most christian, the said serene king his good brother, giving him councill wholly to forget the same, and exhorting them to do their duty towards his majesty in time coming, in all respects, with the obedience and true subjection they ought him.

And if the said seigneur de la Motte perceives the said serene king to be in any manner constrained of his person, authority, liberty, and disposition of his affairs, than he used to be, and not convenient for his royal dignity, or as the sovereignty of a prince doth require, that he use all moyen lawful and honest to place him in the samine, and that he employ as much as the credit of his most christian majesty may do toward the nobility and subjects of that contry, and as much as may his name, with the name of his crown, towards the Scottish nation, the which he loves and confides in as much as they were proper Frenchmen.

And that he witness the said serene king, and his

estates, of his consent, and to all the nobility and principall personages of the contry, that his most christian majesty will continue on his part in the most ancient alliance and confederacy which he hath had with the said serene king his good brother, praying his nobility and contry, with his principall subjects, to persevere in the samine, in all good understanding and friendship with him, the which, on his part, he shall do, observing the samine most inviolable.

Further, his most christian majesty understanding that the serene king his good brother was contented with the duke of Lennox, and his servise, the said seigneur de la Motte had charge to pray his serene majesty that he might remain beside him to his contentment, believing that he should more willingly intertain the points of love and confederacie betwixt their majestys and their contrys, because he was a good subject to them both; and if he might not remain without some alteration of the tranquillity of his estate, that he might retire him to his own house in the said contry, in sureness, or if he pleased to return to France that he might surely;——and if it pleases his serene majesty, to cause cease and stay the impeachments that are made of new upon the frontiers, to the effect that the natural Frenchmen may enter as freely into the contry as they were wont to do of before.

And that there may be no purpose of diffamation, nor no speech but honourable of the most christian king, in that contry, but such like as is spoken most honourably of the serene king of Scotland in France.

He had another head to propone, which he concealed till a little before his departure, to wit, that the queen, the king's mother, was content to receive her son in association of the kingdom.

No. XLIII. (Page 167.)

Lord Hunsdane to Sir Francis Walsingham, the 14th August 1584, from Berwick.

SIR,

Calderw. MS. History, vol. 3. p. 374.

ACCORDING to my former letters, touching my meeting with the earl of Arran upon Wednesday last, there came hither to me from the earle, the justice clerk, and sir William Stuart, captain of Dumbarton, both of the king's privie council, to treat with me about the order of our meeting, referring wholly to me to appoint the hour, and the number we should meet withal; so as we concluded the place to be Foulden, the hour to be ten o'clock, and the number with ourselves to be 13 of a side; and the rest of our troops to stand each of them a mile from the town; the one on the one side, the other on the other side, so as our troops were two miles asunder: I was not many horsemen, but I supplied it with footmen, where I had 100 shot on horse, but they were very near 500 horse well appointed: According to which appointment we met yesterday, and after some congratulations, the earle fell in the like protestations of his good will and readiness to serve the queen's majesty, before any prince in the world, next his sovereign, as he had done heretofore by his letters, and rather more; with such earnest vows, as, unless he be worse than a devil, her majesty may dispose of him at her pleasure. This being ended, I entered with him touching the cause I had to deal with him, and so near as I could, left nothing unrehearsed that I had to charge the king or him with any unkind dealing toward her majesty, according to my instructions, which without any delay he answered presently, as ye shall perceive by the said answers sent herewith; but I replying unto him, he amplified them with many moe circumstances, but to this effect. Then I dealt with him touching the point of her majesty's satisfaction, for the uttering such practices as has been lately set on foot for the disquieting of her majesty and her estate, who thereof made sundry discourses, what marriages have been offered to his majesty by sundry princes, and by what means the earle has sought to divert them, and for what causes; the one, for that be marriage with Spain or France, he must also alter his religion, which as he is sure the king will never doe, so will he never suffer him to hearken unto it, so long as he hath any credit with him. He denys not but the king has been dealt withal be practices to deal against her majesty, which he has so far denied and refused to enter into, as they have left dealing therein, but whatsoever the king or he knoweth therein, there shall be nothing hidden from her majesty, as her majesty shall know very shortly. Surely it seems by his speeches, that if the king would have yielded thereunto there had been no small company of French in Scotland ere now to disquiet her majesty.——This being ended, I dealt with him earnestly for the stay of this parliament which now approacheth; or at the least, that there may be nothing done therein to the prejudice of these noblemen and others now in England, for the forfaulting of their livings and goods. Hereupon he made a long discourse to me, first of the earl of Angus dealing about the earl of Morton, then of his going out, notwithstanding of sundric gracious offers the king had made him; then of the road of Ruthven, how that presently after they had the king's majesty in their hands, they imprisoned himself, dealt with the king for putting of the duke out of the realme; the king refused so to do; they told him plainly that if he would not, he should have the earl of Arran's head in a dish. The king asked what offence the earl had made? and they answered, it must be so, and should be so. Hereupon, for the safeguard of Arran's life, the king was content to send away the duke, and yet Arran afterwards sundrie times in danger of his life. I alledged unto him the king's letter to the queen's majesty, and his acts in council, that they had done nothing but for his service, and with his good liking and contentment; who answered me, he durst do no otherwise, nor could not do any thing but that which

pleased them, with such a number of other their dealings with the king whilest he was in their hands as are too long to be written, and too bad if they were true. I said the king might have let the queen's majesty's ambassador have known his mind secretly, and her majesty would have relieved him; he answered, that the king was not ignorant that the apprehensions in that manner proceeded from Mr. Bow's practice, and thereby durst not impart so much to him; and yet the king was content, and did give remission to as many as would acknowledge their faults, and ask remission, and such as would not, he thought fit to banish, to try their further loyalty, in which time they conspired the king's second apprehension, and the killing of the earle and others, and seduced the ministers to their faction; and yet not satisfied with these conspiracies and treasonable dealings, (as he terms them,) are entered into a third, being in England under her majesty's protection, to dishonour her majesty as far as in them lieth, or at least to cause the king conceive some unkindness in her majesty, for harbouring of them. I wrote to yow what the conspiracy was, the taking of the king, the killing of the earle of Arran, and some others, the taking of the castle of Edin^{r}, and bringing home the earles to take the charge of the king; all which (says he) is by Drummond confessed, and by the provost of Glencudden not greatly denied, and the constable of the castle thereupon fled. The earle brought Drummond with him as far as Langton, where he lay, to have confessed the conspiracy before me, but having at his lighting received a blow on his leg with a horse, so as he could bring him no further, I replied that I thought verily they would not work any such practices in respect of the queen's majesty, abiding within her realme, and if there be any such practices, they have proceeded from others, and they not privie unto them: and that if it be not apparently proved against them, that it will be thought to be some practice to aggravate the fault, and to make them the more odious to the king. He answered me, that it should be proved so sufficiently, that they should not be able with truth to deny it, for their own hands is to be showed to part of it, and therefore concluded, that if her majesty should so press the king for them at this time, that would rather hinder this matter of the amity nor further it; and that since they seek chiefly his life, he could not, in any reason, seek to do them any good; and besides he assured me, that if he would, he dare not, this last matter being fallen out as it is; and surely if this matter had not fallen out, I would not have doubted the restoring of the earl of Mar very shortly, if her majesty would have employed me therein; but for the earl of Angus, I perceive the king is persuaded that both he, and the rest of the Douglasses, have conceived so mortall an hatred against him and the earl of Arran, about the death of the earl of Morton, as, if they were at home to-morrow next, they would not leave to practise and conspire the death of them both, and therefore a hard matter to do any thing for him. Finally, he concluded and required me to assure her majesty from the king, that there shall nothing be hid from her, nor any thing left undone that may satisfie her majesty with reason; and that the king shall never do any thing, nor consent to have any thing done in her prejudice, so long as he had any credit with him, or authority under him. Having this far proceeded, he desired to shew me his commission, which is under the great seal, to himself only, which is as large as may be, and yet sundrie of the privie council there with him, but not one in commission, nor present, nor near us all this time, having spent almost five hours in these matters. He presented to me the master of Gray, who delivered to me a letter from the king in his commendation, whom I perceive the king means to send to her majesty, and therefore requires a safe-conduct for his passage, which I pray you procure, and to send it so soon as you may. I let him understand of the lord Seaton's negociation with the French king. He swore to me, that Seaton was but a knave, and that it was partly against his will that he should be sent thither. But his commission and instruction being of no great importance, he yielded the sooner; and if Seaton has gone beyond his instructions, which Arran drew himself, he will make Seaton smart for it. Touching William Newgate and Mark Golgan, he protested he never heard of any such; he says there was a little poor soul, with a black beard, come thither a begging, who said he was an enemy to Desmond, to whom he gave a croun, but never heard of him since; and for any Scots man going into Ireland, he says there is no such matter; if there be, there may be some few raskals that he knows not of; and touching the coming of any jesuits into Scotland, he says it is but the slanderous devise of the king's enemys, and such as would have the world believe the king were ready to revolt in religion, who the world shall well see will continue as constant therein as what prince soever professes it most; and the earle himself does protest to me, that to his knowledge he never saw a jesuit in his life, and did assure me if there was any in Scotland, they should not do so much harm in Scotland as their ministers would do, if they preach such doctrine as they did in Scotland; and touching one Ballenden, of whom I wrote to yow, I heard from Mr. Colvil, the earle avows constantly that he knows not, nor hath not heard of any such man; but he would inquire at the Justice-clerk, and would inform me what he could learn of that. Thus I have made yow as short a discourse as I can of so many matters, so long discoursed upon, but these are the principal points of all our talk, so near as I can remember it, and for this time I commit yow to the Almighty. At Berwick the 14th of August, 1584.

The king is very desirous to have
my son Robert Carrie to come to him.
I pray yow know her majesty's pleasure

Arran's Answers to the Grieffs or Articles proponed to the Lord Hunsdane, set down in another form.

As to the strait and severe persecution of all such as have been noted to have been well affected to the queen's Majesty, it cannot appear they were either for that cause punished, or hardly dealt with, since his majesty of late has been so careful and diligent to choice out good instruments to deal betwixt her majesty and him, as his majesty has done in electing of your lordship and me: besides that, in all their accusations, their good will and affection born to her majesty was, at no time, laid to their charge, but capital actions of treason many way tried now be the whole three estates, and more than manifest to the world.

As for his majesty inhibiting, by public proclamation, such as were banished, not to repair in England; the bruits and whisperings that came to his majesty's ears of their conspiracies and treasons, which since syn they accomplished, so far as in them lay, moved his majesty to inhibit them to repair to any place, so near his majesty's realm, lest they should have attempted these things, which shortly they did attempt, being farther off, and more distant both by sea and land.

As for reception of Jesuits, and others, her majesty's fugitives, and not delivering them according to his promise, as your lordship propones, his majesty would be most glad, that so it might fall out by your lordship's traviles, that no fugitive of either realme should be received of either, and when so shall be, it shall not fail on his majesty's part; albeit in very deed this time bygone his majesty has been constrained to receipt her majesty's mean rebells and fugitives, contrar his good naturall, since her majesty hath receipt, in effect, the whole and greatest rebells and traitors his majesty in his own blood ever had. As for the agreement with his majesty's mother anent their association, his majesty has commanded me, in presence of your lordship's servant, to assure her majesty and your lordship, in his majesty's name, that it is altogether false, and an untruth, nor any such like matter done yet.

His majesty has also commanded me to assure your lordship, that it is also false and untrue, that his majesty has, by any means, direct or indirect, sent any message to the pope, or received any from him; or that his majesty has dealt with Spain or any foreigners, to harm her majesty or her realme, which his majesty could have no honour to do, this good intelligence taking place, as I hope in God it shall.

As concerning the contemptuous usage of her majesty's ministers sent unto his majesty, his majesty used none of them so; and if his majesty had, sufficient cause was given by them, as some of their own writs do yet testify, as I more particularly showed your lordship at Foulden at our late meeting.

No. XLIV. (Page 168.)

The Scottish Queen's offers upon the effect of her liberty propounded by her Secretary Naw, November 1584.

THE queen my mistress being once well assured of your majesty's amity, Cott. Lib. Calig. C. 8. A copy.

1. Will declare openly that she will (as it is sincerely her meaning) straitly to join unto your majesty, and to the same to yield and bear the chief honour and respect, before all other kings and princes in Christendom.

2. She will swear, and protest solemnly, a sincere forgetfullness of all wrongs which she may pretend to have been done unto her in this realm, and will never, in any sort or manner whatsoever, show offence for the same.

3. She will avow and acknowledge, as well in her own particular name, as also for her heirs and others descending of her for ever, your majesty, for just, true, and lawful queen of England.

4. And consequently, will renounce, as well for herself as for her said heirs, all rights and pretences which she may claim to the crown of England, during your majesty's life, and other prejudice.

5. She will revoke all acts, and shows, by her heretofore made, of pretence to this said crown to the prejudice of your majesty, as may be the taking of the arms and style of queen of England, by the commandment of king Francis her late lord and husband.

6. She will renounce the pope's bull for so much as may be expounded to turn in her favour, or for her behoof, touching the deprivation of your majesty, and will declare that she will never help and serve herself with it.

7. She will not prosecute, during your majesty's life, by open force or otherways, any public declaration of her right in the succession of this realm, so as secret assurance be given unto her, or at the least public promise, that no deciding thereof shall be made in the prejudice of her, or of the king her son, during your majesty's life, nor after your decease, untill such time as they have been heard thereupon, in public, free, and general assembly of the parliament of the said realm.

8. She will not practise, directly or indirectly, with any of your majesty's subjects, neither within nor out of your realm, any thing tending to war, civil or foreign, against your majesty and your estate, be it under pretext of religion, or for civil and politick government.

9. She will not maintain or support any of your subjects declared rebels, and convicted of treason against you.

10. She will enter into the association which was shewed her at Wingfield for the surety of your majesty's life, so as there be mended or right expli-

cated some clauses which I will show to your majesty, when I shall have the copy thereof, as I have before time required.

11. She will not treat with foreign kings and princes for any war or trouble against this state, and will renounce, from this time, all enterprises made or to be made in her favour for that respect.

12. Furthermore, this realm being assailed by any civil or foreign war, she will take part with your majesty, and will assist you in your defence with all her forces and means, depending of herself and with all her friends of Christendom.

13. And to that effect, for the mutual defence and maintenance of your majesty, and the two realms of this isle, she will enter with your majesty in a league defensive as shall be more particularly advised, and will persuade as much as in her, the king her son to do the like. The leagues with all parts abroad remaining firm, and especially the ancient league between France and Scotland, in that which shall not be against this present.

14. She will enter into a league offensive, having good assurance or secret declaration and acknowledgment of her right in the succession of this crown, and promise that happening any breach between France and this realm, (which she prayeth God never to happen,) the just value of her dowry shall be placed for her in lands of the revenue of the crown.

15. For assurance of her promises and covenants, she doth offer to abide herself in this realm for a certain time, (better hostage can she not give than her own person,) which, so as she be kept in the liberty here before propounded, is not in case to escape secretly out of this country, in the sickly state she is in, and with the good order which your majesty can take therein.

16. And in case your majesty do agree to her full and whole deliverance, to retire herself at her will out of this realm, the said queen of Scots she will give sufficient hostage for such time as will be advised.

17. If she abide in this realm, she will promise not to depart out of it without your licence, so as it be promised unto her that her state, in such liberty as shall be accorded unto her, shall not be in any sort altered, untill after tryall to have attempted against your life, or other trouble of your estate.

18. If she go into Scotland, she will promise to alter nothing there in the religion which is now used there, she being suffered to have free exercise of hers, for her and her household, as it was at her return out of France; and further, to pull out every root of new division between the subjects, that none of the subjects of Scotland shall be sifted for his conscience, nor constrained to go to the service of the contrary religion.

19. She will grant a general abolition of all offences done against her in Scotland, and things shall remain there as they are at this present, for that respect, saving that which hath been done against her honour, which she meaneth to have revoked and annulled.

20. She will travel to settle a sure and general reconciliation between the nobility of the country, and to cause to be appointed about the king her son, and in his council, such as shall be fit for the entertainment of the peace and quiet of the country, and the amity of the realm.

21. She will do her best to content your majesty, in favour of the Scots lords banished and refuged hither, upon their due submission to their princes, and your majesty's promise to assist the said queen and king of Scotland against them, if they happen to fall into their former faults.

22. She will proceed to the marriage of the king her son, with the advice and good council of your majesty.

23. As she will pass nothing without the king her son, so doth she desire that he intervene conjointly with her in this treaty, for the greater and perfecter assurance thereof; for otherwise any thing can hardly be established to be sound and continue.

24. The said Scotch queen trusteth, that the French king, her good brother, according to the good affection which he hath always shewed her, and hath been afresh testified unto me by Mons^{r}. de Mannissiere for this said treaty, will very willingly intervene, and will assist her for the surety of her promises.

25. And so will the princes of the house of Lorrain, following the will of the said king, will bind themselves thereunto.

26. For other kings and princes of Christendom, she will assay to obtain the like of them, if for greater solemnity and approbation of the treaty it be found to be necessary.

27. She doth desire a speedy answer, and final conclusion of the premises, to the end to meet in time with all inconveniences.

28. And in the mean time, the more to strengthen the said treaty, as made by her of a pure and frank will, she desireth that demonstration be made of some releasement of her captivity.

Objections against the Scottish Queen, under Secretary Walsingham's hand, November 1584.

The queen of Scots is ambitious, and standeth ill affected to her majesty, and therefore it cannot be but that her liberty should bring peril unto her majesty.

That her enlargement will give comfort to papists, and other ill affected subjects, and greatly advance the opinion had of her title as successor.

That as long as she shall be continued in her majesty's possession, she may serve as it were a gage of her majesty's surety, for that her friends, for fear of the danger she may be thrown into, in case any thing should be done in her favour, dare not attempt any thing in offence of her majesty.

November 1584. { *What course were fit to be taken with the queen of Scots, either to be enlarged or not.*

Cott. Lib. Cal. 8. The course to be taken with the said queen may be considered of in three degrees; either,

1. To continue her under custody in that state she now is.

2. To restrain her of the present liberty she now hath.

3. Or to set her at liberty upon caution.

1. Touching the first, to continue her under custody in that state she now is; it is to be considered, that the princes that favour that queen, upon the complaint she maketh of hard usage, are greatly moved with commiseration towards her, and promise to do their endeavour for her liberty, for which purpose her ministers solicit them daily.

And to move them the more to pity her case, she acquainted them with her offers made to her majesty, which appeared to be no less profitable than reasonable for her majesty, so as the refusal and rejecting giveth her friends and favourers cause to think her hardly dealt withal, and therefore may, with the better ground and reason, attempt somewhat for the setting of her at liberty.

It is also likely that the said queen, upon this refusal, finding her case desperate, will continue her practice under hand, both at home and abroad, not only for her delivery, but to attain to the present possession of this crown upon her pretended title, as she hath hitherto done, as appeareth, and is most manifest by letters and plots intercepted, and chiefly by that late alteration of Scotland, which hath proceeded altogether by her direction, whereby a gap is laid open for the malice of all her majesty's enemies, so as it appeareth that this manner of keeping her, with such number of persons as she now hath, and with liberty to write and receive letters, (being duly considered,) is offensive to the princes, the said queen's friends, rather chargeable than profitable to her majesty, and subject to all such practices as may peril her majesty's person or state, without any provision for her majesty's safety, and therefore no way to be liked of.

2. Touching the second, to restrain her in a more straighter degree of the liberty she hath hitherto enjoyed.

It may at first sight be thought a remedy very apt to stop the course of the dangerous practices fostered heretofore by her; for true it is, that this remedy might prove very profitable, if the realm of Scotland stood in that sort devoted to her majesty, as few years past it did, and if the king of that realm were not likely, as well for the release of his mother, as for the advancement of both their pretended titles, to attempt somewhat against this realm and her majesty, wherein he should neither lack foreign assistance, nor a party here within this realm. But the king and that realm standing affected as they do, this restraint, instead of remedying, is likely to breed these inconveniences following:—

First, It will increase the offence, both in him and in the rest of the princes her friends, that misliked of her restraint.

Secondly, It will give them just cause to take some way of redress.

Lastly, It is to be doubted, that it may provoke some desperate ill-disposed person, all hope of her liberty removed, to attempt somewhat against her majesty's own person, (a matter above all others to be weighed,) which inconveniency being duly considered, it will appear manifestly, that the restraint in a straighter degree, is like to prove a remedy subject to very hard events.

The latter degree, whether it were fit to set the said queen at liberty, ministereth some cause of doubt, touching the manner of the liberty, in what sort the same is to be performed, whether to be continued here within the realm, or to be restored into her own country.

But first, this proposition, before the particularities be weighed, is to be considered in generality.

For it is very hard for a well-affected subject, that tendereth her majesty's surety, and weigheth either the nature of the Scottish queen, being inclined to ambition and revenge, or her former actions, what practices she hath set on foot most dangerous for her majesty and this realm, to allow of her liberty, being not made acquainted with such causes, as time hath wrought, to make it less perilous than it hath been, nor with such cautions as may, in some sort, be devised to prevent both her ambition and malice; and therefore, to make this apparent,

It is to be considered, that the danger that was in the mother, is now grown to be in the son. He pretendeth the same title she doth. Such as do affect her, both at home and abroad, do affect him; (and he is the more dangerous for that he is unmarried, which may greatly advance his fortune; and that he is a man, whereby he may enter into action in his own person;) where she is restrained, he is at liberty; his own realm is now altogether at his devotion, and the party affected to this crown abased; so as the matter duly considered, neither her liberty nor restraint doth greatly alter the case for perils towards her majesty, unless, by such promises as may be made by way of treaty with her, the danger likely to grow from the king her son be provided for.

But in this behalf it may be objected, that so long as the mother remains in her majesty's hands, the king will attempt nothing for fear of his mother's peril.

To this objection it may be answered, first, That they hope that her majesty, being a prince of justice, and inclined to mercy, will not punish the mother for the son's offence, unless she shall be found, by good proof, culpable. Secondarily, That men will not be over hasty, considering in what predicament

the king standeth touching his expectation of this crown, to advise any thing that in time future may be dangerous to the giver of such council as may reach to his mother's peril.

And lastly, The taking away of his mother, he being strong in the field through both foreign assistance and a party here within the realm, will appear so weak a remedy, (which may rather exasperate both him and her party, to proceed with more courage and heat to revenge, if any such hard measure should be offered unto her,) as they will suppose, for the reason above specified, that no such extremity will be used.

It may also be objected, that the setting of her at liberty will greatly encourage the papists both at home and abroad; but herein, if the provision be duly considered, that may be made by parliament both here and there, they shall rather find cause of discomfort than otherwise.

These two doubts being resolved, and the perils that was in the mother appearing most manifestly to be seen in the son accompanied with more danger, with due consideration had also of such remedies as may be provided for the preventing of the dangers that her liberty may minister just cause to doubt of; there will be good cause of hope found, that the same will rather breed benefit than perils.

Now it resteth, in what sort the said liberty shall be performed; if it shall be thought meet she shall be continued within the realm with some limitation, especially in that place where she now resideth, the country round about being so infected in religion as it is, it is greatly to be doubted that will very much increase the corruption and falling away in that behalf. Besides, she should have commodity, with much more ease and speed, to entertain practices within this realm, than by being in her own country.

If abroad freely without limitation either in Scotland or France, then shall her majesty lose the gages of her safety, then shall she be at hand to give advice in furtherance of such practices as have been laid for to stir trouble in this realm, wherein she hath been a principal party.

For the first, it is answered before, that the respect of any perils that may befal unto her, will in no sort restrain her son. For the other, if it be considered what harm her advice will work unto herself, in respect of the violation of the treaty, and the provision that may be made in parliament here, it is to be thought, that she will then be well advised, before she attempt any such matter, which now she may do without peril. Besides, such princes as have interposed their faith and promise for her, cannot with honour assist her, wherein the French king will not be found very forward, who, in most friendly sort, hath lately rejected all such requests, propounded either by her or her son's ministers, that might any way offend her majesty. And so to conclude, seeing the cause of her grief shall be taken away; the French king gratified, who is a mediator for her, and will mislike that, by any Spanish practice, she should be drawn to violate her faith; that the rest of the princes shall have no just cause of offence, but rather to think honourably of her majesty, considering the Scottish queen's carriage towards her, which hath deserved no way any such favour; the noblemen of Scotland shall be restored, who will be a good stay of such counsells as may tend to the troubling of this realm, especially having so good a ground of warrant as the parliament to stand unto; the charges and perils which her practices might have bred to this realm shall be avoided; and lastly, the hope of the papists shall be taken away, by such good provisions as in both the realms may be made, whereby the perils that might fall into her majesty's own person (a matter of all others to be weighed) shall be avoided, when by the change that may grow by any such wicked and ungodly practice, they shall see their case no way relieved in point of religion.

Reasons to induce her Majesty to proceed in the Treaty under Secretary Walsingham's hand.

That such plots as have of late years been devised (tending to the raising of trouble within this realm) have grown from the Scots queen's ministers and favourers, not without her allowance and seeking: Or, Cott. Lib. Cal. C. 8.

That the means used by the said ministers to induce princes to give ear to the said plots, is principally grounded upon some commisseration had of her restraint.

That the stay why the said plots have not been put in execution, hath proceeded, for that the said princes have, for the most part, been entertained with home and domestic troubles.

That it is greatly to be doubted, that now their realms begin to be quiet, that somewhat will be attempted in her favours by the said princes.

That it is also to be doubted, that somewhat may be attempted by some of her fautors in an extraordinary sort, to the peril of her majesty.

That for the preservation thereof, it shall be convenient for her majesty to proceed to the finishing of the treaty, not long sithence begun between her and the said queen.

No. XLV. (Page 170.)

Letter of Q. Mary to Q. Elizabeth.

Madame ma bonne Seur,

M'ASSEURANT que vous avez eu communication d'une lettre de Gray que vostre homme Semer me livra hier soubz le nom de mon filz, y recognoissant quasi de mot a la mot mesmes raisons que le dit Gray m'escrivit en chifre estant dernierement pres de vous desmontrant la suffisance & bonne intention du personage, je vous prieray seulement suivant ce que si devant je vous ay tant instantement impor- Cott. Lib. Cal. B. VIII. Fol. 147. An original.

tuné, que vous me permettiez desclaircir librement & ouvertement ce point de l'association d'entre moy & mon filz, & me dessier les mains pour proeeder avec lui comme je jugeray estre requis pour son bien & le mien. Et j'entreprendz quoy que l'on vous die & puisse en rapporter de faire mentir ce petit brouillon, qui persuadé par aucuns de vos ministres, a enterpris cette separation entre moy & mon enfant ; & pour y commencer je vous supplie m'octroyer qui je puisse parler a ce Justice-clerk qui vous a este nouvellement envoyé, pour mander par luy a mon filz mon intention sur cela, ce qui je me promis que ne me refuserez, quant ce ne seroit que pour demontrer en effect la bonne intention que vouz m'avez asseurée avoir a l'accord & entretien de naturel devoir entre la mere & l'enfant, qui dit en bonnes termes estre empesche pour vous me tenant captive en un desert, ce que vous ne pourrez mieux desmentir & faire paroitre vostre bon desir a notre union que me donnant les moyens d'y proceder, & non m'en retenir et empescher comme aucune des vos ministres pretendent, a fin de laisser toujours lieu a leur mauvais & sinistres practiques entre nous. La lettre porte que l'association n'est pas passée, aussi ne luy ai je jamais dit, bien que mon filz avoit accepté ; & que nous en avions convenu ensemble, comme l'acte signé de sa main, & ces lettres tant a moy, que en France en font foy, ayant donné ce meme temoignage de sa bouche propre a plusieurs ambassadeurs & personnes de credit, s'excusant de ne l'oser faire publier par craint de vous seulement, demandant forces pour vous resister d'avant de ce declarer si ouvertement, estant journellement persuadé au contrarie par vos ministres, qui luy promctoyent aveeque une entreire a Yorck le faire declairer votre herctier. Au surplus Madame quand mon enfant seroit si malheureux que de s'opiniastrer en cette extreme impieté & ingratitude vers moy, je ne puis penser que vous non plus qu'aucun aultre Prince de la Chretienté, le voulissiez en cela applaudir ou meintenir pour luy fayre acquerir ma malediction, ainsi que plutot *introviendrez* pour luy faire recongnoitre la raison trop juste & evidant devant Dieu and les hommes. Helas & encores ne lui vouloier j'en ofter, mays donner avec droit ce qu'il tient par usurpation. Je me suis du tout commise a vous, & fidelement faites si il vous plest que je ne en soye pis qu'aupravant, & que le faulseté des uns ne prevale desvant la verite vers vous, pour bien recevant mal, & la plus grande affliction que me scaurroit arriver a scavoir la perte de mon fils. Je vous supplie de me mander en cas qu'il persiste en cette m'esconnoissanee de son devoir, que de luy ou de moy il vous plaist advouer pour legittime Roy ou Royne d'Escosse, & si vous aves agreable de poursivre avec moy a part la traité commeneé entre nous, de quoy je vous requiers sans plus attendre de response de ce mal gouverné enfant, vous en requerrant avec autant d'affection que je sens mon cœur oppressé d'ennuy. Pour Dieu souvenez vous de la promesse que m'avez faites de me prendre en votre protection, me rapportant de tout a vous, & sur ce priant Dieu qu'il vous viueille preserver de touts vos ennemys & dissimulez amys, comme je le desire de me consoler & de me venger de ceulz qui pourchassent un tel malheur entre la mere & l'enfan. Je cesseray de vous troubler, mais non a m'ennuier que je ne recoive quelque consolation de vous, & de Dieu encore un coup je le supplie de vous garder de tout peril. Futhbery XII Mars.

Votre fidelement vouée sœur
& obeissant cousine,
MARIE Q.

A la Reyne d'Angleterre
Madame ma bonne sœur &
cousine.

No. XLVI. (Page 171.)

A Testament by Q. Mary.

N. B.—The following paper was transcribed by the Rev. Mr. Crawford, late Regius Professor of Church History in the University of Edinburgh. Part of this paper, according to him, is written by Naué, Mary's secretary, the rest with the queen's own hand. What is marked (") is in the queen's hand.

Cott. Lib. Vespas. L. 16. p. 415.

CONSIDERANT par ma condition presente l'estat de vie humaine, si incertain, que personne ne s'en peust, ou doibt asseurer, sinon soubs la grande et infinie misericorde de Dieu. Et me voulant prevaloir d'icelle contre tous les dangers et accidens qui me pourroient inopinement survenir et cette captivité, mesmes a cause des grandes et longues maladies ou j'ay eté detenué jusques a present ; j'ay advisé tandis que j'ay la commodité, ou raison en jugement, de pourvoir apres ma mort la salut de mon ame, enterrement de mon corps, et disposition de mon bien, estat, & affaires, par ce present mon testament et ordonnance de mon dernier volonté, qui s'ensuyt.

Au nom du Pere, du Filz, et du benoite S^t^. Esprit. Premierement, me recongnoissant indigne pechceresse avec plus d'offences envers mon Dieu que de satisfaction par toutes les adversites que j'ay souffert ; dont je la loue sa bonté ; et m'appûyant sur la croix de mon Sauveur et Redempteur Jesus Christ, je recommende mon ame a la benoiste et individue Trinité, et aux prieres de la glorieuse Vierge Marie, et de tous les anges saincts & sainctes de paradis, esperant par leur merites & intercession, estre aydée a obtenir de estre faicte participante avec eulx de felicité eternelle. Et pour m'y acheminer de cœur plus net et entier, despouillant des a present tout ressentiment des injures, calomnies, rebellions, et aultres offenses, qui me pourroient avoir esté factes durant ma vie, par mes subjets rebelles et aultres ennemis ; J'en retriet la vengeance a Dieu, & le supplie leur pardonner, de mesme affection que je luy requiers pardons a mes faultes, et a

tous ceuls et celles que je puis avoir offensé de faicts ou de parolles.

Je veulx et ordonne, &c. *(The two following paragraphs contain directions concerning the place and circumstance of her burial.)*

Pour ne contrevenir a la gloire, honneur, et conservation de l'Eglise catholique, apostolique, et Romaine, en la quelle je veulx vivre et mourir, si le Prince d'Escosse mon filz y puest etre reduiet contre la mauvaise nourriture qu'il a prise a mon tres grand regret en l'heresie de Calvin entre mes rebelles, je le laisse seul et unique heretier de mon royaume d'Escosse, de droict que je pretende justement en la couronne d'Angleterre et pays qui en dependent, et generallement de tous et chacun mes meubles et immeubles qui resteront apres ma mort, et execution de ce present testament.

Si non, et que mon dit filz continue a vivre en la dite heresie, Je cede, transporte, et faicte don " de touts et chacuns mes droicts, que je pretende & puis pretendre a la couronne d'Angleterre, et aultres droicts, seigneuries, ou royaulmes en dependantz, au roy catholique, ou aultre de siens qu'il luy plaira, avesques advis, consentement de sa Sainteté; tante pour le voyr anjourdhuy le seul seurs appui de la religion catholique, que pour reconnoissance de gratuites faveurs que moy, et les miens recommandez par moy, ont avons receu de luy en ma plus grand necessité; et resguard aussi au droict que luy mesme peut pretendre a ces ditz royaulmes et pays, je le supplie qu'en recompence il preign alliance, de la maison de Lorraine, et si il ce pleut de celle de Guise, pour memoire de la race de laquelle je suis sortie au coste de mere, n'a ayant de celuy de mon pere que mon seul enfant, lequel estant Catholique j'ay tousjours voué pour une de ses filles, si il luy plaisoit de l'accepter, ou faillant une de ses niepces mariée comme sa fille.

" Je laysse mon filz a la protection du Roy, de Prince, et Ducs de Lorrayne et de Guisc, et du Mayne, aux quelz je recommende et son estat en Escosse, et mon droict en Angleterre, si il est catholique, et quelle le parlie de ceste royne."

Je faitz don au " Compte de Lenox" de Compté de Lenox tenu par feu son pere, et commande mon filz, comme mon heretier et successeur, d'obeyr en cest endroit a mon volonté.

Je veulx et ordonne toutes les sommes et deniers, qui se troveront par moys deues, tien mis cause de droict estre faits " a Lochliven" etre promptement payée et acquitteés, et tout tort et griefs reparés par les dits executeurs, desquelz j'en charge la conscience. Oultre, &c. *(Follow two or three paragraphs concerning particular legacies, and then is added)* Faict au manoir de Sheffeld en Angleterre le jour de——Mil cincq cens soixant & dix sept.

After a large blank page follows in the queen's hand:

" Si mon filz meurt, au Comte de Lenox, au Claude Hamilton, lequel se montrera le plus fidelle vers moy, et plus constant en religion, au jugement de ——— Dues de Lorraine et de Guyse, ou je le rapport sur ce de ceulx a qui j'auray donnay la charge de trayter avesque cux de par moy et ceulx, a condition de ce marrier ou allier en la dite mayson ou par leur advis."

Follow near two pages of particular legacies.

" Et le remets ma tante de Lenox au droict qu' elle peut pretendre a la Conté d'Angous avant l'acort fait par mon commandement entre ma dite tante de Lenox et le Comte de Morton, veu quil a esté fait & par le feu Roy mon mary et moy, sur la promesse de sa fidelle assistance, si luy et moy encourions dangier et besoing d'ayde, ce qu'il rompit, s'entendant secretement au les nos ennemies rebelles, qu'attemtpricnt contre sa vie, et pour cest effect pris les armes, et ont porté les banieres desploieës contre nous. Je revoque aussi toute autre don que je luy ay fait de Conté de Morton sur promesses de ses bons services a advenir, et entends que la dite Conté soit reunie a la couronne, si ell se trouve y partenir, comme ses trahisons tant en la mort de mon feu mary, que en mon banissement, et poursuit de la mien ne l'ont merité. Et defends a mon fils de ce jamays servir de luy, pour la hayne qu'il aye a ses parents, laquelle je crains ne s'estende jusques a luy, le connoissant du tout affectionné aux ennemis de mon droite en ce royaume, duquel il es pençonnaire.

" Je recommende mon nepveu Francois Stuart a mon fils, et luy commande detenir pres de luy et s'enservit, et je luy laisse le bien du Conte de Boduel son oncle, en respect qu'il est de mon sang, mon fillcul, et m'a esté laisse en tutelle par son pere.

" Je declare que mon frere bastard Robert Abbé de St Croix n'a en que par circonvention Orkenay, et que le ne fut jamays mon intention, comme il apret par la revocation que j'ay fayte depuys, et eté aussi fait d'avant la asge de xxv ans, ce que j'aimois deliberer si il ne m'eussent prenner par prison de se de defayre aulx estats. Je veulx donc que Orkenay soit reunic a la couronne comme une de plus neeessarics pour mon filz, & sans mayson ne pourra etre bien tenue.

" Les filles de Morra ne parvient accessi heriter, ains revient la Conté a la couronne, si il luy plest luy donner sa ou fille en marriasge, et il nome l'en sienne ligne."

No. XLVII. (Page 174.)

A Letter from Mr. Archibald Douglas to the Queen of Scotts.

PLEASE your majesty, I received your letter of the date of the 12th of Novr. and in like manner has seen some part of the contents of one other of the same date,

April.—Harl. Lib. 37. B. 9. fo. 126.

directed to Mons^r. de Movisir, ambassador for his majesty the most christian king, both which are agreeable to your princely dignity. As by the one your highness desires to know the true cause of my banishment, and offers unto me all favour if I shall be innocent of the heinous facts committed in the person of your husband of good memory, so by the other the said ambassador is willed to declare unto me, if your husband's murder could be laid justly against me, that you could not solicit in my cause, neither yet for any person that was participant of that execrable fact, but would seek the revenge thereof, when you should have any means to do it; your majesty's offer, if I be innocent of that crime, is most favourable, and your desire to know the truth of the same is most equitable; and therefore that I should with all my simplicity, sincerity, and truth, answer thereunto, is most reasonable, to the end that your princely dignity may be my help, if my innocence shall sufficiently appear, and procure my condemnation if I be culpable in any matter, except in the knowledge of the evil disposed minds of the most part of your nobility against your said husband, and not revealing of it; which I am assured was sufficiently known to himself, and to all that had judgment never so little in that realm; which also I was constrained to understand, as he that was specially employed betwixt the earl of Morton, and a good number of your nobility, that they might with all humility intercede at your majesty's hand for his relief, in such matters as are more specially contained in the declaration following, which I am constrained, for my own justification, by this letter to call to your majesty's remembrance; notwithstanding that I am assured, to my grief, the reading thereof will not smally offend your princely mind. It may please your majesty to remember, that in the year of God 1566, the said earl of Morton, with divers other nobility and gent. were declared rebels to your majesty, and banished your realm for insolent murder committed in your majesty's own chamber, which they alledged was done by command of your husband, who notwithstanding affirmed that he was compelled by them to subscribe the warrant given for that effect; howsoever the truth of that matter remains amongst them, it appertains not to me at this time to be curious; true it is that I was one of that number that heavily offended against your majesty, and passed into France the time of our banishment, at the desire of the rest, to humbly pray your brother, the most christian king, to intercede that our offences might be pardoned, and your majesty's clemency extended toward us, albeit divers of no small reputation, in that realm, was of the opinion, that the said fact merited neither to be requisite for, nor yet pardoned. Always such was the careful mind of his majesty towards the quietness of that realm, that the dealing in that cause was committed to Monsr. de Movisir, who was directed at that time to go into Scotland, to congratulate the happy birth of your son, whom Almighty God of his goodness may long preserve in happy estate and perpetual felicity. The careful travail of the said de Movisir was so effectual, and your majesty's mind so inclined to mercy, that within short space thereafter I was permitted to repair in Scotland, to deal with earls Murray, Athol, Bodwel, Arguile, and Secretary Ledington, in the name and behalf of the said earl Morton, lords Reven, Lindsay, and remanent complesis, that they might make offer in the names of the said earl of any matter that might satisfy your majesty's wrath, and procure your clemency to be extended in their favours. At my coming to them, after I had opened the effect of my message, they declared that the marriage betwixt you and your husband had been the occasion already of great evil in that realm; and if your husband should be suffered to follow the appetite and mind of such as was about him, that kind of dealing might produce with time worse effects; for helping of such inconvenience that might fall out by that kind of dealing, they had thought it convenient to join themselves in league and band with some other noblemen, resolved to obey your majesty as their natural sovereign, and have nothing to do with your husband's command whatsoever, if the said earl would for himself enter into that band and confederacy with them, they could be content to humbly request and travel by all means with your majesty for his pardon; but before they could any farther proceed, they desired to know the said earl's mind herein; when I had answered, that he nor his friends, at my departure, could not know that any such like matter would be proponit, and therefore was not instructed what to answer therein, they desired that I should return sufficiently instructed in this matter to Sterling, before the baptism of your son, whom God might preserve. This message was faithfully delivered to me at Newcastle in England, where the said earl then remained, in presence of his friends and company, where they all condescended to have no farther dealing with your husband, and to enter into the said band. With this deliberation I returned to Sterling, where, at the request of the most christian king and the queen's majesty of England, by their ambassadors present, your majesty's gracious pardon was granted unto them all, under condition always that they should remain banished forth of the realm the space of two years, and farther during your majesty's pleasure, which limitation was after mitigated at the humble request of your own nobility; so that immediately after the said earl of Morton repaired into Scotland to Quhittingaime, where the earl of Bodvell and Secretary Ledington came to him; what speech passed there amongst them, as God shall be my judge, I knew nothing at that time, but at their departure I was requested by the said earl Morton to accompany the earl Bodvell and Secretary to Edenburgh, and to return with such answer as they should obtain of your majesty; which being given to me by the said persons, as God shall be my judge,

was no other than these words, " Sehaw to the earl Morton that the queen will hear no speech of that matter appointed unto him:" when I erafit that the answer might be made more sensible, Secretary Ledington said, that the earl would suffieiently understand it, albeit few or none at that time understand what passed amongst them. It is known to all men, als veill be railling letters passed betwixt the said earl and Ledington when they become in divers faetions, as also ane buck sett furth by the ministers, wherein they affirm that the earl of Morton has confessed to them, before his death, that the earl Bodvell came to Quhittingaime to prepone the ealling away off the king your husband, to the which proposition the said earl of Morton affirms that he could give no answer unto such time he might know your majesty's mind therein, which he never received. As to the abominable murder, it is known too by the depositions of many persons that were executed to the death for the committing thereof, that the same was executed by them, and at the eommand of such of the nobility as had subscrivit band for that effect. By this unpleasant declaration, the most part thereof known to yourself, and the remainder may be understood by the aforesaid witnesses that was examined in torture, and that are extant in the custody of the ordinary judges in Scotland, my innocency, so far as may concern any fact, does appear sufficiently to your majesty. And as for my dealing aforesaid, I can be no otherwise charged therein, but as what would accuse the vessel that preserves the wine from harm, for the intemperancy of sueh as immoderately use the same. As for the special eause of my banishment, I think the same has proceeded upon ane opinion conceived, that I was able to accuse the earl of Morton of so mueh matter as they alledge himself to have confessed before he died, and would not be induced, for loss of reputation, to perform any part thereof. If this be the occasion of my trouble, as I suppose it is, what punishment I should deserve I remit me to your majesty's better judgment, who well knows how careful ever ilk gentleman should be of his fame, reputation and honour, and how far ever ilk man should abhor the name of a pultroun, and how indeccnt it would have been to me to aecuse the earl of Morton, being so near of his kin, notwithstanding all the injuries I was constrained to receive at his hand all the time of his government, and for no other cause, but for shewing of particular friendship to particular friends in the time of the last eruel troubles in Scotland. Sorry I be now to aecuse him in any matter being dead, and more sorry that being on lyff, be such kind of dealing obtained that name of Ingrate. Always for my own part I have been banished my native country those three years and four months, living in anxiety of mind, my holl guds in Scotland, which were not small, intermittit and disponit upon, and has continually since the time I was relieved out of my last troubles at the desire of Mons^{r}. de Movisir, attended to know your majesty's pleasure, and to wait upon what service it should please your majesty for to command. Upon the 8th of April inst. your good friend Secretary Walsingham has declared unto me, that her highness tho't it expedient that I should retire myself where I pleased; I declared unto him I had no means whereby I might perform that desire, until such time as I should receive it from your majesty. Neither knew I where it would please your highness to direct me, until such time as I should have received further information from you. Upon this occasion, and partly by permission, I have taken the hardress to write this present letter, whereby your majesty may understand any part of my troubles past, and straight present. As to my intention future, I will never deny that I am fully resolved to spend the rest of my days in your majesty's service, and the king your son's, wheresoever I shall be directed by your majesty; and for the better performing thereof, if so shall be her majesty's pleasure, to recommend the tryal of my innocency, and examination of the verity of the preceding narration, to the king your son, with request that I may be pardoned for such offences as concerned your majesty's service, and var common to all men the time of his les aige and perdonit to all, except to me; I should be the bearer thereof myself, and be directed in whatsoever service it should please your majesty for to command. Most humble I beseech your majesty to consider hereof, and to be so gracious as to give order, that I may have means to serve your majesty according to the sincerity of my meaning; and so expecting your majesty's answer, after the kissing your hand with all humility, I take leave from London.

No. XLVIII. (Page 176.)

A Letter from Sir Amias Paulet.

Sir,

I did forbear, according to your direction signified in your letters of the fourth of this present, to proceed to the execution of the contents of Mr. Waade's letters unto you, for the dispersing of this lady's unnecessary servants, and for the ceasing of her money, wherein I was bold to write unto you my simple opinion, (although in vain as it now falleth out,) by my letters of the 7th of this instant, which, I doubt not, are with you before this time; but upon the receipt of your letters of the 5th, which came not unto my hands until the 8th in the evening, by reason, as did appear by indorsement, that they had been mistaken, and were sent back to Windsor, after they were entered into the way towards me, I considered, that being accompanied only with my own servants, it might be thought that they would be intreated to say as I would command them; and therefore I thought good, for my better discharge in these money matters, to crave the assistance of Mr. Richard Bagot, who Origin. Cal. c. 9.

repairing unto me the next morning, we had access to this queen, whom we found in her bed, troubled after the old manner with a defluxion, which was fallen down into the side of her neck, and had bereft her of the use of one of her hands, unto whom I declared, that upon occasion of her former practices, doubting lest she would persist therein by corrupting underhand some bad members of this state, I was expressly commanded to take her money into my hands, and to rest answerable for it, when it shall be required; advising her to deliver the said money unto me with quietness. After many denials, many exclamations, and many bitter words against you, (I say nothing of her railing against myself,) with flat affirmation that her majesty might have her body, but her heart she should never have, refusing to deliver the key of the cabinet, I called my servants, and sent for barrs to break open the door, whereupon she yielded, and causing the door to be opened, I found there in the coffers, mentioned in Mr. Waade's remembrance, five rolls of canvass, containing five thousand French crowns, and two leather bags, whereof the one had, in gold, one hundred and four pounds two shillings, and the other had three pounds in silver, which bag of silver was left with her, affirming that she had no more money in this house, and that she was indebted to her servants for their wages. Mr. Waade's note maketh mention of 3 rolls left in Curle's chamber, wherein, no doubt, he was misreckoned, which is evident as well by the testimonies and oaths of diverse persons, as also by probable conjectures; so as in truth we found only two rolls, every of which containeth one thousand crowns, which was this queen's guifte to Curle's wife at her marriage. There is found in Naw's chamber, in a cabinet, a chain worth by estimation one hundred pounds, and in money, in one bag nine hundred pounds, in a second bag two hundred fourscore and six pounds eighteen shillings. All the foresaid parcels of money are bestowed in bags, and sealed by Mr. Richard Bagot, saving five hundred pounds of Naw's money, which I reserve in my hands for the use of this household, and may be repayed at London, where her majesty shall appoint, out of the money received lately by one of my servants, out of the exchequer. I feared lest the people might have dispersed this money in all this time, or have hidden the same in some secret corners; for doubt whereof I had caused all this queen's family, from the highest to the lowest, to be guarded in the several places where I found them, so as yff I had not found the money with quietness, I had been forced to have searched first all their lodgings, and then their own persons. I thank God with all my heart, as for a singular blessing, that that falleth out so well, fearing lest a contrary success might have moved some hard conceits in her majesty.

Curle can tell you the truth of this matter.

Touching the dispersing of this queen's servants, I trust I have done so much as may suffice to satisfy her majesty for the time, wherein I could not take any absolute course, until I heard again from you, partly because her majesty, by Mr. Waade's letter, doth refer to your consideration to return such as shall be discharged to their several dwellings and countries, wherein, as it seemeth, you have forgotten to deliver your opinion; partly, for that as yet I have received no answer from you of your resolution, upon the view of the Scottish family sent unto you, what persons you will appoint to be dismist; only this I have done, I have bestowed all such as are mentioned in this bill, inclosed in three or four several rooms, as the same may suffice to contain them, and that their meat and drink shall be brought unto them by my servants. It may please you, to advertise me by your next letters, in what sort, and for what course, I shall make their passports, as also, if they shall say they are unpaid of their wages, what I shall do therein. Yt is said that they have been accustomed to be paid of their wages at Christmas, for the whole year. Her majesty's charge will be somewhat diminished by the departure of this people, and my charge by this occasion will be the more easy. But the persons, all save Bastian, are such silly and simple souls, as there was no great cause to fear their practices; and upon this ground I was of opinion, in my former letters, that all this dismissed train should have followed their mistress until the next remove, and there to have been discharged upon the sudden, for doubt that the said remove might be delayed, yf she did fear, or expect any hard measure.

This lady hath good store of money at present in the French ambassador's hands.

Others shall excuse their foolish pity as they may; but, for my part, I renunce my part of the joys of heaven, yf in any thing that I have said, written, or done, I have had any other respect than the furtherance of her majesty's service; and so I shall most earnestly pray you to affirm for me, as likewise for the not seasing of the money by Mr. Manners, the other commissioners, and myself. I trust Mr. Waade hath answered, in all humble duties, for the whole company, that no one of us did so much as think that our commission reaching only to the papers, we might be bold to touch the money, so as there was no speech of that all to my knowledge, and as you know I was no commissioner in this search, but had my hands full at Tyxall; discreet servants are not hastily to deal in great matters without warrant, and especially where the cause is such as the delay of it carrieth no danger.

Your advertisement of that happy remove hath been greatly comfortable unto me. I will not say in respect of myself, because my private interest hath no measure of comparison with her majesty's safety, and with the quiet of this realm. God grant a happy and speedy yssue to these good and godly counsels; and so I commyt you to his merciful protection. From Chartley, the 10th of September 1586.

No. XLIX. (Page 179)

Letter from the King of Scots to Mr. Archibald Douglas, his ambassador in England, October 1586.

Cott. Lib. Calig. C. 9. An original in the king's hand.

Reserve up yourself na langer in the ernest dealing for my mother, for ye have done it too long; and think not that any your travellis can do goode if hir lyfe be takin, for then adieu with my dealing with thaime that are the speeial instrumentis thairof; and theirfore, gif ye looke for the contineuanee of my favour towartis you, spair na pains nor plainnes in this cace, but reade my letter wrettin to Williame Keith, and conform yourself quhollie to the contentis thairof, and in this requcist let me reap the fruictis of youre great credit there, ather now or never. Fairwell. October 1586.

Letter to Sir William Keith, ambassador in England, probably from Secretary Maitland. Nov. 27. 1586.

A copy in the Collect. of sir A. Dick. Vol. A. fol. 219.

By your letters sent by this bearer, (albeit concerning no pleasant subject,) his majesty conceives well of your earnestness and fidelity in your negotiations, as also of Mr. Archibald's activity and diligenee, whom you so greatly praise and recommend; I wish the issue correspond to his majcsty's opinion, your care and travell, and his great diligence, as you write. His majesty takes this rigorous proeeeding against his mother deeply in heart, as a matter greatly concerning him both in honour and otherwise. His highnesses actions and behaviour utter plainly not only how far nature prevails, but also how he apprehends of the sequel of that process, and of what moment he esteems it. There is an ambassade shortly to be directed, wherein will be employed an earl and two counsellors, on whose answer will depend the continuance or dissolution of the amity and good intelligence between the princes of this isle. In the mean season, if farther extremity be used, and his majesty's suit and request disdained, his highness will think himself dishonoured and contemned far besides his expectation and deserts. Ye may perceive his majesty's disposition by his letter to you, which you shall impart to Mr. Archibald, and both deal according thereto. I need not to recommend to you care, eoncerning your master's serviee both in weill and in honour. As you and your colleague shall behave yourself in this behalf, so for my own part will I interpret your affection to your master. I am glad of that I hear of yourself, and I do fully credit that you write of Mr. Archibald, whose friends here make great aceount of his professed devotion to the Queen, besides the duty he owes to the king's majesty, her son. Farther I am eonstrained to remit to next oceasion, having searee time to scribble these few lines (which of themselves may bear witness of my haste). Wishing you a prosperous issue of your negoeiation, I eommit you, &c. Halyrudhouse, Nov^{r}. 27th, 1586.

The people, and all estates here, are so far moved by the rigorous proeeedings against the queen, that his majesty, and all that have eredit are importuned, and may not go abroad for exelamations against them, and impreeations against the queen of England.

No. L. (Page 180.)

To the King's Majesty, from Mr. Archibald Douglas.

16th Oct. 1586. From the original in the Collect. of Sir A. Dick. Vol. B. fol. 324.

Please your majesty, I received your letter of the date the 28th of September the 5th of October, which was the same day that I directed W^{m}. Murray towards your highness. By such letters as he carried, and others of several dates, your majesty may perceive that I had omitted nothing so far as my travel might reach unto, anent the performing of the two chief points contained in the said letter before the receipt thereof, which by these presents I must repeat for answering of the saidis. As to the first, so far as may concern the interceding for the queen your majesty's mother her life, I have divers times, and in every audience, travelled with this queen in that matter, specially to know what her full determination must be in that point, and could never bring her to any further answer, but that this proceeding against her by order of justice was no less against her mind, than against their will that loved her best: as towards her life she could give no answer thereunto, until such time as the law hath declared whether she was innocent or guilty. Herewithal it was her pleasure thus far to inform me, that it was a number of the associants that earnestly pressed her that the law might proeeed against her, giving reasons that as long as she was suffered to deal in matters, so long would never this realm be in quiet, neither her life, neither this state in assurance; and in the end they used this protestation, that if she would not in this matter follow their advice, that they should remain without all blame, whatsoever should fall out: whereupon she had granted them liberty to proeeed, lest such as had made the request might hereafter have charged herself with ineonvenienee if any should happen.

And by myself I know this her speeeh to be true, because both papist and protestant has behaved them, as it hath been her pleasure to declare, but upon divers respects, the one to avoid suspieion that otherwise was conceived against them, the other upon zeal, and care that they will be known to have for preservation of their sovereign's life and state in this perilous time; upon eonsideration whereof, I have been constrained to enter into some dealing with both, wherewith I made her majesty aequaint-

ed; the protestants, and such as in other matters will be known to bear no small favour unto your majesty's service, hath prayed that they may be excused from any dealing in the contrary of that, which by their oath they have avowed, and by their speech to their sovereign requested for, and that before my coming in this country; if they should now otherwise do, it would produce no better effect but to make them subject to the accusation of their sovereign, when it should please her to do it, of their inconstancy, in giving councell whereby they might incur the danger of ill councellors, and be consequent worthy of punishment. Such of the papists as I did deal with, went immediately, and told her majesty what I had spoken to them, who albeit she understood the matter of before, sent for me, and declared to me my own speeeh that I had utterced to them, willing me for the weil of my maister's service to abstain from dealing with such as were not yet sufficiently moved to think of my master as she did. I craved leave of her majesty, that I might inform them of your majesty's late behaviour towards her, and the state of this realm, whereunto with some difficulty she gave her consent. At my late departure from court, which was upon the 5th of this instant, and the day after that the lords of this grand jury had taken their leaves of her majesty to go northward to Fothringham, it was her pleasure to promise to have further speech in this matter at the returning of the said lords, and to give full answer according to your majesty's contentment to the remainder matters that I had proponit in name of your majesty. As to the second part concerning the association, and desire that the promise made to the master of Gray concerning your majesty's title may be fulfilled; it appears by the said letter, that the very point whereupon the question that may bring your majesty's title in doubt, hath not been rightly at the writing of the said letter considered, which I take to have proceeded for lack of reading of the act of parliament, wherein is fulfilled all the promise made by the queen to the said master, and nothing may now cause any doubt to arise against your said title, except that an opinion should be conceived by these lords of this parliament that are so vehement at this time against the queen your majesty's mother, that your majesty is, or may be proved hereafter assenting to her proceedings; and some that love your majesty's service were of that opinion, that too earnest request might move a ground whereupon suspicions might grow in men so ill affected in that matter, which I tho't might be helped by obtaining of a declaration in parliament of your majesty's innocence at this time, and by reason that good nature and public honesty would constrain you to intercede for the queen your mother, which would carry with itself, without any further, some suspicion that might move ill affected men to doubt. In my former letters I humbly craved of your majesty that some learned men in the laws might be moved to advise with the words of the association, and the mitigation contained in the act of parliament, and withall to advise what suspicious effects your majesty's request might work in these choleric men at this time, and how their minds might be best moved to receive reason; and upon all these considerations they might have formed the words of a declarator of your majesty's innocence to be obtained in this parliament, and failing thereof, the very words of a protestation for the same effect that might best serve for your majesty's service, and for my better information. Albeit this was my simple opinion, I shall be contented to follow any direction it shall please your majesty to give. I have already opened the substance hereof to the queen of this realm, who seems not to be offended herewith, and hath granted liberty to deal therein with such of the parliament as may remain in any doubt of mind. This being the sum of my proceedings in this matter, besides the remainder, contained in other letters of several dates, I am constrained to lay the whole open before your majesty, and to humbly pray that full information may be sent unto me what further to do herein; in this middle time, while I shall receive more ample direction, I shall proceed and be doing according to such direction as I have already received. And so, most gracious sovereign, wishing unto your majesty all happy success in your affairs, I humbly take my leave. From London, this 16th of October 1586. Your majesty's most humble subject and obed^{t}. servant.

A Memorial for his Majesty by the Master of Gray.

12th Jan. 1586. An original in his own hand in the Collect. of Sir A. Dick. vol. A. fol. 222.

It will please your majesty I have tho't meeter to set down all things as they occur, and all advertisements as they came to my ears, then jointly in a lettre.

I came to Vare the 24th of Dec^{r}. and sent to W^{m}. Keith and Mr. Archibald Douglas to advertise the queen of it, like as they did at their audience. She promised the queen your majesty's mother's life should be spared till we were heard. The 27th they came to Vare to me, the which day sir Rob^{t}. came to Vare, where they shewed us how far they had already gone in their negotiation; but for that the discourse of it is set down in our general letter, I remit me to it, only this far will I testify unto your majesty that W^{m}. Keith hath used himself right honestly and wisely till our coming, respecting all circumstances, and chiefly his colleague his dealing, which indeed is not better than your majesty knows already.

The 29th day of Dec^{r}. we came to London, where we were no ways friendly received, nor after the honest sort it has pleased your majesty use her ambassadors; never man sent to welcome or convey us. The same day we understood of Mr. de Bellievre his leave taking; and for that the custom permitted not, we sent our excuses by Mr. George Young.

The 1st day of Jan^{ry}. W^{m}. Keith and his colleague,

according to the custom, sent to crave our audience. We received the answer contained in the general letter, and could not have answer till the 6th day; what was done that day your majesty has it in the general, yet we was not out of esperanee at that time, albeit we received hard answers.

The 8th day we speak with the earl of Leicester, where our conferrenee was, as is set down in the general. I remarked this, that he that day said plainly the detaining of the queen of Scotland prisoner was for that she pretended a sueeession to this crown. Judge then by this what is tho't of your majesty, as ye shall hear a little after.

The 9th day we speak with the French ambassador, whom we find very plain in making to us a wise discourse of all his proceedings; and Mr. de Bellievre we thanked him in your majesty's name, and opened such things as we had to treat with this queen, save the last point, as more largely set down by our general.

It is tho't here, and some friends of your majesty's advised me, that Bellievre his negotiation was not effeetual, and that the resident was not privy to it, as in deed I think is true, for sinee Bellievre his parting, there is a talk of this Chasteauneuf his servants taken with his whole papers and pacquets, which he was sending in France, for that they charge him with a conspiracy of late against the queen here her life. It is alleged his servant has confessed the matter, but whom I shall trust I know not; but till I see proof I shall account him an honest man, for indeed so he appears, and one (without doubt) who hath been very instant in this matter. I shew him that the queen and earl of Leicester had desired to speak with me in private, and craved his opinion; he gave it freely, that he tho't it meetest I shew him the reason why I communieate that to him, for that I had been suspected by some of her majesty's friends in France to have done evil offices in her service, that he should be my witness that my earnest dealing in this should be a sufficient testimony that all was lies, and that this knave Naué who now had betrayed her, had in that done evil offices: he desired me, seeing she saw only with other folk's eyes, that I should no ways impute it to her, for the like she had done to himself by Naué his persuasion. I answered, he should be my witness in that.

The 9th day we sent to court to crave audience, which we got the 10th day: at the first, she said a thing long looked for should be welcome when it comes; I would now see your master's offers. I answered, no man makes offers but for some cause; we would, and like your majesty, first know the cause to be extant for which we offer, and likewise that it be extant till your majesty has heard us. I think it be extant yet, but I will not promise for an hour; but you think to shift in that sort. I answered, we mind not to shift, but to offer from our sovereign all things that with reason may be, and, in speeial, we offered as is set down in our general; all was refused and tho't nothing. She called on the three that were in the house, the earl of Leicester, my lord admiral and chamberlain, and very despitefully repeated all our offers in presence of them all. I opened the last part, and said, Madam, for what respect is it that men deal against your person or estate for her eause? She answered, because they think she shall succeed to me, and for that she is a papist; appearingly, said I, both the causes may be removed: she said she would be glad to understand it. If Madam, said I, all that she has of right of succession were in the king our sovereign's person, were not all hope of papists removed? She answered, I hope so. Then, Madam, I think the queen his mother shall willingly demit all her rights in his person. She answered, she hath no right, for she is deelared unhabil. Then I said, if she have no right, appearingly the hope ceases already, so that it is not to be feared that any man attempt for her. The queen answered, but the papists allow not our deelaration: then let it fall, says I, in the king's person by her assignation. The earl of Leicester answered, she is a prisoner, and how can she demit? I answered, the demission is to her son, by the advice of all the friends she has in Europe, and in case, as God forbid, that any attempt cuttis the queen here away, who shall party with her to prove the demission or assignation to be ineffectual, her son being opposite party, and having all the princes her friends for him, having bonded for the efficacy of it with his majesty of before. The queen made as she could not comprehend my meaning, and sir Rob^{t}. opened the matter again; she yet made as tho' she understood not. So the earl of Leicester answered, that our meaning was, that the king should be put in his mother's place. Is it so, the queen answered, then I put myself in a worse case than of before; by God's passion, that were to cut my own throat; and for a dutehy or an earldom to yourself, you or such as you would cause some of your desperate knaves kill me. No, by God, he shall never be in that place. I answered, he craves nothing of your majesty but only of his mother. The earl of Leicester answered, that were to make him party to the queen my mistress. I said, he will be far more party, if he be in her plaee through her death. She would stay no longer, but said she would not have a worse in his mother's place; and said, tell your king what good I have done for him in holding the crown on his head sinee he was born; and that I mind to keep the league that now stands between us, and if he break it shall be a double fault; and with this minded to have bidden us farewell; but we achevit (i. e. finished arguing upon this point). And I spake, craving of her that her life may be spared for 15 days; she refused. Sir Rob^{t}. craved for only eight days; she said, not for an hour; and so geid her away. Your majesty sees we have delivered all we had for offers; but all is for nothing, for she and her eouncel has laid a determination that they mind to follow forth;

and I see it comes rather of her councel than herself, which I like the worse; for without doubt, sir, it shall cut off all friendship ye had here. Altho' it were that once they had meaned well to your majesty, yet remembering themselves, that they have meddled with your mother's blood, good faith they cannot hope great good of yourself, a thing in truth I am sorry for; further, your majesty may perceive by this last discourse of that I proponit, if they had meaned well to your majesty, they had used it otherwise than they have done, for reason has bound them. But I dare not write all. I mind something to speak in this matter, because we look shurly our letters shall be trussit by the way.

For that I see private credit nor no means can alter their determination, altho' the queen again and the earl of Leicester has desired to speak with me in particular; I mind not to speak, nor shall not; but assuredly shall let all men see that I in particular was no ways tyed to England, but for the respect of your majesty's service. So, albeit at this time I could not effectuate that I desired, yet my upright dealing in it shall be manifested to the world. We are, God willing, then to crave audience, where we mind to use sharply our instructions, which hitherto we have used very calmly; for we can, for your honour's cause, say no less for your majesty, than the French ambassador has said for his master.

So I pray your majesty consider my upright dealing in your service, and not the effect; for had it been doable (i. e. possible to be done) by any, I might have here had credit; but being I came only for that cause, I will not my credit shall serve here to any further purpose. I pray God preserve your majesty, and send you a true and sincere friendship. From London this 12th of Jan. 1586.

I understand the queen is to send one of her own to your majesty.

To the Right Hon. my Lord Vice-chancellor and Secretary to his Majesty, from the Master of Gray.

12th Jan. 1586. An original in the Collect. of Sir A. Dick. Vol. A. fol. 179.

My lord, I send you these lines with this inclosed to his majesty, whereby your lordship shall understand how matters goes here. And before all things I pray your lordship move his majesty to respect my diligence, and not the effect in this negociation; for I swear, if it had been for the crown of England to myself I could do no more; and let not unfriends have advantage of me, for the world shall see that I loved England for his majesty's service only. I look shortly to find your lordship friend as ye made promise, and by God I shall be to you if I can. W^m^. Keith and I devyset, if matters had gone well, to have run a course that your lordship might have here been in credit and others disappointed; but now I will do for you as for myself; which is to care for no credit here, for in conscience they mean not honestly to the king our sovereign, and if they may, he will go the get his mother is gone, or shortly to go, therefore my lord, without all kind of scruple I pray you to advise him the best is not this way. They say here, that it has been said by one who heard it from you, that ye desired not the king and England to agree, because it would rack the noblemen, and gave an example of it by king James the fourt; I answered in your name, that I was assured you never had spoken it. Mr. Archibald is the speaker of it, who I assure your lordship has been a poison in this matter, for they lean very mickle to his opinion. He cares not, he says, for at length the king will be fain to deal this way, either by fair means or necessity, so that when he deals this course he is assured to be welcome. To set down all that is past of the like purposes, it would consume more paper than I have here, so I defer it to meeting. There is a new conspiracy alledged against the queen to have been intended, for the French ambassador resident three of his men taken, but I think in the end it shall prove nothing. Mr. Stafford, who is ambassador for this queen in France, is touched with it, his brother is taken here, always it has done this harm in our negotiation, that all this council would not move this queen to meddle with the queen of Scotland's blood, till this invention was found forth. I remit all other things to the inclosed. We minded to have sent to his majesty a discourse, which we have set down of all our proceedings since our hither coming, but we are surely advertized that the bearer is to be trussed by the way for our pacquets, so that we defer it till our own coming; this I have put in a privy part beside the pacquet. We shall, I think, take leave on Friday the 13th day, where we mind exactly to follow the rigour of our instructions, for it cannot stand with the king's honour that we say less than the French ambassador, which was, Le roy mon maistre ne peult moins faire que se resentir. So that about the 24th I think we shall, God willing, be at home, except that some stay come which we look not for. The queen and the earl of Leicester has desired to speak with me. I refused save in presence of my colleagues, by reason I see a determination which particular credit cannot help, and I crave no credit but for that cause. It will please your lordship retire the inclosed from his majesty and keep it. So after my service commended to yourself and bedfellow, I commit you to God. From London the 12th of Jan. 1586.

To the King's Majesty, from Sir Robert Melvil.

20th Jan. 1586. An original in his own hand, in the Collect. of Sir A. Dick. Vol. A. fol. 181.

It may please your majesty, since the direction of our former letters, we had audience, and her majesty appeared to take our overtures in good part in presence of her council; albeit no offers could take place with them, having taken resolution to proceed with extremity, not the less it pleased her majesty to desire us to stay for two days on

taking our leave, until she had advised upon our propositions; since which time her majesty is become more hard by some letters (as we are informed) has come from Scotland, making some hope to believe that your majesty takes not this matter to heart, as we know the contrary in effect, and had of before removed the like opinion out of her majesty's mind, which by sinister information was credited, their reports has hindered our commission, and abused this queen, fearing in like manner we shall be stayed until answer come from Scotland by such person as they have intelligence of. And albeit that it will be well enough known to all men how heavily your majesty takes this proceeding to heart; the truth is, that they have by this occasion so persuaded the queen, that it is like to hinder our negotiation. As also Alchinder (i. e. Alexander) Steward is to be directed in their party, by our knowledge, who has awantyt more of his credit than I believe he may perform, and we willed him to desist from this dealing, saying it does harm, and he is not meet for that purpose, remitting to your majesty's good discretion to take order herein, as we shall be answerable to your majesty not to omit any point we have in charge, as the truth is, the master of Grhaye has behaved himself very uprightly and discreetly in this charge, and evil tayne with be divers in these parts who were of before his friends. We have been behalden to the menstrals who has born us best company, but has not been troubled with others. Wylzeme Kethe hath left nothing undone that he had in charge. As for master Archibald he has promised at all times to do his dewoyr, wherein he shall find true report made to your majesty. Craving pardon of your majesty that I have been so tedious, after I have kissed your majesty's hand I humbly take my leave. Praying God to grant your majesty many good days and happy, in whose protection I commit your majesty. At London, the 20th of Jan. 1586.

Sir,

Albeit Master George has not been in commission, he is not inferior in his service to any of us, as well by his good advice and diligent care he takes for the advancement of your service, wherein we have not been a little furthered.

To the King's Majesty, from the Master of Gray and Sir Robert Melvil.

21st Jan. 1586. An original in the Collect. of Sir A. Dick. vol. A. fol. 180.

Please it your majesty in the last audience we had, since our last advertisement by W^m. Murray, we find her majesty at the resuming our offers something mitigated, and inclined to consider more deeply of them, before we got our leave. At our reasoning, certain of the council, namely, my lord of Leicester, sir Christopher Haton, my lord Hunsdon, and my lord Hawart being present in the chamber, gave little show of any great contentment to have her from her former resolution, now cassin in perplexitie what we should do, always we left her in that state, and since have daily pressed conference with the whole council, which to this hour we have not yet obtained. This day we have sent down to crave our leave. The greatest hinder which our negotiation has found hitherto is a persuasion they have here, that either your majesty deals superficially in this matter, or that with time ye may be moved to digest it, which when with great difficulty we had expugnit, we find anew that certain letters written to them of late from Scotland has found some place of credit with them in our contrare. So that resolving now to clear them of that doubt by a special message, they have made choice of sir Alexander Stewart to try your highness's meaning in it, and to persuade your majesty to like of their proceedings, wherefrom no terror we can say out unto him is able to divert him; he has given out that he has credit with your majesty, and that he doubts not to help this matter at your highness's hand. If he come there that errand, we think your majesty will not oversee the great disgrace that his attempts shall give us here, if he be not tane order with before that he be further heard; and if so be that any other be directed (as our intelligence gives us there shall) our humble suit is to your majesty, that it may please your highness to hear of us what we find here, and at what point we leave this matter with her majesty, before that they find aceidence, the causes whereof remitting to our private letters. We commit your majesty for the present to God's eternal protection. From London, this 21st of Jan. 1586.

No. LI. (Page 182.)

Copy of a letter from the Earls of Shrewsbury and Kent, &c. touching their proceedings with regard to the death of the Scottish queen, to her Majesty's Council.

It may please your hon^ble good lordships to be advertised, that, on Saturday the 4th of this present, I Robert Beale came to the house of me the earl of Kent, in the county of ———, to whom your lordships' letter and message was delivered, and her majesty's commission shewn; whereupon I the earl forthwith sent precepts for the staying of such hues and cries as had troubled the country, requiring the officers to make stay of all such persons as should bring any such warrants without names, as before had been done, and to bring them to the next justice of peace, to the intent that upon their examination the occasion and causes of such seditious bruites might be bolted out and known. It was also resolved that I the said earl of Kent should, on the Monday following, come to Lylford to Mr. Elmes, to be the nearer and readier to confer with my lord of Shrewsbury. Sunday at night, I Robert

Beale came to Fotheringay, where, after the communicating the commission, &c. unto us sir Amice Pawlet and sir Druc Drury, by reason that sir A. Pawlet was but late recovered and not able to repair to the earl of Shrewsbury, being then at Orton, six miles off, it was thought good that we sir Drue Drury and Robert Beale should go unto him, which we did on —— morning; and together with the delivery of her majesty's commission, and your lordships' letter, imparted unto him what both the earl of Kent and we thought meet to be done in the cause, praying his lordship hither the day following, to confer with me the said earl, concerning the same; which his lordship promised. And for the better colouring of the matter, I the said earl of Shrewsbury sent to Mr. Beale, a justice of peace of the county of Huntingdon next adjoining, to whom I communicated that warrant, which Robert Beale had under your lordships' hands, for the staying of the hues and cries, requiring him to give notice thereof to the town of Peterborough, and especially unto the justiecs of peace of Huntingdonshire, and to cause the pursuers and bringers of such warrants to be stayed, and brought to the next justice of peace; and to bring us word to Fotheringay castle on Wednesday morning what he had done, and what he should in the mean time understand of the authors of such bruites. Which like order, I also sir Amias Pawlet had taken on Monday morning in this town, and other places adjoining. The same night the sheriff of the county of Northampton, upon the receipt of your lordships' letter, came to Arundel, and letters were sent to me the earl of Kent of the earl of Shrewsbury's intention and meeting here on Tuesday by noon; and other letters were also sent with their lordships' assent to sir Edward Montague, sir Richard Knichtly, Mr. Tho. Brudenell, &c. to be here on Wednesday by eight of the clock in the morning, at which time it was thought meet that the execution should be. So upon Tuesday we the earls came hither, where the sheriff met us; and upon conference between us it was resolved, that the care for the sending for the surgeons, and other necessary provision, should be committed unto him against the time. And we forthwith repaired unto her, and first in the presence of herself and her folks, to the intent that they might see and report hereafter that she was not otherwise proceeded with than according to law, and the form of the statute made in the 27th year of her majesty's reign, it was thought convenient that her majesty's commission should be read unto her, and afterwards she was by sundry speeches willed to prepare herself against the next morning. She was also put in remembrance of her fault, the honourable manner of proceeding with her, and the necessity that was imposed upon her majesty to proceed to execution, for that otherwise it was found that they could not both stand together; and however, sithence the lord Buckhurst's his being here new conspiracies were attempted, and so would be still; wherefore since she had now a good while sine warning, by the said lord and Robert Beale, to think upon and prepare herself to die, we doubted not but that she was, before this, settled, and therefore would accept this message in good part. And to the effect that no christian duty might be said to be omitted that might be for her comfort, and tend to the salvation both of her body and soul in the world to come, we offered unto her, that if it would please her to confer with the bishop and dean of Peterborough, she might; which dean, we had, for that purpose, appointed to be lodged within one mile of that place. Hereto she replied, crossing herself in the name of the Father, the Son, and the Holy Ghost, saying that she was ready to die in the catholic Roman faith, which her ancestors had professed, from which she would not be removed. And albeit we used many persuasions to the contrary, yet we prevailed nothing; and therefore, when she demanded the admittance of her priest, we utterly denied that unto her. Hereupon, she demanded to understand what answer we had touching her former petition to her majesty, concerning her papers of accounts, and the bestowing of her body. To the first we had none other answer to make, but that we thought if they were not sent before, the same might be in Mr. Waade's custody, who was now in France; and seeing her papers could not any wise pleasure her majesty, we doubted not but that the same would be delivered unto such as she should appoint. For, for our own parts, we undoubtedly thought that her majesty would not make any profit of her things, and therefore (in our opinions) she might set down what she would have done, and the same should be imparted unto her majesty, of whom both she and others might expect all courtesy. Touching her body, we knew not her majesty's pleasure, and therefore could neither say that her petition should be denied or granted. For the practice of Babington, she utterly denied it, and would have inferred it that her death was for her religion; whereunto it was eftsoons by us replied, that for many years she was not touched for religion, nor should have been now, but that this proceeding against her was for treason, in that she was culpable of that horrible conspiracy for destroying her majesty's person, which she again denied, adding further, that albeit she for herself forgave them that were the procurers of her death, yet she doubted not but that God would take vengeance thereof. And being charged with the depositions of Naué and Curle to prove it against her, she replied, that she accused none, but that hereafter when she shall be dead, and they remain alive, it shall be seen how indifferently she had been dealt with, and what measure had been used unto her; and asked, whether it had been heard before this, that servants had been practised to accuse their mistress? and hereupon also required what was become of them, and where they remained.

Upon our departure from her, for that it seemed by the commission that the charge of her was in the

disposition of us the earls, we required s. Amias Pawlet and s. Drue Drurie, to receive for that night the charge which they had before, and to cause the whole number of soldiers to watch that night, and that her folks should be put up, and take order that only four of them should be at the execution, remaining aloof of, and guarded with certain persons so as they should not come near unto her, which were Melvil her steward, the physician, surgeon, and apothecary.

Wednesday morning, after that we the earls were repaired unto the castle, and the sheriff had prepared all things in the hall for the execution, he was commanded to go into her chamber, and to bring her down to the place where were present, we which have signed this letter, Mr. Henry Talbot, Esq. sir Edward Montague, Knt. his son and heir apparent, and William Montague his brother, sir Richard Knichtly, Knt. Mr. Thomas Brudenell, Mr. Beuill, Mr. Robert and John Wingefield, Mr. Forrest, and Rayner, Benjamin Piggot, Mr. Dean of Peterborough, and others.

At the stairfold she paused to speak to Melvil in our hearing, which was to this effect, "Melvil, as thou hast been an honest servant to me, so I pray thee continue to my son, and commend me unto him. I have not impugn'd his religion, nor the religion of others, but wish him well. And as I forgive all that have offended me in Scotland, so I would that he should also; and beseech God, that he would send him his Holy Spirit, and illuminate him." Melvil's answer was, that he would so do, and at that instant he would beseech God to assist him with his Spirit. Then she demanded to speak with her priest, which was denied unto her, the rather for that she came with a superstitious pair of beads and a crucifix. She then desired to have her women to help her, and upon her earnest request, and saying that when other gentlewomen were executed, she had read in chronicles that they had women allowed unto them, it was permitted that she should have two named by herself, which were Mrs. Curle and Kennedy. After she came to the seaffold, first in presence of them all, her majesty's commission was openly read, and afterwards Mr. Dean of Peterborough, according to a direction which he had receeived the night before from us the earls, wou'd have made a godly admonition to her, to repent and die well in the fear of God and charity to the world. But at the first entry, she utterly refused it, saying that she was a catholique, and that it were a folly to move her, being so resolutely minded, and that our prayers would little avail her. Whereupon, to the intent it might appear that we, and the whole assembly, had a christian desire to have her die well, a godly prayer, conceived by Mr. Dean, was read and pronounced by us all. "That it would please Almighty God to send her his Holy Spirit and grace, and also, if it were his will, to pardon all her offences, and of his merey to receive her into his heavenly and everlasting kingdom, and finally to bless her majesty, and confound all her enemies;" whereof Mr. Dean, minding to repair up shortly, can shew your lordships a copy.

This done, she pronounced a prayer upon her knees to this effect, "to beseech God to send her his Holy Spirit; and that she trusted to receive her salvation in his blood, and of his grace to be received into his kingdom, besought God to forgive her enemies, as she forgave them; and to turn his wrath from this land, to bless the queen's majestie, that she might serve him. Likewise to be merciful to her son, to have compassion of his church, and altho' she was not worthy to be heard, yet she had a confidence in his mercy, and prayed all the saints to pray unto her Saviour to receive her." After this (turning towards her servants) she desired them to pray for her, that her Saviour would receive her. Then, upon petition made by the executioners, she pardoned them; and said, she was glad that the end of all her sorrows was so near. Then she misliked the whinning and weeping of her women, saying that they rather ought to thank God for her resolution, and kissing them, willed them to depart from the seaffold, and farewell; and so resolutely kneeled down, and having a kerchief banded about her eyes, laid down her neck, whercupon the executioner proceeded. Her servants were incontinently removed, and order taken that none should approach unto her corps, but that it should be embalmed by the surgeon appointed. And further, her crosse, apparel, and other things are retained here, and not yielded unto the executioner for inconveniences that might follow; but he is remitted to be rewarded by such as sent him hither.

This hath been the manner of our dealings in this service, whereof we have thought good to advertise your lordships as particularly as we could for the time; and further, have thought good to signify unto your lordships besides, that for the avoiding of all sinester and slanderous reports that may be raised to the contrary, we have caused a note thereof to be conceived to the same effect in writing, which we the said lords have subscribed, with the hands of such other there the knights and gentlemen above named that were present at the action. And so beseeching Almighty God long to bless her majesty with a most prosperous reign, and to confound all his and her enemies, we take our leaves. From Fotheringay-eastle, the 8th of February 1586, in hast.

Your lordships at commandment.

N. B. This, as well as several other papers in this Appendix, is taken from a collection made by Mr. Crawfurd of Drumsoy, historiographer to queen Anne, now in the library of the Faculty of Advocates. Mr. Crawfurd's transeriber has omitted to mention the book in the Cott. Lib. where it is to be found.

No. LII. (Page 184.)

The objections against Mr. Davison, in the cause of the late Scottish queen, must concern things done, either, 1. *Before her trial at Fotheringay.* 2. *During that session.* 3. *After the same.*

Cott. Lib. Cal. C. 1.

1. BEFORE her trial, he neither is, nor can be, charged to have had any hand at all in the cause of the said queen, or done any thing whatsoever concerning the same directly or indirectly.

2. During that session he remained at court, where the only interest he had therein was, as her majesty's secretary, to receive the letters from the commissioners, impart them to her highness, and return them her answers.

3. After the return thence of the said commissioners, it is well known to all her council,

1. That he never was at any deliberation or meeting whatsoever, in parliament or council, concerning the cause of the said queen, till the sending down of her majesty's warrant unto the commissioners, by the lords and others of her council.

2. That he was no party in signing the sentence passed against her.

3. That he never penned either the proclamation publishing the same, the warrant after her death, nor any other letter or thing whatsoever concerning the same. And,

That the only thing which can be specially and truly imputed to him, is the carrying up the said warrant unto her majesty to be signed; she sending a great counsellor unto him, with her pleasure to that end, and carrying it to the great seal of England, by her own special direction and commandment.

For the better clearing of which truth, it is evident,

1. That the letter, being penned by the lord treasurer, was delivered by him unto Mr. Davison, with her majesty's own privity, to be ready for to sign, when she should be pleased to call for it.

2. That being in his hands, he retained it at the least five or six weeks unpresented, nor once offering to carry it up, till she sent a great counsellor unto him for the same, and was sharply reproved therefor by a great peer, in her majesty's own presence.

3. That having signed it, she gave him an express commandment to carry it to the seal, and, being sealed, to send it immediately away unto the commissioners, according to the direction; herself appointing the hall of Fotheringay for the place of execution, misliking the court-yard in divers respects; and, in conclusion, absolutely forbad him to trouble her any further, or let her hear any more hereof, till it was done; she, for her part, having (as she said) performed all that, in law or reason, could be required of her.

4. Which directions notwithstanding, he kept the warrant sealed all that night, and the greatest part of the next day in his hands, brought it back with him to the court, acquainted her majesty withal, and finding her majesty resolved to proceed therein, according to her former directions, and yet desirous to carry the matter so as she might throw the burthen from herself, he absolutely resolved to quit his hands thereof.

5. And hereupon went over unto the lord treasurer's chamber, together with Mr. Vice-chamberlain Hatton, and in his presence restored the same into the hands of the said lord treasurer, of whom he had before received it, who from thenceforth kept it, till himself and the rest of the council sent it away.

Which, in substance and truth, is all the part and interest the said Davison had in this cause, whatsoever is, or may be pretended to the contrary.

Touching the sending down thereof unto the commissioners, that it was the general act of her majesty's council, (as is before mentioned,) and not any private act of his, may appear by,

1. Their own confession. 2. Their own letters sent down therewith to the commissioners. 3. The testimonies of the lords and others to whom they were directed. As also, 4. Of Mr. Beale, by whom they were sent. 5. The tenor of her majesty's first commission for their calling to the star-chamber for the same, and private appearance and submission afterward instead thereof before the lord chancellor Bromley. 6. The confession of Mr. Attorney-general in open court confirmed. 7. By the sentence itself upon record. 8. Besides a common act of council, containing an answer to be verbally delivered to the Scottish ambassador then remaining here, avowing and justifying the same.

Now where some suppose him to have given some extraordinary furtherance thereunto, the contrary may evidently appear by,

1. His former absolute refusal to sign the band of association, being earnestly pressed thereunto by her majesty's self.

2. His excusing of himself from being used as a commissioner, in the examination of Babington and his complices, and avoiding the same by a journey to the Bath.

3. His being a mean to stay the commissioners from pronouncing of the sentence at Fotheringay, and deferring it till they should return to her majesty's presence.

4. His keeping the warrant in his hands six weeks unpresented, without once offering to carry it up, till her majesty sent expressly for the same to sign.

5. His deferring to send it away after it was sealed unto the commissioners, as he was specially com-

manded, staying it all that night, and the greatest part of the next day in his hands.

6. And finally, his restoring thereof into the hands of the lord treasurer, of whom he had before received the same.

Which are clear and evident proofs, that the said Davison did nothing in this cause whatsoever, contrary to the duty of the place he then held in her majesty's service.

Cal. c. 9.

This seems to be an original. On the back is this title:

The innocency of Mr. Davison in the cause of the late Scottish queen.

No. LIII. (Page 210.)

Letter from Θ, to his Majesty King James.[a]

From the original. Bibl. Fac. Jur. Edin. A. 1. 34. Nov. 4.

Most worthy prince, the depending dangers upon your affectionates, have been such, as hath inforced silence in him who is faithfully devoted to your person, and in due time of trial will undergo all hazards of fortune for the maintenance of the just regal rights, that, by the laws divine, of nature and of nations, is invested in your royal person. Fall not then, most noble and renowned prince, from him whose providence hath in many dangers preserved you, no doubt to be an instrument of his glory, and the good of his people. Some secrets, I find, have been revealed to your prejudice, which must proceed from some ambitious violent spirited person near your majesty in council and favour; no man in particular will I accuse, but I am sure it hath no foundation from any, with whom, for your service, I have held correspondence; otherwise I had long since been disabled from performance of those duties that the thoughts of my heart endeavoureth; being only known to this worthy nobleman bearer hercof, one noted in all parts of Christendom for his fidelity to your person and state, and to Mr. David Fowlis your most loyal servant, my first and faithful correspondent, and unto James Hudsone, whom I have found, in all things that concern you, most secret and assured. It may therefore please you majesty, at the humble motion of Θ, which jargon I desire to be the indorsement of your commands unto me, that by some token of your favour, he may understand in what terms you regard his fidelity, secrecy, and service. My passionate affection to your person (not as you are a king, but as you are a good king, and have just title, after my sovereign, to be a great king) doth transport me to presumption. Condemn not, most noble prince, the motives of care and love, altho' mixed with defects in judgment.

1. I therefore first beseech your majesty, that for the good of those whom God, by divine providence, hath destined to your charge, that you will be pleased to have an extraordinary care of all practicers or practices against your person; for it is not to be doubted, but that in both kingdoms, either out of ambition, faction, or fear, there are many that desire to have their sovereign in minority, whereby the sovereignty and state might be swayed by partiality of subalternate persons, rather than by true rule of power and justice. Preserve your person, and fear not the practices of man upon the point of your right, which will be preserved and maintained against all assaults of competition whatever. Thus I leave the protection of your person and royal posterity to the Almighty God of heaven, who bless and preserve you, and all yours, in all regal happiness to his glory.

2. Next to the preservation of your person, is the conservation and secret keeping of your councells, which, as I have said, are often betrayed and discovered, either, out of pretended zeal in religion, turbulent faction, or base conception, the which your majesty is to regard with all circumspection, as a matter most dangerous to your person and state, and the only means to ruin and destroy all those that stand faithfully devoted to your majesty's service. Some particulars, and persons of this nature, I make no doubt have been discovered by the endeavours of this nobleman, the bearer hereof, of whom your majesty may be further informed.

3. The third point considerable is, that your majesty by all means possible, secure yourself of the good affection of the French king and states, by the negotiation of some faithful secret confident; the French naturally distasting the union of the British islands under one monarch. In Germany, I doubt not but you have many allies and friends, but by reason of their remote state they do not so much importe this affair, which must be guided by a quick and sudden motion.

4. When God, by whose providence the period of all persons and times is determined, shall call to his kingdom of glory her majesty, (although I do assuredly hope that there will not be any question in competition, yet for that I hold it not fitting to give any minute entrance into a cause of so high a nature,) I do humbly beseech your majesty to design a secret, faithful, and experienced confident servant of yours, being of an approved fidelity and judgment, continually to be here resident, whose negotiation it were convenient your majesty should fortifie with such secret trust and powers, as there may not need 14 days respite to post for authority, in a cause that cannot endure ten hours respite without varieties of danger. In the which it is to be considered, that all such as pretend least good to your establishment, will not in public oppugn your title, but out of their cunning ambition will seek to gain time by alledging their pretence of common good to the state, in propounding of good conditions for disburthening the common weale of divers hard laws,

a In the former editions, I printed this as a letter from sir Robert Cecil, but am now satisfied that I was mistaken in forming this opinion. See Sir D. Dalrymple's Rem. on the History of Scot. p. 233. As the letter is curious, I republish it, though I cannot pretend to say to which of the king's numerous correspondents in England it should be ascribed.

heavy impositions, corruptions, oppressions, &c. which is a main point to lead the popular, who are much disgusted with many particulars of this nature. It were therefore convenient, that these motives, out of your majesty's providence, should be prevented, by your free offer in these points following, viz.

1. That your majesty would be pleased to abolish purveyors and purveyance, being a matter infinitely offensive to the common people, and the whole kingdom, and not profitable to the prince.

2. That your majesty would be pleased to dissolve the court of wards, being the ruin of all the noble and ancient families of this realm, by base matches, and evil education of their children, by which no revenue of the crown will be defrayed.

3. The abrogating the multiplicity of penal laws, generally repined against by the subject, in regard of their uncertainty, being many times altered from their true meaning, by variety of interpretation.

4. That your majesty will be pleased to admit free outport of the native commodities of this kingdom, now often restrained by subalternate persons for private profit, being most prejudicial to the commerce of all merchants, and a plain destruction of the true industry and manufacture of all kingdoms, and against the profit of the crown.

These, being by your majesty's confidents in the point of time propounded, will assuredly confirm unto your majesty the hearts and affections of the whole kingdom, and absolutely prevent all insinuations and devices of designing patriots, that, out of pretext of common good, would seek to patronize themselves in popular opinion and power, and thereby to derogate from your majesty's bounty and free favour by princely merit of your moderation, judgment, and justice.

Your majesty's favour, thus granted to the subject, will no way impeach the profits of the crown but advance them. The disproportionable gain of some chequer officers, with the base and mercenary profits of the idle unnecessary clerks and attendants, will only suffer some detriment; but infinite will be the good unto the kingdom, which will confirm unto your majesty the universal love and affection of the people, and establish your renown in the highest esteem to all posterity.

The Lord preserve your majesty, and make you triumphant over all your enemies.

My care over his person whose letters pass in this pacquet, and will die before he leave to be yours, shall be no less than of mine own life; and in like esteem will I hold all your faithful confidents, notwithstanding I will hold myself reserved from being known unto any of them, in my particular devoted affections unto your majesty; only this extraordinary worthy man, whose associate I am in his misfortune, doth know my heart, and we both will pray for you; and if we live you shall find us together.

I beseech your majesty burn this letter, and the others; for altho' it be in an unusual hand, yet it may be discovered.

Your majesty's most devoted,
and humble servant,
Θ.

HISTORY

OF THE

REIGN OF CHARLES V.

DEDICATION.

TO THE KING.

SIR,

I PRESUME to lay before your majesty the history of a period which, if the abilities of the writer were equal to the dignity of the subject, would not be unworthy the attention of a monarch who is no less a judge than a patron of literary merit.

History claims it as her prerogative to offer instruction to kings as well as to their people. What reflections the reign of the emperor CHARLES V. may suggest to your majesty, it becomes not me to conjecture. But your subjects cannot observe the various calamities which that monarch's ambition to be distinguished as a conqueror brought upon his dominions, without recollecting the felicity of their own times, and looking up with gratitude to their sovereign, who during the fervour of youth, and amidst the career of victory, possessed such self-command and maturity of judgment as to set bounds to his own triumphs, and prefer the blessings of peace to the splendour of military glory.

Posterity will not only celebrate the wisdom of your majesty's choice, but will enumerate the many virtues which render your reign conspicuous for a sacred regard to all the duties incumbent on the sovereign of a free people.

It is our happiness to feel the influence of these virtues, and to live under the dominion of a prince who delights more in promoting the public welfare than in receiving the just praise of his royal beneficence.

I am,

SIR,

YOUR MAJESTY'S

Most faithful Subject

And most dutiful Servant,

WILLIAM ROBERTSON.

PREFACE.

No period in the history of one's own country can be considered as altogether uninteresting. Such transactions as tend to illustrate the progress of its constitution, laws, or manners, merit the utmost attention. Even remote and minute events are objects of a curiosity, which being natural to the human mind, the gratification of it is attended with pleasure.

But with respect to the history of foreign states, we must set other bounds to our desire of information. The universal progress of science during the two last centuries, the art of printing, and other obvious causes, have filled Europe with such a multiplicity of histories, and with such vast collections of historical materials, that the term of human life is too short for the study or even the perusal of them. It is necessary, then, not only for those who are called to conduct the affairs of nations, but for such as inquire and reason concerning them, to remain satisfied with a general knowledge of distant events, and to confine their study of history in detail chiefly to that period in which the several states of Europe having become intimately connected, the operations of one power are so felt by all as to influence their councils and to regulate their measures.

Some boundary, then, ought to be fixed in order to separate these periods. An era should be pointed out, prior to which each country, little connected with those around it, may trace its own history apart; after which the transactions of every considerable nation in Europe become interesting and instructive to all. With this intention I undertook to write the history of the emperor CHARLES V. It was during his administration that the powers of Europe were formed into one great political system, in which each took a station, wherein it has since remained with less variation than could have been expected after the shocks occasioned by so many internal revolutions and so many foreign wars. The great events which happened then have not hitherto spent their force. The political principles and maxims then established still continue to operate. The ideas concerning the balance of power, then introduced or rendered general, still influence the councils of nations.

The age of CHARLES V. may therefore be considered as the period at which the political state of Europe began to assume a new form. I have endeavoured to render my account of it an introduction to the history of Europe subsequent to his reign. While his numerous biographers describe his personal qualities and actions; while the historians of different countries relate occurrences the consequences of which were local or transient, it hath been my purpose to record only those great transactions in his reign, the effects of which were universal, or continue to be permanent.

As my readers could derive little instruction from such a history of the reign of CHARLES V. without some information concerning the state of Europe previous to the sixteenth century, my desire of supplying this has produced a preliminary volume, in which I have attempted to point out and to explain the great causes and events to whose operation all the improvements in the political state of Europe, from the subversion of the Roman empire to the beginning of the sixteenth century, must be ascribed. I have exhibited a view of the progress of society in Europe, not only with respect to interior government, laws, and manners, but with respect to the command of the national force requisite in foreign operations: and I have described the political constitution of the principal states in Europe at the time when CHARLES V. began his reign.

In this part of my work I have been led into several critical disquisitions, which belong more properly to the province of the lawyer or antiquary than to that of the historian. These I have placed at the end of the first volume, under the title of Proofs and Illustrations. Many of my readers will probably give little attention to such researches. To some they may, perhaps, appear the most curious and interesting part of the work. I have carefully pointed out the sources from which I have derived information, and have cited the writers on whose authority I rely, with a minute exactness, which might appear to border upon ostentation, if it were possible to be vain of having read books, many of which nothing but the duty of examining with accuracy whatever I laid before the public, would have

induced me to open. As my inquiries conducted me often into paths which were obscure or little frequented, such constant references to the authors who have been my guides, were not only necessary for authenticating the facts which are the foundations of my reasonings, but may be useful in pointing out the way to such as shall hereafter hold the same course, and in enabling them to carry on their researches with greater facility and success.

Every intelligent reader will observe one omission in my work, the reason of which it is necessary to explain. I have given no account of the conquests of Mexico and Peru, or of the establishment of the Spanish colonies in the continent and islands of America. The history of these events I originally intended to have related at considerable length. But upon a nearer and more attentive consideration of this part of my plan, I found that the discovery of the New World; the state of society among its ancient inhabitants; their character, manners, and arts; the genius of the European settlements in its various provinces, together with the influence of these upon the systems of policy or commerce in Europe; were subjects so splendid and important, that a superficial view of them could afford little satisfaction; and, on the other hand, to treat of them as extensively as they merited, must produce an episode disproportionate to the principal work. I have therefore reserved these for a separate history; which, if the performance now offered to the public shall receive its approbation, I purpose to undertake.

Though by omitting such considerable but detached articles in the reign of CHARLES V., I have circumscribed my narration within more narrow limits, I am yet persuaded, from this view of the intention and nature of the work which I thought it necessary to lay before my readers, that the plan must still appear to them too extensive and the undertaking too arduous. I have often felt them to be so. But my conviction of the utility of such a history prompted me to persevere. With what success I have executed it the public must now judge. I wait, not without solicitude, for its decision, to which I shall submit with a respectful silence.

A

VIEW

OF THE

PROGRESS OF SOCIETY

IN EUROPE,

FROM THE SUBVERSION OF THE ROMAN EMPIRE TO THE BEGINNING OF THE SIXTEENTH CENTURY.

SECTION I.

View of the Progress of Society in Europe, with respect to interior Government, Laws, and Manners.

The effects of the Roman power on the state of Europe.

Two great revolutions have happened in the political state and in the manners of the European nations. The first was occasioned by the progress of the Roman power, the second by the subversion of it. When the spirit of conquest led the armies of Rome beyond the Alps, they found all the conntries which they invaded inhabited by people whom they denominated barbarians, but who were nevertheless brave and independent. These defended their ancient possessions with obstinate valour. It was by the superiority of their discipline, rather than that of their courage, that the Romans gained any advantage over them. A single battle did not, as among the effeminate inhabitants of Asia, decide the fate of a state. The vanquished people resumed their arms with fresh spirit, and their undisciplined valour, animated by the love of liberty, supplied the want of conduct as well as of union.

The desolation which it occasioned.

During those long and fierce struggles for dominion or independence, the countries of Europe were successively laid waste, a great part of their inhabitants perished in the field, many were carried into slavery, and a feeble remnant, incapable of further resistance, submitted to the Roman power.

The improvements which it introduced.

The Romans having thus desolated Europe, set themselves to civilize it. The form of government which they established in the conquered provinces, though severe, was regular, and preserved public tranquillity. As a consolation for the loss of liberty, they communicated their arts, sciences, language, and manners to their new subjects. Europe began to breathe and to recover strength after the calamities which it had undergone: agriculture was encouraged; population increased; the ruined cities were rebuilt: new towns were founded; an appearance of prosperity succeeded, and repaired, in some degree, the havoc of war.

The bad consequences of their dominion.

This state, however, was far from being happy, or favourable to the improvement of the human mind. The vanquished nations were disarmed by their conquerors, and overawed by soldiers kept in pay to restrain them. They were given up as a prey to rapacious governors, who plundered them with impunity; and were drained of their wealth by exorbitant taxes, levied with so little attention to the situation of the provinces, that the impositions were often increased in proportion to their inability to support them. They were deprived of their most enterprising citizens, who resorted to a distant capital in quest of preferment or of riches; and were accustomed in all their actions to look up to a superior, and tamely to receive his commands. Under so many depressing circumstances it was hardly possible that they could retain vigour or generosity of mind. The martial and independent spirit which had distinguished their ancestors became, in a great measure, extinct among all the people subjected to the Roman yoke; they lost not only the habit, but even the capacity, of deciding for themselves, or of acting from the impulse of their own minds; and the dominion of the Romans, like that of all great empires, degraded and debased the human species.[a]

a See Note I.

The irruption of the barbarous nations.

A society in such a state could not subsist long. There were defects in the Roman government, even in its most perfect form, which threatened its dissolution. Time ripened these original seeds of corruption, and gave birth to many new disorders. A constitution unsound and worn out must have fallen into pieces of itself without any external shock. The violent irruption of the Goths, Vandals, Huns, and other barbarians, hastened this event, and precipitated the downfall of the empire. New nations seemed to arise, and to rush from unknown regions, in order to take vengeance on the Romans for the calamities which they had inflicted on mankind. These fierce tribes either inhabited the various provinces in Germany which had never been subdued by the Romans, or were scattered over those vast countries in the north of Europe and north-west of Asia which are now occupied by the Danes, the Swedes, the Poles, the subjects of the Russian empire, and the Tartars. Their condition and transactions previous to their invasion of the empire are but little known. Almost all our information with respect to these is derived from the Romans; and as they did not penetrate far into countries which were at that time uncultivated and uninviting, the accounts of their original state given by the Roman historians are extremely imperfect. The rude inhabitants themselves, destitute of science as well as of records, and without leisure or curiosity to inquire into remote events, retained perhaps some indistinct memory of recent occurrences, but beyond these all was buried in oblivion, or involved in darkness and in fable.[b]

State of the countries from which they issued.

The prodigious swarms which poured in upon the empire from the beginning of the fourth century to the final extinction of the Roman power, have given rise to an opinion that the countries whence they issued were crowded with inhabitants; and various theories have been formed to account for such an extraordinary degree of population as hath procured these countries the appellation of The Storehouse of Nations. But if we consider that the countries possessed by the people who invaded the empire were of vast extent; that a great part of these was covered with woods and marshes; that some of the most considerable of the barbarous nations subsisted entirely by hunting or pasturage, in both which states of society large tracts of land are required for maintaining a few inhabitants; and that all of them were strangers to the arts and industry without which population cannot increase to any great degree, we must conclude that these countries could not be so populous in ancient times as they are in the present, when they still continue to be less peopled than any other part of Europe or of Asia.

The people fit for daring enterprises.

But the same circumstances that prevented the barbarous nations from becoming populous, contributed to inspire or to strengthen the martial spirit by which they were distinguished. Inured by the rigour of their climate or the poverty of their soil, to hardships which rendered their bodies firm and their minds vigorous; accustomed to a course of life which was a continual preparation for action; and disdaining every occupation but that of war or of hunting, they undertook and prosecuted their military enterprises with an ardour and impetuosity of which men softened by the refinements of more polished times can scarcely form any idea.[c]

The motives of their first excursions.

Their first inroads into the empire proceeded rather from the love of plunder than from the desire of new settlements. Roused to arms by some enterprising or popular leader, they sallied out of their forests; broke in upon the frontier provinces with irresistible violence; put all who opposed them to the sword; carried off the most valuable effects of the inhabitants; dragged along multitudes of captives in chains; wasted all before them with fire or sword; and returned in triumph to their wilds and fastnesses. Their success, together with the accounts which they gave of the unknown conveniences and luxuries that abounded in countries better cultivated or blessed with a milder climate than their own, excited new adventurers, and exposed the frontier to new devastations.

Their reasons for settling in the countries which they conquered.

When nothing was left to plunder in the adjacent provinces, ravaged by frequent excursions, they marched further from home, and finding it difficult or dangerous to return, they began to settle in the countries which they had subdued. The sudden and short excursions in quest of booty which had alarmed and disquieted the empire ceased; a more dreadful calamity impended. Great bodies of armed men, with their wives and children, and slaves and flocks, issued forth, like regular colonies, in quest of new settlements. People who had no cities, and seldom any fixed habitation, were so little attached to their native soil, that they migrated without reluctance from one place to another. New adventurers followed them. The lands which they deserted were occupied by more remote tribes of barbarians. These, in their turn, pushed forward into more fertile countries, and, like a torrent continually increasing, rolled on, and swept every thing before them. In less than two centuries from their first irruption, barbarians of various names and lineage plundered and took possession of Thrace, Pannonia, Gaul, Spain, Africa, and at last of Italy and Rome itself. The vast fabric of the Roman power, which it had been the work of ages to perfect, was in that short period overturned from the foundation.

The extent of their settlements.

The circumstances which occasioned the downfall of the Roman empire.

Many concurring causes prepared the way for this great revolution, and insured success to the nations which invaded the empire. The Roman com-

b See Note II.

c See Note III.

monwealth had conquered the world by the wisdom of its civil maxims and the rigour of its military discipline. But under the emperors the former were forgotten or despised, and the latter was gradually relaxed. The armies of the empire in the fourth and fifth centuries bore scarcely any resemblance to those invincible legions which had been victorious wherever they marched. Instead of freemen who voluntarily took arms from the love of glory or of their country, provincials and barbarians were bribed or forced into service. These were too feeble, or too proud, to submit to the fatigue of military duty. They even complained of the weight of their defensive armour as intolerable, and laid it aside. Infantry, from which the armies of ancient Rome derived their vigour and stability, fell into contempt; the effeminate and undisciplined soldiers of later times could hardly be brought to venture into the field but on horseback. These wretched troops, however, were the only guardians of the empire. The jealousy of despotism had deprived the people of the use of arms; and subjects oppressed and rendered incapable of defending themselves, had neither spirit nor inclination to resist their invaders, from whom they had little to fear, because their condition could hardly be rendered more unhappy. At the same time that the martial spirit became extinct, the revenues of the empire gradually diminished. The taste for the luxuries of the east increased to such a pitch in the imperial court, that great sums were carried into India, from which, in the channel of commerce, money never returns. By the large subsidies paid to the barbarous nations, a still greater quantity of specie was withdrawn from circulation. The frontier provinces, wasted by frequent incursions, became unable to pay the customary tribute; and the wealth of the world, which had long centred in the capital of the empire, ceased to flow thither in the same abundance, or was diverted into other channels. The limits of the empire continued to be as extensive as ever, while the spirit requisite for its defence declined, and its resources were exhausted. A vast body, languid, and almost unanimated, became incapable of any effort to save itself, and was easily overpowered. The emperors, who had the absolute direction of this disordered system, sunk in the softness of eastern luxury, shut up within the walls of a palace, ignorant of war, unacquainted with affairs, and governed entirely by women and eunuchs, or by ministers equally effeminate, trembled at the approach of danger, and under circumstances which called for the utmost vigour in counsel as well as in action, discovered all the impotent irresolution of fear and of folly.

The circumstances which contributed to the success of the barbarous nations.

In every respect the condition of the barbarous nations was the reverse of that of the Romans. Among the former the martial spirit was in full vigour; their leaders were hardy and enterprising; the arts which had enervated the Romans were unknown; and such was the nature of their military institutions, that they brought forces into the field without any trouble, and supported them at little expense. The mercenary and effeminate troops stationed on the frontier, astonished at their fierceness, either fled at their approach, or were routed on the first onset. The feeble expedient to which the emperors had recourse, of taking large bodies of the barbarians into pay, and of employing them to repel new invaders, instead of retarding, hastened the destruction of the empire. These mercenaries soon turned their arms against their masters, and with greater advantage than ever; for by serving in the Roman armies they had acquired all the discipline or skill in war which the Romans still retained; and by adding these to their native ferocity, they became altogether irresistible.

The spirit with which they carried on war.

But though, from these and many other causes, the progress and conquests of the nations which overran the empire became so extremely rapid, they were accompanied with horrible devastations, and an incredible destruction of the human species. Civilized nations, which take arms upon cool reflection, from motives of policy or prudence, with a view to guard against some distant danger or to prevent some remote contingency, carry on their hostilities with so little rancour or animosity, that war among them is disarmed of half its terrors. Barbarians are strangers to such refinements. They rush into war with impetuosity, and prosecute it with violence. Their sole object is to make their enemies feel the weight of their vengeance; nor does their rage subside until it be satiated with inflicting on them every possible calamity. It is with such a spirit that the savage tribes in America carry on their petty wars: It was with the same spirit that the more powerful and no less fierce barbarians in the north of Europe and of Asia fell upon the Roman empire.

The desolation which they brought upon Europe.

Wherever they marched their route was marked with blood. They ravaged or destroyed all around them. They made no distinction between what was sacred and what was profane. They respected no age, or sex, or rank. What escaped the fury of the first inundation perished in those which followed it. The most fertile and populous provinces were converted into deserts, in which were scattered the ruins of villages and cities, that afforded shelter to a few miserable inhabitants whom chance had preserved, or the sword of the enemy, wearied with destroying, had spared. The conquerors who first settled in the countries which they had wasted, were expelled or exterminated by new invaders, who coming from regions further removed from the civilized parts of the world, were still more fierce and rapacious. This brought fresh calamities upon mankind, which did not cease until the north, by pouring forth successive swarms, was drained of people, and could no longer furnish instruments of destruc-

tion. Famine and pestilence, which always march in the train of war when it ravages with such inconsiderate cruelty, raged in every part of Europe, and completed its sufferings. If a man were called to fix upon the period in the history of the world during which the condition of the human race was most calamitous and afflicted, he would without hesitation name that which elapsed from the death of Theodosius the Great to the establishment of the Lombards in Italy.[d] The contemporary authors who beheld that scene of desolation, labour and are at a loss for expressions to describe the horror of it. *The scourge of God, the destroyer of nations*, are the dreadful epithets by which they distinguish the most noted of the barbarous leaders; and they compare the ruin which they had brought on the world to the havoc occasioned by earthquakes, conflagrations, or deluges, the most formidable and fatal calamities which the imagination of man can conceive.

The universal change which they occasioned in the state of Europe.

But no expressions can convey so perfect an idea of the destructive progress of the barbarians as that which must strike an attentive observer when he contemplates the total change which he will discover in the state of Europe, after it began to recover some degree of tranquillity, towards the close of the sixth century. The Saxons were by that time masters of the southern and more fertile provinces of Britain; the Franks of Gaul; the Huns of Pannonia; the Goths of Spain; the Goths and Lombards of Italy and the adjacent provinces. Very faint vestiges of the Roman policy, jurisprudence, arts, or literature remained. New forms of government, new laws, new manners, new dresses, new languages, and new names of men and countries, were every where introduced. To make a great or sudden alteration with respect to any of these, unless where the ancient inhabitants of a country have been almost totally exterminated, has proved an undertaking beyond the power of the greatest conquerors.[e] The great change which the settlement of the barbarous nations occasioned in the state of Europe may, therefore, be considered as a more decisive proof than even the testimony of contemporary historians, of the destructive violence with which these invaders carried on their conquest, and of the havoc which they had made from one extremity of this quarter of the globe to the other.[f]

From this state of disorder the laws of government now established must be traced.

In the obscurity of the chaos occasioned by this general wreck of nations we must search for the seeds of order, and endeavour to discover the first rudiments of the policy and laws now established in Europe. To this source the historians of its different kingdoms have attempted, though with less attention and industry than the importance of the inquiry merits, to trace back the institutions and customs peculiar to their countrymen. It is not my province to give a minute detail of the progress of government and manners in each particular nation whose transactions are the object of the following history. But in order to exhibit a just view of the state of Europe at the opening of the sixteenth century, it is necessary to look back and to contemplate the condition of the northern nations upon their first settlement in those countries which they occupied. It is necessary to mark the great steps by which they advanced from barbarism to refinement, and to point out those general principles and events which, by their uniform as well as extensive operation, conducted all of them to that degree of improvement in policy and in manners which they had attained at the period when Charles V. began his reign.

The principles on which the northern nations made their settlements in Europe.

When nations subject to despotic government make conquests, these serve only to extend the dominion and the power of their master. But armies composed of freemen conquer for themselves, not for their leaders. The people who overturned the Roman empire and settled in its various provinces were of the latter class. Not only the different nations that issued from the north of Europe, which has always been considered as the seat of liberty, but the Huns and Alans, who inhabited part of those countries which have been marked out as the peculiar region of servitude,[g] enjoyed freedom and independence in such a high degree as seems to be scarcely compatible with a state of social union, or with the subordination necessary to maintain it. They followed the chieftain who led them forth in quest of new settlements, not by constraint, but from choice; not as soldiers whom he could order to march, but as volunteers who offered to accompany him.[h] They considered their conquests as a common property, in which all had a title to share, as all had contributed to acquire them.[i] In what manner or by what principles they divided among them the lands which they seized, we cannot now determine with any certainty. There is no nation in Europe whose records reach back to this remote period; and there is little information to be got from the uninstructive and meagre chronicles compiled by writers ignorant of the true end, and unacquainted with the proper objects of history.

The feudal government gradually established among them.

This new division of property, however, together with the maxims and manners to which it gave rise, gradually introduced a species of government formerly unknown. This singular institution is now distinguished by the name of the *Feudal System:* and though the barbarous nations which framed it settled in their new territories at different times, came from different countries, spoke various languages, and were under the command of separate leaders, the feudal policy and laws were established, with little variation, in every kingdom of Europe. This amazing uniformity had induced some authors[k] to

d Theodosius died A. D. 395; the reign of Alboinus in Lombardy began A. D. 571; so that this period was 176 years.
e See Note IV.
f See Note V.
g De l'Esprit des Loix, liv. xvii. ch. 3.
h See Note VI.
i See Note VII.
k Procop. de Bello Vandal. ap. Script. Byz. edit. Ven. vol. i. p. 345.

believe that all these nations, notwithstanding so many apparent circumstances of distinction, were originally the same people. But it may be ascribed, with great probability, to the similar state of society and of manners to which they were accustomed in their native countries, and to the similar situation in which they found themselves on taking possession of their new domains.

As the conquerors of Europe had their acquisitions to maintain, not only against such of the ancient inhabitants as they had spared, but against the more formidable inroads of new invaders, self-defence was their chief care, and seems to have been the chief object of their first institutions and policy. Instead of those loose associations which, though they scarcely diminished their personal independence, had been sufficient for their security while they remained in their original countries, they saw the necessity of uniting in more close confederacy, and of relinquishing some of their private rights in order to attain public safety. Every freeman, upon receiving a portion of the lands which were divided, bound himself to appear in arms against the enemies of the community. This military service was the condition upon which he received and held his lands: and as they were exempted from every other burden, that tenure among a warlike people was deemed both easy and honourable. The king or general who led them to conquest, continuing still to be the head of the colony, had, of course, the largest portion allotted to him. Having thus acquired the means of rewarding past services as well as of gaining new adherents, he parcelled out his lands with this view, binding those on whom they were bestowed to resort to his standard with a number of men in proportion to the extent of the territory which they received, and to bear arms in his defence. His chief officers imitated the example of the sovereign, and in distributing portions of their lands among their dependents, annexed the same condition to the grant. Thus a feudal kingdom resembled a military establishment rather than a civil institution. The victorious army, cantoned out in the country which it had seized, continued ranged under its proper officers, and subordinate to military command. The names of a soldier and of a freeman were synonymous.[l] Every proprietor of land, girt with a sword, was ready to march at the summons of his superior, and to take the field against the common enemy.

National defence the great object of feudal policy.

But though the feudal policy seems to be so admirably calculated for defence against the assaults of any foreign power, its provisions for the interior order and tranquillity of society were extremely defective. The principles of disorder and corruption are discernible in that constitution under its best and most perfect form. They soon unfolded themselves, and, spreading with rapidity through every part of the system, produced the most fatal effects. The bond of political union was extremely feeble, the sources of anarchy were innumerable. The monarchical and aristocratical parts of the constitution having no intermediate power to balance them, were perpetually at variance, and justling with each other. The powerful vassals of the crown soon extorted a confirmation for life of those grants of land, which being at first purely gratuitous, had been bestowed only during pleasure. Not satisfied with this, they prevailed to have them converted into hereditary possessions. One step more completed their usurpations, and rendered them unalienable.[m] With an ambition no less enterprising, and more preposterous, they appropriated to themselves titles of honour, as well as offices of power or trust. These personal marks of distinction, which the public admiration bestows on illustrious merit, or which the public confidence confers on extraordinary abilities, were annexed to certain families, and transmitted, like fiefs, from father to son, by hereditary right. The crown vassals having thus secured the possession of their lands and dignities, the nature of the feudal institutions, which though founded on subordination verged to independence, led them to new and still more dangerous encroachments on the prerogatives of the sovereign. They obtained the power of supreme jurisdiction, both civil and criminal, within their own territories; the right of coining money; together with the privilege of carrying on war against their private enemies, in their own name and by their own authority. The ideas of political subjection were almost entirely lost, and frequently scarce any appearance of feudal subordination remained. Nobles who had acquired such enormous power scorned to consider themselves as subjects. They aspired openly at being independent: the bonds which connected the principal members of the constitution with the crown were dissolved. A kingdom considerable in name and in extent was broken into as many separate principalities as it contained powerful barons. A thousand causes of jealousy and discord subsisted among them, and gave rise to as many wars. Every country in Europe, wasted or kept in continual alarm during these endless contests, was filled with castles and places of strength erected for the security of the inhabitants, not against foreign force, but against internal hostilities. An universal anarchy, destructive, in a great measure, of all the advantages which men expect to derive from society, prevailed. The people, the most numerous as well as the most useful part of the community, were either reduced to a state of actual servitude, or treated with the same insolence and rigour as if they had been degraded into that wretched condition.[n] The king, stripped of almost every prerogative, and without authority to enact or to execute salutary laws, could neither protect the innocent nor punish the guilty. The nobles, superior to all restraint, harassed each

The feudal government defective in its provisions for interior order in society.

l Du Cange Glossar. voc. *Miles*.

m See Note VIII.

n See Note IX.

other with perpetual wars, oppressed their fellow-subjects, and humbled or insulted their sovereign. To crown all, time gradually fixed, and rendered venerable, this pernicious system which violence had established.

It prevented nations likewise from acting with vigour in their external operations.

Such was the state of Europe with respect to the interior administration of government from the seventh to the eleventh century. All the external operations of its various states, during this period, were, of course, extremely feeble. A kingdom dismembered and torn with dissension, without any common interest to rouse or any common head to conduct its force, was incapable of acting with vigour. Almost all the wars in Europe, during the ages which I have mentioned, were trifling, indecisive, and productive of no considerable event. They resembled the short incursions of pirates or banditti, rather than the steady operations of a regular army. Every baron, at the head of his vassals, carried on some petty enterprise, to which he was prompted by his own ambition or revenge. The state itself, destitute of union, either remained altogether inactive, or if it attempted to make any effort, that served only to discover its impotence. The superior genius of Charlemagne, it is true, united all these disjointed and discordant members, and forming them again into one body, restored to government that degree of activity which distinguishes his reign, and renders the transactions of it objects not only of attention but of admiration to more enlightened times. But this state of union and vigour not being natural to the feudal government, was of short duration. Immediately upon his death, the spirit which animated and sustained the vast system which he had established being withdrawn, it broke into pieces. All the calamities which flow from anarchy and discord, returning with additional force, afflicted the different kingdoms into which his empire was split. From that time to the eleventh century, a succession of uninteresting events, a series of wars, the motives as well as the consequences of which were unimportant, fill and deform the annals of all the nations in Europe.

The fatal effects of this state of society on sciences and arts;

To these pernicious effects of the feudal anarchy may be added its fatal influence on the character and improvement of the human mind. If men do not enjoy the protection of regular government, together with the expectation of personal security, which naturally flows from it, they never attempt to make progress in science, nor aim at attaining refinement in taste or in manners. That period of turbulence, oppression, and rapine which I have described, was ill suited to favour improvement in any of these. In less than a century after the barbarous nations settled in their new conquests, almost all the effects of the knowledge and civility which the Romans had spread through Europe disappeared. Not only the arts of elegance, which minister to luxury, and are supported by it, but many of the useful arts, without which life can scarcely be considered as comfortable, were neglected or lost. Literature, science, taste, were words little in use during the ages which we are contemplating; or if they occur at any time, eminence in them is ascribed to persons and productions so contemptible, that it appears their true import was little understood. Persons of the highest rank, and in the most eminent stations, could not read or write. Many of the clergy did not understand the breviary which they were obliged daily to recite; some of them could scarcely read it.[o] The memory of past transactions was, in a great degree, lost, or preserved in annals filled with trifling events or legendary tales. Even the codes of laws published by the several nations which established themselves in the different countries of Europe, fell into disuse, while, in their place, customs vague and capricious were substituted. The human mind, neglected, uncultivated, and depressed, continued in the most profound ignorance. Europe, during four centuries, produced few authors who merit to be read, either on account of the elegance of their composition or the justness and novelty of their sentiments. There are few inventions useful or ornamental to society of which that long period can boast.

Upon religion;

Even the christian religion, though its precepts are delivered and its institutions are fixed in Scripture, with a precision which should have exempted them from being misinterpreted or corrupted, degenerated, during those ages of darkness, into an illiberal superstition. The barbarous nations, when converted to christianity, changed the object, not the spirit, of their religious worship. They endeavoured to conciliate the favour of the true God by means not unlike to those which they had employed in order to appease their false deities. Instead of aspiring to sanctity and virtue, which alone can render men acceptable to the great Author of order and of excellence, they imagined that they satisfied every obligation of duty by a scrupulous observance of external ceremonies.[p] Religion, according to their conceptions of it, comprehended nothing else; and the rites by which they persuaded themselves that they should gain the favour of Heaven, were of such a nature as might have been expected from the rude ideas of the ages which devised and introduced them. They were either so unmeaning as to be altogether unworthy of the Being to whose honour they were consecrated, or so absurd as to be a disgrace to reason and humanity.[q] Charlemagne in France, and Alfred the Great in England, endeavoured to dispel this darkness, and gave their subjects a short glimpse of light and knowledge. But the ignorance of the age was too powerful for their efforts and institutions. The darkness returned, and settled over Europe more thick and heavy than before.

As the inhabitants of Europe, during these cen-

o See Note X.

p See Note XI.

q See Note XII.

Upon the character and virtues of the human mind.

turies, were strangers to the arts which embellished a polished age, they were destitute of the virtues which abound among people who continue in a simple state. Force of mind, a sense of personal dignity, gallantry in enterprise, invincible perseverance in execution, contempt of danger and of death, are the characteristic virtues of uncivilized nations. But these are all the offspring of equality and independence, both which the feudal institutions had destroyed. The spirit of domination corrupted the nobles; the yoke of servitude depressed the people; the generous sentiments inspired by a sense of equality were extinguished, and hardly any thing remained to be a check on ferocity and violence. Human society is in its most corrupted state, at that period when men have lost their original independence and simplicity of manners, but have not attained that degree of refinement which introduces a sense of decorum and of propriety in conduct, as a restraint on those passions which lead to heinous crimes. Accordingly, a greater number of those atrocious actions which fill the mind of man with astonishment and horror, occur in the history of the centuries under review, than in that of any period of the same extent in the annals of Europe. If we open the history of Gregory of Tours, or of any contemporary author, we meet with a series of deeds of cruelty, perfidy, and revenge, so wild and enormous as almost to exceed belief.

From the beginning of the eleventh century, government and manners begin to improve.

But, according to the observation of an elegant and profound historian,[r] there is an ultimate point of depression, as well as of exaltation, from which human affairs naturally return in a contrary progress, and beyond which they never pass either in their advancement or decline. When defects, either in the form or in the administration of government, occasion such disorders in society as are excessive and intolerable, it becomes the common interest to discover and to apply such remedies as will most effectually remove them. Slight inconveniences may be long overlooked or endured; but when abuses grow to a certain pitch, the society must go to ruin, or must attempt to reform them. The disorders in the feudal system, together with the corruption of taste and manners consequent upon these, which had gone on increasing during a long course of years, seemed to have attained their utmost point of excess towards the close of the eleventh century. From that era we may date the return of government and manners in a contrary direction, and can trace a succession of causes and events which contributed, some with a nearer and more conspicuous, others with a more remote and less perceptible, influence, to abolish confusion and barbarism, and to introduce order, regularity, and refinement.

Necessary to point out the causes and events which contribute towards this improvement.

In pointing out and explaining these causes and events, it is not necessary to observe the order of time with a chronological accuracy; it is of more importance to keep in view their mutual connexion and dependence, and to show how the operation of one event or one cause prepared the way for another, and augmented its influence. We have hitherto been contemplating the progress of that darkness which spread over Europe, from its first approach to the period of greatest obscuration; a more pleasant exercise begins here,—to observe the first dawnings of returning light, to mark the various accessions by which it gradually increased and advanced towards the full splendour of day.

The tendency of the crusades to introduce a change in government and manners.

The more remote causes of these expeditions.

I. The Crusades, or expeditions in order to rescue the Holy Land out of the hands of infidels, seemed to be the first event that roused Europe from the lethargy in which it had been long sunk, and that tended to introduce any considerable change in government or in manners. It is natural to the human mind to view those places which have been distinguished by being the residence of any illustrious personage, or the scene of any great transaction, with some degree of delight and veneration. To this principle must be ascribed the superstitious devotion with which christians, from the earliest ages of the church, were accustomed to visit that country which the Almighty had selected as the inheritance of his favourite people, and in which the Son of God had accomplished the redemption of mankind. As this distant pilgrimage could not be performed without considerable expense, fatigue, and danger, it appeared the more meritorious, and came to be considered as an expiation for almost every crime. An opinion which spread with rapidity over Europe about the close of the tenth and beginning of the eleventh century, and which gained universal credit, wonderfully augmented the number of credulous pilgrims, and increased the ardour with which they undertook this useless voyage. The thousand years mentioned by St. John[s] were supposed to be accomplished, and the end of the world to be at hand. A general consternation seized mankind; many relinquished their possessions; and abandoning their friends and families, hurried with precipitation to the Holy Land, where they imagined that Christ would quickly appear to judge the world.[t] While Palestine continued subject to the Caliphs, they had encouraged the resort of pilgrims to Jerusalem; and considered this as a beneficial species of commerce, which brought into their dominions gold and silver, and carried nothing out of them but relics and consecrated trinkets. But the Turks having conquered Syria about the middle of the eleventh century, pilgrims were exposed to outrages of every kind

r Hume's History of England, vol. ii. p. 441.
s Revel. xx. 2—4.
t Chronic. Will. Godelli ap. Bouquet Recueil des Historiens de France, tom. x. p. 262. Vita Abbonis, ibid. p. 332. Chronic. S. Pantaleonis ap. Eccard. Corp. Scrip. medii Ævi, vol. I. p. 909. Annalista Saxo, ibid. 576.

from these fierce barbarians.[u] This change happening precisely at the juncture when the panic terror which I have mentioned rendered pilgrimages most frequent, filled Europe with alarm and indignation. Every person who returned from Palestine related the dangers which he had encountered in visiting the Holy City, and described with exaggeration the cruelty and vexations of the Turks.

The immediate occasion of them.

When the minds of men were thus prepared, the zeal of a fanatical monk who conceived the idea of leading all the forces of Christendom against the infidels, and of driving them out of the Holy Land by violence, was sufficient to give a beginning to that wild enterprise. Peter the Hermit, for that was the name of this martial apostle, ran from province to province with a crucifix in his hand, exciting princes and people to this holy war, and wherever he came kindled the same enthusiastic ardour for it with which he himself was animated. The council of Placentia, where upwards of thirty thousand persons were assembled, pronounced the scheme to have been suggested by the immediate inspiration of Heaven. In the council of Clermont, still more numerous, as soon as the measure was proposed, all cried out with one voice, "It is the will of God." Persons of all ranks catched the contagion; not only the gallant nobles of that age, with their martial followers, whom we may suppose apt to be allured by the boldness of a romantic enterprise, but men in the more humble and pacific stations of life, ecclesiastics of every order, and even women and children, engaged with emulation in an undertaking which was deemed sacred and meritorious. If we may believe the concurring testimony of contemporary authors, six millions of persons assumed the cross,[x] which was the badge that distinguished such as devoted themselves to this holy warfare. All Europe, says the princess Anna Comnena, torn up from the foundation, seemed ready to precipitate itself in one united body upon Asia.[y] Nor did the fumes of this enthusiastic zeal evaporate at once: the frenzy was as lasting as it was extravagant. During two centuries Europe seems to have had no object but to recover or keep possession of the Holy Land; and through that period vast armies continued to march thither.[z]

The success of the Crusades.

The first efforts of valour, animated by enthusiasm, were irresistible: part of the Lesser Asia, all Syria and Palestine, were wrested from the infidels; the banner of the cross was displayed on mount Sion; Constantinople, the capital of the christian empire in the east, was afterwards seized by a body of those adventurers, who had taken arms against the Mahometans, and an earl of Flanders, and his descendants, kept possession of the imperial throne during half a century. But though the first impression of the crusaders was so unexpected that they made their conquests with great ease, they found infinite difficulty in preserving them. Establishments so distant from Europe, surrounded by warlike nations animated with fanatical zeal scarcely inferior to that of the crusaders themselves, were perpetually in danger of being overturned. Before the expiration of the thirteenth century, the christians were driven out of all their Asiatic possessions, in acquiring of which incredible numbers of men had perished, and immense sums of money had been wasted. The only common enterprise in which the European nations ever engaged, and which they all undertook with equal ardour, remains a singular monument of human folly.

A. D. 1291.

The beneficial effects of the Crusades on manners.

But from these expeditions, extravagant as they were, beneficial consequences followed which had neither been foreseen nor expected. In their progress towards the Holy Land, the followers of the cross marched through countries better cultivated and more civilized than their own. Their first rendezvous was commonly in Italy, in which Venice, Genoa, Pisa, and other cities, had begun to apply themselves to commerce, and had made considerable advances towards wealth as well as refinement. They embarked there, and landing in Dalmatia, pursued their route by land to Constantinople. Though the military spirit had been long extinct in the eastern empire, and a despotism of the worst species had annihilated almost every public virtue, yet Constantinople, having never felt the destructive rage of the barbarous nations, was the greatest as well as the most beautiful city in Europe, and the only one in which there remained any image of the ancient elegance in manners and arts. The naval power of the eastern empire was considerable. Manufactures of the most curious fabric were carried on in its dominions. Constantinople was the chief mart in Europe for the commodities of the East Indies. Although the Saracens and Turks had torn from the empire many of its richest provinces, and had reduced it within very narrow bounds, yet great wealth flowed into the capital from these various sources, which not only cherished such a taste for magnificence, but kept alive such a relish for the sciences, as appears considerable when compared with what was known in other parts of Europe. Even in Asia, the Europeans who had assumed the cross found the remains of the knowledge and arts which the example and encouragement of the Caliphs had diffused through their empire. Although the attention of the historians of the Crusades was fixed on other objects than the state of society and manners among the nations which they invaded, although most of them had neither taste nor discernment enough to describe these, they relate, however, such signal acts of humanity and generosity in the conduct of Sala-

u Jo. Dan. Schoepflini de sacris Gallorum in Orientum Expeditionibus, p. 4. Argent. 1726. 4to.

x Fulcherus Carnotensis ap. Bongarsii Gesta Dei per Francos, vol. i. 387. edit. Han. 1611.

y Alexias, lib. x. ap. Byz. Script. vol. xi. p. 224.

z See Note XIII.

din, as well as some other leaders of the Mahometans, as give us a very high idea of their manners. It was not possible for the crusaders to travel through so many countries, and to behold their various customs and institutions, without acquiring information and improvement. Their views enlarged; their prejudices wore off; new ideas crowded into their minds; and they must have been sensible, on many occasions, of the rusticity of their own manners, when compared with those of a more polished people. These impressions were not so slight as to be effaced upon their return to their native countries. A close intercourse subsisted between the east and west during two centuries; new armies were continually marching from Europe to Asia, while former adventurers returned home and imported many of the customs to which they had been familiarized by a long residence abroad. Accordingly we discover, soon after the commencement of the Crusades, greater splendour in the courts of princes, greater pomp in public ceremonies, a more refined taste in pleasure and amusements, together with a more romantic spirit of enterprise, spreading gradually over Europe; and to these wild expeditions, the effect of superstition or folly, we owe the first gleams of light which tended to dispel barbarism and ignorance.

Their influence on the state of property.

But these beneficial consequences of the Crusades took place slowly; their influence upon the state of property, and consequently of power, in the different kingdoms of Europe, was more immediate as well as discernible. The nobles who assumed the cross, and bound themselves to march to the Holy Land, soon perceived that great sums were necessary towards defraying the expense of such a distant expedition, and enabling them to appear with suitable dignity at the head of their vassals. But the genius of the feudal system was averse to the imposition of extraordinary taxes, and subjects in that age were unaccustomed to pay them. No expedient remained for levying the sums requisite but the sale of their possessions. As men were inflamed with romantic expectations of the splendid conquests which they hoped to make in Asia, and possessed with such zeal for recovering the Holy Land as swallowed up every other passion, they relinquished their ancient inheritances without any reluctance, and for prices far below their value, that they might sally forth as adventurers in quest of new settlements in unknown countries. The monarchs of the great kingdoms in the west, none of whom had engaged in the first Crusade, eagerly seized this opportunity of annexing considerable territories to their crowns at small expense.[a] Besides this, several great barons who perished in the holy war having left no heirs, their fiefs reverted of course to their respective sovereigns; and by these accessions of property as well as power, taken from the one scale and thrown into the other, the regal authority rose in proportion as that of the aristocracy declined. The absence, too, of many potent vassals, accustomed to control and give law to their sovereigns, afforded them an opportunity of extending their prerogative, and of acquiring a degree of weight in the constitution which they did not formerly possess. To these circumstances we may add, that as all who assumed the cross were taken under the immediate protection of the church, and its heaviest anathemas were denounced against such as should disquiet or annoy those who had devoted themselves to this service, the private quarrels and hostilities which banished tranquillity from a feudal kingdom were suspended or extinguished; a more general and steady administration of justice began to be introduced, and some advances were made towards the establishment of regular government in the several kingdoms of Europe.[b c]

Their commercial effect.

The commercial effects of the Crusades were not less considerable than those which I have already mentioned. The first armies under the standard of the cross, which Peter the Hermit and Godfrey of Bouillon led through Germany and Hungary to Constantinople, suffered so much by the length of the march, as well as by the fierceness of the barbarous people who inhabited those countries, that it deterred others from taking the same route; and rather than encounter so many dangers, they chose to go by sea. Venice, Genoa, and Pisa furnished the transports on which they embarked. The sum which these cities received merely for freight from such numerous armies was immense.[d] This, however, was but a small part of what they gained by the expeditions to the Holy Land; the crusaders contracted with them for military stores and provisions; their fleets kept on the coast as the armies advanced by land; and supplying them with whatever was wanting, engrossed all the profits of a branch of commerce which, in every age, has been extremely lucrative. The success which attended the arms of the crusaders was productive of advantages still more permanent. There are charters yet extant, containing grants to the Venetians, Pisans, and Genoese, of the most extensive immunities in the several settlements which the christians made in Asia. All the commodities which they imported or exported are thereby exempted from every imposition; the property of entire suburbs in some of the maritime towns, and of large streets in others, is vested in them; and all questions arising among persons settled within their precincts, or who traded under their protection, are appointed to be tried by their own laws, and by judges of their own appointment.[e] When the crusaders seized Constantinople, and placed one of their own leaders on the imperial throne, the Italian states were likewise gainers by that event. The Venetians, who had planned the enterprise, and

a Willelm. Malmsbur. Guibert. Abbas ap. Bongars. vol. i. 481.
b Du Cange Glossar. voc. *Cruce signatus*. Guil. Abbas ap. Bongars. vol. i. 480, 482.
c See Note XIV.
d Muratori Antiquit. Italic. medii Ævi, vol. ii. 905.
e Ibid. 906, &c.

took a considerable part in carrying it into execution, did not neglect to secure to themselves the chief advantages redounding from its success. They made themselves masters of part of the ancient Peloponnesus in Greece, together with some of the most fertile islands in the Archipelago. Many valuable branches of the commerce which formerly centred in Constantinople were transferred to Venice, Genoa, or Pisa. Thus a succession of events occasioned by the Holy War opened various sources from which wealth flowed in such abundance into these cities,[f] as enabled them, in concurrence with another institution which shall be immediately mentioned, to secure their own liberty and independence.

The establishment of communities favourable to government and order.

II. The institution to which I alluded was the forming of cities into communities, corporations, or bodies politic, and granting them the privilege of municipal jurisdiction, which contributed more, perhaps, than any other cause, to introduce regular government, police, and arts, and to diffuse them over Europe. The feudal government had degenerated into a system of oppression. The usurpations of the nobles were become unbounded and intolerable; they had reduced the great body of the people into a state of actual servitude; the condition of those dignified with the name of freemen was often little preferable to that of the other. Nor was such oppression the portion of those alone who dwelt in the country, and were employed in cultivating the estate of their master. Cities and villages found it necessary to hold of some great lord, on whom they might depend for protection, and became no less subject to his arbitrary jurisdiction. The inhabitants were deprived of those rights which, in social life, are deemed most natural and inalienable. They could not dispose of the effects which their own industry had acquired, either by a latter will, or by any deed executed during their life.[g] They had no right to appoint guardians for their children during their minority. They were not permitted to marry without purchasing the consent of the lord on whom they depended.[h] If once they had commenced a law-suit, they durst not terminate it by an accommodation, because that would have deprived the lord in whose court they pleaded, of the perquisites due to him on passing sentence.[i] Services of various kinds, no less disgraceful than oppressive, were exacted from them without mercy or moderation. The spirit of industry was checked in some cities by absurd regulations, and in others by unreasonable exactions; nor would the narrow and oppressive maxims of a military aristocracy have permitted it ever to rise to any degree of height or vigour.[k]

The ancient state of cities.

The freedom of cities first established in Italy.

But as soon as the cities of Italy began to turn their attention towards commerce, and to conceive some idea of the advantages which they might derive from it, they became impatient to shake off the yoke of their insolent lords, and to establish among themselves such a free and equal government as would render property secure and industry flourishing. The German emperors, especially those of the Franconian and Suabian lines, as the seat of their government was far distant from Italy, possessed a feeble and imperfect jurisdiction in that country. Their perpetual quarrels, either with the popes, or with their own turbulent vassals, diverted their attention from the interior police of Italy, and gave constant employment to their arms. These circumstances encouraged the inhabitants of some of the Italian cities, towards the beginning of the eleventh century, to assume new privileges, to unite together more closely, and to form themselves into bodies politic, under the government of laws established by common consent.[l] The rights which many cities acquired by bold or fortunate usurpations, others purchased from the emperors, who deemed themselves gainers when they received large sums for immunities which they were no longer able to withhold; and some cities obtained them gratuitously, from the generosity or facility of the princes on whom they depended. The great increase of wealth which the Crusades brought into Italy occasioned a new kind of fermentation and activity in the minds of the people, and excited such a general passion for liberty and independence, that, before the conclusion of the last Crusade, all the considerable cities in that country had either purchased or had extorted large immunities from the emperors.[m]

Is introduced into France and into other countries of Europe, A. D. 1103—1137.

This innovation was not long known in Italy before it made its way into France. Louis le Gros, in order to create some power that might counterbalance those potent vassals who controlled or gave law to the crown, first adopted the plan of conferring new privileges on the towns situated within his own domain. These privileges were called *charters of community*, by which he enfranchised the inhabitants, abolished all marks of servitude, and formed them into corporations or bodies politic, to be governed by a council and magistrates of their own nomination. These magistrates had the right of administering justice within their own precincts, of levying taxes, of embodying and training to arms the militia of the town, which took the field when required by the sovereign, under the command of officers appointed by the community. The great barons imitated the example of their monarch, and granted like immunities to the towns within their territories. They had wasted such great sums in their expeditions to the Holy Land, that they were eager to lay hold on this new expedient for raising money, by the sale of those charters of liberty. Though the institution of communities was as re-

f Villehardouin Hist. de Constant. sous l'Empereurs Fançois, 105, &c.
g Dacherii Spicileg. tom. xi. 374, 375. edit. in 4to. Ordonnances des Rois de France, tom. iii. 204. Nos. 2, 6.
h Ordonnances des Rois de France, tom. i. p. 22. tom. iii. 203. No. 1. Murat. Antiq. Ital. vol. iv. p. 20. Dacher. Spicil. vol. xi. 325, 341.
i Dacher. Spicil. vol. ix. 182.
k M. l'Abbé Mably Observat. sur l'Hist. de France, tom. ii. p. 2, 96.
l Murat. Antiquit. Ital. vol. iv. p. 5.
m See Note XV.

pugnant to their maxims of policy as it was adverse to their power, they disregarded remote consequences in order to obtain present relief. In less than two centuries servitude was abolished in most of the towns in France, and they became free corporations instead of dependent villages without jurisdiction or privileges.[n] Much about the same period the great cities in Germany began to acquire like immunities, and laid the foundation of their present liberty and independence.[o] The practice spread quickly over Europe, and was adopted in Spain, England, Scotland, and all the other feudal kingdoms.[p]

Its happy effects upon the condition of the inhabitants;

The good effects of this new institution were immediately felt, and its influence on government as well as manners was no less extensive than salutary. A great body of the people was released from servitude, and from all the arbitrary and grievous impositions to which that wretched condition had subjected them. Towns, upon acquiring the right of community, became so many little republics, governed by known and equal laws. Liberty was deemed such an essential and characteristic part in their constitution, that if any slave took refuge in one of them, and resided there during a year without being claimed, he was instantly declared a freeman, and admitted as a member of the community.[q]

Upon the power of the nobility;

As one part of the people owed their liberty to the erection of communities, another was indebted to them for their security. Such had been the state of Europe during several centuries, that self-preservation obliged every man to court the patronage of some powerful baron, and in times of danger his castle was the place to which all resorted for safety. But towns surrounded with walls, whose inhabitants were regularly trained to arms, and bound by interest, as well as by the most solemn engagements, reciprocally to defend each other, afforded a more commodious and secure retreat. The nobles began to be considered as of less importance, when they ceased to be the sole guardians to whom the people could look up for protection against violence.

upon the power of the crown;

If the nobility suffered some diminution of their credit and power by the privileges granted to the cities, the crown acquired an increase of both. As there were no regular troops kept on foot in any of the feudal kingdoms, the monarch could bring no army into the field but what was composed of soldiers furnished by the crown vassals, always jealous of the regal authority; nor had he any funds for carrying on the public service but such as they granted him with a very sparing hand. But when the members of communities were permitted to bear arms, and were trained to the use of them, this in some degree supplied the first defect, and gave the crown the command of a body of men, independent of its great vassals. The attachment of the cities to their sovereigns, whom they respected as the first authors of their liberties, and whom they were obliged to court as the protectors of their immunities against the domineering spirit of the nobles, contributed somewhat towards removing the second evil, as, on many occasions, it procured the crown supplies of money, which added new force to government.[r]

upon the increase of industry.

The acquisition of liberty made such a happy change in the condition of all the members of communities, as roused them from that inaction into which they had been sunk by the wretchedness of their former state. The spirit of industry revived: commerce became an object of attention, and began to flourish: population increased: independence was established: and wealth flowed into cities which had long been the seat of poverty and oppression. Wealth was accompanied by its usual attendants, ostentation and luxury; and though the former was formal and cumbersome, and the latter inelegant, they led gradually to greater refinement in manners and in the habits of life. Together with this improvement in manners, a more regular species of government and police was introduced. As cities grew to be more populous, and the occasions of intercourse among men increased, statutes and regulations multiplied of course, and all became sensible that their common safety depended on observing them with exactness, and on punishing such as violated them with promptitude and rigour. Laws and subordination, as well as polished manners, taking their rise in cities, diffused themselves insensibly through the rest of the society.

The inhabitants of cities acquire political power as members of the constitution.

III. The inhabitants of cities having obtained personal freedom and municipal jurisdiction, soon acquired civil liberty and political power. It was a fundamental principle in the feudal system of policy, that no freeman could be subjected to new laws or taxes unless by his own consent. In consequence of this, the vassals of every baron were called to his court, in which they established, by mutual consent, such regulations as they deemed most beneficial to their small society, and granted their superior such supplies of money as were proportioned to their abilities or to his wants. The barons themselves, conformably to the same maxim, were admitted into the supreme assembly of the nation, and concurred with the sovereign in enacting laws or in imposing taxes. As the superior lord, according to the original plan of feudal policy, retained the direct property of those lands which he granted, in temporary possession, to his vassals; the law, even after fiefs became hereditary, still supposed this original practice to subsist. The great council of each nation, whether distinguished by the name of a parliament, a diet, the cortes, or the states-general, was composed entirely of such barons and dignified ecclesiastics as held immediately of the

n See Note XVI. o See Note XVII. p See Note XVIII.
q Statut. Humberti Bellojoci Dacher. Spicil. vol. ix. 182, 185. Charta Comit. Forens. ibid. 193.
r Ordon. des Rois de France, tom. i. 602, 785; tom. ii. 318, 422.

crown. Towns, whether situated within the royal domain or on the lands of a subject, depended originally for protection on the lord of whom they held. They had no legal name, no political existence, which could entitle them to be admitted into the legislative assembly, or could give them any authority there. But as soon as they were enfranchised, and formed into bodies corporate, they became legal and independent members of the constitution, and acquired all the rights essential to freemen. Amongst these the most valuable was the privilege of a decisive voice in enacting public laws and granting national subsidies. It was natural for cities accustomed to a form of municipal government, according to which no regulation could be established within the community, and no money could be raised but by their own consent, to claim this privilege. The wealth, the power and consideration, which they acquired on recovering their liberty, added weight to their claim; and favourable events happened, or fortunate conjunctures occurred, in the different kingdoms of Europe, which facilitated their obtaining possession of this important right. In England, one of the first countries in which the representatives of boroughs were admitted into the great council of the nation, the barons who took arms against Henry III. summoned them to attend parliament, in order to add greater popularity to their party, and to strengthen the barrier against the encroachment of regal power. In France, Philip the Fair, a monarch no less sagacious than enterprising, considered them as instruments which might be employed with equal advantage to extend the royal prerogative, to counterbalance the exorbitant power of the nobles, and to facilitate the imposition of new taxes. With these views he introduced the deputies of such towns as were formed into communities, into the states-general of the nation.[s] In the empire, the wealth and immunities of the imperial cities placed them on a level with the most considerable members of the Germanic body. Conscious of their own power and dignity, they pretended to the privilege of forming a separate bench in the diet; and made good their pretensions.[t]

A. D. 1265.

A. D. 1293.

The happy effects of this upon government.

But in what way soever the representatives of cities first gained a place in the legislature, that event had great influence on the form and genius of government. It tempered the rigour of aristocratical oppression with a proper mixture of popular liberty; it secured to the great body of the people, who had formerly no representatives, active and powerful guardians of their rights and privileges; it established an intermediate power between the king and the nobles, to which each had recourse alternately, and which at some times opposed the usurpations of the former, on other occasions checked the encroachments of the latter. As soon as the representatives of communities gained any degree of credit and influence in the legislature, the spirit of laws became different from what it had formerly been; it flowed from new principles; it was directed towards new objects; equality, order, the public good, and the redress of grievances, were phrases and ideas brought into use, and which grew to be familiar in the statutes and jurisprudence of the European nations. Almost all the efforts in favour of liberty in every country of Europe have been made by this new power in the legislature. In proportion as it rose to consideration and influence, the severity of the aristocratical spirit decreased; and the privileges of the people became gradually more extensive, as the ancient and exorbitant jurisdiction of the nobles was abridged.[u]

The people recover liberty by enfranchisement.

IV. The inhabitants of towns having been declared free by the charters of communities, that part of the people which resided in the country, and was employed in agriculture, began to recover liberty by enfranchisement. During the rigour of feudal government, as hath been already observed, the great body of the lower people was reduced to servitude. They were slaves fixed to the soil which they cultivated, and together with it were transferred from one proprietor to another, by sale or by conveyance. The spirit of feudal policy did not favour the enfranchisement of that order of men. It was an established maxim, that no vassal could legally diminish the value of a fief, to the detriment of the lord from whom he had received it. In consequence of this, manumission by the authority of the immediate master was not valid; and unless it was confirmed by the superior lord of whom he held, slaves belonging to the fief did not acquire a complete right to their liberty. Thus it became necessary to ascend through all the gradations of feudal holding to the king, the lord paramount.[x] A form of procedure so tedious and troublesome discouraged the practice of manumission. Domestic or personal slaves often obtained liberty from the humanity or beneficence of their masters, to whom they belonged in absolute property. The condition of slaves fixed to the soil was much more unalterable.

The motives and progress of this.

But the freedom and independence which one part of the people had obtained by the institution of communities inspired the other with the most ardent desire of acquiring the same privileges; and their superiors, sensible of the various advantages which they had derived from their former concessions to their dependants, were less unwilling to gratify them by the grant of new immunities. The enfranchisement of slaves became more frequent; and the monarchs of France, prompted by necessity no less than by their inclination to reduce the power of the nobles, endeavoured to render it general. Louis X. and Philip the Long issued ordinances,

A. D. 1315 and 1318.

s Pasquier Recherches de la France, p. 81. edit. Par. 1633.
t Pfeffel Abregé de l'Histoire et Droit d'Allemagne, p. 408, 451.

u See Note XIX.
x Etablissemens de St. Louis, liv. ii. ch. 34. Ordon. tom. i 283, note a.

declaring, "That as all men were by nature free-born, and as their kingdom was called the kingdom of Franks, they determined that it should be so in reality as well as in name; therefore they appointed that enfranchisements should be granted throughout the whole kingdom, upon just and reasonable conditions."[y] These edicts were carried into immediate execution within the royal domain. The example of their sovereigns, together with the expectation of considerable sums which they might raise by this expedient, led many of the nobles to set their dependants at liberty; and servitude was gradually abolished in almost every province of the kingdom.[z] In Italy, the establishment of republican government in their great cities, the genius and maxims of which were extremely different from those of the feudal policy, together with the ideas of equality, which the progress of commerce had rendered familiar, gradually introduced the practice of enfranchising the ancient *predial* slaves. In some provinces of Germany, the persons who had been subject to this species of bondage were released; in others the rigour of their state was mitigated. In England, as the spirit of liberty gained ground, the very name and idea of personal servitude, without any formal interposition of the legislature to prohibit it, was totally banished.

The effects of this upon the improvement of society.

The effects of such a remarkable change in the condition of so great a part of the people could not fail of being considerable and extensive. The husbandman, master of his own industry, and secure of reaping for himself the fruits of his labour, became the farmer of the same fields where he had formerly been compelled to toil for the benefit of another. The odious names of master and of slave, the most mortifying and depressing of all distinctions to human nature, were abolished. New prospects opened, and new incitements to ingenuity and enterprise presented themselves to those who were emancipated. The expectation of bettering their fortune, as well as that of raising themselves to a more honourable condition, concurred in calling forth their activity and genius; and a numerous class of men, who formerly had no political existence, and were employed merely as instruments of labour, became useful citizens, and contributed towards augmenting the force or riches of the society which adopted them as members.

The introduction of a more regular administration of justice contributes to the improvement of society.

V. The various expedients which were employed in order to introduce a more regular, equal, and vigorous administration of justice, contributed greatly towards the improvement of society. What were the particular modes of dispensing justice, in their several countries, among the various barbarous nations which overran the Roman empire, and took possession of its different provinces, cannot now be determined with certainty. We may conclude, from the form of government established among them, as well as from their ideas concerning the nature of society, that the authority of the magistrate was extremely limited, and the independence of individuals proportionally great. History and records, as far as these reach back, justify this conclusion, and represent the ideas and exercise of justice in all the countries of Europe as little different from those which must take place in the most simple state of civil life. To maintain the order and tranquillity of society by the regular execution of known laws; to inflict vengeance on crimes destructive of the peace and safety of individuals, by a prosecution carried on in the name and by the authority of the community; to consider the punishment of criminals as a public example to deter others from violating the laws, were objects of government little understood in theory, and less regarded in practice. The magistrate could hardly be said to hold the sword of justice; it was left in the hands of private persons. Resentment was almost the sole motive for prosecuting crimes, and to gratify that passion was considered as the chief end in punishing them. He who suffered the wrong was the only person who had a right to pursue the aggressor, and to exact or to remit the punishment. From a system of judicial procedure, so crude and defective that it seems to be scarcely compatible with the subsistence of civil society, disorder and anarchy flowed. Superstition concurred with this ignorance concerning the nature of government, in obstructing the administration of justice, or in rendering it capricious and unequal. To provide remedies for these evils, so as to give a more regular course to justice, was, during several centuries, one great object of political wisdom. The regulations for this purpose may be reduced to three general heads. To explain these, and to point out the manner in which they operated, is an important article in the history of society among the nations of Europe.

This effected by abolishing the practice of private war.

1. The first considerable step towards establishing an equal administration of justice, was the abolishment of the right which individuals claimed of waging war with each other, in their own name and by their own authority. To repel injuries, and to revenge wrongs, is no less natural to man than to cultivate friendship; and while society remains in its most simple state, the former is considered as a personal right no less unalienable than the latter. Nor do men in this situation deem that they have a title to redress their own wrongs alone; they are touched with the injuries done to those with whom they are connected, or in whose honour they are interested, and are no less prompt to avenge them. The savage, how imperfectly soever he may comprehend the principles of political union, feels warmly the sentiments of social affection, and the obligations arising from the ties of blood. On the appearance of an injury or affront offered to his family or tribe,

Original ideas of men concerning justice.

y Ordon. tom. i. p. 583, 653.

z See Note XX.

he kindles into rage, and pursues the authors of it with the keenest resentment. He considers it as cowardly to expect redress from any arm but his own, and as infamous to give up to another the right of determining what reparation he should accept, or with what vengeance he should rest satisfied.

These lead to the practice of private war.

The maxims and practice of all uncivilized nations with respect to the prosecution and punishment of offenders, particularly those of the ancient Germans, and other barbarians who invaded the Roman empire, are perfectly conformable to these ideas.[a] While they retained their native simplicity of manners, and continued to be divided into small tribes or societies, the defects in this imperfect system of criminal jurisprudence (if it merits that name) were less sensibly felt. When they came to settle in the extensive provinces which they had conquered, and to form themselves into great monarchies; when new objects of ambition presenting themselves, increased both the number and the violence of their dissensions, they ought to have adopted new maxims concerning the redress of injuries, and to have regulated, by general and equal laws, that which they formerly left to be directed by the caprice of private passion. But fierce and haughty chieftains, accustomed to avenge themselves on such as had injured them, did not think of relinquishing a right which they considered as a privilege of their order, and a mark of their independence. Laws enforced by the authority of princes and magistrates who possessed little power, commanded no great degree of reverence. The administration of justice among rude illiterate people was not so accurate, or decisive, or uniform, as to induce men to submit implicitly to its determinations. Every offended baron buckled on his armour, and sought redress at the head of his vassals. His adversary met him in like hostile array. Neither of them appealed to impotent laws, which could afford them no protection. Neither of them would submit points in which their honour and their passions were warmly interested, to the slow determination of a judicial inquiry. Both trusted to their swords for the decision of the contest. The kindred and dependants of the aggressor as well as of the defender were involved in the quarrel. They had not even the liberty of remaining neutral. Such as refused to act in concert with the party to which they belonged, were not only exposed to infamy, but subjected to legal penalties.

The pernicious effects of it.

The different kingdoms of Europe were torn and afflicted, during several centuries, by intestine wars, excited by private animosities, and carried on with all the rage natural to men of fierce manners and of violent passions. The estate of every baron was a kind of independent territory disjoined from those around it, and the hostilities between them seldom ceased. The evil became so inveterate and deep-rooted, that the form and laws of private war were ascertained, and regulations concerning it made a part in the system of jurisprudence,[b] in the same manner as if this practice had been founded in some natural right of humanity, or in the original constitution of civil society.

Various methods employed in order to abolish it.

So great was the disorder, and such the calamities, which these perpetual hostilities occasioned, that various efforts were made to wrest from the nobles this pernicious privilege. It was the interest of every sovereign to abolish a practice which almost annihilated his authority. Charlemagne prohibited it by an express law, as an invention of the devil to destroy the order and happiness of society;[c] but the reign of one monarch, however vigorous and active, was too short to extirpate a custom so firmly established. Instead of enforcing this prohibition, his feeble successors durst venture on nothing more than to apply palliatives. They declared it unlawful for any person to commence war until he had sent a formal defiance to the kindred and dependants of his adversary; they ordained, that after the commission of the trespass or crime which gave rise to a private war, forty days must elapse before the person injured should attack the vassals of his adversary; they enjoined all persons to suspend their private animosities, and to cease from hostilities, when the king was engaged in any war against the enemies of the nation. The church co-operated with the civil magistrate, and interposed its authority in order to extirpate a practice so repugnant to the spirit of christianity. Various councils issued decrees prohibiting all private wars; and denounced the heaviest anathemas against such as should disturb the tranquillity of society, by claiming or exercising that barbarous right. The aid of religion was called in to combat and subdue the ferocity of the times. The Almighty was said to have manifested, by visions and revelations to different persons, his disapprobation of that spirit of revenge which armed one part of his creatures against the other. Men were required, in the name of God, to sheathe their swords, and to remember the sacred ties which united them as christians, and as members of the same society. But this junction of civil and ecclesiastic authority, though strengthened by every thing most apt to alarm and to overawe the credulous spirit of those ages, produced no other effect than some temporary suspensions of hostilities, and a cessation from war on certain days and seasons consecrated to the more solemn acts of devotion. The nobles continued to assert this dangerous privilege; they refused to obey some of the laws calculated to annul or circumscribe it; they eluded others; they petitioned; they remonstrated; they struggled for the right of private war, as the highest and most ho-

a Tacit de Mor. German. cap. 21. Vell. Paterc. lib. ii. c. 118.
b Beaumanoir Coustumes de Beauvoisis, ch 59, et les Notes de Thaumassiere, p. 447.
c Capitul. A. D. 801. Edit. Baluz. vol. i. p. 371.

nourable distinction of their order. Even so late as the fourteenth century, we find the nobles in several provinces of France contending for their ancient method of terminating their differences by the sword, in preference to that of submitting them to the decision of any judge. The final abolition of this practice in that kingdom and the other countries in which it prevailed, is not to be ascribed so much to the force of statutes and decrees, as to the gradual increase of the royal authority, and to the imperceptible progress of juster sentiments concerning government, order, and public security.[d]

The prohibition of trial by judicial combat, another improvement in the administration of justice.

2. The prohibition of the form of trial by judicial combat was another considerable step towards the introduction of such regular government as secured public order and private tranquillity. As the right of private war left many of the quarrels among individuals to be decided, like those between nations, by arms; the form of trial by judicial combat, which was established in every country of Europe, banished equity from courts of justice, and rendered chance or force the arbiter of their determinations. In civilized nations, all transactions of any importance are concluded in writing. The exhibition of the deed or instrument is full evidence of the fact, and ascertains with precision what each party has stipulated to perform. But among a rude people, when the arts of reading and writing were such uncommon attainments, that to be master of either entitled a person to the appellation of a clerk or learned man, scarcely any thing was committed to writing but treaties between princes, their grants and charters to their subjects, or such transactions between private parties as were of extraordinary consequence, or had an extensive effect. The greater part of affairs in common life and business was carried on by verbal contracts or promises. This, in many civil questions, not only made it difficult to bring proof sufficient to establish any claim, but encouraged falsehood and fraud, by rendering them extremely easy. Even in criminal cases, where a particular fact must be ascertained, or an accusation must be disproved, the nature and effect of legal evidence were little understood by barbarous nations. To define with accuracy that species of evidence which a court had reason to expect; to determine when it ought to insist on positive proof, and when it should be satisfied with a proof from circumstances; to compare the testimony of discordant witnesses, and to fix the degree of credit due to each, were discussions too intricate and subtile for the jurisprudence of ignorant ages. In order to avoid encumbering themselves with these, a more simple form of procedure was introduced into courts as well civil as criminal. In all cases where the notoriety of the fact did not furnish the clearest and most direct evidence, the person accused, or he against whom an action was brought, was called legally, or offered voluntarily, to purge himself by oath; and upon his declaring his innocence, he was instantly acquitted.[e] This absurd practice effectually screened guilt and fraud from detection and punishment, by rendering the temptation to perjury so powerful, that it was not easy to resist it. The pernicious effects of it were sensibly felt; and in order to guard against them, the laws ordained that oaths should be administered with great solemnity, and accompanied with every circumstance which could inspire religious reverence or superstitious terror.[f] This, however, proved a feeble remedy: these ceremonious rites became familiar, and their impression on the imagination gradually diminished; men who could venture to disregard truth were not apt to startle at the solemnities of an oath. Their observation of this put legislators upon devising a new expedient for rendering the purgation by oath more certain and satisfactory. They required the person accused to appear with a certain number of freemen, his neighbours or relations, who corroborated the oath which he took, by swearing that they believed all that he had uttered to be true. These were called *compurgators*, and their number varied according to the importance of the subject in dispute, or the nature of the crime with which a person was charged.[g] In some cases the concurrence of no less than three hundred of these auxiliary witnesses was requisite to acquit the person accused.[h] But even this device was found to be ineffectual. It was a point of honour with every man in Europe, during several ages, not to desert the chief on whom he depended, and to stand by those with whom the ties of blood connected him. Whoever then was bold enough to violate the laws, was sure of devoted adherents, willing to abet and eager to serve him in whatever manner he required. The formality of calling compurgators proved an apparent not a real security against falsehood and perjury; and the sentences of courts, while they continued to refer every point in question to the oath of the defendant, became so flagrantly iniquitous as to excite universal indignation against this method of procedure.[i]

Defects in the judicial proceedings of the middle ages.

These introduced the practice of appealing to Heaven;

Sensible of these defects, but strangers to the manner of correcting them, or of introducing a more proper form, our ancestors, as an infallible method of discovering truth and of guarding against deception, appealed to Heaven, and referred every point in dispute to be determined, as they imagined, by the decisions of unerring wisdom and impartial justice. The person accused, in order to prove his innocence, submitted to trial, in certain cases, either by plunging his arm in boiling water, or by lifting a red-hot iron with his naked hand, or by walking barefoot over burning ploughshares, or by other experiments

d See Note XXI.
e Leg. Burgund. tit. 8 & 45. Leg. Aleman. tit. 89. Leg. Barwar. tit. 8. § 5, 2, &c.
f Du Cange Glossar. voc. *Juramentum*, vol. iii. p. 1607. Edict. Bened.
g Du Cange, ibid. vol. iii. p. 1599.
h Spelman Glossar. voc. *Assath*. Gregor. Turon. Hist. lib. viii. c. 9.
i Leg. Langobard. lib. ii. tit. 55. § 34.

particularly by judicial combat.

equally perilous and formidable. On other occasions he challenged his accuser to fight him in single combat. All these various forms of trial were conducted with many devout ceremonies; the ministers of religion were employed, the Almighty was called upon to interpose for the manifestation of guilt and for the protection of innocence; and whoever escaped unhurt, or came off victorious, was pronounced to be acquitted by the *judgment of God*.[k]

The introduction of this practice favoured by the superstition of the middle ages;

Among all the whimsical and absurd institutions which owe their existence to the weakness of human reason, this, which submitted questions that affected the property, the reputation, and the lives of men, to the determination of chance, or of bodily strength and address, appears to be the most extravagant and preposterous. There were circumstances, however, which led the nations of Europe to consider this equivocal mode of deciding any point in contest, as a direct appeal to Heaven, and a certain method of discovering its will. As men are unable to comprehend the manner in which the Almighty carries on the government of the universe, by equal, fixed, and general laws, they are apt to imagine, that in every case which their passions or interest render important in their own eyes, the Supreme Ruler of all ought visibly to display his power in vindicating innocence and punishing guilt. It requires no inconsiderable degree of science and philosophy to correct this popular error. But the sentiments prevalent in Europe during the dark ages, instead of correcting, strengthened it. Religion, for several centuries, consisted chiefly in believing the legendary history of those saints whose names crowd and disgrace the Romish calendar. The fabulous tales concerning their miracles had been declared authentic by the bulls of popes and the decrees of councils; they made the great subject of the instructions which the clergy offered to the people, and were received by them with implicit credulity and admiration. By attending to these, men were accustomed to believe that the established laws of nature might be violated on the most frivolous occasions, and were taught to look rather for particular and extraordinary acts of power under the divine administration, than to contemplate the regular progress and execution of a general plan. One superstition prepared the way for another; and whoever believed that the Supreme Being had interposed miraculously on those trivial occasions mentioned in legends, could not but expect his intervention in matters of greater importance, when solemnly referred to his decision.

and likewise by their martial spirit.

With this superstitious opinion the martial spirit of Europe, during the middle ages, concurred in establishing the mode of trial by judicial combat. To be ready to maintain with his sword whatever his lips had uttered, was the first maxim of honour with every gentleman. To assert their own rights by force of arms, to inflict vengeance on those who had injured or affronted them, were the distinction and pride of high-spirited nobles. The form of trial by combat, coinciding with this maxim, flattered and gratified these passions. Every man was the guardian of his own honour and of his own life; the justice of his cause, as well as his future reputation, depended on his own courage and prowess. This mode of decision was considered, accordingly, as one of the happiest efforts of wise policy; and as soon as it was introduced, all the forms of trial by fire or water, and other superstitious experiments, fell into disuse, or were employed only in controversies between persons of inferior rank. As it was the privilege of a gentleman to claim the trial by combat, it was quickly authorized over all Europe, and received in every country with equal satisfaction. Not only questions concerning uncertain or contested facts, but general and abstract points in law, were determined by the issue of a combat; and the latter was deemed a method of discovering truth more liberal, as well as more satisfactory, than that by investigation and argument. Not only might parties whose minds were exasperated by the eagerness and the hostility of opposition defy their antagonist, and require him to make good his charge, or to prove his innocence, with his sword; but witnesses, who had no interest in the issue of the question, though called to declare the truth by laws which ought to have afforded them protection, were equally exposed to the danger of a challenge, and equally bound to assert the veracity of their evidence by dint of arms. To complete the absurdities of this military jurisprudence, even the character of a judge was not sacred from its violence. Any one of the parties might interrupt a judge when about to deliver his opinion, might accuse him of iniquity and corruption in the most reproachful terms, and throwing down his gauntlet, might challenge him to defend his integrity in the field; nor could he, without infamy, refuse to accept the defiance, or decline to enter the lists against such an adversary.

It becomes universal.

Thus the form of trial by combat, like other abuses, spread gradually, and extended to all persons and almost to all cases. Ecclesiastics, women, minors, supercannuated and infirm persons, who could not with decency or justice be compelled to take arms, or to maintain their own cause, were obliged to produce champions, who offered from affection, or were engaged by rewards, to fight their battles. The solemnities of a judicial combat were such as were natural in an action which was considered both as a formal appeal to God, and as the final decision of questions of the highest moment. Every circumstance relating to them was regulated by the edicts of princes, and explained in the comments of lawyers, with a minute and even superstitious accuracy. Skill in these laws and rights

[k] Murat. Dissertatio de Judiciis Dei, Antiquit. Ital. vol. iii. p. 612.

was frequently the only science of which warlike nobles boasted, or which they were ambitious to attain.[l]

The pernicious effects of it.

By this barbarous custom, the natural course of proceeding, both in civil and criminal questions, was entirely perverted. Force usurped the place of equity in courts of judicature, and justice was banished from her proper mansion. Discernment, learning, integrity, were qualities less necessary to a judge than bodily strength and dexterity in the use of arms. Daring courage, and superior vigour or address, were of more moment towards securing the favourable issue of a suit, than the equity of a cause, or the clearness of the evidence. Men, of course, applied themselves to cultivate the talents which they found to be of greatest utility. As strength of body and address in arms were no less requisite in those lists which they were obliged to enter in defence of their private rights than in the field of battle, where they met the enemies of their country, it became the great object of education, as well as the chief employment of life, to acquire these martial accomplishments. The administration of justice, instead of accustoming men to listen to the voice of equity, or to reverence the decisions of law, added to the ferocity of their manners, and taught them to consider force as the great arbiter of right and wrong.

Various expedients for abolishing this practice.

These pernicious effects of the trial by combat were so obvious, that they did not altogether escape the view of the unobserving age in which it was introduced. The clergy, from the beginning, remonstrated against it as repugnant to the spirit of christianity, and subversive of justice and order.[m] But the maxims and passions which favoured it had taken such hold of the minds of men, that they disregarded admonitions and censures which on other occasions would have struck them with terror. The evil was too great and inveterate to yield to that remedy, and continuing to increase, the civil power at length found it necessary to interpose. Conscious, however, of their own limited authority, monarchs proceeded with caution, and their first attempts to restrain or to set any bounds to this practice were extremely feeble. One of the earliest restrictions of this practice which occurs in the history of Europe, is that of Henry I. of England. It extended no further than to prohibit the trial by combat in questions concerning property of small value.[n] Louis VII. of France imitated his example, and issued an edict to the same effect.[o] St. Louis, whose ideas as a legislator were far superior to those of his age, endeavoured to introduce a more perfect jurisprudence, and to substitute the trial by evidence in place of that by combat. But his regulations with respect to this were confined to his own domains; for the great vassals of the crown possessed such independent authority, and were so fondly attached to the ancient practice, that he had not power to venture to extend it to the whole kingdom. Some barons voluntarily adopted his regulations. The spirit of courts of justice became averse to the mode of decision by combat, and discouraged it on every occasion. The nobles nevertheless thought it so honourable to depend for the security of their lives and fortunes on their own courage alone, and contended with so much vehemence for the preservation of this favourite privilege of their order, that the successors of St. Louis, unable to oppose, and afraid of offending, such powerful subjects, were obliged not only to tolerate, but to authorize, the practice which he had attempted to abolish.[p] In other countries of Europe, efforts equally zealous were employed to maintain the established custom, and similar concessions were extorted from their respective sovereigns. It continued, however, to be an object of policy with every monarch of abilities or vigour, to explode the trial by combat; and various edicts were issued for this purpose. But the observation which was made concerning the right of private war is equally applicable to the mode of trial under review. No custom, how absurd soever it may be, if it has subsisted long, or derives its force from the manners and prejudices of the age in which it prevails, was ever abolished by the bare promulgation of laws and statutes. The sentiments of the people must change, or some new power, sufficient to counteract the prevalent custom, must be introduced. Such a change accordingly took place in Europe, as science gradually increased, and society advanced towards more perfect order. In proportion as the prerogative of princes extended, and came to acquire new force, a power interested in suppressing every practice favourable to the independence of the nobles was introduced. The struggle, nevertheless, subsisted for several centuries; sometimes the new regulations and ideas seemed to gain ground; sometimes ancient habits recurred: and though, upon the whole, the trial by combat went more and more into disuse, yet instances of it occur, as late as the sixteenth century, in the history both of France and of England. In proportion as it declined, the regular administration of justice was restored, the proceedings of courts were directed by known laws, the study of these became an object of attention to judges, and the people of Europe advanced fast towards civility, when this great cause of the ferocity of their manners was removed.[q]

The privilege of appealing from the courts of the barons, another great improvement in the administration of justice.

By authorizing the right of appeal from the courts of the baron to those of the king, and subjecting the decisions of the former to the review of the latter, a new step, not less considerable than those which I have already mentioned, was taken towards establishing the regular, consistent, and vigorous administration of justice. Among

l See a curious discourse concerning the laws of judicial combat, by Thomas of Woodstock, duke of Gloucester, uncle to Richard II., in Spelman's Glossar. voc. *Campus*.

m Du Cange Glossar. voc. *Duellum*, vol. ii. p. 1675.
n Brussel Usage des Fiefs, vol. ii. p. 962.
o Ordon. tom. i. p. 16.
p Ordon. tom. i. p. 328, 390, 435.
q See Note XXII.

all the encroachments of the feudal nobles on the prerogative of their monarchs, their usurping the administration of justice with supreme authority, both in civil and criminal causes, within the precincts of their own estates, was the most singular. In other nations subjects have contended with their sovereigns, and have endeavoured to extend their own power and privileges; but in the history of their struggles and pretensions we discover nothing similar to this right which the feudal barons claimed and obtained. It must have been something peculiar in their genius and manners that suggested this idea, and prompted them to insist on such a claim. Among the rude people who conquered the various provinces of the Roman empire, and established new kingdoms there, the passion of resentment, too impetuous to bear control, was permitted to remain almost unrestrained by the authority of laws. The person offended, as has been observed, retained not only the right of prosecuting, but of punishing his adversary. To him it belonged to inflict such vengeance as satiated his rage, or to accept of such satisfaction as appeased it. But while fierce barbarians continued to be the sole judges in their own cause, their enmities were implacable and immortal; they set no bounds either to the degree of their vengeance, or to the duration of their resentment. The excesses which this occasioned proved so destructive of peace and order in society, as to render it necessary to devise some remedy. At first recourse was had to arbitrators, who by persuasion or entreaty prevailed on the party offended to accept of a fine or composition from the aggressor, and to drop all further prosecution. But as submission to persons who had no legal or magisterial authority was altogether voluntary, it became necessary to establish judges with power sufficient to enforce their own decisions. The leader whom they were accustomed to follow and to obey, whose courage they respected, and in whose integrity they placed confidence, was the person to whom a martial people naturally committed this important prerogative. Every chieftain was the commander of his tribe in war, and their judge in peace. Every baron led his vassals to the field, and administered justice to them in his hall. The high-spirited dependants would not have recognised any other authority, or have submitted to any other jurisdiction. But in times of turbulence and violence, the exercise of this new function was attended not only with trouble, but with danger. No person could assume the character of a judge, if he did not possess power sufficient to protect the one party from the violence of private revenge, and to compel the other to accept of such reparation as he enjoined. In consideration of the extraordinary efforts which this office required, judges, besides the fine which they appointed to be paid as a compensation to the person or family who had been injured, levied an additional sum as a recompence for their own labour; and in all the feudal kingdoms the latter was not only as precisely ascertained, but as regularly exacted, as the former.

Origin of the supreme and independent jurisdiction of the nobility.

Thus, by the natural operation of circumstances peculiar to the manners or political state of the feudal nations, separate and territorial jurisdictions came not only to be established in every kingdom, but were established in such a way that the interest of the barons concurred with their ambition in maintaining and extending them. It was not merely a point of honour with the feudal nobles to dispense justice to their vassals, but from the exercise of that power arose one capital branch of their revenue; and the emoluments of their courts were frequently the main support of their dignity. It was with infinite zeal that they asserted and defended this high privilege of their order. By this institution, however, every kingdom in Europe was split into as many separate principalities as it contained powerful barons. Their vassals, whether in peace or in war, were hardly sensible of any authority but that of their immediate superior lord. They felt themselves subject to no other command. They were amenable to no other jurisdiction. The ties which linked together these smaller confederacies became close and firm; the bonds of public union relaxed, or were dissolved. The nobles strained their invention in devising regulations which tended to ascertain and perpetuate this distinction. In order to guard against any appearance of subordination in their courts to those of the crown, they frequently constrained their monarchs to prohibit the royal judges from entering their territories, or from claiming any jurisdiction there; and if, either through mistake or from the spirit of encroachment, any royal judge ventured to extend his authority to the vassals of a baron, they might plead their right of exemption, and the lord of whom they held could not only rescue them out of his hands, but was entitled to legal reparation for the injury and affront offered to him. The jurisdiction of the royal judges scarcely reached beyond the narrow limits of the king's demesnes. Instead of a regular gradation of courts, all acknowledging the authority of the same general laws, and looking up to these as the guides of their decisions, there were in every feudal kingdom a number of independent tribunals, the proceedings of which were directed by local customs and contradictory forms. The collision of jurisdiction among these different courts often retarded the execution of justice. The variety and caprice of their modes of procedure must have for ever kept the administration of it from attaining any degree of uniformity or perfection.

The extent and bad effects of this privilege.

All the monarchs of Europe perceived these encroachments on their jurisdiction, and bore them with impatience. But the usurpations of the nobles were

Expedients employed in order to limit or abolish it.

so firmly established, and the danger of endeavouring to overturn them by open force was so manifest, that kings were obliged to remain satisfied with attempts to undermine them. Various expedients were employed for this purpose; each of which merits attention, as they mark the progress of law and equity in the several kingdoms of Europe. At first princes endeavoured to circumscribe the jurisdiction of the barons, by contending that they ought to take cognizance only of smaller offences, reserving those of greater moment, under the appellation of *Pleas of the Crown* and *Royal Causes*, to be tried in the king's courts. This, however, affected only the barons of inferior note; the more powerful nobles scorned such a distinction, and not only claimed unlimited jurisdiction, but obliged their sovereigns to grant them charters, conveying or recognising this privilege in the most ample form. The attempt, nevertheless, was productive of some good consequences, and paved the way for more. It turned the attention of men towards a jurisdiction distinct from that of the baron whose vassals they were; it accustomed them to the pretensions of superiority which the crown claimed over territorial judges; and taught them, when oppressed by their own superior lord, to look up to their sovereign as their protector. This facilitated the introduction of appeals, by which princes brought the decisions of the barons' courts under the review of the royal judges. While trial by combat subsisted in full vigour, no point decided according to that mode could be brought under the review of another court. It had been referred to the judgment of God; the issue of battle had declared his will; and it would have been impious to have called in question the equity of the divine decision. But as soon as that barbarous custom began to fall into disuse, princes encouraged the vassals of the barons to sue for redress by appealing to the royal courts. The progress of this practice, however, was slow and gradual. The first instances of appeals were on account of *the delay* or *the refusal of justice* in the barons' court; and as these were countenanced by the ideas of subordination in the feudal constitution, the nobles allowed them to be introduced without much opposition. But when these were followed by appeals on account of *the justice* or *iniquity of the sentence*, the nobles then began to be sensible that if this innovation became general, the shadow of power alone would remain in their hands, and all real authority and jurisdiction would centre in those courts which possessed the right of review. They instantly took the alarm, remonstrated against the encroachment, and contended boldly for their ancient privileges. But the monarchs in the different kingdoms of Europe pursued their plan with steadiness and prudence. Though forced to suspend their operations on some occasions, and seemingly to yield when any formidable confederacy of their vassals united against them, they resumed their measures as soon as they observed the nobles to be remiss or feeble, and pushed them with vigour. They appointed the royal courts, which originally were ambulatory, and irregular with respect to their times of meeting, to be held in a fixed place and at stated seasons. They were solicitous to name judges of more distinguished abilities than such as usually presided in the courts of the barons. They added dignity to their character and splendour to their assemblies. They laboured to render their forms regular and their decrees consistent. Such judicatories became, of course, the objects of public confidence as well as veneration. The people, relinquishing the tribunals of their lords, were eager to bring every subject of contest under the more equal and discerning eye of those whom their sovereign had chosen to give judgment in his name. Thus kings became once more the heads of the community and the dispensers of justice to their subjects. The barons in some kingdoms ceased to exercise the right of jurisdiction, because it sunk into contempt; in others it was circumscribed by such regulations as rendered it innocent, or it was entirely abolished by express statutes. Thus the administration of justice, taking its rise from one source and following one direction, held its course in every state with more uniformity and with greater force.[r]

The regulations of the canon law promote a more perfect administration.

VI. The forms and maxims of the canon law, which were become universally respectable from their authority in the spiritual courts, contributed not a little towards those improvements in jurisprudence which I have enumerated. If we consider the canon law politically, and view it either as a system framed on purpose to assist the clergy in usurping powers and jurisdiction no less repugnant to the nature of their function than inconsistent with the order of government, or as the chief instrument in establishing the dominion of the popes, which shook the throne and endangered the liberties of every kingdom in Europe, we must pronounce it one of the most formidable engines ever formed against the happiness of civil society. But if we contemplate it merely as a code of laws respecting the rights and property of individuals, and attend only to the civil effects of its decisions concerning these, it will appear in a different and a much more favourable light. In ages of ignorance and credulity, the ministers of religion are the objects of superstitious veneration. When the barbarians who overran the Roman empire first embraced the Christian faith, they found the clergy in possession of considerable power; and they naturally transferred to those new guides the profound submission and reverence which they were accustomed to yield to the priests of that religion which they had forsaken. They deemed their persons to be equally sacred with their function; and would have considered it as impious to

The progress of ecclesiastical usurpation.

r See Note XXIII.

subject them to the profane jurisdiction of the laity. The clergy were not blind to these advantages which the weakness of mankind afforded them. They established courts in which every question relating to their own character, their function, or their property, was tried. They pleaded and obtained an almost total exemption from the authority of civil judges. Upon different pretexts, and by a multiplicity of artifices, they communicated this privilege to so many persons, and extended their jurisdiction to such a variety of cases, that the greater part of those affairs which gave rise to contest and litigation was drawn under the cognisance of the spiritual courts.

The plan of ecclesiastical jurisprudence more perfect than that in the civil courts.

But in order to dispose the laity to suffer these usurpations without murmur or opposition, it was necessary to convince them that the administration of justice would be rendered more perfect by the establishment of this new jurisdiction. This was not a difficult undertaking at that period, when ecclesiastics carried on their encroachments with the greatest success. That scanty portion of science which served to guide men in the ages of darkness was almost entirely engrossed by the clergy. They alone were accustomed to read, to inquire, and to reason. Whatever knowledge of ancient jurisprudence had been preserved, either by tradition or in such books as had escaped the destructive rage of barbarians, was possessed by them. Upon the maxims of that excellent system they founded a code of laws consonant to the great principles of equity. Being directed by fixed and known rules, the forms of their courts were ascertained, and their decisions became uniform and consistent. Nor did they want authority sufficient to enforce their sentences. Excommunication and other ecclesiastical censures were punishments more formidable than any that civil judges could inflict in support of their decrees.

The good effects of imitating and adopting it.

It is not surprising, then, that ecclesiastical jurisprudence should become such an object of admiration and respect, that exemption from civil jurisdiction was courted as a privilege and conferred as a reward. It is not surprising that, even to a rude people, the maxims of the canon law should appear more equal and just than those of the ill-digested jurisprudence which directed all proceedings in civil courts. According to the latter, the differences between contending barons were terminated, as in a state of nature, by the sword; according to the former, every matter was subject to the decision of laws. The one, by permitting judicial combats, left chance and force to be arbiters of right or wrong, of truth or falsehood; the other passed judgment with respect to these by the maxims of equity and the testimony of witnesses. Any error or iniquity in a sentence pronounced by a baron to whom feudal jurisdiction belonged, was irremediable, because originally it was subject to the review of no superior tribunal: the ecclesiastical law established a regular gradation of courts, through all which a cause might be carried by appeal, until it was determined by that authority which was held to be supreme in the church. Thus the genius and principles of the canon law prepared men for approving those three great alterations in the feudal jurisprudence which I have mentioned. But it was not with respect to these points alone that the canon law suggested improvement beneficial to society. Many of the regulations now deemed the barriers of personal security, or the safeguards of private property, are contrary to the spirit and repugnant to the maxims of the civil jurisprudence known in Europe during several centuries, and were borrowed from the rules and practice of the ecclesiastical courts. By observing the wisdom and equity of the decisions in these courts, men began to perceive the necessity either of deserting the martial tribunals of the barons, or of attempting to reform them.[s]

The revival of the Roman law contributes towards more liberal ideas concerning justice and order.

VII. The revival of the knowledge and study of the Roman law co-operated with the causes which I have mentioned, in introducing more just and liberal ideas concerning the nature of government and the administration of justice. Among the calamities which the devastations of the barbarians who broke in upon the empire brought upon mankind, one of the greatest was their overturning the system of Roman jurisprudence, the noblest monument of the wisdom of that great people, formed to subdue and to govern the world. The laws and regulations of a civilized community were repugnant to the manners and ideas of these fierce invaders. They had no respect to objects of which a rude people had no conception, and were adapted to a state of society with which they were entirely unacquainted. For this reason, wherever they settled the Roman jurisprudence soon sunk into oblivion, and lay buried for some centuries under the load of those institutions which the inhabitants of Europe dignified with the name of laws. But towards the middle of the twelfth century, a copy of Justinian's Pandects was accidentally discovered in Italy. By that time the state of society was so far advanced, and the ideas of men so much enlarged and improved by the occurrences of several centuries, during which they had continued in political union, that they were struck with admiration of a system which their ancestors could not comprehend. Though they had not hitherto attained such a degree of refinement as to acquire from the ancients a relish for true philosophy or speculative science; though they were still insensible, in a great degree, to the beauty and elegance of classical composition; they were sufficiently qualified to judge with respect to the merit of their system of laws, in which the many points most interesting to mankind were settled with discernment,

The circumstances from which the Roman law fell into oblivion.

Circumstances which favoured the revival of it.

s See Note XXIV.

precision, and equity. All men of letters studied this new science with eagerness; and within a few years after the discovery of the Pandects, professors of civil law were appointed, who taught it publicly in most countries of Europe.

The effects of this upon the ideas of men, and the dispensation of justice.

The effects of having such an excellent model to study and to imitate were immediately perceived. Men, as soon as they were acquainted with fixed and general laws, perceived the advantage of them, and became impatient to ascertain the principles and forms by which judges should regulate their decisions. Such was the ardour with which they carried on an undertaking of so great importance to society, that before the close of the twelfth century, the feudal law was reduced into a regular system; the code of canon law was enlarged and methodized; and the loose uncertain customs of different provinces or kingdoms, were collected and arranged with an order and accuracy acquired from the knowledge of Roman jurisprudence. In some countries of Europe the Roman law was adopted as subsidiary to their own municipal law; and all cases to which the latter did not extend, were decided according to the principles of the former. In others, the maxims as well as forms of Roman jurisprudence mingled imperceptibly with the laws of the country, and had a powerful though less sensible influence in improving and perfecting them.[t]

From all these arose a distinction in professions.

These various improvements in the system of jurisprudence and administration of justice, occasioned a change in manners of great importance, and of extensive effect. They gave rise to a distinction of professions; they obliged men to cultivate different talents, and to aim at different accomplishments, in order to qualify themselves for the various departments and functions which became necessary in society.[u] Among uncivilized nations there is but one profession honourable, that of arms. All the ingenuity and vigour of the human mind are exerted in acquiring military skill or address. The functions of peace are few and simple, and require no particular course of education or of study, as a preparation for discharging them. This was the state of Europe during several centuries. Every gentleman, born a soldier, scorned any other occupation; he was taught no science but that of war; even his exercises and pastimes were feats of martial prowess. Nor did the judicial character, which persons of noble birth were alone entitled to assume, demand any degree of knowledge beyond that which such untutored soldiers possessed. To recollect a few traditionary customs which time had confirmed and rendered respectable; to mark out the lists of battle with due formality; to observe the issue of the combat; and to pronounce whether it had been conducted according to the laws of arms, included every thing that a baron who acted as a judge found it necessary to understand.

The effect of this on society.

But when the forms of legal proceedings were fixed, when the rules of decision were committed to writing, and collected into a body, law became a science, the knowledge of which required a regular course of study, together with long attention to the practice of courts. Martial and illiterate nobles had neither leisure nor inclination to undertake a task so laborious, as well as so foreign from all the occupations which they deemed entertaining or suitable to their rank. They gradually relinquished their places in courts of justice, where their ignorance exposed them to contempt. They became weary of attending to the discussion of cases which grew too intricate for them to comprehend. Not only the judicial determination of points which were the subject of controversy, but the conduct of all legal business and transactions, was committed to persons trained by previous study and application, to the knowledge of law. An order of men to whom their fellow-citizens had daily recourse for advice, and to whom they looked up for decision in their most important concerns, naturally acquired consideration and influence in society. They were advanced to honours which had been considered hitherto as the peculiar rewards of military virtue. They were intrusted with offices of the highest dignity and most extensive power. Thus another profession than that of arms came to be introduced among the laity, and was reputed honourable. The functions of civil life were attended to: the talents requisite for discharging them were cultivated. A new road was opened to wealth and eminence. The arts and virtues of peace were placed in their proper rank, and received their due recompence.[x]

The spirit of chivalry introduces more liberal sentiments and more generous manners.

VIII. While improvements so important with respect to the state of society and the administration of justice gradually made progress in Europe, sentiments more liberal and generous had begun to animate the nobles. These were inspired by the spirit of chivalry, which, though considered, commonly, as a wild institution, the effect of caprice and the source of extravagance, arose naturally from the state of society at that period, and had a very serious influence in refining the manners of the European nations.

Origin of chivalry.

The feudal state was a state of almost perpetual war, rapine, and anarchy; during which the weak and unarmed were exposed to insults or injuries. The power of the sovereign was too limited to prevent these wrongs, and the administration of justice too feeble to redress them. The most effectual protection against violence and oppression was often found to be that which the valour and generosity of private persons afforded. The same spirit of enter-

t See Note XXV.
u Dr. Ferguson's Essay on the History of Civil Society, part iv. sect. 1.

x See Note XXVI.

prise which had prompted so many gentlemen to take arms in defence of the oppressed pilgrims in Palestine, incited others to declare themselves the patrons and avengers of injured innocence at home. When the final reduction of the Holy Land under the dominion of infidels put an end to these foreign expeditions, the latter was the only employment left for the activity and courage of adventurers. To check the insolence of overgrown oppressors; to rescue the helpless from captivity; to protect or to avenge women, orphans, and ecclesiastics, who could not bear arms in their own defence; to redress wrongs and to remove grievances, were deemed acts of the highest prowess and merit. Valour, humanity, courtesy, justice, honour, were the characteristic qualities of chivalry. To these was added religion, which mingled itself with every passion and institution during the middle ages, and by infusing a large proportion of enthusiastic zeal, gave them such force as carried them to romantic excess. Men were trained to knighthood by a long previous discipline; they were admitted into the order by solemnities no less devout than pompous; every person of noble birth courted that honour; it was deemed a distinction superior to royalty; and monarchs were proud to receive it from the hands of private gentlemen.

Its beneficial effects.

This singular institution, in which valour, gallantry, and religion were so strangely blended, was wonderfully adapted to the taste and genius of martial nobles; and its effects were soon visible in their manners. War was carried on with less ferocity when humanity came to be deemed the ornament of knighthood no less than courage. More gentle and polished manners were introduced when courtesy was recommended as the most amiable of knightly virtues. Violence and oppression decreased when it was reckoned meritorious to check and to punish them. A scrupulous adherence to truth, with the most religious attention to fulfil every engagement, became the distinguishing characteristic of a gentleman, because chivalry was regarded as the school of honour, and inculcated the most delicate sensibility with respect to those points. The admiration of these qualities, together with the high distinctions and prerogatives conferred on knighthood in every part of Europe, inspired persons of noble birth on some occasions with a species of military fanaticism, and led them to extravagant enterprises. But they deeply imprinted on their minds the principles of generosity and honour. These were strengthened by every thing that can affect the senses or touch the heart. The wild exploits of those romantic knights who sallied forth in quest of adventures are well known, and have been treated with proper ridicule. The political and permanent effects of the spirit of chivalry have been less observed. Perhaps the humanity which accompanies all the operations of war, the refinements of gallantry, and the point of honour, the three chief circumstances which distinguish modern from ancient manners, may be ascribed in a great measure to this institution, which has appeared whimsical to superficial observers, but by its effects has proved of great benefit to mankind. The sentiments which chivalry inspired had a wonderful influence on manners and conduct during the twelfth, thirteenth, fourteenth, and fifteenth centuries. They were so deeply rooted, that they continued to operate after the vigour and reputation of the institution itself began to decline. Some considerable transactions recorded in the following history, resemble the adventurous exploits of chivalry rather than the well-regulated operations of sound policy. Some of the most eminent personages, whose characters will be delineated, were strongly tinctured with this romantic spirit. Francis I. was ambitious to distinguish himself by all the qualities of an accomplished knight, and endeavoured to imitate the enterprising genius of chivalry in war, as well as its pomp and courtesy during peace. The fame which the French monarch acquired by these splendid actions so far dazzled his more temperate rival, that he departed on some occasions from his usual prudence and moderation, and emulated Francis in deeds of prowess or of gallantry.[y]

IX. The progress of science, and the cultivation of literature, had considerable effect in changing the manners of the European nations, and introducing that civility and refinement by which they are now distinguished. At the time when their empire was overturned, the Romans, though they had lost that correct taste which has rendered the productions of their ancestors standards of excellence and models of imitation for succeeding ages, still preserved their love of letters, and cultivated the arts with great ardour. But rude barbarians were so far from being struck with any admiration of these unknown accomplishments, that they despised them. They were not arrived at that state of society when those faculties of the human mind which have beauty and elegance for their objects begin to unfold themselves. They were strangers to most of those wants and desires which are the parents of ingenious invention; and as they did not comprehend either the merit or utility of the Roman arts, they destroyed the monuments of them with an industry not inferior to that with which their posterity have since studied to preserve or to recover them. The convulsions occasioned by the settlement of so many unpolished tribes in the empire; the frequent as well as violent revolutions in every kingdom which they established, together with the interior defects in the form of government which they introduced, banished security and leisure; prevented the growth of taste or the culture of science; and kept Europe, during several centuries, in that state of ignorance which has been

The progress of science has great influence on the manners and character of men.

Ignorance of the middle ages.

y See Note XXVII.

already described. But the events and institutions which I have enumerated produced great alterations in society. As soon as their operations in restoring liberty and independence to one part of the community began to be felt; as soon as they began to communicate to all the members of society some taste of the advantages arising from commerce, from public order, and from personal security, the human mind became conscious of powers which it did not formerly perceive, and fond of occupations or pursuits of which it was formerly incapable. Towards the beginning of the twelfth century, we discern the first symptoms of its awakening from that lethargy in which it had been long sunk, and observe it turning with curiosity and attention towards new objects.

The first literary efforts ill-directed, and the causes of this.

The first literary efforts, however, of the European nations in the middle ages were extremely ill-directed. Among nations as well as individuals, the powers of imagination attain some degree of vigour before the intellectual faculties are much exercised in speculative or abstract disquisition. Men are poets before they are philosophers. They feel with sensibility and describe with force, when they have made but little progress in investigation or reasoning. The age of Homer and of Hesiod long preceded that of Thales or of Socrates. But unhappily for literature, our ancestors, deviating from this course which nature points out, plunged at once into the depths of abstruse and metaphysical inquiry. They had been converted to the christian faith soon after they settled in their new conquests. But they did not receive it pure. The presumption of men had added to the simple and instructive doctrines of christianity the theories of a vain philosophy, that attempted to penetrate into mysteries and to decide questions which the limited faculties of the human mind are unable to comprehend or to resolve. These over-curious speculations were incorporated with the system of religion, and came to be considered as the most essential part of it. As soon, then, as curiosity prompted men to inquire and to reason, these were the subjects which first presented themselves and engaged their attention. The scholastic theology, with its infinite train of bold disquisitions and subtle distinctions concerning points which are not the object of human reason, was the first production of the spirit of inquiry, after it began to resume some degree of activity and vigour in Europe. It was not, however, this circumstance alone that gave such a wrong turn to the minds of men, when they began again to exercise talents which they had so long neglected. Most of the persons who attempted to revive literature in the twelfth and thirteenth centuries, had received instruction or derived their principles of science from the Greeks in the eastern empire, or from the Arabians in Spain and Africa. Both these people, acute and inquisitive to excess, had corrupted those sciences which they cultivated. The former rendered theology a system of speculative refinement or of endless controversy. The latter communicated to philosophy a spirit of metaphysical and frivolous subtilty. Misled by these guides, the persons who first applied to science were involved in a maze of intricate inquiries. Instead of allowing their fancy to take its natural range, and to produce such works of invention as might have improved their taste and refined their sentiments; instead of cultivating those arts which embellish human life, and render it comfortable; they were fettered by authority, they were led astray by example, and wasted the whole force of their genius in speculations as unavailing as they were difficult.

They had, however, considerable effects.

But fruitless and ill-directed as these speculations were, their novelty roused and their boldness interested the human mind. The ardour with which men pursued those uninviting studies was astonishing. Genuine philosophy was never cultivated, in any enlightened age, with more zeal. Schools upon the model of those instituted by Charlemagne were opened in every cathedral, and almost in every monastery of note. Colleges and universities were erected and formed into communities or corporations, governed by their own laws, and invested with separate and extensive jurisdiction over their own members. A regular course of studies was planned. Privileges of great value were conferred on masters and scholars. Academical titles and honours of various kinds were invented as a recompence for both. Nor was it in the schools alone that superiority in science led to reputation and authority; it became an object of respect in life, and advanced such as acquired it to a rank of no inconsiderable eminence. Allured by all these advantages, an incredible number of students resorted to those new seats of learning, and crowded with eagerness into that new path which was opened to fame and distinction.

A circumstance which prevented their being more extensive.

But how considerable soever these first efforts may appear, there was one circumstance which prevented the effects of them from being as extensive as they naturally ought to have been. All the languages in Europe, during the period under review, were barbarous. They were destitute of elegance, of force, and even of perspicuity. No attempt had been hitherto made to improve or to polish them. The Latin tongue was consecrated by the church to religion. Custom, with authority scarcely less sacred, had appropriated it to literature. All the sciences cultivated in the twelfth and thirteenth centuries were taught in Latin. All books with respect to them were written in that language. It would have been deemed a degradation of any important subject, to have treated of it in a modern language. This confined science within a very narrow circle. The learned alone were admitted into the temple of knowledge; the gate was shut against all others, who were suffered to remain involved in their former darkness and ignorance.

Its influence on manners merits attention.

But though science was thus prevented, during several ages, from diffusing itself through society, and its influence was much circumscribed; the progress which it made may be mentioned, nevertheless, among the great causes which contributed to introduce a change of manners into Europe. The ardent though ill-judged spirit of inquiry which I have described, occasioned a fermentation of mind that put ingenuity and invention in motion, and gave them vigour. It led men to a new employment of their faculties, which they found to be agreeable as well as interesting. It accustomed them to exercises and occupations which tended to soften their manners, and to give them some relish for the gentle virtues peculiar to people among whom science has been cultivated with success.[z]

The progress of commerce had great influence on manners and government.

X. The progress of commerce had considerable influence in polishing the manners of the European nations, and in establishing among them order, equal laws, and humanity. The wants of men, in the original and most simple state of society, are so few, and their desires so limited, that they rest contented with the natural productions of their climate and soil, or with what they can add to these by their own rude industry. They have no superfluities to dispose of, and few necessities that demand a supply. Every little community subsisting on its own domestic stock, and satisfied with it, is either little acquainted with the states around it, or at variance with them. Society and manners must be considerably improved, and many provisions must be made for public order and personal security, before a liberal intercourse can take place between different nations. We find, accordingly, that the first effect of the settlement of the barbarians in the empire was to divide those nations which the Roman power had united. Europe was broken into many separate communities. The intercourse between these divided states ceased almost entirely during several centuries. Navigation was dangerous in seas infested by pirates; nor could strangers trust to a friendly reception in the ports of uncivilized nations. Even between distant parts of the same kingdom, the communication was rare and difficult. The lawless rapine of banditti, together with the avowed exactions of the nobles, scarcely less formidable and oppressive, rendered a journey of any length a perilous enterprise. Fixed to the spot in which they resided, the greater part of the inhabitants of Europe lost, in a great measure, the knowledge of remote regions, and were unacquainted with their names, their situations, their climates, and their commodities.[a]

Low state of commerce in the middle ages.

Causes of its revival.

Various causes, however, contributed to revive the spirit of commerce, and to renew, in some degree, the intercourse between different nations. The Italians, by their connexion with Constantinople and other cities of the Greek empire, had preserved in their own country considerable relish for the precious commodities and curious manufactures of the east. They communicated some knowledge of these to the countries contiguous to Italy. But this commerce being extremely limited, the intercourse which it occasioned between different nations was not considerable. The Crusades, by leading multitudes from every corner of Europe into Asia, opened a more extensive communication between the east and west, which subsisted for two centuries; and though the object of these expeditions was conquest and not commerce; though the issue of them proved as unfortunate as the motives for undertaking them were wild and enthusiastic; their commercial effects, as hath been shown, were both beneficial and permanent. During the continuance of the Crusades, the great cities in Italy, and in other countries of Europe, acquired liberty, and together with it such privileges as rendered them respectable and independent communities. Thus, in every state, there was formed a new order of citizens, to whom commerce presented itself as their proper object, and opened to them a certain path to wealth and consideration. Soon after the close of the Holy War, the mariner's compass was invented, which, by rendering navigation more secure, encouraged it to become more adventurous, facilitated the communication between remote nations, and brought them nearer to each other.

First among the Italians:

The Italian states, during the same period, established a regular commerce with the east in the ports of Egypt, and drew from thence all the rich products of the Indies. They introduced into their own territories manufactures of various kinds, and carried them on with great ingenuity and vigour. They attempted new arts; and transplanted from warmer climates, to which they had been hitherto deemed peculiar, several natural productions which now furnish the materials of a lucrative and extended commerce. All these commodities, whether imported from Asia or produced by their own skill, they disposed of to great advantage among the other people of Europe, who began to acquire some taste for an elegance in living unknown to their ancestors, or despised by them. During the twelfth and thirteenth centuries, the commerce of Europe was almost entirely in the hands of the Italians, more commonly known in those ages by the name of Lombards. Companies or societies of Lombard merchants settled in every different kingdom. They were taken under the immediate protection of the several governments: They enjoyed extensive privileges and immunities. The operation of the ancient barbarous laws concerning strangers was suspended with respect to them. They became the carriers, the manufacturers, and the bankers of all Europe.

While the Italians, in the south of Europe, were

z See Note XXVIII.

a See Note XXIX.

Then by the means of the Hanseatic League.

cultivating trade with such industry and sueeess, the commereial spirit awakened in the north towards the middle of the thirteenth century. As the nations around the Baltic were, at that time, extremely barbarous, and infested that sea with their piracies, the cities of Lubec and Hamburgh, soon after they began to open some trade with these people, found it neeessary to enter into a league of mutual defenee. They derived sueh advantages from this union, that other towns aeceded to their confederacy, and, in a short time, eighty of the most considerable eities scattered through those extensive countries which stretch from the bottom of the Baltic to Cologne on the Rhine, joined in the famous Hanseatie league, which became so formidable, that its alliance was courted and its enmity was dreaded by the greatest monarchs. The members of this powerful association formed the first systematic plan of commerce known in the middle ages, and conducted it by eommon laws enacted in their general assemblies. They supplied the rest of Europe with naval stores, and pitched on different towns, the most eminent of which was Bruges in Flanders, where they established staples in which their commerce was regularly carried on. Thither the Lombards brought the productions of India, together with the manufactures of Italy, and exchanged them for the more bulky but not less useful commodities of the north. The Hanseatic merchants disposed of the cargoes which they received from the Lombards, in the ports of the Baltie, or carried them up the great rivers into the interior parts of Germany.

Commerce makes progress in the Netherlands;

This regular intercourse opened between the nations in the north and south of Europe made them sensible of their mutual wants, and created sueh new and inereasing demands for commodities of every kind, that it excited among the inhabitants of the Netherlands a more vigorous spirit in carrying on the two great manufactures of wool and flax, which seem to have been considerable in that eountry as early as the age of Charlemagne. As Bruges became the centre of communication between the Lombard and Hanseatie merehants, the Flemings traded with both in that eity to such extent as well as advantage, as spread among them a general habit of industry, which long rendered Flanders and the adjaeent provinces the most opulent, the most populous, and best-cultivated countries in Europe.

and in England.

Struek with the flourishing state of these provinees, of which he discerned the true eause, Edward III. of England endeavoured to exeite a spirit of industry among his own subjeets, who, blind to the advantages of their situation, and ignorant of the souree from whieh opulenee was destined to flow into their eountry, were so little attentive to their eommereial interests, as hardly to attempt those manufaetures the materials of which they furnished to foreigners. By alluring Flemish artisans to settle in his dominions, as well as by many wise laws for the eneouragement and regulation of trade, Edward gave a beginning to the woollen manufactures of England, and first turned the aetive and enterprising genius of his people towards those arts whieh have raised the English to the highest rank among eommercial nations.

The beneficial effects of this.

This increase of commerce and of intercourse between nations, how inconsiderable soever it may appear in respeet of their rapid and extensive progress during the last and present age, seems wonderfully great when we compare it with the state of both in Europe previous to the twelfth century. It did not fail of producing great effects. Commeree tends to wear off those prejudiees whieh maintain distinetion and animosity between nations. It softens and polishes the manners of men. It unites them by one of the strongest of all ties, the desire of supplying their mutual wants. It disposes them to peace, by establishing in every state an order of citizens bound by their interests to be the guardians of public tranquillity. As soon as the commercial spirit aequires vigour and begins to gain an ascendant in any society, we discover a new genius in its policy, its alliances, its wars, and its negociations. Conspicuous proofs of this occur in the history of the Italian states, of the Hanseatic league, and the cities of the Netherlands, during the period under review. In proportion as commeree made its way into the different countries of Europe, they successively turned their attention to those objects and adopted those manners whieh oeeupy and distinguish polished nations.[b]

SECTION II.

View of the Progress of Society in Europe, with respect to the command of the national force requisite in foreign operations.

State of society greatly improved at the beginning of the fifteenth century.

Such are the events and institutions which, by their powerful operation, eontributed gradually to introduee regular government and polished manners into the various nations of Europe. When we survey the state of society or the charaeter of individuals at the opening of the fifteenth eentury, and then turn baek to view the eondition of both at the time when the barbarous tribes whieh overturned the Roman power completed their settlement in their new eonquests, the progress whieh mankind had made towards order and refinement will appear immense.

Still defective with respect to the command of the national force.

Government, however, was still far from having attained that state in which extensive monarehies aet with

b See Note XXX.

the united vigour of the whole community, or carry on great undertakings with perseverance and success. Small tribes or communities, even in their rudest state, may operate in concert, and exert their utmost force. They are excited to act, not by the distant objects or the refined speculations which interest or affect men in polished societies, but by their present feelings. The insults of an enemy kindle resentment; the success of a rival tribe awakens emulation: these passions communicate from breast to breast, and all the members of the community with united ardour rush into the field, in order to gratify their revenge, or to acquire distinction. But in widely extended states, such as the great kingdoms of Europe at the beginning of the fifteenth century, where there is little intercourse between the distant members of the community, and where every great enterprise requires previous concert and long preparation, nothing can rouse and call forth their united strength but the absolute command of a despot, or the powerful influence of regular policy. Of the former the vast empires in the east are an example; the irresistible mandate of the sovereign reaches the most remote provinces of his dominions, and compels whatever number of his subjects he is pleased to summon, to follow his standard. The kingdoms of Europe, in the present age, are an instance of the latter; the prince, by the less violent but no less effectual operation of laws and a well-regulated government, is enabled to avail himself of the whole force of his state, and to employ it in enterprises which require strenuous and persevering efforts.

The power of monarchs very limited.

But at the opening of the fifteenth century, the political constitution in all the kingdoms of Europe was very different from either of these states of government. The several monarchs, though they had somewhat enlarged the boundaries of prerogative by successful encroachments on the immunities and privileges of the nobility, were possessed of an authority extremely limited. The laws and interior police of kingdoms, though much improved by the various events and regulations which I have enumerated, were still feeble and imperfect. In every country a numerous body of nobles, who continued to be formidable notwithstanding the various expedients employed to depress them, watched all the motions of their sovereign with a jealous attention which set bounds to his ambition, and either prevented his forming schemes of extensive enterprise, or obstructed the execution of them.

Their revenues small.

The ordinary revenues of every prince were so extremely small as to be inadequate to any great undertaking. He depended for extraordinary supplies on the good-will of his subjects, who granted them often with a reluctant, and always with a sparing, hand.

The armies unfit for conquest.

As the revenues of princes were inconsiderable, the armies which they could bring into the field were unfit for long and effectual service. Instead of being able to employ troops trained to skill in arms and to military subordination by regular discipline, monarchs were obliged to depend on such forces as their vassals conducted to their standard in consequence of their military tenures. These, as they were bound to remain under arms only for a short time, could not march far from their usual place of residence, and being more attached to the lord of whom they held than to the sovereign whom they served, were often as much disposed to counteract as to forward his schemes. Nor were they, even if they had been more subject to the command of the monarch, proper instruments to carry into execution any great and arduous enterprise. The strength of an army formed either for conquest or defence lies in infantry. To the stability and discipline of their legions, consisting chiefly of infantry, the Romans, during the times of the republic, were indebted for their victories; and when their descendants, forgetting the institutions which had led them to universal dominion, so far altered their military system as to place their principal confidence in a numerous cavalry, the undisciplined impetuosity of the barbarous nations, who fought mostly on foot, was sufficient, as I have already observed, to overcome them. These nations, soon after they settled in their new conquests, uninstructed by the fatal error of the Romans, relinquished the customs of their ancestors, and converted the chief force of their armies into cavalry. Among the Romans this change was occasioned by the effeminacy of their troops, who could not endure the fatigues of service, which their more virtuous and hardy ancestors had sustained with ease. Among the people who established the new monarchies into which Europe was divided, this innovation in military discipline seems to have flowed from the pride of the nobles, who, scorning to mingle with persons of inferior rank, aimed at being distinguished from them in the field as well as during peace. The institution of chivalry, and the frequency of tournaments, in which knights, in complete armour, entered the lists on horseback with extraordinary splendour, displaying amazing address, force, and valour, brought cavalry into still greater esteem. The fondness for that service increased to such a degree, that, during the thirteenth and fourteenth centuries, the armies of Europe were composed almost entirely of cavalry. No gentleman would appear in the field but on horseback. To serve in any other manner he would have deemed derogatory to his rank. The cavalry, by way of distinction, was called *The Battle*, and on it alone depended the fate of every action. The infantry, collected from the dregs and refuse of the people, ill armed and worse disciplined, was almost of no account.

They are incapable of forming any general or extensive plan of operation.

As these circumstances rendered the operations of particular kingdoms less considerable and less vigorous, so they long kept the princes of Europe from

giving such attention to the schemes and transactions of their neighbours as might lead them to form any regular system of public security. They were, of consequence, prevented from uniting in confederacy or from acting with concert, in order to establish such a distribution and balance of power, as should hinder any state from rising to a superiority which might endanger the general liberty and independence. During several centuries the nations of Europe appear to have considered themselves as separate societies, scarcely connected together by any common interest, and little concerned in each other's affairs or operations. An extensive commerce did not afford them an opportunity of observing and penetrating into the schemes of every different state. They had not ambassadors residing constantly in every court to watch and give early intelligence of all its motions. The expectation of remote advantages, or the prospect of distant and contingent evils, was not sufficient to excite nations to take arms. Such only as were within the sphere of immediate danger, and unavoidably exposed to injury or insult, thought themselves interested in any contest, or bound to take precautions for their own safety.

They were little connected with each other.

Whoever records the transactions of any of the more considerable European states during the two last centuries, must write the history of Europe. Its various kingdoms, throughout that period, have been formed into one great system, so closely united, that each holding a determinate station, the operations of one are so felt by all as to influence their counsels and regulate their measures. But previous to the fifteenth century, unless when vicinity of territory rendered the occasions of discord frequent and unavoidable, or when national emulation fomented or imbittered the spirit of hostility, the affairs of different countries are seldom interwoven with each other. In each kingdom of Europe great events and revolutions happened, which the other powers beheld with almost the same indifference as if they had been uninterested spectators, to whom the effect of these transactions could never extend.

A confirmation of this from the affairs of France;

During the violent struggles between France and England, and notwithstanding the alarming progress which was made towards rendering one prince the master of both these kingdoms, hardly one measure which can be considered as the result of a sagacious and prudent policy was formed in order to guard against an event so fatal to Europe. The dukes of Burgundy and Bretagne, whom their situation would not permit to remain neutral, engaged, it is true, in the contest; but in taking their part they seem rather to have followed the impulse of their passions than to have been guided by any just discernment of the danger which threatened themselves and the tranquillity of Europe. The other princes, seemingly unaffected by the alternate successes of the contending parties, left them to decide the quarrel by themselves, or interposed only by feeble and ineffectual negociations.

From those of Spain;

Notwithstanding the perpetual hostilities in which the various kingdoms of Spain were engaged during several centuries, and the successive occurrences which visibly tended to unite that part of the continent into one great monarchy, the princes of Europe hardly took any step from which we may conclude that they gave a proper attention to that important event. They permitted a power to arise imperceptibly and to acquire strength there, which soon became formidable to all its neighbours.

from those of Germany.

Amidst the violent convulsions with which the spirit of domination in the see of Rome, and the turbulent ambition of the German nobles, agitated the empire, neither the authority of the popes, seconded by all their artifices and intrigues, nor the solicitations of the emperors, could induce any of the powerful monarchs in Europe to engage in their quarrel, or to avail themselves of many favourable opportunites of interposing with effect and advantage.

This inactivity occasioned entirely by the state of government.

This amazing inactivity during transactions so interesting, is not to be imputed to any incapacity of discerning their political consequences. The power of judging with sagacity, and of acting with vigour, is the portion of men of every age. The monarchs who reigned in the different kingdoms of Europe during several centuries were not blind to their particular interest, negligent of the public safety, or strangers to the method of securing both. If they did not adopt that salutary system which teaches modern politicians to take the alarm at the prospect of distant dangers, which prompts them to check the first encroachments of any formidable power, and which renders each state the guardian, in some degree, of the rights and independence of all its neighbours, this was owing entirely to such imperfections and disorders in the civil government of each country, as made it impossible for sovereigns to act suitably to those ideas which the posture of affairs and their own observation must have suggested.

Events happened during the 15th century, which render the efforts of nations more powerful and extensive.

But during the course of the fifteenth century, various events happened which, by giving princes more entire command of the force in their respective dominions, rendered their operations more vigorous and extensive. In consequence of this, the affairs of different kingdoms becoming more frequently as well as more intimately connected, they were gradually accustomed to act in concert and confederacy, and were insensibly prepared for forming a system of policy, in order to establish or to preserve such a balance of power as was most consistent with the general security. It was during the reign of Charles the fifth, that the ideas on which this system is founded first came to be fully understood. It was then that the maxims by which it has been uniformly maintained since

that era were universally adopted. On this account a view of the causes and events which contributed to establish a plan of policy more salutary and extensive than any that has taken place in the conduct of human affairs, is not only a necessary introduction to the following work, but is a capital object in the history of Europe.

The first of these was the depriving the English of their territories on the continent.

The first event that occasioned any considerable alteration in the arrangement of affairs in Europe, was the annexation of the extensive territories which England possessed on the continent to the crown of France. While the English were masters of several of the most fertile and opulent provinces in France, and a great part of its most martial inhabitants was bound to follow their standard, an English monarch considered himself rather as the rival than as the vassal of the sovereign of whom he held. The kings of France, circumscribed and thwarted in their schemes and operations by an adversary no less jealous than formidable, durst not enter upon any enterprise of importance or of difficulty. The English were always at hand ready to oppose them. They disputed even their right to their crown, and being able to penetrate with ease into the heart of the kingdom, could arm against them those very hands which ought to have been employed in their defence. Timid counsels and feeble efforts were natural to monarchs in such a situation. France, dismembered and overawed, could not attain its proper station in the system of Europe. But the death of Henry V. of England, happily for France, and not unfortunately for his own country, delivered the French from the calamity of having a foreign master seated on their throne. The weakness of a long minority, the dissensions in the English court, together with the unsteady and languid conduct which these occasioned, afforded the French a favourable opportunity of recovering the territories which they had lost. The native valour of the French nobility, heightened to an enthusiastic confidence by a supposed interposition of Heaven in their behalf; conducted in the field by skilful leaders, and directed in the cabinet by a prudent monarch, was exerted with such vigour and success during this favourable juncture, as not only wrested from the English their new conquests, but stript them of their ancient possessions in France, and reduced them within the narrow precincts of Calais and its petty territory.

The effect of this on increasing the power of the French monarchy;

As soon as so many considerable provinces were reunited to their dominions, the kings of France, conscious of this acquisition of strength, began to form bolder schemes of interior policy, as well as of foreign operations. They immediately became formidable to their neighbours, who began to fix their attention on their measures and motions, the importance of which they fully perceived. From this era France, possessed of the advantages which it derives from the situation and contiguity of its territories, as well as from the number and valour of its people, rose to new influence in Europe, and was the first power in a condition to give alarm to the jealousy or fears of the states around it.

On the state of the military force in the nation.

Nor was France indebted for this increase of importance merely to the reunion of the provinces which had been torn from it. A circumstance attended the recovery of these, which, though less considerable and less observed, contributed not a little to give additional vigour and decision to all the efforts of that monarchy. During the obstinate struggles between France and England, all the defects of the military system under the feudal government were sensibly felt. A war of long continuance languished when carried on by troops bound and accustomed to keep the field only for a short time. Armies composed chiefly of heavy-armed cavalry, were unfit either for the defence or the attack of the many towns and castles which it became necessary to guard or to reduce. In order to obtain such permanent and effective force as became requisite during these lengthened contests, the kings of France took into their pay considerable bands of mercenary soldiers, levied sometimes among their own subjects, and sometimes in foreign countries. But as the feudal policy provided no sufficient fund for such extraordinary service, these adventurers were dismissed at the close of every campaign, or upon any prospect of accommodation: and having been little accustomed to the restraints of discipline, they frequently turned their arms against the country which they had been hired to defend, and desolated it with cruelty not inferior to that of its foreign enemies.

It occasions the introduction of standing armies.

A body of troops kept constantly on foot, and regularly trained to military subordination, would have supplied what was wanting in the feudal constitution, and have furnished princes with the means of executing enterprises to which they were then unequal. Such an establishment, however, was so repugnant to the genius of feudal policy, and so incompatible with the privileges and pretensions of the nobility, that during several centuries no monarch was either so bold or so powerful as to venture on any step towards introducing it. At last Charles VII., availing himself of the reputation which he had acquired by his success against the English, and taking advantage of the impressions of terror which such a formidable enemy had left upon the minds of his subjects, executed that which his predecessors durst not attempt. Under pretence of having always ready a force sufficient to defend the kingdom against any sudden invasion of the English, he, at that time when he disbanded his other troops, retained under arms a body of A. D. 1445. nine thousand cavalry and of sixteen thousand infantry. He appropriated funds for the regular payment of these; he stationed them in different places of the kingdom according to his pleasure; and ap-

pointed the officers who commanded and disciplined them. The prime nobility courted this service, in which they were taught to depend on their sovereign, to execute his orders, and to look up to him as the judge and rewarder of their merit. The feudal militia, composed of the vassals whom the nobles could call out to follow their standard, as it was in no degree comparable to a body of soldiers regularly trained to war, sunk gradually in reputation. The strength of an army was no longer estimated solely by the number of cavalry which served in it. From the time that gunpowder was invented, and the use of cannon in the field became general, horsemen cased in complete armour lost all the advantages which gave them the pre-eminence over other soldiers. The helmet, the shield, and the breastplate, which resisted the arrow or the spear, no longer afforded them security against these new instruments of destruction. The service of infantry rose again into esteem, and victories were gained and conquests made chiefly by their efforts. The nobles and their military tenants, though sometimes summoned to the field according to ancient form, were considered as an encumbrance upon the troops with which they acted, and were viewed with contempt by soldiers accustomed to the vigorous and steady operations of regular service.

The effects of this.

Thus the regulations of Charles VII. by establishing the first standing army known in Europe, occasioned an important revolution in its affairs and policy. By taking from the nobles the sole direction of the national military force, which had raised them to such high authority and importance, a deep wound was given to the feudal aristocracy in that part where its power seemed to be most complete.

France, by forming this body of regular troops at a time when there was hardly a squadron or company kept in constant pay in any other part of Europe, acquired such advantages over its neighbours, either in attack or defence, that self-preservation made it necessary for them to imitate its example. Mercenary troops were introduced into all the considerable kingdoms on the continent. They gradually became the only military force that was employed or trusted. It has long been the chief object of policy to increase and to support them. It has long been the great aim of princes and ministers to discredit and to annihilate all other means of national activity or defence.

The monarchs of France encouraged to extend their prerogative.

As the kings of France got the start of other powers in establishing a military force in their dominions, which enabled them to carry on foreign operations with more vigour and to greater extent, so they were the first who effectually broke the feudal aristocracy, and humbled the great vassals of the crown, who by their exorbitant power had long circumscribed the royal prerogative within very narrow limits, and had rendered all the efforts of the monarchs of Europe inconsiderable. Many things concurred to undermine gradually the power of the feudal aristocracy in France. The wealth and property of the nobility were greatly impaired during the long wars which the kingdom was obliged to maintain with the English. The extraordinary zeal with which they exerted themselves in defence of their country against its ancient enemies exhausted entirely the fortunes of some great families. As almost every province in the kingdom was in its turn the seat of war, the lands of others were exposed to the depredations of the enemy, were ravaged by the mercenary troops which their sovereigns hired occasionally but could not pay, or were desolated with rage still more destructive by the peasants in different insurrections. At the same time, the necessities of government having forced their kings upon the desperate expedient of making great and sudden alterations in the current coin of the kingdom, the fines, quit-rents, and other payments fixed by ancient custom, sunk much in value, and the revenues of a fief were reduced far below the sum which it had once yielded. During their contests with the English, in which a generous nobility courted every station where danger appeared or honour could be gained, many families of note became extinct, and their fiefs were reunited to the crown. Other fiefs, in a long course of years, fell to female heirs, and were divided among them, were diminished by profuse donations to the church, or were broken and split by the succession of remote collateral heirs.[a]

The progress of the royal power under Charles XII.

Encouraged by these manifest symptoms of decline in that body which he wished to depress, Charles VII., during the first interval of peace with England, made several efforts towards establishing the regal prerogative on the ruins of the aristocracy. But his obligations to the nobles were so many as well as recent, and their services in recovering the kingdom so splendid, as rendered it necessary for him to proceed with moderation and caution. Such, however, was the authority which the crown had acquired by the progress of its arms against the English, and so much was the power of the nobility diminished, that, without any opposition, he soon made innovations of great consequence in the constitution. He not only established that formidable body of regular troops which has been mentioned, but he was the first monarch of France who, by his royal edict, without the concurrence of the states-general of the kingdom, levied an extraordinary subsidy on his people. He prevailed likewise with his subjects to render several taxes perpetual which had formerly been imposed occasionally, and exacted during a short time. By means of all these innovations he acquired such an increase of power, and extended his prerogative so far beyond its ancient limits, that from being the most dependent prince who had ever sat upon the throne of France, he came to possess, during the latter years

A. D. 1440.

a Boulainvilliers Histoire du Gouvernement de France, Lettre xii.

of his reign, a degree of authority which none of his predecessors had enjoyed for several ages.[b]

Under Louis XI.

That plan of humbling the nobility which Charles began to execute, his son Louis XI. carried on with a bolder spirit and with greater success. Louis was formed by nature to be a tyrant; and at whatever period he had been called to ascend the throne, his reign must have abounded with schemes to oppress his people, and to render his own power absolute. Subtle, unfeeling, cruel; a stranger to every principle of integrity, and regardless of decency, he scorned all the restraints which a sense of honour or the desire of fame impose even upon ambitious men. Sagacious, at the same time, to discern what he deemed his true interest, and influenced by that alone, he was capable of pursuing it with a persevering industry, and of adhering to it with a systematic spirit, from which no object could divert and no danger could deter him.

His measures for humbling the nobility;

The maxims of his administration were as profound as they were fatal to the privileges of the nobility. He filled all the departments of government with new men, and often with persons whom he called from the lowest as well as most despised functions in life, and raised at pleasure to stations of great power or trust. These were his only confidents, whom he consulted in forming his plans, and to whom he committed the execution of them: while the nobles, accustomed to be the companions, the favourites, and the ministers of their sovereigns, were treated with such studied and mortifying neglect, that if they would not submit to follow a court in which they appeared without any shadow of their ancient power, they were obliged to retire to their castles, where they remained unemployed and forgotten. Not satisfied with having rendered the nobles of less consideration, by taking out of their hands the sole direction of affairs, Louis added insult to neglect; and by violating their most valuable privileges, endeavoured to degrade the order, and to reduce the members of it to the same level with other subjects. Persons of the highest rank among them, if so bold as to oppose his schemes, or so unfortunate as to awaken the jealousy of his capricious temper, were persecuted with rigour, from which all who belonged to the order of nobility had hitherto been exempt; they were tried by judges who had no right to take cognizance of their actions, and were subjected to torture, or condemned to an ignominious death, without regard to their birth or condition. The people, accustomed to see the blood of the most illustrious personages shed by the hands of the common executioner, to behold them shut up in dungeons, and carried about in cages of iron, began to view the nobility with less reverence than formerly, and looked up with terror to the royal authority, which seemed to have humbled or annihilated every other power in the kingdom.

and of dividing them.

At the same time Louis, being afraid that oppression might rouse the nobles, whom the rigour of his government had intimidated, or that self-preservation might at last teach them to unite, dexterously scattered among them the seeds of discord, and industriously fomented those ancient animosities between the great families, which the spirit of jealousy and emulation, natural to the feudal government, had originally kindled and still kept alive. To accomplish this, all the arts of intrigue, all the mysteries and refinements of his fraudulent policy, were employed, and with such success, that at a juncture which required the most strenuous efforts as well as the most perfect union, the nobles never acted, except during one short sally of resentment at the beginning of his reign, either with vigour or in concert.

He adds to the number of standing forces.

As he stripped the nobility of their privileges, he added to the power and prerogative of the crown. In order to have at command such a body of soldiers as might be sufficient to crush any force that his disaffected subjects could draw together, he not only kept on foot the regular troops which his father had raised, but, besides augmenting their number considerably, he took into his pay six thousand Swiss, at that time the best disciplined and most formidable infantry in Europe.[c] From the jealousy natural to tyrants, he confided in these foreign mercenaries, as the most devoted instruments of oppression, and the most faithful guardians of the power which he had usurped. That they might be ready to act on the shortest warning, he, during the latter years of his reign, kept a considerable body of them encamped in one place.[d]

He augments the revenues of the crown.

Great funds were requisite, not only to defray the expense of this additional establishment, but to supply the sums employed in the various enterprises which the restless activity of his genius prompted him to undertake. But the prerogative that his father had assumed, of levying taxes without the concurrence of the states-general, which he was careful not only to retain but to extend, enabled him to provide in some measure for the increasing charges of government.

His address in managing the assembly of states.

What his prerogative, enlarged as it was, could not furnish, his address procured. He was the first monarch in Europe who discovered the method of managing those great assemblies in which the feudal policy had vested the power of granting subsidies and of imposing taxes. He first taught other princes the fatal art of beginning their attack on public liberty, by corrupting the source from which it should flow. By exerting all his power and address in influencing the election of representatives, by bribing or overawing the members, and by various changes which he artfully made in the form of

b Histoire de France, par Velly et Villaret, tom. xv. 331, &c. 389. tom. xvi. 324. Variations de la Monarchie Françoise, tom. iii. 162.

c Mem. de Comines, tom. i. 367. Dan. Hist. de la Millice Françoise, tom. i. 182.

d Mem. de Com. tom. i. 361.

their deliberations, Louis acquired such entire direction of these assemblies, that from being the vigilant guardians of the privileges and property of the people, he rendered them tamely subservient towards promoting the most odious measures of his reign.[e] As no power remained to set bounds to his exactions, he not only continued all the taxes imposed by his father, but he made great additions to them, which amounted to a sum that appeared astonishing to his contemporaries.[f*]

He enlarges the bounds of the French monarchy.

Nor was it the power alone or wealth of the crown that Louis increased; he extended its territories by acquisitions of various kinds. He got possession of Rousillon by purchase; Provence was conveyed to him by the will of Charles de Anjou; and upon the death of Charles the Bold, he seized, with a strong hand, Burgundy and Artois, which had belonged to that prince. Thus, during the course of a single reign, France was formed into one compact kingdom, and the steady unrelenting policy of Louis XI. not only subdued the haughty spirit of the feudal nobles, but established a species of government scarcely less absolute or less terrible than eastern despotism.

By all these the French government rendered more active and enterprising.

But fatal as his administration was to the liberties of his subjects, the authority which he acquired, the resources of which he became master, and his freedom from restraint in concerting his plans, as well as in executing them, rendered his reign active and enterprising. Louis negociated in all the courts of Europe; he observed the motions of all his neighbours; he engaged, either as principal or as an auxiliary, in every great transaction; his resolutions were prompt, his operations vigorous; and upon every emergence he could call forth into action the whole force of his kingdom. From the era of his reign, the kings of France, no longer fettered and circumscribed at home by a jealous nobility, have exerted themselves more abroad, have formed more extensive schemes of foreign conquests, and have carried on war with a spirit and vigour long unknown in Europe.

Steps taken towards extending the power of the crown in England:

The example which Louis set was too inviting not to be imitated by other princes. Henry VII., as soon as he was seated on the throne of England, formed the plan of enlarging his own prerogative by breaking the power of the nobility. The circumstances under which he undertook to execute it were less favourable than those which induced Charles VII. to make the same attempt; and the spirit with which he conducted it was very different from that of Louis XI. Charles, by the success of his arms against the English, by the merit of having expelled them out of so many provinces, had established himself so firmly in the confidence of his people, as encouraged him to make bold encroachments on the ancient constitution. The daring genius of Louis broke through every barrier, and endeavoured to surmount or to remove every obstacle that stood in his way. But Henry held the sceptre by a disputed title; a popular faction was ready every moment to take arms against him; and after long civil wars, during which the nobility had often displayed their power in creating and deposing kings, he felt that the regal authority had been so much relaxed, and that he entered into possession of a prerogative so much abridged, as rendered it necessary to carry on his measures deliberately and without any violent exertion. He endeavoured to undermine that formidable structure which he durst not attack by open force. His schemes, though cautious and slow in their operation, were well concerted, and productive in the end of great effects. By his laws permitting the barons to break the entails of their estates and expose them to sale; by his regulations to prevent the nobility from keeping in their service those numerous bands of retainers which rendered them formidable and turbulent; by favouring the rising power of the commons; by encouraging population, agriculture, and commerce; by securing to his subjects, during a long reign, the enjoyment of the blessings which flow from the arts of peace; by accustoming them to an administration of government under which the laws were executed with steadiness and vigour; he made imperceptibly considerable alterations in the English constitution, and transmitted to his successor authority so extensive, as rendered him one of the most absolute monarchs in Europe, and capable of the greatest and most vigorous efforts.

and in Spain.

In Spain the union of all its crowns by the marriage of Ferdinand and Isabella; the glory that they acquired by the conquest of Grenada, which brought the odious dominion of the Moors to a period; the command of the great armies which it had been necessary to keep long on foot in order to accomplish this; the wisdom and steadiness of their administration; and the address with which they availed themselves of every incident that occurred to humble the nobility and to extend their own prerogative, conspired in raising these monarchs to such eminence and authority as none of their predecessors had ever enjoyed. Though several causes which shall be explained in another place prevented their attaining the same powers with the kings of France and England, and preserved the feudal constitution longer entire in Spain, their great abilities supplied the defects of their prerogative, and improved, with such dexterity, all the advantages which they possessed, that Ferdinand carried on his foreign operations, which were very extensive, with extraordinary vigour and effect.

e Mem. de Comin. tom. i. 136. Chro. Scandal. ibid. tom. ii. p. 71.
f Mem. de Com. tom. i. 334.
* Charles VII. levied taxes to the amount of 1,800,000 francs; Louis XI. raised 4,700,000. The former had in pay 9000 cavalry and 16,000 infantry: the latter augmented the cavalry to 15,000, and the infantry to 25,000. Mem. de Comines, i. 384.

Events happened which called the several monarchs to exert the new powers which they had acquired.

While these princes were thus enlarging the boundaries of prerogative, and taking such steps towards rendering their kingdom capable of acting with union and force, events occurred which called them forth to exert the new powers which they had acquired. These engaged them in such a series of enterprises and negociations, that the affairs of all the considerable nations in Europe came to be insensibly interwoven with each other; and a great political system was gradually formed, which grew to be an object of universal attention.

The first of these events was the marriage of the heiress of the house of Burgundy.

The first event which merits notice, on account of its influence in producing this change in the state of Europe, was the marriage of the daughter of Charles the Bold, the sole heiress of the house of Burgundy. For some years before her father's death she had been considered as the apparent successor to his territories, and Charles had made proposals of marrying her to several different princes, with a view of alluring them by that offer to favour the schemes which his restless ambition was continually forming.

The importance of this to the state of Europe.

This rendered the alliance with her an object of general attention; and all the advantages of acquiring possession of her territories, the most opulent at that time, and the best cultivated of any on this side of the Alps, were perfectly understood. As soon, then, as the untimely death of Charles opened the succession, the eyes of all the princes in Europe were turned towards Mary, and they felt themselves deeply interested in the choice which she was about to make of the person on whom she would bestow that rich inheritance.

A. D. 1477. January 5.

Views of Louis XI. with respect to it.

Louis XI., from whose kingdom several of the provinces which she possessed had been dismembered, and whose dominions stretched along the frontier of her territories, had every inducement to court her alliance. He had, likewise, a good title to expect the favourable reception of any reasonable proposition he should make with respect to the disposal of a princess who was the vassal of his crown, and descended from the royal blood of France. There were only two propositions, however, which he could make with propriety. The one was the marriage of the dauphin, the other that of the count Angouleme, a prince of the blood, with the heiress of Burgundy. By the former he would have annexed all her territories to his crown, and have rendered France at once the most respectable monarchy in Europe. But the great disparity of age between the two parties, Mary being twenty, and the dauphin only eight years old; the avowed resolution of the Flemings, not to choose a master possessed of such power as might enable him to form schemes dangerous to their liberties; together with their dread of falling under the odious and oppressive government of Louis, were obstacles in the way of executing this plan which it was vain to think of surmounting. By the latter, the accomplishment of which might have been attained with ease, Mary having discovered some inclination to a match with the count of Angouleme,[g] Louis would have prevented the dominions of the house of Burgundy from being conveyed to a rival power, and in return for such a splendid establishment for the count of Angouleme, he must have obtained, or would have extorted from him, concessions highly beneficial to the crown of France. But Louis had been accustomed so long to the intricacies of a crooked and insidious policy, that he could not be satisfied with what was obvious and simple; and was so fond of artifice and refinement, that he came to consider these rather as an ultimate object than merely as the means of conducting affairs. From this principle, no less than from his unwillingness to aggrandise any of his own subjects, or from his desire of oppressing the house of Burgundy, which he hated, he neglected the course which a prince less able and artful would have taken, and followed one more suited to his own genius.

The singular course which he followed.

He proposed to render himself, by force of arms, master of those provinces which Mary held of the crown of France, and even to push his conquests into her other territories, while he amused her with insisting continually on the impracticable match with the dauphin. In prosecuting this plan he displayed wonderful talents and industry, and exhibited such scenes of treachery, falsehood, and cruelty, as are amazing even in the history of Louis XI. Immediately upon the death of Charles, he put his troops in motion, and advanced towards the Netherlands. He corrupted the leading men in the provinces of Burgundy and Artois, and seduced them to desert their sovereign. He got admission into some of the frontier towns, by bribing the governors; the gates of others were opened to him in consequence of his intrigues with the inhabitants. He negociated with Mary, and in order to render her odious to her subjects, he betrayed to them her most important secrets. He carried on a private correspondence with the two ministers whom she chiefly trusted, and then communicated the letters which he had received from them to the states of Flanders, who, enraged at their perfidy, brought them immediately to trial, tortured them with extreme cruelty, and, unmoved by the tears and entreaties of their sovereign, who knew and approved of all that the ministers had done, they beheaded them in her presence.[h]

The effect of this, the marriage of Maximilian with the heiress of Burgundy, A. D. 1477.

While Louis, by this conduct, unworthy of a great monarch, was securing the possession of Burgundy, Artois, and the towns on the Somme, the states of Flanders carried on a negociation with the emperor Frederic III., and concluded a treaty of marriage between their sovereign and his son,

g Mem. de Comines, i. 358.

h Mem. de Comines, liv. v. chap. 15. p. 309, &c.

Maximilian, archduke of Austria. The illustrious birth of that prince, as well as the high dignity of which he had the prospect, rendered the alliance honourable for Mary, while, from the distance of his hereditary territories, and the scantiness of his revenues, his power was so inconsiderable as did not excite the jealousy or fear of the Flemings.

The influence of that on the state of Europe.

Thus Louis, by the caprice of his temper and the excess of his refinements, put the house of Austria in possession of this noble inheritance. By this acquisition, the foundation of the future grandeur of Charles V. was laid; and he became master of those territories which enabled him to carry on his most formidable and decisive operations against France. Thus, too, the same monarch who first united the interior force of France, and established it on such a footing as to render it formidable to the rest of Europe, contributed, far contrary to his intention, to raise up a rival power, which, during two centuries, has thwarted the measures, opposed the arms, and checked the progress of his successors.

The next considerable event was the invasion of Italy by Charles VIII. A. D. 1494.

The next event of consequence in the fifteenth century, was the expedition of Charles VIII. into Italy. This occasioned revolutions no less memorable; produced alterations, both in the military and political system, which were more immediately perceived; roused the states of Europe to bolder efforts; and blended their affairs and interests more closely together. The mild administration of Charles, a weak but generous prince, seems to have revived the spirit and genius of the French nation, which the rigid despotism of Louis XI. his father, had depressed and almost extinguished. The ardour for military service, natural to the French nobility, returned, and their young monarch was impatient to distinguish his reign by some splendid enterprise. While he was uncertain towards what quarter he should turn his arms, the solicitations and intrigues of an Italian politician, no less infamous on account of his crimes than eminent for his abilities, determined his choice. Ludovico Sforza having formed the design of deposing his nephew the duke of Milan, and of placing himself on the ducal throne, was so much afraid of a combination of the Italian powers to oppose this measure, and to support the injured prince, with whom most of them were connected by blood or alliance, that he saw the necessity of securing the aid of some able protector. The king of France was the person to whom he applied; and without disclosing his own intentions, he laboured to prevail with him to march into Italy, at the head of a powerful army, in order to seize the crown of Naples, to which Charles had pretensions as heir of the house of Anjou. The right to that kingdom, claimed by the Anjevin family, had been conveyed to Louis XI. by Charles of Anjou, count of Maine and Provence. But that sagacious monarch, though

The motives of this.

i Mezeray Hist. tom. ii. 777.

he took immediate possession of those territories of which Charles was really master, totally disregarded his ideal title to a kingdom over which another prince reigned in tranquillity; and uniformly declined involving himself in the labyrinth of Italian politics. His son, more adventurous or more inconsiderate, embarked eagerly in this enterprise; and contemning all the remonstrances of his most experienced counsellors, prepared to carry it on with the utmost vigour.

His resources for this enterprise.

The power which Charles possessed was so great, that he reckoned himself equal to this arduous undertaking. His father had transmitted to him such an ample prerogative as gave him the entire command of his kingdom. He himself had added considerably to the extent of his dominions, by his prudent marriage with the heiress of Bretagne, which rendered him master of that province, the last of the great fiefs that remained to be annexed to the crown. He soon assembled forces which he thought sufficient; and so impatient was he to enter on his career as a conqueror, that sacrificing what was real for what was chimerical, he restored Rousillon to Ferdinand, and gave up part of his father's acquisitions in Artois to Maximilian, with a view of inducing these princes not to molest France while he was carrying on his operations in Italy.

His preparations for it.

But so different were the efforts of the states of Europe in the fifteenth century from those which we shall behold in the course of this history, that the army with which Charles undertook this great enterprise did not exceed twenty thousand men. The train of artillery, however, the ammunition and warlike stores of every kind provided for its use, were so considerable as to bear some resemblance to the immense apparatus of modern war.[i]

Its success.

When the French entered Italy, they met with nothing able to resist them. The Italian powers having remained, during a long period, undisturbed by the invasion of any foreign enemy, had formed a system with respect to their affairs, both in peace and war, peculiar to themselves. In order to adjust the interests and balance the power of the different states into which Italy was divided, they were engaged in perpetual and endless negociations with each other, which they conducted with all the subtilty of a refining and deceitful policy. Their contests in the field, when they had recourse to arms, were decided in mock battles, by innocent and bloodless victories. Upon the first appearance of the danger which now impended, they had recourse to the arts which they had studied, and employed their utmost skill in intrigue in order to avert it. But this proving ineffectual, their bands of effeminate mercenaries, the only military force that remained in the country, being fit only for the parade of service, were terrified at the aspect of real war, and shrunk at its ap-

proach. The impetuosity of the French valour appeared to them irresistible. Florence, Pisa, and Rome opened their gates as the French army advanced. The prospect of this dreadful invasion struck one king of Naples with such panic terror, that he died (if we may believe historians) of the fright. Another abdicated his throne from the same pusillanimous spirit. A third fled out of his dominions as soon as the enemy appeared on the Neapolitan frontiers. Charles, after marching thither from the bottom of the Alps, with as much rapidity, and almost as little opposition, as if he had been on a progress through his own dominions, took quiet possession of the throne of Naples, and intimidated or gave law to every power in Italy.

Its effects, particularly in giving rise to the system concerning a balance of power.

Such was the conclusion of an expedition that must be considered as the first great exertion of those new powers which the princes of Europe had acquired, and now began to exercise. Its effects were no less considerable than its success had been astonishing. The Italians, unable to resist the impression of the enemy, who broke in upon them, permitted him to hold on his course undisturbed. They quickly perceived that no single power which they could rouse to action was an equal match for a monarch who ruled over such extensive territories, and was at the head of such a martial people; but that a confederacy might accomplish what the separate members of it durst not attempt. To this expedient, the only one that remained to deliver or to preserve them from the yoke, they had recourse. While Charles inconsiderately wasted his time at Naples in festivals and triumphs on account of his past successes, or was fondly dreaming of future conquests in the east, to the empire of which he now aspired, they formed against him a powerful combination of almost all the Italian states, supported by the emperor Maximilian, and Ferdinand, king of Aragon. The union of so many powers, who suspended or forgot all their particular animosities, that they might act in concert against an enemy who had become formidable to them all, awakened Charles from his thoughtless security. He saw now no prospect of safety but in returning to France. An army of thirty thousand men, assembled by the allies, was ready to obstruct his march; and though the French, with a daring courage which more than countervailed their inferiority in number, broke through that great body, and gained a victory which opened to their monarch a safe passage into his own territories, he was stripped of all his conquests in Italy in as short a time as it had taken to acquire them; and the political system in that country resumed the same appearance as before his invasion.

This becomes the great object of policy, first in Italy, and then in Europe.

The sudden and decisive effect of this confederacy seems to have instructed the princes and statesmen of Italy as much as the irruption of the French had disconcerted and alarmed them. They had extended, on this occasion, to the affairs of Europe the maxims of that political science which had hitherto been applied only to regulate the operations of the petty states in their own country. They had discovered the method of preventing any monarch from rising to such a degree of power as was inconsistent with the general liberty, and had manifested the importance of attending to that great secret in modern policy, the preservation of a proper distribution of power among all the members of the system into which the states of Europe are formed. During all the wars of which Italy from that time was the theatre, and amidst the hostile operations which the imprudence of Louis XII. and the ambition of Ferdinand of Aragon carried on in that country, with little interruption, from the close of the fifteenth century to that period at which the subsequent history commences, the maintaining a proper balance of power between the contending parties became the great object of attention to the statesmen of Italy. Nor was the idea confined to them. Self-preservation taught other powers to adopt it. It grew to be fashionable and universal. From this era we can trace the progress of that intercourse between nations which has linked the powers of Europe so closely together, and can discern the operations of that provident policy which, during peace, guards against remote and contingent dangers, and, in war, has prevented rapid and destructive conquests.

The wars in Italy render standing armies general:

This was not the only effect of the operations which the great powers of Europe carried on in Italy. They contributed to render general such a change as the French had begun to make in the state of their troops, and obliged all the princes who appeared on this new theatre of action to put the military force of their kingdoms on an establishment similar to that of France. When the seat of war came to be remote from the countries which maintained the contest, the service of the feudal vassals ceased to be of any use; and the necessity of employing soldiers regularly trained to arms, and kept in constant pay, came at once to be evident. When Charles VIII. marched into Italy, his cavalry was entirely composed of those companies of gendarmes embodied by Charles VII. and continued by Louis XI.; his infantry consisted partly of Swiss, hired of the cantons, and partly of Gascons, armed and disciplined after the Swiss model. To these Louis XII. added a body of Germans, well known in the wars of Italy by the name of the Black Bands. But neither of these monarchs made any account of the feudal militia, or ever had recourse to that military force, which they might have commanded, in virtue of the ancient institutions in their kingdom. Maximilian and Ferdinand, as soon as they began to act in Italy, employed similar instruments, and trusted the execution of their plans entirely to mercenary troops.

teach the Europeans the superior importance of infantry in war.

This innovation in the military system was quickly followed by another which the custom of employing Swiss in the Italian wars was the occasion of introducing. The arms and discipline of the Swiss were different from those of other European nations. During their long and violent struggles in defence of their liberties against the house of Austria, whose armies, like those of other considerable princes, consisted chiefly of heavy-armed cavalry, the Swiss found that their poverty, and the small number of gentlemen residing in their country, at that time barren and ill cultivated, put it out of their power to bring into the field any body of horse capable of facing the enemy. Necessity compelled them to place all their confidence in infantry; and in order to render it capable of withstanding the shock of cavalry, they gave the soldiers breastplates and helmets as defensive armour, together with long spears, halberds, and heavy swords, as weapons of offence. They formed them into large battalions, ranged in deep and close array, so that they could present on every side a formidable front to the enemy.[k] The men at arms could make no impression on the solid strength of such a body. It repulsed the Austrians in all their attempts to conquer Swisserland. It broke the Burgundian gendarmerie, which was scarcely inferior to that of France, either in number or reputation; and when first called to act in Italy, it bore down, by its irresistible force, every enemy that attempted to oppose it. These repeated proofs of the decisive effect of infantry, exhibited on such conspicuous occasions, restored that service to reputation, and gradually re-established the opinion, which had been long exploded, of its superior importance in the operations of war. But the glory which the Swiss had acquired having inspired them with such high ideas of their own prowess and consequence as frequently rendered them mutinous and insolent, the princes who employed them became weary of depending on the caprice of foreign mercenaries, and began to turn their attention towards the improvement of their national infantry.

National infantry established in Germany;

The German powers having the command of men whom nature has endowed with that steady courage and persevering strength which forms them to be soldiers, soon modelled their troops in such a manner that they vied with the Swiss both in discipline and valour.

in France.

The French monarchs, though more slowly and with greater difficulty, accustomed the impetuous spirit of their people to subordination and discipline; and were at such pains to render their national infantry respectable, that as early as the reign of Louis XII. several gentlemen of high rank so far abandoned their ancient ideas as to condescend to enter into that service.[l]

in Spain.

The Spaniards, whose situation made it difficult to employ any other than their national troops in the southern parts of Italy, which was the chief scene of their operations in that country, not only adopted the Swiss discipline, but improved upon it, by mingling a proper number of soldiers armed with heavy muskets in their battalions; and thus formed that famous body of infantry which, during a century and a half, was the admiration and terror of all Europe. The Italian states gradually diminished the number of their cavalry, and, in imitation of their more powerful neighbours, brought the strength of their armies to consist in foot soldiers. From this period the nations of Europe have carried on war with forces more adapted to every species of service, more capable of acting in every country, and better fitted both for making conquests and for preserving them.

The Italian wars occasion an increase of the public revenues in Europe.

As their efforts in Italy led the people of Europe to these improvements in the arts of war, they gave them likewise the first idea of the expense with which it is accompanied when extensive or of long continuance, and accustomed every nation to the burthen of such impositions as are necessary for supporting it. While the feudal policy subsisted in full vigour, while armies were composed of military vassals, called forth to attack some neighbouring power, and to perform, in a short campaign, the services which they owed to their sovereign, the expense of war was extremely moderate. A small subsidy enabled a prince to begin and to finish his greatest military operations. But when Italy became the theatre on which the powers of Europe contended for superiority, the preparations requisite for such a distant expedition, the pay of armies kept constantly on foot, their subsistence in a foreign country, the sieges to be undertaken, and the towns to be defended, swelled the charges of war immensely, and, by creating demands unknown in less active times, multiplied taxes in every kingdom. The progress of ambition, however, was so rapid, and princes extended their operations so fast, that it was impossible at first to establish funds proportional to the increase of expense which these occasioned. When Charles VIII. invaded Naples, the sums requisite for carrying on that enterprise so far exceeded those which France had been accustomed to contribute for the support of government, that before he reached the frontiers of Italy his treasury was exhausted, and the domestic resources of which his extensive prerogative gave him the command were at an end. As he durst not venture to lay any new imposition on his people, oppressed already with the weight of unusual burthens, the only expedient that remained was, to borrow of the Genoese as much money as might enable him to continue his march But he could not obtain a sufficient sum without consenting to pay annually the exorbitant interest of forty-two livres for every hundred that he received.[m] We may observe the same disproportion between the efforts and revenues of

k Machiavel's Art of War, b. ii. chap. ii. p. 451.

l Brant. t. x. p. 18. Mem. de Fleur. 143. m Mem. de Com. l. vii. c. 5. p. 440.

other princes his contemporaries. From this period taxes went on increasing; and during the reign of Charles V. such sums were levied in every state as would have appeared enormous at the close of the fifteenth century, and gradually prepared the way for the still more exorbitant exactions of modern times.

The league of Cambray another important occurrence.

The last transaction previous to the reign of Charles V. that merits attention on account of its influence upon the state of Europe, is the league of Cambray. To humble the republic of Venice, and to divide its territories, was the object of all the powers who united in this confederacy. The civil constitution of Venice, established on a firm basis, had suffered no considerable alteration for several centuries; during which the senate conducted its affairs by maxims of policy no less prudent than vigorous, and adhered to these with an uniform consistent spirit, which gave that commonwealth great advantage over other states, whose views and measures changed as often as the form of their government, or the persons who administered it. By these unintermitted exertions of wisdom and valour, the Venetians enlarged the dominions of their commonwealth, until it became the most considerable power in Italy; while their extensive commerce, the useful and curious manufactures which they carried on, together with the large share which they had acquired of the lucrative commerce with the east, rendered Venice the most opulent state in Europe.

The motives of it.

The power of the Venetians was the object of terror to their Italian neighbours. Their wealth was viewed with envy by the greatest monarchs, who could not vie with many of their private citizens in the magnificence of their buildings, in the richness of their dress and furniture, or in splendour and elegance of living.[n] Julius II., whose ambition was superior and his abilities equal to those of any pontiff who ever sat on the papal throne, conceived the idea of this league against the Venetians, and endeavoured, by applying to those passions which I have mentioned, to persuade other princes to join in it. By working upon the fears of the Italian powers, and upon the avarice of several monarchs beyond the Alps, he induced them, in concurrence with other causes which it is not my province to explain, to form one of the most powerful confederacies that Europe had ever beheld, against those haughty republicans.

The rapid progress of the confederates.

The emperor, the king of France, the king of Aragon, and the pope, were principals in the league of Cambray, to which almost all the princes of Italy acceded, the least considerable of them hoping for some share in the spoils of a state which they deemed to be now devoted to destruction. The Venetians might have diverted this storm, or have broken its force: but with a presumptuous rashness to which there is nothing similar in the course of their history, they waited its approach. The impetuous valour of the French rendered ineffectual all their precautions for the safety of the republic; and the fatal battle of Ghiarraddada entirely ruined the army on which they relied for defence. Julius seized all the towns which they held in the ecclesiastical territories. Ferdinand re-annexed the towns of which they had got possession on the coast of Calabria, to his Neapolitan dominions. Maximilian, at the head of a powerful army, advanced towards Venice on the one side. The French pushed their conquests on the other. The Venetians, surrounded by so many enemies, and left without one ally, sunk from the height of presumption to the depths of despair; abandoned all their territories on the continent, and shut themselves up in their capital, as their last refuge, and the only place which they hoped to preserve.

Division arises among them.

This rapid success, however, proved fatal to the confederacy. The members of it, whose union continued while they were engaged in seizing their prey, began to feel their ancient jealousies and animosities revive as soon as they had a prospect of dividing it. When the Venetians observed these symptoms of distrust and alienation, a ray of hope broke in upon them; the spirit natural to their councils returned; they resumed such wisdom and firmness as made some atonement for their former imprudence and dejection; they recovered part of the territory which they had lost; they appeased the pope and Ferdinand by well-timed concessions in their favour; and at length dissolved the confederacy, which had brought their commonwealth to the brink of ruin.

New objects of their policy and ambition.

Julius, elated with beholding the effects of a league which he himself had planned, and imagining that nothing was too arduous for him to undertake, conceived the idea of expelling every foreign power out of Italy, and bent all the force of his mind towards executing a scheme so well suited to his enterprising genius. He directed his first attack against the French, who, on many accounts, were more odious to the Italians than any of the foreigners who had acquired dominion in their country. By his activity and address, he prevailed on most of the powers who had joined in the league of Cambray, to turn their arms against the king of France, their former ally; and engaged Henry VIII., who had lately ascended the throne of England, to favour their operations, by invading France. Louis XII. resisted all the efforts of this formidable and unexpected confederacy with undaunted fortitude. Hostilities were carried on, during several campaigns, in Italy, on the frontiers of Spain, and Picardy, with alternate success. Exhausted, at length, by the variety as well as extent of his operations; unable to withstand a confederacy which brought against him superior force, conducted with

[n] Heliani Oratio apud Goldastum in Polit. Imperial. p. 980.

wisdom and acting with perseverance, Louis found it necessary to conclude separate treaties of peace with his enemies; and the war terminated with the loss of every thing which the French had acquired in Italy, except the castle of Milan, and a few inconsiderable towns in that duchy.

By this the intercourse among the European nations increases.

The various negociations carried on during this busy period, and the different combinations formed among powers hitherto little connected with each other, greatly increased that intercourse among the nations of Europe, which I have mentioned as one effect of the events in the fifteenth century; while the greatness of the objects at which different nations aimed, the distant expeditions which they undertook, as well as the length and obstinacy of the contest in which they engaged, obliged them to exert themselves with a vigour and perseverance unknown in the preceding ages.

They are prepared for the transactions of the sixteenth century.

Those active scenes which the following history will exhibit, as well as the variety and importance of those transactions which distinguish the period to which it extends, are not to be ascribed solely to the ambition, to the abilities, or to the rivalship of Charles V. and of Francis I. The kingdoms of Europe had arrived at such a degree of improvement in the internal administration of government, and princes had acquired such command of the national force which was to be exerted in foreign wars, that they were in a condition to enlarge the sphere of their operations, to multiply their claims and pretensions, and to increase the vigour of their efforts. Accordingly the sixteenth century opened with the certain prospect of its abounding in great and interesting events.

SECTION III.

View of the political constitution of the principal States in Europe at the commencement of the sixteenth Century.

A considerable variety in the constitution of the different nations of Europe.

HAVING thus enumerated the principal causes and events, the influence of which was felt in every part of Europe, and contributed either to improve internal order and police in its various states, or to enlarge the sphere of their activity, by giving them more entire command of the force with which foreign operations are carried on, nothing further seems requisite for preparing my readers to enter, with full information, upon perusing the history of Charles V., but to give a view of the political constitution and form of civil government in each of the nations which acted any considerable part during that period. For as the institutions and events which I have endeavoured to illustrate, formed the people of Europe to resemble each other, and conducted them from barbarism to refinement, in the same path and by nearly equal steps, there were other circumstances which occasioned a difference in their political establishments, and gave rise to those peculiar modes of government, which have produced such variety in the character and genius of nations.

Necessary to explain the state of each when Charles V. began his reign.

It is no less necessary to become acquainted with the latter, than to have contemplated the former. Without a distinct knowledge of the peculiar form and genius of civil government in each state, a great part of its transactions must appear altogether mysterious and inexplicable. The historians of particular countries, as they seldom extended their views further than to the amusement or instruction of their fellow-citizens, by whom they might presume that all their domestic customs and institutions were perfectly understood, have often neglected to descend into such details with respect to these, as are sufficient to convey to foreigners full light and information concerning the occurrences which they relate. But a history which comprehends the transactions of so many different countries would be extremely imperfect without a previous survey of the constitution and political state of each. It is from his knowledge of these that the reader must draw those principles which will enable him to judge with discernment and to decide with certainty concerning the conduct of nations.

A minute detail, however, of the peculiar forms and regulations in every country, would lead to deductions of immeasurable length. To sketch out the great lines which distinguish and characterize each government, is all that the nature of my present work will admit of, and all that is necessary to illustrate the events which it records.

The state of Italy.

At the opening of the sixteenth century, the political aspect of Italy was extremely different from that of any other part of Europe. Instead of those extensive monarchies which occupied the rest of the continent, that delightful country was parcelled out among many small states, each of which possessed sovereign and independent jurisdiction. The only monarchy in Italy was that of Naples. The dominion of the popes was of a peculiar species, to which there is nothing similar either in ancient or modern times. In Venice, Florence, and Genoa, a republican form of government was established. Milan was subject to sovereigns who had assumed no higher title than that of dukes.

The papal dignity the highest in Europe.

The pope was the first of these powers in dignity, and not the least considerable by the extent of his territories. In the primitive church, the jurisdiction of bishops was equal and co-ordinate. They derived, perhaps, some degree of consideration from the dignity of the see in which they presided. They

possessed, however, no real authority or pre-eminence but what they acquired by superior abilities or superior sanctity. As Rome had so long been the seat of empire, and the capital of the world, its bishops were on that account entitled to respect; they received it; but, during several ages, they received and even claimed nothing more. From these humble beginnings they advanced with such adventurous and well-directed ambition, that they established a spiritual dominion over the minds and sentiments of men, to which all Europe submitted with implicit obedience. Their claim of universal jurisdiction, as heads of the church, and their pretensions to infallibility in their decisions, as successors of St. Peter, are as chimerical as they are repugnant to the genius of the Christian religion. But on these foundations the superstition and credulity of mankind enabled them to erect an amazing superstructure. In all ecclesiastical controversies their decisions were received as the infallible oracles of truth. Nor was the plenitude of their power confined solely to what was spiritual; they dethroned monarchs; disposed of crowns; absolved subjects from the obedience due to their sovereigns; and laid kingdoms under interdicts. There was not a state in Europe which had not been disquieted by their ambition: there was not a throne which they had not shaken; nor a prince who did not tremble at their power.

Origin and progress of the papal power.

Nothing was wanting to render this empire absolute, and to establish it on the ruins of all civil authority, but that the popes should have possessed such a degree of temporal power as was sufficient to second and enforce their spiritual decrees. Happily for mankind, at the time when their spiritual jurisdiction was most extensive and most revered, their secular dominion was extremely limited. They were powerful pontiffs, formidable at a distance; but they were petty princes, without any considerable domestic force. They had early endeavoured, indeed, to acquire territory by arts similar to those which they had employed in extending their spiritual jurisdiction. Under pretence of a donation from Constantine, and of another from Charlemagne or his father Pepin, they attempted to take possession of some towns adjacent to Rome. But these donations were fictitious, and availed them little. The benefactions for which they were indebted to the credulity of the Norman adventurers who conquered Naples, and to the superstition of the countess Matilda, were real, and added ample domains to the holy see.

The territories of the popes inadequate to support their spiritual jurisdiction.

But the power of the popes did not increase in proportion to the extent of territory which they had acquired. In the dominions annexed to the holy see, as well as in those subject to other princes in Italy, the sovereign of a state was far from having the command of the force which it contained. During the turbulence and confusion of the middle ages, the powerful nobility or leaders of popular factions in Italy had seized the government of different towns; and, after strengthening their fortifications, and taking a body of mercenaries into pay, they aspired at independence. The territory which the church had gained was filled with petty lords of this kind, who left the pope hardly the shadow of domestic authority.

Their authority in their own territories extremely limited;

it was circumscribed by the ambition of the Roman barons;

As these usurpations almost annihilated the papal power in the greater part of the towns subject to the church, the Roman barons frequently disputed the authority of the popes, even in Rome itself. In the twelfth century, an opinion began to be propagated, "That as the function of ecclesiastics was purely spiritual, they ought to possess no property, and to claim no temporal jurisdiction; but, according to the laudable example of their predecessors in the primitive church, should subsist wholly upon their tithes, or upon the voluntary oblations of the people."[a] This doctrine being addressed to men who had beheld the scandalous manner in which the avarice and ambition of the clergy had prompted them to contend for wealth, and to exercise power, they listened to it with fond attention. The Roman barons, who had felt most sensibly the rigour of ecclesiastical oppression, adopted these sentiments with such ardour, that they set themselves instantly to shake off the yoke. They endeavoured to restore some image of their ancient liberty, by reviving the institution of the Roman senate, in which they vested supreme authority; committing the executive power sometimes to one chief senator, sometimes to two, and sometimes to a magistrate dignified with the name of *The Patrician*. The popes exerted themselves with vigour in order to check this dangerous encroachment on their jurisdiction. One of them finding all his endeavours ineffectual, was so much mortified, that extreme grief cut short his days. Another having ventured to attack the senators at the head of some armed men, was mortally wounded in the fray.[b] During a considerable period, the power of the popes, before which the greatest monarchs in Europe trembled, was circumscribed within such narrow limits in their own capital, that they durst hardly exert any act of authority without the permission and concurrence of the senate.

A. D. 1148.

and by the turbulence of the Roman people, from A. D. 1308 to A. D. 1377.

Encroachments were made upon the papal sovereignty, not only by the usurpations of the Roman nobility, but by the mutinous spirit of the people. During seventy years of the fourteenth century, the popes fixed their residence in Avignon. The inhabitants of Rome, accustomed to consider themselves as the descendants of the people who

a Otto Frisingencis de Gestis Frider. Imp. lib. ii. cap. 10.

b Otto Frising. Chron. lib. vii. cap. 27, 31. Id. de Gest. Frid. lib. i. c. 27. Muratori Annali d'Italia, vol. ix. 398, 404.

had conquered the world and had given laws to it, were too high-spirited to submit with patience to the delegated authority of those persons to whom the popes committed the government of the city. On many occasions they opposed the execution of the papal mandates, and on the slightest appearance of innovation or oppression, they were ready to take arms in defence of their own immunities. Towards the middle of the fourteenth century, being instigated by Nicolas Rienzo, a man of low birth and a seditious spirit, but of popular eloquence and an enterprising ambition, they drove all the nobility out of the city, established a democratical form of government, elected Rienzo tribune of the people, and invested him with extensive authority. But though the frantic proceedings of the tribune soon overturned this new system, though the government of Rome was reinstated in its ancient form, yet every fresh attack contributed to weaken the papal jurisdiction; and the turbulence of the people concurred with the spirit of independence among the nobility, in circumscribing it more and more.[c] Gregory VII. and other domineering pontiffs accomplished those great things which rendered them so formidable to the emperors with whom they contended, not by the force of their arms, or by the extent of their power, but by the dread of their spiritual censures, and by the effect of their intrigues, which excited rivals and called forth enemies against every prince whom they wished to depress or to destroy.

Alexander VI. and Julius II. render the popes considerable princes.

Many attempts were made by the popes, not only to humble those usurpers who lorded it over the cities in the ecclesiastical state, but to break the turbulent spirit of the Roman people. These were long unsuccessful. But at last Alexander VI., with a policy no less artful than flagitious, subdued or extirpated most of the great Roman barons, and rendered the popes masters of their own dominions. The enterprising ambition of Julius II. added conquests of no inconsiderable value to the patrimony of St. Peter. Thus the popes by degrees became powerful temporal princes. Their territories in the age of Charles V. were of greater extent than at present; their country seems to have been better cultivated, as well as more populous; and as they drew large contributions from every part of Europe, their revenues far exceeded those of the neighbouring powers, and rendered them capable of more sudden and vigorous efforts.

Defects in the nature of ecclesiastical dominion.

The genius of the papal government, however, was better adapted to the exercise of spiritual dominion than of temporal power. With respect to the former, all its maxims were steady and invariable. Every new pontiff adopted the plan of his predecessor. By education and habit, ecclesiastics were so formed that the character of the individual was sunk in that of the profession, and the passions of the man were sacrificed to the interest and honour of the order. The hands which held the reins of administration might change, but the spirit which conducted them was always the same. While the measures of other governments fluctuated, and the objects at which they aimed varied, the church kept one end in view; and to this unrelaxing constancy of pursuit it was indebted for its success in the boldest attempts ever made by human ambition.

But in their civil administration the popes followed no such uniform or consistent plan. There, as in other governments, the character, the passions, and the interest of the person who had the supreme direction of affairs, occasioned a variation both in objects and measures. As few prelates reached the summit of ecclesiastical dignity until they were far advanced in life, a change of masters was more frequent in the papal dominions than in other states, and the political system was, of course, less stable and permanent. Every pope was eager to make the most of the short period during which he had the prospect of enjoying power, in order to aggrandize his own family, and to attain his private ends; and it was often the first business of his successor to undo all that he had done, and to overturn what he had established.

As ecclesiastics were trained to pacific arts, and early initiated in the mysteries of that policy by which the court of Rome extended or supported its spiritual dominion, the popes in the conduct of their temporal affairs were apt to follow the same maxims, and in all their measures were more ready to employ the refinements of intrigue than the force of arms. It was in the papal court that address and subtilty in negociation became a science; and during the sixteenth century, Rome was considered as the school in which it might be best acquired.

As the decorum of their ecclesiastical character prevented the popes from placing themselves at the head of their armies, or from taking the command, in person, of the military force in their dominions, they were afraid to arm their subjects; and in all their operations, whether offensive or defensive, they trusted entirely to mercenary troops.

As their power and dominions could not descend to their posterity, the popes were less solicitous than other princes to form or to encourage schemes of public utility and improvement. Their tenure was only for a short life; present advantage was what they chiefly studied; to squeeze and to amass, rather than to ameliorate, was their object. They erected, perhaps, some work of ostentation to remain as a monument of their pontificate; they found it necessary at some times to establish useful institutions in order to soothe and silence the turbulent populace of Rome; but plans of general benefit to their subjects, framed with a view to futurity, were rarely objects of attention in the papal policy. The patrimony of St. Peter was worse governed than

c Histoire Florentine de Giov. Villani, lib. xii. c. 89, 104. ap. Murat. Script. Rerum Ital. vol. xiii. Vita de Cola di Rienzo, ap. Murat. Antiq. Ital. vol. iii. p. 399, &c. Hist. de Nic. Rienzy, par M. de Boispreaux, p. 91, &c.

any part of Europe; and though a generous pontiff might suspend for a little, or counteract, the effects of those vices which are peculiar to the administration of ecclesiastics, the disease not only remained without remedy, but has gone on increasing from age to age; and the decline of the state has kept pace with its progress.

The popes derive some advantages from the union of their spiritual and temporal authority.

One circumstance further concerning the papal government is so singular as to merit attention. As the spiritual supremacy and temporal power were united in one person, and uniformly aided each other in their operations, they became so blended together that it was difficult to separate them even in imagination. The potentates who found it necessary to oppose the measures which the popes pursued as temporal princes, could not easily divest themselves of the reverence which they imagined to be due to them as heads of the church, and vicars of Jesus Christ. It was with reluctance that they could be brought to a rupture with the head of the church; they were unwilling to push their operations against him to extremity; they listened eagerly to the first overtures of accommodation, and were anxious to procure it almost upon any terms. Their consciousness of this encouraged the enterprising pontiffs who filled the papal throne about the beginning of the sixteenth century, to engage in schemes seemingly the most extravagant. They trusted that if their temporal power was not sufficient to carry them through with success, the respect paid to their spiritual dignity would enable them to extricate themselves with facility and with honour.[d] But when popes came to take part more frequently in the contests among princes, and to engage as principals or auxiliaries in every war kindled in Europe, this veneration for their sacred character began to abate; and striking instances will occur in the following history of its being almost totally extinct.

Constitution of the republic of Venice with its rise and progress.

Of all the Italian powers, the republic of Venice, next to the papal see, was most connected with the rest of Europe. The rise of that commonwealth during the inroads of the Huns in the fifth century; the singular situation of its capital in the small isles of the Adriatic gulf; and the more singular form of its civil constitution, are generally known. If we view the Venetian government as calculated for the order of nobles alone, its institutions may be pronounced excellent; the deliberative, legislative, and executive powers are so admirably distributed and adjusted, that it must be regarded as a perfect model of political wisdom. But if we consider it as formed for a numerous body of people subject to its jurisdiction, it will appear a rigid and partial aristocracy, which lodges all power in the hands of a few members of the community, while it degrades and oppresses the rest.

Defects in its government, particularly with respect to its military operations.

The spirit of government in a commonwealth of this species was, of course, timid and jealous. The Venetian nobles distrusted their own subjects, and were afraid of allowing them the use of arms. They encouraged among them arts of industry and commerce; they employed them in manufactures and in navigation; but never admitted them into the troops which the state kept in its pay. The military force of the republic consisted entirely of foreign mercenaries. The command of these was never trusted to noble Venetians, lest they should acquire such influence over the army as might endanger the public liberty, or become accustomed to the exercise of such power as would make them unwilling to return to the condition of private citizens. A soldier of fortune was placed at the head of the armies of the commonwealth; and to obtain that honour was the great object of the Italian *Condottieri*, or leaders of bands, who, in the fifteenth and sixteenth centuries, made a trade of war, and raised and hired out soldiers to different states. But the same suspicious policy which induced the Venetians to employ these adventurers, prevented their placing entire confidence in them. Two noblemen appointed by the senate accompanied their army when it took the field, with the appellation of *Proveditori*, and, like the field-deputies of the Dutch republic in latter times, observed all the motions of the general, and checked and controlled him in all his operations.

A commonwealth with such civil and military institutions was not formed to make conquests. While its subjects were disarmed, and its nobles excluded from military command, it carried on its warlike enterprises with great disadvantage. This ought to have taught the Venetians to rest satisfied with making self-preservation, and the enjoyment of domestic security, the objects of their policy. But republics are apt to be seduced by the spirit of ambition as well as kings. When the Venetians so far forgot the interior defects in their government as to aim at extensive conquests, the fatal blow which they received in the war excited by the league of Cambray, convinced them of the imprudence and danger of making violent efforts in opposition to the genius and tendency of their constitution.

Excellence of its naval institutions.

It is not, however, by its military, but by its naval and commercial power, that the importance of the Venetian

d The manner in which Louis XII. of France undertook and carried on war against Julius II. remarkably illustrates this observation. Louis solemnly consulted the clergy of France whether it was lawful to take arms against a pope who had wantonly kindled war in Europe, and whom neither the faith of treaties, nor gratitude for favours received, nor the decorum of his character, could restrain from the most violent actions to which the lust of power prompts ambitious princes. Though his clergy authorized the war, yet Anne of Bretagne, his queen, entertained scruples with regard to the lawfulness of it. The king himself, from some superstition of the same kind, carried it on faintly: and, upon every fresh advantage, renewed his propositions of peace. Mezeray Hist. de France, fol. edit. 1685, tom. i. 852. I shall produce another proof of this reverence for the papal character still more striking. Guicciardini, the most sagacious, perhaps, of all modern historians, and the boldest in painting the vices and ambition of the popes, represents the death of Migliau, a Spanish officer who was killed during the siege of Naples, as a punishment inflicted on him by heaven, on account of his having opposed the setting of Clement VII. at liberty. Guic. Historia d'Italia, Genev. 1645, vol. ii. lib. 18. p. 467.

commonwealth must be estimated. The latter constituted the real force and nerves of the state. The jealousy of government did not extend to this department. Nothing was apprehended from this quarter that could prove formidable to liberty. The senate encouraged the nobles to trade, and to serve on board the fleet. They became merchants and admirals: they increased the wealth of their country by their industry; they added to its dominions by the valour with which they conducted its naval armaments.

The extent of its commerce.

Commerce was an inexhaustible source of opulence to the Venetians. All the nations in Europe depended upon them, not only for the commodities of the east, but for various manufactures fabricated by them alone, or finished with a dexterity and elegance unknown in other countries. From this extensive commerce the state derived such immense supplies as concealed those vices in its constitution which I have mentioned, and enabled it to keep on foot such armies as were not only an over-match for the force which any of its neighbours could bring into the field, but were sufficient to contend, for some time, with the powerful monarchs beyond the Alps. During its struggles with the princes united against it by the league of Cambray, the republic levied sums which even in the present age would be deemed considerable; and while the king of France paid the exorbitant interest which I have mentioned for the money advanced to him, and the emperor, eager to borrow, but destitute of credit, was known by the name of *Maximilian the Moneyless*, the Venetians raised whatever sums they pleased, at the moderate premium of five in the hundred.[e]

The constitution of Florence.

The constitution of Florence was perfectly the reverse of the Venetian. It partook as much of democratical turbulence and licentiousness as the other of aristocratical rigour. Florence, however, was a commercial, not a military, democracy. The nature of its institutions was favourable to commerce, and the genius of the people was turned towards it. The vast wealth which the family of Medici had acquired by trade, together with the magnificence, the generosity, and the virtue of the first Cosmo, gave him such an ascendant over the affections as well as the councils of his countrymen, that though the forms of popular government were preserved, though the various departments of administration were filled by magistrates distinguished by the ancient names, and elected in the usual manner, he was in reality the head of the commonwealth; and in the station of a private citizen, he possessed supreme authority. Cosmo transmitted a considerable degree of this power to his descendants; and during the greater part of the fifteenth century, the political state of Florence was extremely singular. The appearance of republican government subsisted, the people were passionately attached to it, and on some occasions contended warmly for their privileges, and yet they permitted a single family to assume the direction of their affairs, almost as absolutely as if it had been formally invested with sovereign power. The jealousy of the Medici concurred with the commercial spirit of the Florentines, in putting the military force of the republic upon the same footing with that of the other Italian states. The troops which the Florentines employed in their wars, consisted almost entirely of mercenary soldiers, furnished by the *Condottieri*, or leaders of bands, whom they took into their pay.

The constitution of the kingdom of Naples.

In the kingdom of Naples, to which the sovereignty of the island of Sicily was annexed, the feudal government was established in the same form, and with the same defects, as in the other nations of Europe. The frequent and violent revolutions which happened in that monarchy had considerably increased these defects, and rendered them more intolerable. The succession to the crown of Naples had been so often interrupted or altered, and so many princes of foreign blood had, at different periods, obtained possession of the throne, that the Neapolitan nobility had lost, in a great measure, that attachment to the family of their sovereigns, as well as that reverence for their persons, which in other feudal kingdoms contributed to set some bounds to the encroachments of the barons upon the royal prerogative and power. At the same time, the different pretenders to the crown being obliged to court the barons who adhered to them, and on whose support they depended for the success of their claims, they augmented their privileges by liberal concessions, and connived at their boldest usurpations. Even when seated on the throne, it was dangerous for a prince who held his sceptre by a disputed title, to venture on any step towards extending his own power or circumscribing that of the nobles.

From all these causes the kingdom of Naples was the most turbulent of any in Europe, and the authority of its monarchs the least extensive. Though Ferdinand I., who began his reign in the year one thousand four hundred and sixty-eight, attempted to break the power of the aristocracy; though his son Alphonso, that he might crush it at once by cutting off the leaders of greatest reputation and influence among the Neapolitan barons, ventured to commit one of the most perfidious and cruel actions recorded in history; the order of nobles was nevertheless more exasperated than humbled by their measures.[f] The resentment which these outrages excited was so violent, and the power of the malcontent nobles was still so formidable, that to these may be ascribed, in a great degree, the ease and rapidity with which Charles VIII. conquered the kingdom of Naples.[g]

A. D. 1487.

e Hist. de la Ligue fait à Cambray, par M. l'Abbé du Bos, lib. v. Sandi Storia Civil Veneziana, lib. viii. c. 16. p. 891, &c.

f Giannone, book xxviii. chap. 2. vol. ii. p. 410, &c.
g Id. ibid. p. 414.

State of the dispute concerning the right of succession to the crown.

The event that gave rise to the violent contests concerning the succession to the crown of Naples and Sicily, which brought so many calamities upon these kingdoms, happened in the thirteenth century. Upon the death of the emperor Frederic II., Manfred, his natural son, aspiring to the Neapolitan throne, murdered his brother the emperor Conrad, (if we may believe contemporary historians,) and by that crime obtained possession of it.[h] The popes, from their implacable enmity to the house of Suabia, not only refused to recognise Manfred's title, but endeavoured to excite against him some rival capable of wresting the sceptre out of his hand. Charles, count of Anjou, the brother of St. Louis, king of France, undertook this; and he received from the popes the investiture of the kingdom of Naples and Sicily as a fief held of the holy see. The count of Anjou's efforts were crowned with success; Manfred fell in battle; and he took possession of the vacant throne. But soon after, Charles sullied the glory which he had acquired, by the injustice and cruelty with which he put to death, by the hands of the executioner, Conradin, the last prince of the house of Suabia, and the rightful heir of the Neapolitan crown. That gallant young prince asserted his title, to the last, with a courage worthy of a better fate. On the scaffold he declared Peter, at that time prince, and soon after king, of Aragon, who had married Manfred's only daughter, his heir; and throwing his glove among the people, he entreated that it might be carried to Peter, as the symbol by which he conveyed all his rights to him.[i] The desire of avenging the insult offered to royalty by the death of Conradin, concurred with his own ambition in prompting Peter to take arms in support of the title which he had acquired. From that period, during almost two centuries, the houses of Aragon and Anjou contended for the crown of Naples. Amidst a succession of revolutions more rapid, as well as of crimes more atrocious, than what occur in the history of almost any other kingdom, monarchs, sometimes of the Aragonese line, and sometimes of the Anjevin, were seated on the throne.

A. D. 1254.

A. D. 1434.

At length the princes of the house of Aragon obtained such firm possession of this long-disputed inheritance, that they transmitted it quietly to a bastard branch of their family.[k]

Pretensions of the French and Spanish monarchs.

The race of the Anjevin kings, however, was not extinct; nor had they relinquished their title to the Neapolitan crown. The count of Maine and Provence, the heir of this family, conveyed all his rights and pretensions to Louis XI. and to his successors.

A. D. 1494.

Charles VIII., as I have already related, crossed the Alps at the head of a powerful army, in order to prosecute his claim with a degree of vigour far superior to that which the princes from whom he derived it had been capable of exerting. The rapid progress of his arms in Italy, as well as the short time during which he enjoyed the fruits of his success, have already been mentioned, and are well known. Frederic the heir of the illegitimate branch of the Aragonese family, soon recovered the throne of which Charles had dispossessed him. Louis XII. and Ferdinand of Aragon united against this prince, whom both, though for different reasons, considered as an usurper, and agreed to divide his dominions between them. Frederic, unable to resist the combined monarchs, each of whom was far superior in power, resigned his sceptre. Louis and Ferdinand, though they had concurred in making the conquest, differed about the division of it; and from allies became enemies. But Gonsalvo de Cordova, partly by the exertion of such military talents as gave him a just title to the appellation of the *great captain*, which the Spanish historians have bestowed upon him; and partly by such shameless and frequent violations of the most solemn engagements as leave an indelible stain on his memory, stripped the French of all that they possessed in the Neapolitan dominions, and secured the peaceable possession of them to his master. These, together with his other kingdoms, Ferdinand transmitted to his grandson Charles V., whose right to possess them, if not altogether uncontrovertible, seems, at least, to be as well founded as that which the kings of France set up in opposition to it.[l]

A. D. 1501.

State of the duchy of Milan and the right of succession to it.

There is nothing in the political constitution or interior government of the duchy of Milan so remarkable as to require a particular explanation. But as the right of succession to that fertile province was the cause or the pretext of almost all the wars carried on in Italy during the reign of Charles V., it is necessary to trace these disputes to their source, and to inquire into the pretensions of the various competitors.

Rise and progress of the disputes concerning this.

During the long and fierce contests excited in Italy by the violence of the Guelf and Ghibelline factions, the family of Visconti rose to great eminence among their fellow-citizens of Milan. As the Visconti had adhered uniformly to the Ghibelline or imperial interest, they, by way of recompence, received, from one emperor, the dignity of perpetual vicars of the empire in Italy:[m] they were created, by another, dukes of Milan; and, together with that title, the possession of the city and its territories was bestowed upon them as an hereditary fief.[n] John, king of France, among other expedients for raising money which the calamities of his reign obliged him to employ, condescended to give one of his daughters in marriage to

A. D. 1354.

A. D. 1395.

h Struv. Corp. Hist. Germ. i. 481. Giannone, book xviii. ch. v.
i Giannone, book xix. ch. 4. §. 2.
k Id. book xxvi. ch. 2

l Droits de Rois de France au Royaume de Sicile. Mem. de Comin. edit. de Fresnoy, tom. iv. part ii. p. 5.
m Petrarch Epist. ap. Struv. Corp. i. 625.
n Leibnit. Cod. Jur. Gent. Diplom. vol. i. 257.

John Galeazzo Visconti, the first duke of Milan, from whom he had received considerable sums. Valentine Visconti, one of the children of this marriage, married her cousin, Louis, duke of Orleans, the only brother of Charles VI. In their marriage-contract, which the pope confirmed, it was stipulated that upon failure of heirs-male in the family of Visconti, the duchy of Milan should descend to the posterity of Valentine and the duke of Orleans. That event took place. In the year one thousand four hundred and forty-seven, Philip Maria, the last prince of the ducal family of Visconti, died. Various competitors claimed the succession. Charles, duke of Orleans, pleaded his right to it, founded on the marriage-contract of his mother with Valentine Visconti. Alphonso, king of Naples, claimed it in consequence of a will made by Philip Maria in his favour. The emperor contended, that upon the extinction of male issue in the family of Visconti, the fief returned to the superior lord, and ought to be reannexed to the empire. The people of Milan, smitten with the love of liberty which in that age prevailed among the Italian states, declared against the dominion of any master, and established a republican form of government.

But during the struggle among so many competitors, the prize for which they contended was seized by one from whom none of them apprehended any danger. Francis Sforza, the natural son of Jacomuzzo Sforza, whom his courage and abilities had elevated from the rank of a peasant to be one of the most eminent and powerful of the Italian *Condottieri*, having succeeded his father in the command of the adventurers who followed his standard, had married a natural daughter of the last duke of Milan. Upon this shadow of a title Francis founded his pretensions to the duchy, which he supported with such talents and valour as placed him at last on the ducal throne. The virtues as well as abilities with which he governed inducing his subjects to forget the defects in his title, he transmitted his dominions quietly to his son; from whom they descended to his grandson. He was murdered by his grand-uncle Ludovico, surnamed the Moor, who took possession of the duchy; and his right to it was confirmed by the investiture of the emperor Maximilian in the year one thousand four hundred and ninety-four.[o]

Louis XI., who took pleasure in depressing the princes of the blood, and who admired the political abilities of Francis Sforza, would not permit the duke of Orleans to take any step in prosecution of his right to the duchy of Milan. Ludovico the Moor kept up such a close connexion with Charles VIII. that, during the greater part of his reign, the claim of the family of Orleans continued to lie dormant. But when the crown of France devolved on Louis XII. duke of Orleans, he instantly asserted the rights of his family with the ardour which it was natural to expect, and marched at the head of a powerful army to support them. Ludovico Sforza, incapable of contending with such a rival, was stripped of all his dominions in the space of a few days. The king, clad in the ducal robes, entered Milan in triumph; and soon after, Ludovico, having been betrayed by the Swiss in his pay, was sent a prisoner into France, and shut up in the castle of Loches, where he lay unpitied during the remainder of his days. In consequence of one of the singular revolutions which occur so frequently in the history of the Milanese, his son Maximilian Sforza was placed on the ducal throne, of which he kept possession during the reign of Louis XII. But his successor Francis I. was too high spirited and enterprising tamely to relinquish his title. A. D. 1512. As soon as he was seated upon the throne, he prepared to invade the Milanese; and his right of succession to it appears, from this detail, to have been more natural and more just than that of any other competitor.

It is unnecessary to enter into any detail with respect to the form of government in Genoa, Parma, Modena, and the other inferior states of Italy. Their names, indeed, will often occur in the following history. But the power of these states themselves was so inconsiderable, that their fate depended little upon their own efforts; and the frequent revolutions which they underwent were brought about rather by the operations of the princes who attacked or defended them, than by any thing peculiar in their internal constitution.

The constitution and government of Spain.

Of the great kingdoms on this side of the Alps, Spain is one of the most considerable; and as it was the hereditary domain of Charles V., as well as the chief source of his power and wealth, a distinct knowledge of its political constitution is of capital importance towards understanding the transactions of his reign.

Conquered by the Vandals:

The Vandals and Goths, who overturned the Roman power in Spain, established a form of government in that country, and introduced customs and laws perfectly similar to those which were established in the rest of Europe by the other victorious tribes which acquired settlements there. For some time society advanced among the new inhabitants of Spain by the same steps, and seemed to hold the same course, as in other European nations. To this progress a sudden stop was put by the invasion of A. D. 712. the Saracens or Moors from Africa. The Goths could not withstand the efforts of their enthusiastic valour, which subdued the and by the Moors. greatest part of Spain with the same impetuous rapidity that distinguishes all the operations of their arms. The conquerors introduced into the country in which they settled, the Mahometan religion, the Arabic language, the manners of the east, together with that taste for the arts, and that love of elegance and splendour, which the Califs had begun to cultivate among their subjects.

[o] Ripalin Hist. Mediol. lib. vi. 651. ap. Struv. Corp. i. 930. Du Mont Corps Diplom. tom. iii. p. 333. ibid.

The christians gradually recover dominion in Spain.

Such Gothic nobles as disdained to submit to the Moorish yoke fled for refuge to the inaccessible mountains of Asturias. There they comforted themselves with enjoying the exercise of the christian religion, and with maintaining the authority of their ancient laws. Being joined by many of the boldest and most warlike among their countrymen, they sallied out upon the adjacent settlements of the Moors in small parties; but venturing only upon short excursions at first, they were satisfied with plunder and revenge, without thinking of conquest. By degrees their strength increased, their views enlarged, a regular government was established among them, and they began to aim at extending their territories. While they pushed on their attacks with the unremitting ardour excited by zeal for religion, by the desire of vengeance, and by the hope of rescuing their country from oppression; while they conducted their operations with the courage natural to men who had no other occupation but war, and who were strangers to all the arts which corrupt or enfeeble the mind; the Moors gradually lost many of the advantages to which they had been indebted for their first success. They threw off all dependence on the Califs;[p] they neglected to preserve a close connexion with their countrymen in Africa; their empire in Spain was split into many small kingdoms; the arts which they cultivated, together with the luxury to which these gave rise, relaxed in some measure the force of their military institutions, and abated the vigour of their warlike spirit. The Moors, however, continued still to be a gallant people, and possessed great resources. According to the magnificent style of the Spanish historians, eight centuries of almost uninterrupted war elapsed, and three thousand seven hundred battles were fought, before the last

1492. of the Moorish kingdoms in Spain submitted to the christian arms.

The union of its various kingdoms.

As the christians made their conquests upon the Mahometans at various periods and under different leaders, each formed the territory which he had wrested from the common enemy into an independent state. Spain was divided into almost as many separate kingdoms as it contained provinces; in each city of note a petty monarch established his throne, and assumed all the ensigns of royalty. In a series of years however, by the usual events of intermarriages, or succession, or conquest, all these inferior principalities were annexed to the more powerful kingdoms of Castile and of Aragon. At length, by the fortunate marriage of Ferdinand and Isabella, the former the hereditary monarch of Aragon, and the latter raised

1481. to the throne of Castile by the affection of her subjects, all the Spanish crowns were united, and descended in the same line.

Their ancient customs and laws preserved amidst all their revolutions;

From this period the political constitution of Spain began to assume a regular and uniform appearance; the genius of its government may be delineated, and the progress of its laws and manners may be traced with certainty. Notwithstanding the singular revolution which the invasion of the Moors occasioned in Spain, and the peculiarity of its fate in being so long subject to the Mahometan yoke, the customs introduced by the Vandals and Goths had taken such deep root, and were so thoroughly incorporated with the frame of its government, that in every province which the christians recovered from the Moors, we find the condition of individuals, as well as the political constitution, nearly the same as in other nations of Europe. Lands were held by the same tenure; justice was dispensed in the same form; the same privileges were claimed by the nobility; and the same power exercised by the cortes, or general assembly of the kingdom. Several circumstances contributed to secure this permanence of the feudal institutions in Spain, notwithstanding the conquest of the Moors, which seemed to have overturned them. Such of the Spaniards as preserved their independence, adhered to their ancient customs, not only from attachment to them, but out of antipathy to the Moors, to whose ideas concerning property and government these customs were totally repugnant. Even among the christians who submitted to the Moorish conquerors, and consented to become their subjects, ancient customs were not entirely abolished. They were permitted to retain their religion, their laws concerning private property, their forms of administering justice, and their mode of levying taxes. The followers of Mahomet are the only enthusiasts who have united the spirit of toleration with zeal for making proselytes, and who, at the same time that they took arms to propagate the doctrine of their prophet, permitted such as would not embrace it to adhere to their own tenets and to practise their own rites. To this peculiarity in the genius of the Mahometan religion, as well as to the desire which the Moors had of reconciling the christians to their yoke, it was owing that the ancient manners and laws in Spain survived the violent shock of a conquest, and were permitted to subsist, notwithstanding the introduction of a new religion and a new form of government into that country. It is obvious, from all these particulars, that the christians must have found it extremely easy to re-establish manners and government on their ancient foundations, in those provinces of Spain which they wrested successively from the Moors. A considerable part of the people retained such a fondness for the customs, and such a reverence for the laws, of their ancestors, that wishing to see them completely restored, they were not only willing but eager to resume the former, and to recognise the authority of the latter.

which renders their state in some degree similar to that of other nations of Europe.

Certain peculiarities in their constitution and laws.

But though the feudal form of government, with all the institutions which characterize it, was thus pre-

p Jos. Sim. Assemanni Histor. Ital. Scriptores, vol. iii. p. 135.

served entire in Castile and Aragon, as well as in all the kingdoms which depended on these crowns, there were certain peculiarities in their political constitutions which distinguish them from those of any other country in Europe. The royal prerogative, extremely limited in every feudal kingdom, was circumscribed, in Spain, within such narrow bounds as reduced the power of the sovereign almost to nothing. The privileges of the nobility were great in proportion, and extended so far as to border on absolute independence. The immunities of the cities were likewise greater than in other feudal kingdoms; they possessed considerable influence in the Cortes, and they aspired at obtaining more. Such a state of society, in which the political machine was so ill-adjusted, and the several members of the legislature so improperly balanced, produced internal disorders in the kingdoms of Spain, which rose beyond the pitch of turbulence and anarchy usual under the feudal government. The whole tenor of the Spanish history confirms the truth of this observation; and when the mutinous spirit to which the genius of their policy gave birth and vigour was no longer restrained and overawed by the immediate dread of the Moorish arms, it broke out into more frequent insurrections against the government of their princes, as well as more outrageous insults on their dignity, than occur in the annals of any other country. These were accompanied at some times with more liberal sentiments concerning the rights of the people, at other times with more elevated notions concerning the privileges of the nobles, than were common in other nations.

The prerogative more limited, and the immunities of the people more extensive.

Instances of this.

In the principality of Catalonia, which was annexed to the kingdom of Aragon, the impatience of the people to obtain the redress of their grievances having prompted them to take arms against their sovereign John II., they, by a solemn deed, recalled the oath of allegiance which they had sworn to him, declared him and his posterity to be unworthy of the throne,[q] and endeavoured to establish a republican form of government, in order to secure the perpetual enjoyment of that liberty after which they aspired.[r] Nearly about the same period, the indignation of the Castilian nobility against the weak and flagitious administration of Henry IV. having led them to combine against him, they arrogated, as one of the privileges belonging to their order, the right of trying and passing sentence on their sovereign. That the exercise of this power might be as public and solemn as the pretension to it was bold, they summoned all the nobility of their party to meet at Avila; a spacious theatre was erected in a plain without the walls of the town: an image representing the king was seated on a throne clad in royal robes, with a crown on its head, a sceptre in its hand, and the sword of justice by its side. The accusation against the king was read, and the sentence of deposition was pronounced, in presence of a numerous assembly. At the close of the first article of the charge, the archbishop of Toledo advanced and tore the crown from the head of the image; at the close of the second, the Conde de Placentia snatched the sword of justice from its side; at the close of the third, the Conde de Beneventè wrested the sceptre from its hand; at the close of the last, Don Diego Lopes de Stuniga tumbled it headlong from the throne. At the same instant, Don Alfonso, Henry's brother, was proclaimed king of Castile and Leon in his stead.[s]

A. D. 1462.

A. D. 1465.

The most daring leaders of faction would not have ventured on these measures, nor have conducted them with such public ceremony, if the sentiments of the people concerning the royal dignity had not been so formed by the laws and policy to which they were accustomed both in Castile and Catalonia, as prepared them to approve of such extraordinary proceedings, or acquiesce in them.

The constitution and government of Aragon.

In Aragon the form of government was monarchical, but the genius and maxims of it were purely republican. The kings, who were long elective, retained only the shadow of power; the real exercise of it was in the Cortes or parliament of the kingdom. This supreme assembly was composed of four different *arms* or members. The nobility of the first rank. The equestrian order, or nobility of the second class. The representatives of the cities and towns, whose right to a place in the Cortes, if we may give credit to the historians of Aragon, was coeval with the constitution. The ecclesiastical order, composed of the dignitaries of the church, together with the representatives of the inferior clergy.[t] No law could pass in this assembly without the assent of every single member who had a right to vote.[u] Without the permission of the Cortes, no tax could be imposed; no war could be declared; no peace could be concluded; no money could be coined; nor could any alteration be made in the current specie.[x] The power of reviewing the proceedings of all inferior courts, the privilege of inspecting every department of administration, and the right of redressing all grievances, belonged to the Cortes. Nor did those who conceived themselves to be aggrieved, address the Cortes in the humble tone of supplicants, and petition for redress; they demanded it as the birthright of freemen, and required the guardians of their liberty to decide with respect to the points which they laid before them.[y] This sovereign court was held, during several centuries, every year; but, in consequence of a regulation introduced about the beginning of the fourteenth century, it was convoked from that period only once

q Zurita Annales de Arag. tom. iv. 113, 115, &c.
r Ferreras Hist. d'Espagne, tom. vii. p. 92. P. Orleans Revol. d'Espagne, tom. iii. p. 155. L. Marinæus Siculus de Reb. Hispan. apud Schotti Script. Hispan. fol. 429.
s Marian. Hist. lib. xxiii. c. 9.

t Forma de Celebrar. Cortes in Aragon, por Geron Martel.
u Martel. ibid. p. 2.
x Hier. Blanca Comment. Rer. Aragon. ap. Schot. Script. Hispan. vol. iii. p. 750.
y Martel. Forma de Celebr. p. 2.

in two years. After it was assembled, the king had no right to prorogue or dissolve it without its own consent; and the session continued forty days.[z]

Office and jurisdiction of the Justiza.

Not satisfied with having erected such formidable barriers against the encroachments of the royal prerogative, nor willing to commit the sole guardianship of their liberties entirely to the vigilance and authority of an assembly similar to the diets, states-general, and parliaments, in which the other feudal nations have placed so much confidence, the Aragonese had recourse to an institution peculiar to themselves, and elected a *Justiza* or supreme judge. This magistrate, whose office bore some resemblance to that of the Ephori in ancient Sparta, acted as the protector of the people and the comptroller of the prince. The person of the Justiza was sacred, his power and jurisdiction almost unbounded. He was the supreme interpreter of the laws. Not only inferior judges, but the kings themselves, were bound to consult him in every doubtful case, and to receive his responses with implicit deference.[a] An appeal lay to him from the royal judges, as well as from those appointed by the barons within their respective territories. Even when no appeal was made to him, he could interpose by his own authority, prohibit the ordinary judge to proceed, take immediate cognizance of the cause himself, and remove the party accused to the *Manifestation*, or prison of the state, to which no person had access but by his permission. His power was exerted with no less vigour and effect in superintending the administration of government, than in regulating the courts of justice. It was the prerogative of the Justiza to inspect the conduct of the king. He had a title to review all the royal proclamations and patents, and to declare whether or not they were agreeable to law, and ought to be carried into execution. He, by his sole authority, could exclude any of the king's ministers from the conduct of affairs, and call them to answer for their mal-administration. He himself was accountable to the Cortes only for the manner in which he discharged the duties of this high office; and performed functions of the greatest importance that could be committed to a subject.[b c]

The regal power circumscribed within narrow limits.

It is evident from a bare enumeration of the privileges of the Aragonese Cortes, as well as of the rights belonging to the Justiza, that a very small portion of power remained in the hands of the king. The Aragonese seem to have been solicitous that their monarchs should know and feel this state of impotence to which they were reduced. Even in swearing allegiance to their sovereign, an act which ought naturally to be accompanied with professions of submission and respect, they devised an oath, in such a form as to remind him of his dependence on his subjects. "We," said the Justiza to the king, in name of his high-spirited barons, "who are each of us as good, and who are altogether more powerful than you, promise obedience to your government, if you maintain our rights and liberties; but if not, not." Conformably to this oath, they established it as a fundamental article in their constitution, that if the king should violate their rights and privileges, it was lawful for the people to disclaim him as their sovereign, and to elect another, even though a heathen, in his place.[d] The attachment of the Aragonese to this singular constitution of government was extreme, and their respect for it approached to superstitious veneration.[e] In the preamble to one of their laws they declare, that such was the barrenness of their country, and the poverty of the inhabitants, that if it were not on account of the liberties by which they were distinguished from other nations, the people would abandon it, and go in quest of a settlement to some more fruitful region.[f]

Constitution and government of Castile.

In Castile there were not such peculiarities in the form of government as to establish any remarkable distinction between it and that of the other European nations. The executive part of government was committed to the king, but with a prerogative extremely limited. The legislative authority resided in the Cortes, which was composed of the nobility, the dignified ecclesiastics, and the representatives of the cities. The assembly of the Cortes in Castile was very ancient, and seems to have been almost coeval with the constitution. The members of the three different orders, who had a right of suffrage, met in one place, and deliberated as one collective body, the decisions of which were regulated by the sentiments of the majority. The right of imposing taxes, of enacting laws, and of redressing grievances, belonged to this assembly; and in order to secure the assent of the king to such statutes and regulations as were deemed salutary or beneficial to the kingdom, it was usual in the Cortes to take no step towards granting money until all business relative to the public welfare was concluded. The representatives of cities seem to have obtained a seat very early in the Cortes of Castile, and soon acquired such influence and credit as were very uncommon at a period when the splendour and preeminence of the nobility had eclipsed or depressed all other orders of men. The number of members from cities bore such a proportion to that of the whole collective body, as rendered them extremely respectable in the Cortes.[g] The degree of consideration which they possessed in the state may be estimated by one event. Upon the death of John I., a council of regency was appointed to govern the kingdom during the minority of his son. It was composed of an equal number of noblemen and of deputies chosen by the cities; the latter were admitted to the same rank and in-

A. D. 1390.

z Hier. Blanca Comment. 763.
a Blanca has preserved two responses of the Justiza to James II., who reigned towards the close of the thirteenth century. Blanca, 748.
b See Note XXXI.
c Hier. Blanca Comment. p. 747. 755.
d Hier. Blanca Comment. 720.
e See Note XXXII.
f Hier. Blanca Com. p. 751.
g See Note XXXIII.

vested with the same powers as prelates and grandees of the first order.[h] But though the members of communities in Castile were elevated above the condition wherein they were placed in other kingdoms of Europe; though they had attained to such political importance, that even the proud and jealous spirit of the feudal aristocracy could not exclude them from a considerable share in government; yet the nobles, notwithstanding these acquisitions of the commons, continued to assert the privileges of their order in opposition to the crown, in a tone extremely high. There was not any body of nobility in Europe more distinguished for independence of spirit, haughtiness of deportment, and bold pretensions, than that of Castile. The history of that monarchy affords the most striking examples of the vigilance with which they observed, and of the vigour with which they opposed, every measure of their kings that tended to encroach on their jurisdiction, to diminish their dignity, or to abridge their power. Even in their ordinary intercourse with their monarchs, they preserved such a consciousness of their rank, that the nobles of the first order claimed it as a privilege to be covered in the royal presence, and approached their sovereigns rather as equals than as subjects.

The constitutions of the subordinate monarchies which depended on the crowns of Castile and Aragon, nearly resembled those of the kingdoms to which they were annexed. In all of them the dignity and independence of the nobles were great, the immunities and power of the cities were considerable.

Various causes of the limited authority of the Spanish monarchs.

An attentive observation of the singular situation of Spain, as well as the various events which occurred there, from the invasion of the Moors to the union of its kingdoms under Ferdinand and Isabella, will discover the causes to which all the peculiarities in its political constitution I have pointed out ought to be ascribed.

As the provinces of Spain were wrested from the Mahometans gradually and with difficulty, the nobles who followed the standard of any eminent leader in these wars, conquered not for him alone, but for themselves. They claimed a share in the lands which their valour had won from the enemy, and their prosperity and power increased in proportion as the territory of the prince extended.

During their perpetual wars with the Moors, the monarchs of the several kingdoms in Spain depended so much on their nobles, that it became necessary to conciliate their good-will by successive grants of new honour and privileges. By the time that any prince could establish his dominion in a conquered province, the greater part of the territory was parcelled out by him among his barons, with such jurisdiction and immunities as raised them almost to sovereign power.

At the same time the kingdoms erected in so many different corners of Spain were of inconsiderable extent. The petty monarch was but little elevated above his nobles. They feeling themselves to be almost his equals, acted as such; and could not look up to the kings of such limited domains with the same reverence that the sovereigns of the great monarchies in Europe were viewed by their subjects.[i]

While these circumstances concurred in exalting the nobility, and in depressing the royal authority, there were other causes which raised the cities in Spain to consideration and power.

As the open country, during the wars with the Moors, was perpetually exposed to the excursions of the enemy, with whom no peace or truce was so permanent as to prove any lasting security, self-preservation obliged persons of all ranks to fix their residence in places of strength. The castles of the barons, which, in other countries, afforded a commodious retreat from the depredations of banditti, or from the transient violence of any interior commotion, were unable to resist an enemy whose operations were conducted with regular and persevering vigour. Cities, in which great numbers united for their mutual defence, were the only places in which people could reside with any prospect of safety. To this was owing the rapid growth of those cities in Spain of which the christians recovered possession. All who fled from the Moorish yoke resorted to them as to an asylum; and in them the greater part of those who took the field against the Mahometans established their families.

Several of these cities, during a longer or shorter course of years, were the capitals of little states, and enjoyed all the advantages which accelerate the increase of inhabitants in every place that is the seat of government.

From those concurring causes, the number of cities in Spain at the beginning of the fifteenth century had become considerable, and they were peopled far beyond the proportion which was common in other parts of Europe, except in Italy and the Low Countries. The Moors had introduced manufactures into those cities while under their dominion. The christians, who, by intermixture with them, had learned their arts, continued to cultivate these. Trade, in several of the Spanish towns, appears to have been carried on with vigour; and the spirit of commerce continued to preserve the number of their inhabitants, as the sense of danger had first induced them to crowd together.

As the Spanish cities were populous, many of the inhabitants were of a rank superior to those who resided in towns in other countries of Europe. That cause which contributed chiefly to their population, affected equally persons of every condition, who flocked thither promiscuously in order to find shelter there, or in hopes of making a stand against the enemy with greater advantage than in any other station. The persons elected as their representatives in the Cortes by the cities, or promoted to offices of trust and dignity in the government of the

h Marian Hist. lib. xviii. c. 15.

i See Note XXXIV.

community, were often, as will appear from transactions which I shall hereafter relate, of such considerable rank in the kingdom, as reflected lustre on their constituents, and on the stations wherein they were placed.

As it was impossible to carry on a continual war against the Moors, without some other military force than that which the barons were obliged to bring into the field in consequence of the feudal tenures, it became necessary to have some troops, particularly a body of light cavalry, in constant pay. It was one of the privileges of the nobles, that their lands were exempt from the burden of taxes. The charge of supporting the troops requisite for the public safety fell wholly upon the cities, and their kings being obliged frequently to apply to them for aid, found it necessary to gain their favour by concessions which not only extended their immunities, but added to their wealth and power.

When the influence of all these circumstances, peculiar to Spain, is added to the general and common causes which contributed to aggrandize cities in other countries of Europe, this will fully account for the extensive privileges which they acquired, as well as for the extraordinary consideration to which they attained, in all the Spanish kingdoms.[k]

Measures of different princes, in order to extend their power:

By these exorbitant privileges of the nobility, and this unusual power of the cities in Spain, the royal prerogative was hemmed in on every side, and reduced within very narrow bounds. Sensible of this, and impatient of such restraint, several monarchs endeavoured, at various junctures and by different means, to enlarge their own jurisdiction. Their power, however, or their abilities, were so unequal to the undertaking, that their efforts were attended with little success. But when Ferdinand and Isabella found themselves at the head of the united kingdoms of Spain, and delivered from the danger and interruption of domestic wars, they were not only in a condition to resume, but were able to prosecute with advantage, the schemes of extending the prerogative, which their ancestors had attempted in vain. Ferdinand's profound sagacity in concerting his measures, his persevering industry in conducting them, and his uncommon address in carrying them into execution, fitted him admirably for an undertaking which required all these talents.

particularly of Ferdinand and Isabella.

Ferdinand's different schemes for abridging the privileges and power of the nobility;

As the overgrown power and high pretensions of the nobility were what the monarchs of Spain felt most sensibly, and bore with the greatest impatience, the great confidence of Ferdinand's policy was to reduce these within more moderate bounds. Under various pretexts, sometimes by violence, more frequently in consequence of decrees obtained in the courts of law, he wrested from the barons a great part of the lands which had been granted to them by the inconsiderate bounty of former monarchs, particularly during the feeble and profuse reign of his predecessor, Henry IV. He did not give the entire conduct of affairs to persons of noble birth, who were accustomed to occupy every department of importance in peace or in war, as if it had been a privilege peculiar to their order to be employed as the sole counsellors and ministers of the crown. He often transacted business of great consequence without their intervention, and bestowed many offices of power and trust on new men devoted to his interest.[l] He introduced a degree of state and dignity into his court, which being little known in Spain while it remained split into many small kingdoms, taught the nobles to approach their sovereign with more ceremony, and gradually rendered him the object of greater deference and respect.

particularly by annexing the grand-masterships of the three orders to the crown;

The annexing the masterships of the three military orders of St. Jago, Calatrava, and Alcantara, to the crown, was another expedient by which Ferdinand greatly augmented the revenue and power of the kings of Spain. These orders were instituted in imitation of those of the knights templars and of St. John of Jerusalem, on purpose to wage perpetual war with the Mahometans, and to protect the pilgrims who visited Compostella or other places of eminent sanctity in Spain. The zeal and superstition of the ages in which they were founded, prompted persons of every rank to bestow such liberal donations on those holy warriors, that in a short time they engrossed a considerable share in the property and wealth of the kingdom. The masterships of these orders came to be stations of the greatest power and opulence to which a Spanish nobleman could be advanced. These high dignities were in the disposal of the knights of the order, and placed the persons on whom they conferred them almost on a level with their sovereign.[m] Ferdinand, unwilling that the nobility, whom he considered as already too formidable, should derive such additional credit and influence from possessing the government of these wealthy fraternities, was solicitous to wrest it out of their hands, and to vest it in the crown. His measures for accomplishing this were wisely planned, and executed with vigour.[n] By address, by promises, and by threats, he prevailed on the knights of each order to place Isabella and him at the head of it. Innocent VIII. and Alexander VI. gave this election the sanction of papal authority;[o] and subsequent pontiffs rendered the annexation of these masterships to the crown perpetual.

A. D. 1476 and 1493.

and by circumscribing the jurisdiction of the nobility.

While Ferdinand by this measure diminished the power and influence of the nobility, and added new lustre or authority to the crown, he was taking other important steps with a view to the same object. The sovereign jurisdiction which the feudal barons ex-

k See Note XXXV.
m See Note XXXVI.
l Zurita Annales de Arag. tom. vi. p. 22.
n Marian. Hist. lib. xxv. c. 5.
o Zurita Annales, tom. v. p. 22. Ælii Anton. Nebrissensis rerum a Ferdinand. et Elizab. gestarum decades ii. apud Schot. script. Hispan. i. 860.

ercised within their own territories, was the pride and distinction of their order. To have invaded openly a privilege which they prized so highly, and in defence of which they would have run so eagerly to arms, was a measure too daring for a prince of Ferdinand's cautious temper. He took advantage, however, of an opportunity which the state of his kingdoms and the spirit of his people presented him, in order to undermine what he durst not assault. The incessant depredations of the Moors, the want of discipline among the troops which were employed to oppose them, the frequent civil wars between the crown and the nobility, as well as the undiscerning rage with which the barons carried on their private wars with each other, filled all the provinces of Spain with disorder. Rapine, outrage, and murder became so common as not only to interrupt commerce, but in a great measure to suspend all intercourse between one place and another. That security and protection which men expect from entering into civil society ceased in a great degree. Internal order and police, while the feudal institutions remained in vigour, were so little objects of attention, and the administration of justice was so extremely feeble, that it would have been vain to have expected relief from the established laws or the ordinary judges. But the evil became so intolerable, and the inhabitants of cities, who were the chief sufferers, grew so impatient of this anarchy, that self-preservation forced them to have recourse to an extraordinary remedy.

1260. About the middle of the thirteenth century, the cities in the kingdom of Aragon, and, after their example, those in Castile, formed themselves into an association distinguished by the name of the *Holy Brotherhood*. They exacted a certain contribution from each of the associated towns; they levied a considerable body of troops in order to protect travellers and to pursue criminals; they appointed judges, who opened their courts in various parts of the kingdom. Whoever was guilty of murder, robbery, or of any act that violated the public peace, and was seized by the troops of the *Brotherhood*, was carried before judges of their nomination, who, without paying any regard to the exclusive and sovereign jurisdiction which the lord of the place might claim, tried and condemned the criminals. By the establishment of this fraternity the prompt and impartial administration of justice was restored; and, together with it, internal tranquillity and order began to return. The nobles alone murmured at this salutary institution. They complained of it as an encroachment on one of their most valuable privileges: they remonstrated against it in an high tone; and on some occasions refused to grant any aid to the crown unless it were abolished. Ferdinand, however, was sensible not only of the good effects of the Holy Brotherhood with respect to the police of his kingdoms, but perceived its tendency to abridge, and at length to annihilate, the territorial jurisdiction of the nobility. He countenanced it on every occasion: he supported it with the whole force of royal authority: and, besides the expedients employed by him in common with the other monarchs of Europe, he availed himself of this institution, which was peculiar to his kingdom, in order to limit and abolish that independent jurisdiction of the nobility, which was no less inconsistent with the authority of the prince than with the order of society.[p]

Notwithstanding all these, the government of Spain still extremely free.

But though Ferdinand by these measures considerably enlarged the boundaries of prerogative, and acquired a degree of influence and power far beyond what any of his predecessors had enjoyed, yet the limitations of the royal authority, as well as the barriers against its encroachments, continued to be many and strong. The spirit of liberty was vigorous among the people of Spain; the spirit of independence was high among the nobility; and though the love of glory peculiar to the Spaniards in every period of their history prompted them to support Ferdinand with zeal in his foreign operations, and to afford him such aid as enabled him not only to undertake but to execute great enterprises, he reigned over his subjects with a jurisdiction less extensive than that of any of the great monarchs in Europe. It will appear from many passages in the following history, that during a considerable part of the reign of his successor Charles V., the prerogative of the Spanish crown was equally circumscribed.

Constitution and government of France.

The ancient government and laws in France so nearly resemble those of the other feudal kingdoms, that such a detail with respect to them as was necessary in order to convey some idea of the nature and effects of the peculiar institutions which took place in Spain, would be superfluous. In the view which I have exhibited of the means by which the French monarchs acquired such a full command of the national force of their kingdom as enabled them to engage in extensive schemes of foreign operation, I have already pointed out the great steps by which they advanced towards a more ample possession of political power, and a more uncontrolled exercise of their royal prerogative. All that now remains is to take notice of such particulars in the constitution of France, as serve either to distinguish it from that of other countries, or tend to throw any light on the transactions of that period to which the following history extends.

Power of the general assemblies under the first race of kings;

Under the French monarchs of the first race, the royal prerogative was very inconsiderable. The general assemblies of the nation, which met annually at stated seasons, extended their authority to every department of government. The power of electing kings, of enacting laws, of redressing grievances, of conferring donations on the prince, of passing judgment in the last resort, with respect to every person

[p] See Note XXXVII.

and to every cause, resided in this great convention of the nation. Under the second race of kings, notwithstanding the power and splendour which the conquests of Charlemagne added to the crown, the general assemblies of the nation continued to possess extensive authority. The right of determining which of the royal family should be placed on the throne, was vested in them. The princes, elevated to that dignity by their suffrage, were accustomed regularly to call and to consult them with respect to every affair of importance to the state; and without their consent no law was passed and no new tax was levied.

under the second;

But by the time that Hugh Capet, the father of the third race of kings, took possession of the throne of France, such changes had happened in the political state of the kingdom as considerably affected the power and jurisdiction of the general assembly of the nation. The royal authority, in the hands of the degenerate posterity of Charlemagne, had dwindled into insignificance and contempt. Every considerable proprietor of land had formed his territory into a barony, almost independent of the sovereign. The dukes or governors of provinces, the counts or governors of towns and small districts, and the great officers of the crown, had rendered these dignities, which originally were granted only during pleasure or for life, hereditary in their families. Each of these had usurped all the rights which hitherto had been deemed the distinctions of royalty, particularly the privileges of dispensing justice within their own domains, of coining money, and of waging war. Every district was governed by local customs, acknowledged a distinct lord, and pursued a separate interest. The formality of doing homage to their sovereign was almost the only act of subjection which those haughty barons would perform, and that bound them no further than they were willing to acknowledge its obligation.[q]

under the third;

The power of the general assembly less considerable and extensive.

In a kingdom broken into so many independent baronies, hardly any common principle of union remained; and the general assembly, in its deliberations, could scarcely consider the nation as forming one body, or establish common regulations to be of equal force in every part. Within the immediate domains of the crown the king might publish laws, and they were obeyed, because there he was acknowledged as the only lord. But if he had aimed at rendering these laws general, that would have alarmed the barons as an encroachment upon the independence of their jurisdiction. The barons, when met in the great national convention, avoided with no less care the enacting of general laws to be observed in every part of the kingdom, because the execution of them must have been vested in the king, and would have enlarged that paramount power which was the object of their jealousy. Thus, under the descendants of Hugh Capet, the states-general (for that was the name by which the supreme assembly of the French nation came then to be distinguished) lost their legislative authority, or at least entirely relinquished the exercise of it. From that period the jurisdiction of the states-general extended no further than to the imposition of new taxes, the determination of questions with respect to the right of succession to the crown, the settling of the regency when the preceding monarch had not fixed it by his will, and the presenting remonstrances enumerating the grievances of which the nation wished to obtain redress.

As, during several centuries, the monarchs of Europe seldom demanded extraordinary subsidies of their subjects, and the other events which required the interposition of the states rarely occurred, their meetings in France were not frequent. They were summoned occasionally by their kings, when compelled by their wants or by their fears to have recourse to the great convention of their people; but they did not, like the Diet in Germany, the Cortes in Spain, or the Parliament in England, form an essential member of the constitution, the regular exertion of whose powers was requisite to give vigour and order to government.

The crown begins to acquire legislative authority;

When the states of France ceased to exercise legislative authority, the kings began to assume it. They ventured at first on acts of legislation with great reserve, and after taking every precaution that could prevent their subjects from being alarmed at the exercise of a new power. They did not at once issue their ordinances in a tone of authority and command. They treated with their subjects; they pointed out what was best, and allured them to comply with it. By degrees, however, as the prerogative of the crown extended, and as the supreme jurisdiction of the royal courts came to be established, the kings of France assumed more openly the style and authority of lawgivers; and, before the beginning of the fifteenth century, the complete legislative power was vested in the crown.[r]

and the power of levying taxes.

Having secured this important acquisition, the steps which led to the right of imposing taxes were rendered few and easy. The people, accustomed to see their sovereigns issue ordinances, by their sole authority, which regulated points of the greatest consequence with respect to the property of their subjects, were not alarmed when they were required, by the royal edicts, to contribute certain sums toward supplying the exigences of government, and carrying forward the measures of the nation. When Charles VII. and Louis XI. first ventured to exercise this new power in the manner which I have already described, the gradual increase of the royal authority had so imperceptibly prepared the minds of the people of France for this innovation, that it excited no commotion in the kingdom, and seems scarcely to have given rise to any murmur or complaint.

q See Note XXXVIII.

r See Note XXXIX.

Government of France becomes monarchical.

When the kings of France had thus engrossed every power which can be exerted in government; when the right of making laws, of levying money, of keeping an army of mercenaries in constant pay, of declaring war, and of concluding peace, centred in the crown, the constitution of the kingdom, which under the first race of kings, was nearly democratical; which, under the second race, became an aristocracy; terminated, under the third race, in a pure monarchy. Every thing that tended to preserve the appearance or revive the memory of the ancient mixed government, seems from that period to have been industriously avoided. During the long and active reign of Francis I., the variety as well as extent of whose operations obliged him to lay many heavy impositions on his subjects, the states-general of France were not once assembled, nor were the people once allowed to exert the power of taxing themselves, which, according to the original ideas of feudal government, was a right essential to every freeman.

The exercise of prerogative restrained by the privileges of the nobility;

Two things, however, remained, which moderated the exercise of the regal prerogative, and restrained it within such bounds as preserved the constitution of France from degenerating into mere despotism. The rights and privileges claimed by the nobility must be considered as one barrier against the absolute dominion of the crown. Though the nobles of France had lost that political power which was vested in their order as a body, they still retained the personal rights and pre-eminence which they derived from their rank. They preserved a consciousness of elevation above other classes of citizens; an exemption from burdens to which persons of inferior condition were subject; a contempt of the occupations in which they were engaged; the privilege of assuming ensigns that indicated their own dignity; a right to be treated with a certain degree of deference during peace; and a claim to various distinctions when in the field. Many of these pretensions were not founded on the words of statutes, or derived from positive laws; they were defined and ascertained by the maxims of honour, a title more delicate, but no less sacred. These rights established and protected by a principle equally vigilant in guarding and intrepid in defending them, are to the sovereign himself objects of respect and veneration. Wherever they stand in its way, the royal prerogative is bounded. The violence of a despot may exterminate such an order of men; but as long as it subsists, and its ideas of personal distinction remain entire, the power of the prince has limits.[s]

As in France the body of nobility was very numerous, and the individuals of which it was composed retained an high sense of their own pre-eminence, to this we may ascribe, in a great measure, the mode of exercising the royal prerogative which peculiarly distinguishes the government of that kingdom. An intermediate order was placed between the monarch and his other subjects, and in every act of authority it became necessary to attend to its privileges, and not only to guard against any real violation of them, but to avoid any suspicion of supposing it to be possible that they might be violated. Thus a species of government was established in France, unknown in the ancient world, that of a monarchy, in which the power of the sovereign, though unconfined by any legal or constitutional restraint, has certain bounds set to it by the ideas which one class of his subjects entertain concerning their own dignity.

and by the jurisdiction of the parliaments, particularly that of Paris.

The jurisdiction of the parliaments in France, particularly that of Paris, was the other barrier which served to confine the exercise of the royal prerogative within certain limits. The parliament of Paris was originally the court of the kings of France, to which they committed the supreme administration of justice within their own domains, as well as the power of deciding with respect to all cases brought before it by appeals from the courts of the barons. When in consequence of events and regulations which have been mentioned formerly, the time and place of its meeting were fixed, when not only the form of its procedure, but the principles on which it decided, were rendered regular and consistent, when every cause of importance was finally determined there, and when the people became accustomed to resort thither as to the supreme temple of justice, the parliament of Paris rose to high estimation in the kingdom, its members acquired dignity, and its decrees were submitted to with deference. Nor was this the only source of the power and influence which the parliament obtained. The kings of France, when they first began to assume the legislative power, in order to reconcile the minds of their people to this new exertion of prerogative, produced their edicts and ordinances in the parliament of Paris, that they might be approved of and registered there, before they were published and declared to be of authority in the kingdom. During the intervals between the meetings of the states-general of the kingdom, or during those reigns in which the states-general were not assembled, the monarchs of France were accustomed to consult the parliament of Paris with respect to the most arduous affairs of government, and frequently regulated their conduct by its advice, in declaring war, in concluding peace, and in other transactions of public concern. Thus there was erected in the kingdom a tribunal which became the great depository of the laws, and, by the uniform tenor of its decrees, established principles of justice and forms of proceeding which were considered as so sacred, that even the sovereign power of the monarch durst not venture to disregard or to violate them. The members of this illustrious body, though they neither possess legislative authority, nor can be considered as the representatives of the

s De l'Esprit des Loix, liv. ii. c. 4. Dr. Ferguson's Essay on the Hist. of Civil Society, part i. sect. 10.

people, have availed themselves of the reputation and influence which they had acquired among their countrymen, in order to make a stand, to the utmost of their ability, against every unprecedented and exorbitant exertion of the prerogative. In every period of the French history, they have merited the praise of being the virtuous but feeble guardians of the rights and privileges of the nation.[t]

Constitution and government of the German empire.

After taking this view of the political state of France, I proceed to consider that of the German empire, from which Charles V. derived his title of highest dignity. In explaining the constitution of this great and complex body at the beginning of the sixteenth century, I shall avoid entering into such a detail as would involve my readers in that inextricable labyrinth which is formed by the multiplicity of its tribunals, the number of its members, their interfering rights, and by the endless discussions or refinements of the public lawyers of Germany with respect to all these.

Its state under Charlemagne and his descendants.

The empire of Charlemagne was a structure erected in so short a time, that it could not be permanent. Under his immediate successor it began to totter, and soon after fell to pieces. The crown of Germany was separated from that of France, and the descendants of Charlemagne established two great monarchies, so situated as to give rise to a perpetual rivalship and enmity between them. But the princes of the race of Charlemagne who were placed on the imperial throne, were not altogether so degenerate as those of the same family who reigned in France. In the hands of the former, the royal authority retained some vigour, and the nobles of Germany, though possessed of extensive privileges as well as ample territories, did not so early attain independence. The great offices of the crown continued to be at the disposal of the sovereign, and during a long period fiefs remained in their original state, without becoming hereditary and perpetual in the families of the persons to whom they had been granted.

Other families are raised to the imperial dignity.

At length the German branch of the family of Charlemagne became extinct, and his feeble descendants who reigned in France had sunk into such contempt, that the Germans, without looking towards them, exercised the right inherent in a free people, and in a general assembly of the nation elected Conrad, count of Franconia, emperor. After him Henry of Saxony, and his descendants the three Othos, were placed in succession on the imperial throne, by the suffrages of their countrymen. The extensive territories of the Saxon emperors, their eminent abilities and enterprising genius, not only added new vigour to the imperial dignity, but raised it to higher power and pre-eminence. Otho the great marched at the head of a numerous army into Italy, and, after the example of Charlemagne, gave law to that country. Every power there recognised his authority. He created popes and deposed them by his sovereign mandate. He annexed the kingdom of Italy to the German empire. Elated with his success, he assumed the title of Cæsar Augustus.[u] A prince born in the heart of Germany pretended to be the successor of the emperors of ancient Rome, and claimed a right to the same power and prerogative.

A. D. 911.

A. D. 952.

The German nobility acquire independent and sovereign authority.

But while the emperors, by means of these new titles and new dominions, gradually acquired additional authority and splendour, the nobility of Germany had gone on at the same time extending their privileges and jurisdiction. The situation of affairs was favourable to their attempts. The vigour which Charlemagne had given to government quickly relaxed. The incapacity of some of his successors was such as would have encouraged vassals less enterprising than the nobles of that age, to have claimed new rights, and to have assumed new powers. The civil wars in which other emperors were engaged, obliged them to pay perpetual court to their subjects, on whose support they depended, and not only to connive at their usurpations, but to permit and even to authorize them. Fiefs gradually became hereditary. They were transmitted not only in the direct but also in the collateral line. The investiture of them was demanded not only by male but by female heirs. Every baron began to exercise sovereign jurisdiction within his own domains; and the dukes and counts of Germany took wide steps towards rendering their territories distinct and independent states.[x] The Saxon emperors observed their progress, and were aware of its tendency.

The German ecclesiastics raised to the same power.

But as they could not hope to humble vassals already grown too potent, unless they had turned their whole force as well as attention to that enterprise, and as they were extremely intent on their expeditions into Italy, which they could not undertake without the concurrence of their nobles, they were solicitous not to alarm them by any direct attack on their privileges and jurisdictions. They aimed, however, at undermining their power. With this view they inconsiderately bestowed additional territories and accumulated new honours on the clergy, in hopes that this order might serve as a counterpoise to that of the nobility in any future struggle.[y]

The fatal effects of aggrandizing the clergy. A. D. 1024.

The unhappy effects of this fatal error in policy were quickly felt. Under the emperors of the Franconian and Suabian lines, whom the Germans by their voluntary election placed on the imperial throne, a new face of things appeared, and a scene was exhibited in Germany which astonished all Christendom at that time, and in the present age appears almost incredible. The popes hitherto depended

t See Note XL.
u Annalista Saxo, &c. ap. Struv. Corp. vol. i. p. 246.

x Pfeffel Abregé, p. 120, 152. Lib. Feudor, tit. i.
y Pfeffel Abregé, p. 154.

on the emperors, and, indebted for power as well as dignity to their beneficence and protection, began to claim a superior jurisdiction; and, in virtue of authority which they pretended to derive from Heaven, tried, condemned, excommunicated, and deposed their former masters. Nor is this to be considered merely as a frantic sally of passion in a pontiff intoxicated with high ideas concerning the extent of priestly domination and the plenitude of papal authority. Gregory VII. was able as well as daring. His presumption and violence were accompanied with political discernment and sagacity. He had observed that the princes and nobles of Germany had acquired such considerable territories and such extensive jurisdiction, as rendered them not only formidable to the emperors, but disposed them to favour any attempt to circumscribe their power. He foresaw that the ecclesiastics of Germany, raised almost to a level with its princes, were ready to support any person who would stand forth as the protector of their privileges and independence. With both of these Gregory negociated, and had secured many devoted adherents among them before he ventured to enter the lists against the head of the empire.

The contests between the popes and emperors, and the consequences of these.

He began his rupture with Henry IV. upon a pretext that was popular and plausible. He complained of the venality and corruption with which the emperor had granted the investiture of benefices to ecclesiastics. He contended that this right belonged to him as the head of the church; he required Henry to confine himself within the bounds of his civil jurisdiction, and to abstain for the future from such sacrilegious encroachments on the spiritual dominion. All the censures of the church were denounced against Henry, because he refused to relinquish those powers which his predecessors had uniformly exercised. The most considerable of the German princes and ecclesiastics were excited to take arms against him. His mother, his wife, his sons, were wrought upon to disregard all the ties of blood as well as of duty, and to join the party of his enemies.[z] Such were the successful arts with which the court of Rome inflamed the superstitious zeal and conducted the factious spirit of the Germans and Italians, that an emperor distinguished not only for many virtues, but possessed of considerable talents, was at length obliged to appear as a supplicant at the gate of the castle in which the pope resided, and to stand there three days barefooted in the depth of winter, imploring a pardon, which at length he obtained with difficulty.[a]

A. D. 1077.

This act of humiliation degraded the imperial dignity. Nor was the depression momentary only. The contest between Gregory and Henry gave rise to the two great factions of the Guelfs and Ghibellines; the former of which supporting the pretensions of the popes, and the latter defending the rights of the emperor, kept Germany and Italy in perpetual agitation during three centuries. A regular system for humbling the emperors and circumscribing their power was formed, and adhered to uniformly throughout that period. The popes, the free states in Italy, the nobility and ecclesiastics of Germany were all interested in its success; and notwithstanding the return of some short intervals of vigour under the administration of a few able emperors, the imperial authority continued to decline. During the anarchy of the long interregnum subsequent to the death of William of Holland, it dwindled down almost to nothing. Rodulph of Hapsburg, the founder of the House of Austria, and who first opened the way to its future grandeur, was at length elected emperor, not that he might re-establish and extend the imperial authority, but because his territories and influence were so inconsiderable as to excite no jealousy in the German princes, who were willing to preserve the forms of a constitution the power and vigour of which they had destroyed. Several of his successors were placed on the imperial throne from the same motive; and almost every remaining prerogative was wrested out of the hands of feeble princes unable to exercise or to defend them.

The imperial authority gradually declines.

A. D. 1256.

A. D. 1273.

During this period of turbulence and confusion, the constitution of the Germanic body underwent a total change. The ancient names of courts and magistrates, together with the original forms and appearance of policy, were preserved; but such new privileges and jurisdiction were assumed, and so many various rights established, that the same species of government no longer subsisted. The princes, the great nobility, the dignified ecclesiastics, the free cities, had taken advantage of the interregnum which I have mentioned, to establish or to extend their usurpations. They claimed and exercised the right of governing their respective territories with full sovereignty. They acknowledged no superior with respect to any point relative to the interior administration and police of their domains. They enacted laws, imposed taxes, coined money, declared war, concluded peace, and exerted every prerogative peculiar to independent states. The ideas of order and political union which had originally formed the various provinces of Germany into one body, were almost entirely lost; and the society must have dissolved, if the forms of feudal subordination had not preserved such an appearance of connexion or dependence among the various members of the community as preserved it from falling to pieces.

A total change in the political constitution of the empire.

This bond of union, however, was extremely feeble; and hardly any principle remained in the German constitution, of sufficient force to maintain public order, or even to ascertain personal security. From

Expedients for putting an end to this state of anarchy;

z Annal. German. ap. Struv. i. p. 325.

a See Note XLI.

the accession of Rodulph of Hapsburg, to the reign of Maximilian, the immediate predecessor of Charles V., the empire felt every calamity which a state must endure when the authority of government is so much relaxed as to have lost its proper degree of vigour. The causes of dissension among that vast number of members which composed the Germanic body, were infinite and unavoidable. These gave rise to perpetual private wars, which were carried on with all the violence that usually accompanies resentment when unrestrained by superior authority. Rapine, outrage, exactions, became universal. Commerce was interrupted; industry suspended; and every part of Germany resembled a country which an enemy had plundered and left desolate.[b] The variety of expedients employed with a view to restore order and tranquillity, prove that the grievances occasioned by this state of anarchy had grown intolerable. Arbiters were appointed to terminate the differences among the several states. The cities united in a league the object of which was to check the rapine and extortions of the nobility. The nobility formed confederacies on purpose to maintain tranquillity among their own order. Germany was divided into several circles, in each of which a provincial and partial jurisdiction was established, to supply the place of a public and common tribunal.[c]

particularly by the institution of the imperial chamber.

But all these remedies were so ineffectual, that they served only to demonstrate the violence of that anarchy which prevailed, and the insufficiency of the means employed to correct it. At length Maximilian reestablished public order in the empire, by instituting the imperial chamber, a tribunal composed of judges named partly by the emperor, partly by the several states, and vested with authority to decide finally concerning all differences among the members of the Germanic body. A few years after, by giving a new form to the Aulic council, which takes cognisance of all feudal causes, and such as belong to the emperor's immediate jurisdiction, he restored some degree of vigour to the imperial authority.

A. D. 1495.

A. D. 1512.

At the beginning of the sixteenth century, the empire an association of sovereign states.

But notwithstanding the salutary effects of these regulations and improvements, the political constitution of the German empire, at the commencement of the period of which I propose to write the history, was of a species so peculiar as not to resemble perfectly any form of government known either in the ancient or modern world. It was a complex body, formed by the association of several states, each of which possessed sovereign and independent jurisdiction within its own territories. Of all the members which composed this united body, the emperor was the head. In his name all decrees and regulations, with respect to points of common concern, were issued; and to him the power of carrying them into execution was committed. But this appearance of monarchical power in the emperor was more than counterbalanced by the influence of the princes and states of the empire in every act of administration. No law extending to the whole body could pass, no resolution that affected the general interest could be taken, without the approbation of the diet of the empire. In this assembly every sovereign prince and state of the Germanic body had a right to be present, to deliberate, and to vote. The decrees or *recesses* of the diet were the laws of the empire, which the emperor was bound to ratify and enforce.

Peculiarities in the nature of this association.

Under this aspect the constitution of the empire appears a regular confederacy, similar to the Achæan league in ancient Greece, or to that of the United Provinces and of the Swiss Cantons in modern times. But if viewed in another light, striking peculiarities in its political state present themselves. The Germanic body was not formed by the union of members altogether distinct and independent. All the princes and states joined in this association were originally subject to the emperors, and acknowledged them as sovereigns. Besides this, they originally held their lands as imperial fiefs, and in consequence of this tenure owed the emperor all those services which feudal vassals are bound to perform to their liege lord. But though this political subjection was entirely at an end, and the influence of the feudal relation much diminished, the ancient forms and institutions, introduced while the emperors governed Germany with authority not inferior to that which the other monarchs of Europe possessed, still remained. Thus an opposition was established between the genius of the government and the forms of administration in the German empire. The former considered the emperor only as the head of a confederacy, the members of which, by their voluntary choice, have raised him to that dignity; the latter seemed to imply that he is really invested with sovereign power. By this circumstance such principles of hostility and discord were interwoven into the frame of the Germanic body as affected each of its members, rendering their interior union incomplete, and their external efforts feeble and irregular. The pernicious influence of this defect inherent in the constitution of the empire is so considerable, that without attending to it we cannot fully comprehend many transactions in the reign of Charles V., or form just ideas concerning the genius of the German government.

The defects in the constitution of the empire;

The emperors of Germany at the beginning of the sixteenth century were distinguished by the most pompous titles, and by such ensigns of dignity as intimated their authority to be superior to that of all monarchs. The greatest princes of the empire attended and served them, on

arising from the limited power of the emperors:

b See above, page 322, and note xxi. Datt. de pace publica Imper. p. 25. no. 53. p. 28. no. 26. p. 35. no. 11.

c Datt. passim. Struv. Corp Hist. i. 510, &c.

some occasions, as the officers of their household. They exercised prerogatives which no other sovereign ever claimed. They retained pretensions to all the extensive powers which their predecessors had enjoyed in any former age. But at the same time, instead of possessing that ample domain which had belonged to the ancient emperors of Germany, and which stretched from Basil to Cologne, along both banks of the Rhine,[d] they were stripped of all territorial property, and had not a single city, a single castle, a single foot of land, that belonged to them as heads of the empire. As their domain was alienated, their stated revenues were reduced almost to nothing; and the extraordinary aids which, on a few occasions, they obtained, were granted sparingly and paid with reluctance. The princes and states of the empire, though they seemed to recognise the imperial authority, were subjects only in name, each of them possessing a complete municipal jurisdiction within the precincts of his own territories.

from the nature of their titles and pretensions:

From this ill-compacted frame of government effects that were unavoidable resulted. The emperors, dazzled with the splendour of their titles and the external signs of vast authority, were apt to imagine themselves to be the real sovereigns of Germany, and were led to aim continually at recovering the exercise of those powers which the forms of the constitution seemed to vest in them, and which their predecessors Charlemagne and the Othos had actually enjoyed. The princes and states, aware of the nature as well as extent of these pretensions, were perpetually on their guard in order to watch all the motions of the imperial court, and to circumscribe its power within limits still more narrow. The emperors, in support of their claims, appealed to ancient forms and institutions, which the states held to be obsolete. The states founded their rights on recent practice and modern privileges, which the emperors considered as usurpations.

from the manner in which they were elected:

This jealousy of the imperial authority, together with the opposition between it and the rights of the states, increased considerably from the time that the emperors were elected, not by the collective body of German nobles, but by a few princes of chief dignity. During a long period all the members of the Germanic body had a right to assemble, and to make choice of the person whom they appointed to be their head. But amidst the violence and anarchy which prevailed for several centuries in the empire, seven princes who possessed the most extensive territories, and who had obtained an hereditary title to the great offices of the state, acquired the exclusive privilege of nominating the emperor. This right was confirmed to them by the Golden Bull; the mode of exercising it was ascertained, and they were dignified with the appellation of *Electors*. The nobility and free cities being thus stripped of a privilege which they had once enjoyed, were less connected with a prince towards whose elevation they had not contributed by their suffrages, and came to be more apprehensive of his authority. The electors, by their extensive power, and the distinguishing privileges which they possessed, became formidable to the emperors, with whom they were placed almost on a level in several acts of jurisdiction. Thus the introduction of the electoral college into the empire, and the authority which it acquired, instead of diminishing, contributed to strengthen, the principles of hostility and discord in the Germanic constitution.

from the different forms of government established in the states which composed the Germanic body:

These were further augmented by the various and repugnant forms of civil policy in the several states which composed the Germanic body. It is no easy matter to render the union of independent states perfect and entire, even when the genius and forms of their respective governments happen to be altogether similar. But in the German empire, which was a confederacy of princes, of ecclesiastics, and of free cities, it was impossible that they could incorporate thoroughly. The free cities were small republics, in which the maxims and spirit peculiar to that species of government prevailed. The princes and nobles, to whom supreme jurisdiction belonged, possessed a sort of monarchical power within their own territories, and the forms of their interior administration nearly resembled those of the great feudal kingdoms. The interests, the ideas, the objects of states so differently constituted, cannot be the same. Nor could their common deliberations be carried on with the same spirit, while the love of liberty and attention to commerce were the reigning principles in the cities, while the desire of power and ardour for military glory were the governing passions of the princes and nobility.

from the opposition between the secular and ecclesiastical members:

The secular and ecclesiastical members of the empire were as little fitted for union as the free cities and the nobility. Considerable territories had been granted to several of the German bishoprics and abbeys, and some of the highest offices in the empire having been annexed to them inalienably, were held by the ecclesiastics raised to these dignities. The younger sons of noblemen of the second order, who had devoted themselves to the church, were commonly promoted to these stations of eminence and power; and it was no small mortification to the princes and great nobility, to see persons raised from an inferior rank to the same level with themselves, or even exalted to superior dignity. The education of these churchmen, the genius of their profession, and their connexion with the court of Rome, rendered their character as well as their interest different from those of the other members of the Germanic body, with whom they were called to act in concert. Thus another source of jealousy and variance was opened, which ought

d Pfeffel Abregè, p. 241.

not to be overlooked when we are searching into the nature of the German constitution.

From the unequal distribution of wealth and power among the members.

To all these causes of dissension may be added one more, arising from the unequal distribution of power and wealth among the states of the empire. The electors, and other nobles of the highest rank, not only possessed sovereign jurisdiction, but governed such extensive, populous, and rich countries, as rendered them great princes. Many of the other members, though they enjoyed all the rights of sovereignty, ruled over such petty domains, that their real power bore no proportion to this high prerogative. A well-compacted and vigorous confederacy could not be formed of such dissimilar states. The weaker were jealous, timid, and unable either to assert or to defend their just privileges. The more powerful were apt to assume and to become oppressive. The electors and emperors, by turns, endeavoured to extend their own authority by encroaching on those feeble members of the Germanic body, who sometimes defended their rights with much spirit, but more frequently, being overawed or corrupted, they tamely surrendered their privileges, or meanly favoured the designs formed against them.[e]

All these render the Germanic body incapable of acting with union and vigour.

After contemplating all these principles of disunion and opposition in the constitution of the German empire, it will be easy to account for the want of concord and uniformity conspicuous in its councils and proceedings. That slow, dilatory, distrustful, and irresolute spirit which characterizes all its deliberations, will appear natural in a body the junction of whose members was so incomplete, the different parts of which were held together by such feeble ties, and set at variance by such powerful motives. But the empire of Germany, nevertheless, comprehended countries of such great extent, and was inhabited by such a martial and hardy race of men, that when the abilities of an emperor, or zeal for any common cause, could rouse this unwieldy body to put forth its strength, it acted with almost irresistible force. In the following history we shall find, that as the measures on which Charles V. was most intent were often thwarted or rendered abortive by the spirit of jealousy and division peculiar to the Germanic constitution, so it was by the influence which he acquired over the princes of the empire, and by engaging them to co-operate with him, that he was enabled to make some of the greatest efforts which distinguish his reign.

View of the Turkish government.

The Turkish history is so blended, during the reign of Charles V., with that of the great nations in Europe, and the Ottoman Porte interposed so often, and with such decisive influence, in the wars and negociations of the christian princes, that some previous account of the state of government in that great empire is no less necessary for the information of my readers, than those views of the constitution of other kingdoms which I have already exhibited to them.

Its origin.

It has been the fate of the southern and more fertile parts of Asia, at different periods, to be conquered by that warlike and hardy race of men who inhabit the vast country known to the ancients by the name of Scythia, and among the moderns by that of Tartary. One tribe of these people, called Turks or Turcomans, extended its conquests, under various leaders, and during several centuries, from the shore of the Caspian sea to the straits of the Dardanelles. Towards the middle of the fifteenth century, these formidable conquerors took Constantinople by storm, and established the seat of their government in that imperial city. Greece, Moldavia, Wallachia, and the other provinces of the ancient kingdoms of Thrace and Macedonia, together with part of Hungary, were subjected to their power.

Its despotic genius.

But though the seat of the Turkish government was fixed in Europe, and the sultans obtained possession of such extensive dominions in that quarter of the globe, the genius of their policy continued to be purely Asiatic; and may be properly termed a despotism, in contradistinction to those monarchical and republican forms of government which we have been hitherto contemplating. The supreme power was vested in sultans of the Ottoman race, that blood being deemed so sacred, that no other was thought worthy of the throne. From this elevation these sovereigns could look down and behold all their subjects reduced to the same level before them. The maxims of Turkish policy do not authorize any of those institutions which, in other countries, limit the exercise or moderate the rigour of monarchical power: they admit neither of any great court with constitutional and permanent jurisdiction to interpose, both in enacting laws and in superintending the execution of them; nor of a body of hereditary nobles, whose sense of their own pre-eminence, whose consciousness of what is due to their rank and character, whose jealousy of their privileges, circumscribe the authority of the prince, and serve not only as a barrier against the excesses of his caprice, but stand as an intermediate order between him and the people. Under the Turkish government the political condition of every subject is equal. To be employed in the service of the sultan is the only circumstance that confers distinction. Even this distinction is rather official than personal, and so closely annexed to the station in which any individual serves, that it is scarcely communicated to the persons of those who are placed in them. The highest dignity in the empire does not give any rank or pre-eminence to the family of him who enjoys it. As every man, before he is raised to any station of authority, must go through the preparatory discipline of a long and servile obedience,[f] the moment he is deprived of power he and his posterity return to the same con-

e See Note XLII.

f State of the Turkish Empire by Ricaut, p. 25.

dition with other subjects, and sink back into obscurity. It is the distinguishing and odious characteristic of eastern despotism, that it annihilates all other ranks of men in order to exalt the monarch; that it leaves nothing to the former, while it gives every thing to the latter; that it endeavours to fix in the minds of those who are subject to it, the idea of no relation between men but that of a master and of a slave, the former destined to command and to punish, the latter formed to tremble and obey.[g]

Power of the sultan limited by religion;

But as there are circumstances which frequently obstruct or defeat the salutary effects of the best-regulated governments, there are others which contribute to mitigate the evils of the most defective forms of policy. There can, indeed, be no constitutional restraints upon the will of a prince in a despotic government; but there may be such as are accidental. Absolute as the Turkish sultans are, they feel themselves circumscribed both by religion, the principle on which their authority is founded,[h] and by the army, the instrument which they must employ in order to maintain it. Wherever religion interposes, the will of the sovereign must submit to its decrees. When the Koran hath prescribed any religious rite, hath enjoined any moral duty, or hath confirmed by its sanction any political maxim, the command of the sultan cannot overturn that which a higher authority hath established. The chief restriction, however, on the will of the sultans, is imposed by the military power. An armed force must surround the throne of every despot, to maintain his authority, and to execute his commands. As the Turks extended their empire over nations which they did not exterminate, but reduce to subjection, they found it necessary to render their military establishment numerous and formidable. Amurath, their third sultan, in order to form a body of troops devoted to his will, that might serve as the immediate guards of his person and dignity, commanded his officers to seize annually, as the imperial property, the fifth part of the youth taken in war. These, after being instructed in the Mahometan religion, inured to obedience by severe discipline, and trained to warlike exercises, were formed into a body distinguished by the name of *Janizaries*, or new soldiers. Every sentiment which enthusiasm can inspire, every mark of distinction that the favour of the prince could confer, were employed in order to animate this body with martial ardour, and with a consciousness of its own preeminence.[i] The janizaries soon became the chief strength and pride of the Ottoman armies; and by their number as well as reputation, were distinguished above all the troops whose duty it was to attend on the person of the sultans.[k]

and by the military.

Origin of the janizaries. A. D. 1362.

Thus as the supreme power in every society is possessed by those who have arms in their hands, this formidable body of soldiers, destined to be the instruments of enlarging the sultan's authority, acquired at the same time the means of controlling it. The janizaries in Constantinople, like the prætorian bands in ancient Rome, quickly perceived all the advantages which they derived from being stationed in the capital; from their union under one standard; and from being masters of the person of the prince. The sultans became no less sensible of their influence and importance. The *capiculy*, or soldiery of the Porte, was the only power in the empire that a sultan or his vizier had reason to dread. To preserve the fidelity and attachment of the janizaries was the great art of government, and the principal object of attention in the policy of the Ottoman court. Under a monarch whose abilities and vigour of mind fit him for command, they are obsequious instruments; execute whatever he enjoins, and render his power irresistible. Under feeble princes, or such as are unfortunate, they become turbulent and mutinous; assume the tone of masters; degrade and exalt sultans at pleasure; and teach those to tremble on whose nod at other times life and death depend.

Their vast influence in the Turkish government.

From Mahomet II., who took Constantinople, to Solyman the Magnificent, who began his reign a few months after Charles V. was placed on the imperial throne of Germany, a succession of illustrious princes ruled over the Turkish empire. By their great abilities they kept their subjects of every order, military as well as civil, submissive to government, and had the absolute command of whatever force their vast empire was able to exert. Solyman in particular, who is known to the christians chiefly as a conqueror, but is celebrated in the Turkish annals as the great lawgiver who established order and police in their empire, governed, during his long reign, with no less authority than wisdom. He divided his dominions into several districts; he appointed the number of soldiers which each should furnish; he appropriated a certain proportion of the land in every province for their maintenance; he regulated with a minute accuracy every thing relative to their discipline, their arms, and the nature of their service. He put the finances of the empire into an orderly train of administration; and though the taxes in the Turkish dominions, as well as in the other despotic monarchies of the east, are far from being considerable, he supplied that defect by an attentive and severe economy.

Progress of the Turks towards dominion.

Nor was it only under such sultans as Solyman, whose talents were no less adapted to preserve internal order than to conduct the operations of war, that the Turkish empire engaged with advantage in its contests with the christian states. The long succession of able princes which I have mentioned, had given such vigour and firmness to the Ottoman government, that it seems to have attained, during the sixteenth century, the highest degree of perfec-

Advantages which they possessed over the christian power in the sixteenth century.

g See Note XLIII. h Rycaut, p. 8.

i Prince Cantemir's Hist. of the Othman. Emp. p. 87. k See Note XLIV.

tion of which its constitution was capable: whereas the great monarchies in Christendom were still far from that state which could enable them to act with a full exertion of their force. Besides this, the Turkish troops in that age possessed every advantage which arises from superiority in military discipline. At the time when Solyman began his reign, the janizaries had been embodied near a century and a half; and during that long period, the severity of their military discipline had in no degree relaxed. The other soldiers, drawn from the provinces of the empire, had been kept almost continually under arms in the various wars which the sultans had carried on, with hardly any interval of peace. Against troops thus trained and accustomed to service, the forces of the christian powers took the field with great disadvantage. The most intelligent as well as impartial authors of the sixteenth century acknowledge and lament the superior attainments of the Turks in the military art.[1] The success which almost uniformly attended their arms in all their wars, demonstrates the justness of this observation. The christian armies did not acquire that superiority over the Turks which they now possess, until the long establishment of standing forces had improved military discipline among the former, and until various causes and events which it is not my province to explain had corrupted or abolished their ancient warlike institutions among the latter.

1 See Note XLV.

PROOFS AND ILLUSTRATIONS.

Note I. Sect. I. p. 309.

The consternation of the Britons, when invaded by the Picts and Caledonians after the Roman legions were called out of the island, may give some idea of the degree of debasement to which the human mind was reduced by long servitude under the Romans. In their supplicatory letter to Ætius, which they call the *Groans of Britain*, "We know not (say they) which way to turn us. The barbarians drive us to the sea, and the sea forces us back on the barbarians; between which we have only the choice of two deaths, either to be swallowed up by the waves, or to be slain by the sword." Histor. Gildæ. ap. Gale, Hist. Britan. Script. p. 6. One can hardly believe this dastardly race to be the descendants of that gallant people who repulsed Cæsar, and defended their liberty so long against the Roman arms.

Note II. Sect. I. p. 310.

The barbarous nations were not only illiterate, but regarded literature with contempt. They found the inhabitants of all the provinces of the empire sunk in effeminacy, and averse to war. Such a character was the object of scorn to a high-spirited and gallant race of men. "When we would brand an enemy," says Liutprandus, "with the most disgraceful and contumelious appellation, we call him a Roman; hoc solo, id est *Romani* nomine, quicquid ignobilitatis, quicquid timiditatis, quicquid avaritiæ, quicquid luxuriæ, quicquid mendacii, immo quicquid vitiorum est comprehendentes." Liutprandi Legatio apud Murat. Scriptor. Italic. vol. ii. pars 1. p. 481. This degeneracy of manners illiterate barbarians imputed to their love of learning. Even after they settled in the countries which they had conquered, they would not permit their children to be instructed in any science; "for (say they) instruction in the sciences tends to corrupt, enervate, and depress the mind; and he who has been accustomed to tremble under the rod of a pedagogue, will never look on a sword or spear with an undaunted eye." Procop. de bello Gothor. lib. i. p. 4. ap. Scrip. Byz. edit. Venet. vol. i.—A considerable number of years elapsed before nations so rude and so unwilling to learn could produce historians capable of recording their transactions, or of describing their manners and institutions. By that time the memory of their ancient condition was in a great measure lost, and few monuments remained to guide their first writers to any certain knowledge of it. If one expects to receive any satisfactory account of the manners and laws of the Goths, Lombards, or Franks, during their residence in those countries where they were originally seated, from Jornandes, Paulus Warnefridus, or Gregory of Tours, the earliest and most authentic historians of these people, he will be miserably disappointed. Whatever imperfect knowledge has been conveyed to us of their ancient state, we owe not to their own writers, but to the Greek and Roman historians.

Note III. Sect. I. p. 310.

A circumstance related by Priscus in his history of the embassy to Attila, king of the Huns, gives a striking view of the enthusiastic passion for war which prevailed among the barbarous nations. When the entertainment to which that fierce conqueror admitted the Roman ambassadors was ended, two Scythians advanced towards Attila, and recited a poem in which they celebrated his victories and military virtues. All the Huns fixed their eyes with attention on the bards. Some seemed to be delighted with the verses; others, remembering their own battles and exploits, exulted with joy; while such as were become feeble through age, burst out into tears bewailing the decay of their vigour, and the state of inactivity in which they were now obliged to remain. Excerpta ex historia Prisci Rhetoris ap. Byz. Hist. Script. vol. i. p. 45.

Note IV. Sect. I. p. 312.

A remarkable confirmation of both parts of this reasoning occurs in the history of England. The Saxons carried on the conquest of that country with the same destructive spirit which distinguished the other barbarous nations.—The ancient inhabitants of Britain were either exterminated, or forced to take shelter among the mountains of Wales, or re-

duced to servitude. The Saxon government, laws, manners, and language, were of consequence introduced into Britain, and were so perfectly established, that all memory of the institutions previous to their conquest of the country was in a great measure lost. The very reverse of this happened in a subsequent revolution. A single victory placed William the Norman on the throne of England. The Saxon inhabitants, though oppressed, were not exterminated. William employed the utmost efforts of his power and policy to make his new subjects conform in every thing to the Norman standard, but without success. The Saxons, though vanquished, were far more numerous than their conquerors: when the two races began to incorporate, the Saxon laws and manners gradually gained ground; the Norman institutions became unpopular and odious; many of them fell into disuse: and in the English constitution and language, at this day, many essential parts are manifestly of Saxon, not of Norman, extraction.

Note V. Sect. I. p. 312.

Procopius the historian declines, from a principle of benevolence, to give any particular detail of the cruelties of the Goths: "Lest," says he, "I should transmit a monument and example of inhumanity to succeeding ages." Proc. de bello Goth. lib. iii. cap. 10. ap. Byz. Script. vol. i. 126. But as the change which I have pointed out as a consequence of the settlement of the barbarous nations in the countries formerly subject to the Roman empire could not have taken place if the greater part of the ancient inhabitants had not been extirpated, an event of such importance and influence merits a more particular illustration. This will justify me for exhibiting some part of that melancholy spectacle over which humanity prompted Procopius to draw a veil. I shall not, however, disgust my readers by a minute narration; but rest satisfied with collecting some instances of the devastations made by two of the many nations which settled in the empire. The Vandals were the first of the barbarians who invaded Spain. It was one of the richest and most populous of the Roman provinces; the inhabitants had been distinguished for courage, and had defended their liberty against the arms of Rome, with greater obstinacy, and during a longer course of years, than any nation in Europe. But so entirely were they enervated by their subjection to the Romans, that the Vandals, who entered the kingdom, A. D. 409, completed the conquest of it with such rapidity, that in the year 411 these barbarians divided it among them, by casting lots. The desolation occasioned by their invasion is thus described by Idatius, an eye-witness: "The barbarians wasted every thing with hostile cruelty. The pestilence was no less destructive. A dreadful famine raged to such a degree, that the living were constrained to feed on the dead bodies of their fellow-citizens; and all those terrible plagues desolated at once the unhappy kingdoms." Idatii Chron. ap. Biblioth. Patrum, vol. vii. p. 1233. edit. Lugd. 1677. The Goths having attacked the Vandals in their new settlements, a fierce war ensued; the country was plundered by both parties; the cities which had escaped from destruction in the first invasion of the Vandals were now laid in ashes, and the inhabitants exposed to suffer every thing that the wanton cruelty of barbarians could inflict. Idatius describes these scenes of inhumanity, ibid. p. 1235. b. 1236. c. f. A similar account of their devastations is given by Isidorus Hispalensis and other contemporary writers. Isid. Chron. ap. Grot. Hist. Goth. 732. From Spain the Vandals passed over into Africa, A. D. 428. Africa was, next to Egypt, the most fertile of the Roman provinces. It was one of the granaries of the empire, and is called by an ancient writer the soul of the commonwealth. Though the army with which the Vandals invaded it did not exceed 30,000 fighting men, they became absolute masters of the province in less than two years. A contemporary author gives a dreadful account of the havoc which they made: "They found a province well cultivated, and enjoying plenty, the beauty of the whole earth. They carried their destructive arms into every corner of it; they dispeopled it by their devastations, exterminating every thing with fire and sword. They did not even spare the vines and fruit-trees, that those to whom caves and inaccessible mountains had afforded a retreat might find no nourishment of any kind. Their hostile rage could not be satiated, and there was no place exempted from the effects of it. They tortured their prisoners with the most exquisite cruelty, that they might force from them a discovery of their hidden treasures. The more they discovered the more they expected, and the more implacable they became. Neither the infirmities of age nor of sex, neither the dignity of nobility nor the sanctity of the sacerdotal office, could mitigate their fury; but the more illustrious their prisoners were, the more barbarously they insulted them. The public buildings which resisted the violence of the flames they levelled with the ground. They left many cities without an inhabitant. When they approached any fortified place which their undisciplined army could not reduce, they gathered together a multitude of prisoners, and putting them to the sword, left their bodies unburied, that the stench of the carcases might oblige the garrison to abandon it." Victor Vitensis de persecutione Africana ap. Bibl. Patrum, vol. viii. p. 666. St. Augustin, an African who survived the conquest of his country by the Vandals some years, gives a similar description of their cruelties, Opera, vol. x. p. 372. edit. 1616.—About a hundred years after the settlement of the Vandals in Africa, Belisarius attacked and dispossessed them. Procopius, a contemporary historian, describes the devastation which that war occasioned. "Africa," says he, "was so entirely dispeopled, that one might travel several days in it with-

out meeting one man; and it is no exaggeration to say, that in the course of the war five millions of persons perished." Proc. Hist. Arcana, cap. 18. ap. Byz. Script. vol. i. 315.—I have dwelt longer upon the calamities of this province, because they are described not only by contemporary authors, but by eye-witnesses. The present state of Africa confirms their testimony. Many of the most flourishing and populous cities with which it was filled were so entirely ruined, that no vestiges remain to point out where they were situated. That fertile territory which sustained the Roman empire still lies in a great measure uncultivated; and that province which Victor in his barbarous Latin called *Speciositas totius terræ florentis*, is now the retreat of pirates and banditti.

While the Vandals laid waste a great part of the empire, the Huns desolated the remainder. Of all the barbarous tribes they were the fiercest and most formidable. Ammianus Marcellinus, a contemporary author, and one of the best of the later historians, gives an account of their policy and manners, which nearly resembles those of the Scythians described by the ancients, and of the Tartars known to the moderns. Some parts of their character, and several of their customs, are not unlike those of the savages in North America. Their passion for war was extreme. "As in polished societies (says Ammianus) ease and tranquillity are courted, they delight in war and dangers. He who falls in battle is reckoned happy. They who die of old age or of disease are deemed infamous. They boast with the utmost exultation of the number of enemies whom they have slain; and, as the most glorious of all ornaments, they fasten the scalps of those who have fallen by their hands to the trappings of their horses." Ammian. Marc. lib. xxxi. p. 477. edit. Gronov. Lugd. 1693.—Their incursions into the empire began in the fourth century; and the Romans, though no strangers, by that time, to the effects of barbarous rage, were astonished at the cruelty of their devastations. Thrace, Pannonia, and Illyricum, were the countries which they first laid desolate. As they had at first no intention of settling in Europe, they made only inroads of short continuance into the empire, but these were frequent, and Procopius computes that in each of these, at a medium, two hundred thousand persons perished, or were carried off as slaves. Procop. Hist. Arcan. ap. Byz. Script. vol. i. 316. Thrace, the best-cultivated province in that quarter of the empire, was converted into a desert; and when Priscus accompanied the ambassadors sent to Attila, there were no inhabitants in some of the cities, but a few miserable people who had taken shelter among the ruins of the churches; and the fields were covered with the bones of those who had fallen by the sword. Priscus ap. Byz. Script. vol. i. 34. Attila became king of the Huns A. D. 434. He is one of the greatest and most enterprising conquerors mentioned in history. He extended his empire over all the vast countries comprehended under the general names of Scythia and Germany in the ancient division of the world. While he was carrying on his wars against the barbarous nations, he kept the Roman empire under perpetual apprehensions, and extorted enormous subsidies from the timid and effeminate monarchs who governed it. In the year 451, he entered Gaul at the head of an army composed of all the various nations which he had subdued. It was more numerous than any with which the barbarians had hitherto invaded the empire. The devastations which he committed were horrible; not only the open country, but the most flourishing cities, were desolated. The extent and cruelty of his devastations are described by Salvianus de Gubernat. Dei, edit. Baluz. Par. 1669. p. 139, &c.; and by Idatius, ubi supra, p. 1235. Ætius put a stop to his progress in that country by the famous battle of Chalons, in which (if we may believe the historians of that age) three hundred thousand persons perished. Idat. ibid. Jornandes de Robus Geticis ap. Grot. Hist. Gothor. p. 671. Amst. 1665. But the next year he resolved to attack the centre of the empire, and marching into Italy, wasted it with rage, inflamed by the sense of his late disgrace. What Italy suffered by the Huns exceeded all the calamities which the preceding incursions of the barbarians had brought upon it. Conringius has collected several passages from the ancient historians, which prove that the devastations committed by the Vandals and Huns in the countries situated on the banks of the Rhine were no less cruel and fatal to the human race. Exercitatio de urbibus Germaniæ, Opera, vol. i. 488. It is endless, it is shocking, to follow these destroyers of mankind through so many scenes of horror, and to contemplate the havoc which they made of the human species.

But the state in which Italy appears to have been during several ages after the barbarous nations settled in it, is the most decisive proof of the cruelty as well as extent of their devastations. Whenever any country is thinly inhabited, trees and shrubs spring up in the uncultivated fields, and, spreading by degrees, form large forests; by the overflowing of rivers, and the stagnating of waters, other parts of it are converted into lakes and marshes. Ancient Italy, which the Romans rendered the seat of elegance and luxury, was cultivated to the highest pitch. But so effectually did the devastations of the barbarians destroy all the effects of Roman industry and cultivation, that in the eighth century a considerable part of Italy appears to have been covered with forests and marshes of great extent. Muratori enters into a minute detail concerning the situation and limits of several of these; and proves, by the most authentic evidence, that great tracts of territory in all the different provinces of Italy were either overrun with wood or laid under water. Nor did these occupy parts of the country naturally barren or of little value,

but were spread over districts which ancient writers represent as extremely fertile, and which at present are highly cultivated. Muratori Antiquitates Italicæ medii Ævi, dissert. xxi. v. ii. p. 149, 153, &c. A strong proof of this occurs in a description of the city of Modena, by an author of the tenth century, Murat. Scrip. Rerum Italic. vol. ii. pars ii. p. 691. The state of desolation in other countries of Europe seems to have been the same. In many of the most early charters now extant, the lands granted to monasteries or to private persons are distinguished into such as are cultivated or inhabited, and such as were *eremi*, desolate. In many instances lands are granted to persons because they had taken them from the desert, *ab eremo*, and had cultivated and planted them with inhabitants. This appears from a charter of Charlemagne, published by Eckhart de Rebus Franciæ Orientalis, vol. ii. p. 864, and from many charters of his successors quoted by Du Cange, voc. *Eremus*.—Wherever a right of property in land can be thus acquired, it is evident that the country must be extremely desolate and thinly peopled. The first settlers in America obtained possession of land by such a title. Whoever was able to clear and cultivate a field, was recognized as the proprietor. His industry merited such a recompence. The grants in the charters which I have mentioned flow from a similar principle, and there must have been some resemblance in the state of the countries.

Muratori adds, that during the eighth and ninth centuries Italy was greatly infested by wolves and other wild beasts, another mark of its being destitute of inhabitants. Murat. Antiq. vol. ii. p. 163. Thus Italy, the pride of the ancient world for its fertility and cultivation, was reduced to the state of a country newly peopled and lately rendered habitable.

I am sensible, not only that some of these descriptions of the devastations which I have quoted may be exaggerated, but that the barbarous tribes in making their settlements did not proceed invariably in the same manner. Some of them seemed to be bent on exterminating the ancient inhabitants; others were more disposed to incorporate with them. It is not my province either to inquire into the causes which occasioned this variety in the conduct of the conquerors, or to describe the state of those countries where the ancient inhabitants were treated most mildly. The facts which I have produced are sufficient to justify the account which I have given in the text, and to prove that the destruction of the human species occasioned by the hostile invasions of the northern nations, and their subsequent settlements, was much greater than many authors seem to imagine.

Note VI. Sect. I. p. 312.

I have observed, Note II., that our only certain information concerning the ancient state of the barbarous nations must be derived from the Greek and Roman writers. Happily an account of the institutions and customs of one people, to which those of all the rest seem to have been in a great measure similar, has been transmitted to us by two authors, the most capable perhaps that ever wrote, of observing them with profound discernment, and of describing them with propriety and force. The reader must perceive that Cæsar and Tacitus are the authors whom I have in view. The former gives a short account of the ancient Germans in a few chapters of the sixth book of his Commentaries; the latter wrote a treatise expressly on that subject. These are the most precious and instructive monuments of antiquity to the present inhabitants of Europe. From them we learn,

1. That the state of society among the ancient Germans was of the rudest and most simple form. They subsisted entirely by hunting or by pasturage. Cæs. lib. vi. c. 21. They neglected agriculture, and lived chiefly on milk, cheese, and flesh. Ibid. c. 22. Tacitus agrees with him in most of these points: De Morib. Germ. c. 14, 15, 23. The Goths were equally negligent of agriculture. Prisc. Rhet. ap. Byz. Script. v. i. p. 31. B. Society was in the same state among the Huns, who disdained to cultivate the earth or to touch a plough. Amm. Marcel. lib. xxxi. p. 475. The same manners took place among the Alans; ibid. p. 477. While society remains in this simple state, men by uniting together scarcely relinquish any portion of their natural independence. Accordingly we are informed, 2. That the authority of civil government was extremely limited among the Germans. During times of peace they had no common or fixed magistrate, but the chief men of every district dispensed justice and accommodated differences. Cæs. ibid. c. 23. Their kings had not absolute or unbounded power; their authority consisted rather in the privilege of advising than in the power of commanding. Matters of small consequence were determined by the chief men; affairs of importance by the whole community. Tacit. c. 7, 11. The Huns, in like manner, deliberated in common concerning every business of moment to the society; and were not subject to the rigour of regal authority. Amm. Marcel. lib. xxxi. p. 474.——3. Every individual among the ancient Germans was left at liberty to choose whether he would take part in any military enterprise which was proposed; there seems to have been no obligation to engage in it imposed on him by public authority. "When any of the chief men proposes an expedition, such as approve of the cause and of the leader, rise up and declare their intention of following him; after coming under this engagement, those who do not fulfil it are considered as deserters and traitors, and are looked upon as infamous." Cæs. ibid. c. 23. Tacitus plainly points at the same custom, though in terms more obscure. Tacit. c. 11. ——4. As every individual was so independent, and master in so great a degree of his own actions, it became of consequence the great object of every

person among the Germans who aimed at being a leader, to gain adherents, and attach them to his person and interest. These adherents Cæsar calls *Ambacti* and *Clientes*, i. e. retainers or clients; Tacitus, *Comites*, or companions. The chief distinction and power of the leaders consisted in being attended by a numerous band of chosen youth. This was their pride as well as ornament during peace, and their defence in war. The leaders gained or preserved the favour of these retainers by presents of armour and of horses; or by the profuse though inelegant hospitality with which they entertained them, Tacit. c. 14, 15.——5. Another consequence of the personal liberty and independence which the Germans retained, even after they united in society, was their circumscribing the criminal jurisdiction of the magistrates within very narrow limits, and their not only claiming but exercising almost all their rights of private resentment and revenge. Their magistrates had not the power either of imprisoning or of inflicting any corporal punishment on a free man. Tacit. c. 7. Every person was obliged to avenge the wrongs which his parents or friends had sustained. Their enmities were hereditary, but not irreconcilable. Even murder was compensated by paying a certain number of cattle. Tacit. c. 21. A part of the fine went to the king or state, a part to the person who had been injured, or to his kindred. Ibid. c. 12.

Those particulars concerning the institutions and manners of the Germans, though well known to every person conversant in ancient literature, I have thought proper to arrange in this order, and to lay before such of my readers as may be less acquainted with these facts, both because they confirm the account which I have given of the state of the barbarous nations, and because they tend to illustrate all the observations I shall have occasion to make concerning the various changes in their government and customs. The laws and customs introduced by the barbarous nations into their new settlements are the best commentary on the writings of Cæsar and Tacitus; and their observations are the best key to a perfect knowledge of these laws and customs.

One circumstance with respect to the testimonies of Cæsar and Tacitus concerning the Germans merits attention. Cæsar wrote his brief account of their manners more than an hundred years before Tacitus composed his Treatise De Moribus Germanorum. A hundred years make a considerable period in the progress of national manners, especially if during that time those people who are rude and unpolished have had much communication with more civilized states. This was the case with the Germans. Their intercourse with the Romans began when Cæsar crossed the Rhine, and increased greatly during the interval between that event and the time when Tacitus flourished. We may accordingly observe, that the manners of the Germans in his time, which Cæsar describes, were less improved than those of the same people as delineated by Tacitus. Besides this, it is remarkable that there was a considerable difference in the state of society among the different tribes of Germans. The Suiones were so much improved that they began to be corrupted. Tacit. cap. 44. The Fenni were so barbarous, that it is wonderful how they were able to subsist. Ibid. cap. 46. Whoever undertakes to describe the manners of the Germans, or to found any political theory upon the state of society among them, ought carefully to attend to both these circumstances.

Before I quit this subject, it may not be improper to observe, that though successive alterations in their institutions, together with the gradual progress of refinement, have made an entire change in the manners of the various people who conquered the Roman empire, there is still one race of men nearly in the same political situation with theirs when they first settled in their new conquests; I mean the various tribes and nations of savages in North America. It cannot then be considered either as a digression, or as an improper indulgence of curiosity, to inquire whether this similarity in their political state has occasioned any resemblance between their character and manners. If the likeness turns out to be striking, it is a stronger proof that a just account has been given of the ancient inhabitants of Europe, than the testimony even of Cæsar or of Tacitus.

1. The Americans subsist chiefly by hunting and fishing. Some tribes neglect agriculture entirely. Among those who cultivate some small spot near their huts, that, together with all works of labour, is performed by the women. P. Charlevoix Journal Historique d'un Voyage de l'Amerique, 4to. Par. 1744. p. 334. In such a state of society, the common wants of men being few, and their mutual dependence upon each other small, their union is extremely imperfect and feeble, and they continue to enjoy their natural liberty almost unimpaired. It is the first idea of an American, that every man is born free and independent, and that no power on earth hath any right to diminish or circumscribe his natural liberty. There is hardly any appearance of subordination either in civil or domestic government. Every one does what he pleases. A father and mother live with their children, like persons whom chance has brought together, and whom no common bond unites. Their manner of educating their children is suitable to this principle. They never chastise or punish them, even during their infancy. As they advance in years, they continue to be entirely masters of their own actions, and seem not to be conscious of being responsible for any part of their conduct. Ibid. p. 272, 273.——2. The power of their civil magistrates is extremely limited. Among most of their tribes, the Sachem or chief is elective. A council of old men is chosen to assist him, without whose advice he determines no affair of importance. The Sachems neither possess nor claim any great degree of authority. They propose

and entreat rather than command. The obedience of their people is altogether voluntary. Ibid. p. 266, 268.——3. The savages of America engage in their military enterprises not from constraint but choice. When war is resolved, a chief arises and offers himself to be the leader. Such as are willing (for they compel no person) stand up one after another and sing their war-song. But if, after this, any of these should refuse to follow the leader to whom they have engaged, his life would be in danger, and he would be considered as the most infamous of men. Ibid. p. 217, 218.——4. Such as engage to follow any leader, expect to be treated by him with great attention and respect; and he is obliged to make them presents of considerable value. Ibid. p. 218.——5. Among the Americans the magistrate has scarcely any criminal jurisdiction. Ibid. p. 272. Upon receiving any injury, the person or family offended may inflict what punishment they please on the person who was the author of it. Ibid. p. 274. Their resentment and desire of vengeance are excessive and implacable. Time can neither extinguish nor abate it. It is the chief inheritance parents leave to their children; it is transmitted from generation to generation, until an occasion be found of satisfying it. Ibid. p. 309. Sometimes, however, the offended party is appeased. A compensation is paid for a murder that has been committed. The relations of the deceased receive it: and it consists most commonly of a captive taken in war, who being substituted in place of the person who was murdered, assumes his name, and is adopted into his family. Ibid. p. 274. The resemblance holds in many other particulars. It is sufficient for my purpose to have pointed out the similarity of those great features which distinguish and characterize both people. Bochart, and other philologists of the last century, who, with more erudition than science, endeavoured to trace the migrations of various nations, and who were apt, upon the slightest appearance of resemblance, to find an affinity between nations far removed from each other, and to conclude that they were descended from the same ancestors, would hardly have failed, on viewing such an amazing similarity, to pronounce with confidence, "That the Germans and Americans must be the same people." But a philosopher will satisfy himself with observing, "That the characters of nations depend on the state of society in which they live, and on the political institutions established among them; and that the human mind, whenever it is placed in the same situation, will, in ages the most distant, and in countries the most remote, assume the same form, and be distinguished by the same manners."

I have pushed the comparison between the Germans and Americans no further than was necessary for the illustration of my subject. I do not pretend that the state of society in the two countries was perfectly similar in every respect. Many of the German tribes were more civilized than the Americans. Some of them were not unacquainted with agriculture; almost all of them had flocks of tame cattle, and depended upon them for the chief part of their subsistence. Most of the American tribes subsist by hunting, and are in a ruder and more simple state than the ancient Germans. The resemblance, however, between their condition, is greater, perhaps, than any that history affords an opportunity of observing between any two races of uncivilized people, and this has produced a surprising similarity of manners.

Note VII. Sect. I. p. 312.

The booty gained by an army belonged to the army. The king himself had no part of it but what he acquired by lot. A remarkable instance of this occurs in the history of the Franks. The army of Clovis, the founder of the French monarchy, having plundered a church, carried off, among other sacred utensils, a vase of extraordinary size and beauty. The bishop sent deputies to Clovis, beseeching him to restore the vase, that it might be again employed in the sacred services to which it had been consecrated. Clovis desired the deputies to follow him to Soissons, as the booty was to be divided in that place; and promised, that if the lot should give him the disposal of the vase, he would grant what the bishop desired. When he came to Soissons, and all the booty was placed in one great heap in the middle of the army, Clovis entreated that, before making the division, they would give him that vase over and above his share. All appeared willing to gratify the king, and to comply with his request, when a fierce and haughty soldier lifted up his battle-axe, and, striking the vase with the utmost violence, cried out with a loud voice, "You shall receive nothing here but that to which the lot gives you a right." Gregor. Turon. Histor. Francorum, lib. ii. c. 27. p. 70. Par. 1610.

Note VIII. Sect. I. p. 313.

The history of the establishment and progress of the feudal system is an interesting object to all the nations of Europe. In some countries their jurisprudence and laws are still in a great measure feudal. In others, many forms and practices established by custom, or founded on statutes, took their rise from the feudal law, and cannot be understood without attending to the ideas peculiar to it. Several authors of the highest reputation for genius and erudition have endeavoured to illustrate this subject, but still many parts of it are obscure. I shall endeavour to trace, with precision, the progress and variation of ideas concerning property in land among the barbarous nations; and shall attempt to point out the causes which introduced these changes, as well as the effects which followed upon them. Property in land seems to have gone through four successive changes among the people who settled in the various provinces of the Roman empire.

I. While the barbarous nations remained in their

original countries, their property in land was only temporary, and they had no certain limits to their possessions. After feeding their flocks in one district, they removed with them and with their wives and families to another; and abandoned that likewise in a short time. They were not, in consequence of this imperfect species of property, brought under any positive or formal obligation to serve the community; all their services were purely voluntary. Every individual was at liberty to choose how far he would contribute towards carrying on any military enterprise. If he followed a leader in any expedition, it was from attachment, not from a sense of obligation. The clearest proof of this has been produced in Note VI. While property continued in this state, we can discover nothing that bears any resemblance to a feudal tenure, or to the subordination and military service which the feudal system introduced.

II. Upon settling in the countries which they had subdued, the victorious troops divided the conquered lands. Whatever portion of them fell to a soldier, he seized the recompence due to his valour, as a settlement acquired by his own sword. He took possession of it as a freeman in full property. He enjoyed it during his own life, and could dispose of it at pleasure, or transmit it as an inheritance to his children. Thus property in land became fixed. It was at the same time *allodial;* i. e. the possessor had the entire right of property and dominion; he held of no sovereign or superior lord, to whom he was bound to do homage and perform service. But as these new proprietors were in some danger (as has been observed in the text) of being disturbed by the remainder of the ancient inhabitants, and in still greater danger of being attacked by successive colonies of barbarians as fierce and rapacious as themselves, they saw the necessity of coming under obligations to defend the community, more explicit than those to which they had been subject in their original habitations. On this account, immediately upon their fixing in their new settlements, every freeman became bound to take arms in defence of the community, and if he refused or neglected so to do, was liable to a considerable penalty. I do not mean that any contract of this kind was formally concluded, or mutually ratified by any legal solemnity. It was established by tacit consent, like the other compacts which hold society together. Their mutual security and preservation made it the interest of all to recognise its authority, and to enforce the observation of it. We can trace back this new obligation on the proprietors of land to a very early period in the history of the Franks. Chilperic, who began his reign A. D. 562, exacted a fine, *bannos jussit exigi*, from certain persons who had refused to accompany him in an expedition. Gregor. Turon. lib. v. c. 26. p. 211. Childebert, who began his reign A. D. 576, proceeded in the same manner against others who had been guilty of a like crime. Ibid. lib. vii. c. 42. p. 342. Such a fine could not have been exacted while property continued in its first state, and military service was entirely voluntary. Charlemagne ordained that every freeman who possessed five mansi, i. e. sixty acres of land, *in property*, should march in person against the enemy. Capitul. A. D. 807, Louis le Debonnaire, A. D. 815, granted lands to certain Spaniards who fled from the Saracens, and allowed them to settle in his territories, on condition that they should serve in the army *like other freemen*. Capitul. vol. i. p. 500. By land possessed *in property*, which is mentioned in the law of Charlemagne, we are to understand, according to the style of that age, allodial land; *alodes* and *proprietas*, *alodum* and *proprium*, being words perfectly synonymous. Du Cange, voce *Alodis*. The clearest proof of the distinction between allodial and beneficiary possession is contained in two charters published by Muratori, by which it appears that a person might possess one part of his estate as allodial, which he could dispose of at pleasure, the other as a *beneficium*, of which he had only the usufruct, the property returning to the superior lord on his demise. Antiq. Ital. medii Ævi, vol. i. p. 559, 565. The same distinction is pointed out in a Capitulare of Charlemagne, A. D. 812, edit. Baluz. vol. i. p. 491. Count Everard, who married a daughter of Louis le Debonnaire, in the curious testament by which he disposes of his vast estate among his children, distinguishes between what he possessed *proprietate* and what he held *beneficio;* and it appears that the greater part was allodial. A. D. 837. Aub. Miræi Opera Diplomatica, Lovan. 1723. vol. . p. 19.

In the same manner *Liber homo* is commonly opposed to *Vassus* or *Vassallus;* the former denotes an allodial proprietor, the latter one who held of a superior. These *free* men were under an obligation to serve the state; and this duty was considered as so sacred, that freemen were prohibited from entering into holy orders unless they had obtained the consent of the sovereign. The reason given for this in the statute is remarkable: "For we are informed that some do so, not so much out of devotion as in order to avoid that military service which they are bound to perform." Capitul. lib. i. § 114. If, upon being summoned into the field, any freeman refused to obey, a full *herebannum*, i. e. a fine of sixty crowns, was to be exacted from him, according to the law of the Franks. Capit. Car. Magn. ap. Leg. Longob. lib. i. tit. 14. § 13. p. 539. This expression, according to the law of the Franks, seems to imply that both the obligation to serve, and the penalty on those who disregarded it, were coeval with the laws made by the Franks at their first settlement in Gaul. This fine was levied with such rigour, "That if any person convicted of this crime was insolvent, he was reduced to servitude, and continued in that state until such time as his labour should amount to the value of the *herebannum*." Ibid. The emperor Lotharius rendered the penalty still more severe;

and if any person possessing such an extent of property as made it incumbent on him to take the field in person, refused to obey the summons, all his goods were declared to be forfeited, and he himself might be punished with banishment. Murat. Script. Ital. vol. i. pars ii. p. 153.

III. Property in land having thus become fixed, and subject to military service, another change was introduced, though slowly, and step by step. We learn from Tacitus, that the chief men among the Germans endeavoured to attach to their persons and interests certain adherents whom he calls *Comites*. These fought under their standard, and followed them in all their enterprises. The same custom continued among them in their new settlements, and those attached or devoted followers were called *fideles*, *antrustiones*, *homines in truste Dominica*, *leudes*. Tacitus informs us that the rank of a Comes was deemed honourable; De Morib. Germ. c. 13. The composition, which is the standard by which we must judge of the rank and condition of persons in the middle ages, paid for the murder of one *in truste Dominica*, was triple to that paid for the murder of a free man. Leg. Salicor. tit. 44. § 1 & 2. While the Germans remained in their own country, they courted the favour of these Comites by presents of arms and horses, and by hospitality. See Note VI. As long as they had no fixed property in land, these were the only gifts that they could bestow, and the only reward which their followers desired. But upon their settling in the countries which they conquered, and when the value of property came to be understood among them, instead of those slight presents, the kings and chieftains bestowed a more substantial recompence in land on their adherents. These grants were called *beneficia*, because they were gratuitous donations; and *honores*, because they were regarded as marks of distinction. What were the services originally exacted in return for these *beneficia* cannot be determined with absolute precision, because there are no records so ancient. When allodial possessions were first rendered feudal, they were not at once subjected to all the feudal services. The transition here, as in all other changes of importance, was gradual. As the great object of a feudal vassal was to obtain protection, when allodial proprietors first consented to become vassals of any powerful leader, they continued to retain as much of their ancient independence as was consistent with that new relation. The homage which they did to the superior of whom they chose to hold, was called *homagium planum*, and bound them to nothing more than fidelity, but without any obligation either of military service or attendance in the courts of their superior. Of this *homagium planum* some traces, though obscure, may still be discovered. Brussel, tom. i. p. 97. Among the ancient writs published by D. D. De Vic and Vaisette Hist. de Langued. are a great many which they call *homagia*. They seem to be an intermediate step between the *homagium planum* mentioned by Brussel, and the engagement to perform complete feudal service. The one party promises protection, and grants certain castles or lands; the other engages to defend the person of the granter, and to assist him likewise in defending his property as often as he shall be summoned to do so. But these engagements are accompanied with none of the feudal formalities, and no mention is made of any of the other feudal services. They appear rather to be a mutual contract between equals, than the engagement of a vassal to perform services to a superior lord. Preuves de l'Hist. de Lang. tom. ii. 173, et passim. As soon as men were accustomed to these, the other feudal services were gradually introduced. M. de Montesquieu considers these *beneficia* as fiefs which originally subjected those who held them to military service. L'Esprit des Loix, l. xxx. c. 3 & 16. M. l'Abbé de Mably contends that such as held these were at first subjected to no other service than what was incumbent on every free man. Observations sur l'Histoire de France, i. 356. But upon comparing their proofs and reasonings and conjectures, it seems to be evident, that as every free man, in consequence of his allodial property, was bound to serve the community under a severe penalty, no good reason can be assigned for conferring these *beneficia*, if they did not subject such as received them to some new obligation. Why should a king have stripped himself of his domain, if he had not expected that, by parcelling it out, he might acquire a right to services to which he had formerly no title? We may then warrantably conclude, "That as allodial property subjected those who possessed it to serve the community, so *beneficia* subjected such as held them to personal service and fidelity to him from whom they received these lands. These *beneficia* were granted originally only during pleasure. No circumstance relating to the customs of the middle ages is better ascertained than this; and innumerable proofs of it might be added to those produced in L'Esprit des Loix, l. xxx. c. 16. and by Du Cange, voc. *Beneficium et Feudum*.

IV. But the possession of the benefices did not continue long in this state. A precarious tenure during pleasure was not sufficient to satisfy such as held lands, and by various means they gradually obtained a confirmation of their benefices during life. Feudor. Lib. tit. i. Du Cange produces several quotations from ancient charters and chronicles in proof of this; Glos. voc. *Beneficium*. After this it was easy to obtain or extort charters rendering *beneficia* hereditary, first in the direct line, then in the collateral, and at last in the female line. Leg. Longob. lib. iii. tit. 8. Du Cange, voc. *Beneficium*.

It is no easy matter to fix the precise time when each of these changes took place. M. l'Ab. Mably conjectures, with some probability, that Charles Martel first introduced the practice of granting *beneficia* for life: Observat. tom. i. p. 103, 160; and

that Louis le Debonnaire was among the first who rendered them hereditary, is evident from the authorities to which he refers: Ibid. 429. Mabillon however has published a placitum of Louis le Debonnaire, A. D. 860, by which it appears that he still continued to grant some *beneficia* only during life. De Re Diplomatica, lib. vi. p. 353. In the year 889, Odo, king of France, granted lands to Ricabodo, fideli suo, jure beneficiario et fructuario, during his own life; and if he should die, and a son were born to him, that right was to continue during the life of his son. Mabillon ut supra, p. 556. This was an intermediate step between fiefs merely during life, and fiefs hereditary to perpetuity. While *beneficia* continued under their first form, and were held only during pleasure, he who granted them not only exercised the *dominium* or prerogative of superior lord, but he retained the property, giving his vassal only the *usufruct*. But under the latter form, when they became hereditary, although feudal lawyers continued to define a *beneficium* agreeably to its original nature, the property was in effect taken out of the hands of the superior lords, and lodged in those of the vassal. As soon as the reciprocal advantages of the feudal mode of tenure came to be understood by superiors as well as vassals, that species of holding became so agreeable to both, that not only lands, but casual rents, such as the profits of a toll, the fare paid at ferries, &c. the salaries or perquisites of offices, and even pensions themselves, were granted and held as fiefs; and military service was promised and exacted on account of these. Morice Mem. pour servir de Preuves à l'Hist. de Bretagne, tom. ii. 78, 690. Brussel, tom. i. p. 41. How absurd soever it may seem to grant or to hold such precarious and casual property as a fief, there are instances of feudal tenures still more singular. The profits arising from the masses said at an altar were properly an ecclesiastical revenue, belonging to the clergy of the church or monastery which performed that duty; but these were sometimes seized by the powerful barons. In order to ascertain their right to them, they held them as fiefs of the church, and parcelled them out in the same manner as other property to their subvassals. Bouquet, Recueil des Hist. vol. x. 238, 480. The same spirit of encroachment which rendered fiefs hereditary, led the nobles to extort from their sovereigns hereditary grants of offices. Many of the great offices of the crown became hereditary in most of the kingdoms in Europe; and so conscious were monarchs of this spirit of usurpation among the nobility, and so solicitous to guard against it, that on some occasions they obliged the persons whom they promoted to any office of dignity, to grant an obligation, that neither they nor their heirs should claim it as belonging to them by hereditary right. A remarkable instance of this is produced, Mem. de l'Acad. des Inscript. tom. xxx. p. 595. Another occurs in the Thesaur. Anecdot. published by Martene & Durand, vol. i. p. 873.—This revolution in property occasioned a change corresponding to it in political government; the great vassals of the crown, as they acquired such extensive possessions, usurped a proportional degree of power, depressed the jurisdiction of the crown, and trampled on the privileges of the people. It is on account of this connexion that it becomes an object of importance in history to trace the progress of feudal property; for upon discovering in what state property was at any particular period, we may determine with precision what was the degree of power possessed by the king or by the nobility at that juncture.

One circumstance more with respect to the changes which property underwent, deserves attention. I have shown, that when the various tribes of barbarians divided their conquests in the fifth and sixth centuries, the property which they acquired was allodial; but in several parts of Europe, property had become almost entirely feudal by the beginning of the tenth century. The former species of property seems to be so much better and more desirable than the latter, that such a change appears surprising, especially when we are informed that allodial property was frequently converted into feudal, by a voluntary deed of the possessor. The motives which determined them to a choice so repugnant to the ideas of modern times concerning property, have been investigated and explained by M. de Montesquieu, with his usual discernment and accuracy, lib. xxxi. c. 8. The most considerable is that of which we have an hint in Lambertus Ardensis, an ancient writer quoted by Du Cange, voce *Alodis*. In those times of anarchy and disorder which became general in Europe after the death of Charlemagne, when there was scarcely any union among the different members of the community, and individuals were exposed, single and undefended by government, to rapine and oppression, it became necessary for every man to have a powerful protector, under whose banner he might range himself, and obtain security against enemies whom singly he could not oppose. For this reason he relinquished his allodial independence, and subjected himself to the feudal services, that he might find safety under the patronage of some respectable superior. In some parts of Europe, this change from allodial to feudal property became so general, that he who possessed land had no longer any liberty of choice left. He was obliged to recognise some liege lord, and to hold of him. Thus Beaumanoir informs us, that in the counties of Clermont and Beauvois, if the lord or count discovered any lands within his jurisdiction for which no service was performed, and which paid to him no taxes or customs, he might instantly seize it as his own; for, says he, according to our custom no man can hold allodial property. Coust. ch. 24. p. 123. Upon the same principle is founded a maxim, which has at length become general in the law of France, *Nulle terre sans Seigneur*. In other provinces of France,

allodial property seems to have remained longer unalienated, and to have been more highly valued. A great number of charters, containing grants, or sales, or exchanges of allodial lands in the province of Languedoc, are published Hist. gener. de Langued. par. D. D. De Vic et Vaisette, tom. ii. During the ninth, tenth, and great part of the eleventh century, the property in that province seems to have been entirely allodial; and scarcely any mention of feudal tenures occurs in the deeds of that country. The state of property, during these centuries, seems to have been perfectly similar in Catalonia and the country of Rousillon, as appears from the original charters published in the appendix to Petr. de la Marca's treatise de Marca sive Limite Hispanico. Allodial property seems to have continued in the Low Countries to a period still later. During the eleventh, twelfth, and thirteenth centuries, this species of property appears to have been of considerable extent. Miræi Opera diplom. vol. i. 34, 74, 75, 83, 817, 296, 842, 847, 578. Some vestiges of allodial property appear there as late as the fourteenth century. Ibid. 218. Several facts which prove that allodial property subsisted in different parts of Europe long after the introduction of feudal tenures, and which tend to illustrate the distinction between these two different species of possession, are produced by M. Houard, Anciennes Loix des Francois, conservées dans les Coutumes Angloises, vol. i. p. 192, &c. The notions of men with respect to property vary according to the diversity of their understandings and the caprice of their passions. At the same time that some persons were fond of relinquishing allodial property, in order to hold it by feudal tenure, others seem to have been solicitous to convert their fiefs into allodial property. An instance of this occurs in a charter of Louis le Debonnaire, published by Eckhard, Commentarii de rebus Franciæ Orientalis, vol. ii. p. 885. Another occurs in the year 1299, Reliquiæ MSS. omnis Ævi, by Ludwig, vol. i. p. 209; and even one as late as the year 1337, ibid. vol. vii. p. 40. The same thing took place in the Low Countries. Miræi Oper. i. 52.

In tracing these various revolutions of property, I have hitherto chiefly confined myself to what happened in France, because the ancient monuments of that nation have either been more carefully preserved, or have been more clearly illustrated, than those of any people in Europe.

In Italy the same revolutions happened in property, and succeeded each other in the same order. There is some ground, however, for conjecturing that allodial property continued longer in estimation among the Italians than among the French. It appears that many of the charters granted by the emperors in the ninth century, conveyed an allodial right to land. Murat. Antiq. med. Ævi, vol. i. p. 575, &c. But in the eleventh century we find some examples of persons who resigned their allodial property, and received it back as a feudal tenure. Ibid. p. 610, &c. Muratori observes that the word *feudum*, which came to be substituted in place of *beneficium*, does not occur in any authentic charter previous to the eleventh century. Ibid. 594. A charter of king Robert of France, A. D. 1008, is the earliest deed in which I have met with the word *feudum*. Bouquet Recueil des Historiens de Gaule et de la France, tom. x. p. 593, b. This word occurs indeed in an edict, A. D. 790, published by Brussel, vol. i. p. 77. But the authenticity of that deed has been called in question, and perhaps the frequent use of the word *feudum* in it is an additional reason for doing so. The account which I have given of the nature both of allodial and feudal possessions receives some confirmation from the etymology of the words themselves. *Alode* or *allodium* is compounded of the German particle *an* and *lot*, i. e. land obtained by lot. Wachteri Glossar. Germanicum, voc. *Allodium*, p. 35. It appears from the authorities produced by him and by Du Cange, voc. *Sors*, that the northern nations divided the lands which they had conquered in this manner. *Feodum* is compounded of *od*, possession or estate, and *feo*, wages, pay; intimating that it was stipendiary, and granted as a recompence for service. Wachterus, ibid. voc. *Feodum*, p. 441.

The progress of the feudal system among the Germans was perfectly similar to that which we have traced in France. But as the emperors of Germany, especially after the imperial crown passed from the descendants of Charlemagne to the house of Saxony, were far superior to the contemporary monarchs of France in abilities, the imperial vassals did not aspire so early to independence, nor did they soon obtain the privilege of possessing their benefices by hereditary right. According to the compilers of the Libri Feudorum, Conrad II. or the Salic, was the first emperor who rendered fiefs hereditary. Lib. i. tit. i. Conrad began his reign A. D. 1024. Ludovicus Pius, under whose reign grants of hereditary fiefs were frequent in France, succeeded his father A. D. 814. Not only was this innovation so much later in being introduced among the vassals of the German emperors, but even after Conrad had established it, the law continued favourable to the ancient practice; and unless the charter of the vassal bore expressly that the fief descended to his heirs, it was presumed to be granted only during life. Lib. Feud. ibid. Even after the alteration made by Conrad, it was not uncommon in Germany to grant fiefs only for life; a charter of this kind occurs as late as the year 1376. Chartar ap Boehmer. Princip. Jur. Feud. p. 361. The transmission of fiefs to collateral and female heirs took place very slowly among the Germans. There is extant a charter, A. D. 1201, conveying the right of succession to females; but it is granted as an extraordinary mark of favour, and in reward of uncommon services. Boehmer. ibid. p. 365. In Germany as well as in France and Italy, a considerable part of the lands continued to be allodial long after the feudal mode of tenure was introduced. It appears

from the Codex Diplomaticus Monasterii Buch, that a great part of the lands in the marquisate of Misnia was still allodial as late as the thirteenth century. Nos. 31, 36, 37, 46, &c. ap. Scriptores Hist. German. cura Schoetgenii et Kreysigii. Altenb. 1755. vol. ii. 183, &c. Allodial property seems to have been common in another district of the same province during the same period. Reliquiæ Diplomaticæ Sanctimonial. Beutiz. Nos. 17, 36, 58. ibid. 374, &c.

Note IX. Sect. I. p. 313.

As I shall have occasion in another Note to represent the condition of that part of the people who dwelt in cities, I will confine myself in this to consider the state of the inhabitants of the country. The persons employed in cultivating the ground during the ages under review may be divided into three classes: I. *Servi* or slaves. This seems to have been the most numerous class, and consisted either of captives taken in war, or of persons the property in whom was acquired in some one of the various methods enumerated by Du Cange, voc. *Servus*, v. 6. p. 447. The wretched condition of this numerous race of men will appear from several circumstances. 1. Their masters had absolute dominion over their persons. They had the power of punishing their slaves capitally, without the intervention of any judge. This dangerous right they possessed not only in the more early periods when their manners were fierce, but it continued as late as the twelfth century. Joach. Potgiesserus de Statu Servorum. Lemgov. 1736. 4to. lib. ii. cap. i. § 4, 10, 13, 24. Even after this jurisdiction of masters came to be restrained, the life of a slave was deemed to be of so little value, that a very slight compensation atoned for taking it away. Idem, lib. iii. c. 6. If masters had power over the lives of their slaves, it is evident that almost no bounds would be set to the rigour of the punishments which they might inflict upon them. The codes of ancient laws prescribed punishments for the crimes of slaves different from those which were inflicted on free men. The latter paid only a fine or compensation; the former were subjected to corporal punishments. The cruelty of these was in many instances excessive. Slaves might be put to the rack on very slight occasions. The laws with respect to these points are to be found in Potgiesserus, lib. iii. cap. 7. and are shocking to humanity. 2. If the dominion of masters over the lives and persons of their slaves was thus extensive, it was no less so over their actions and property. They were not originally permitted to marry. Male and female slaves were allowed and even encouraged to cohabit together. But this union was not considered as a marriage; it was called *contubernium*, not *nuptiæ* or *matrimonium*. Potgiess. lib. ii. c. 2. § 1. This notion was so much established, that during several centuries after the barbarous nations embraced the christian religion, slaves who lived as husband and wife were not joined together by any religious ceremony, and did not receive the nuptial benediction from a priest. Ibid. § 10, 11. When this conjunction between slaves came to be considered as a lawful marriage, they were not permitted to marry without the consent of their master, and such as ventured to do so without obtaining that, were punished with great severity, and sometimes were put to death. Potgiess. ibid. § 12, &c. Gregor. Turon. Hist. lib. v. c. 3. When the manners of the European nations became more gentle, and their ideas more liberal, slaves who married without their master's consent were subjected only to a fine. Potgiess. ibid. § 20. Du Cange Gloss. voc. *Forismaritagium*. 3. All the children of slaves were in the same condition with their parents, and became the property of the master. Du Cange Gloss. voc. *Servus*, vol. vi. 450. Murat. Antiq. Ital. vol. i. 766. 4. Slaves were so entirely the property of their masters, that they could sell them at pleasure. While domestic slavery continued, property in a slave was sold in the same manner with that which a person had in any other movable. Afterwards slaves became *adscripti glebæ*, and were conveyed by sale, together with the farm or estate to which they belonged. Potgiesserus has collected the laws and charters which illustrate this well-known circumstance in the condition of slaves. Lib. ii. c. 4. 5. Slaves had a title to nothing but subsistence and clothes from their master; all the profits of their labour accrued to him. If a master from indulgence gave his slaves any *peculium* or fixed allowance for their subsistence, they had no right of property in what they saved out of that. All that they accumulated belonged to their master. Potgiess. lib. ii. c. 10. Murat. Antiq. Ital. vol. i. 768. Du Cange, voc. *Servus*, vol. vi. p. 451. Conformable to the same principle, all the effects of slaves belonged to their master at their death, and they could not dispose of them by testament. Potgiess. lib. ii. c. 11. 6. Slaves were distinguished from free men by a peculiar dress.—Among all the barbarous nations long hair was a mark of dignity and of freedom; slaves were, for that reason, obliged to shave their heads; and by this distinction, how indifferent soever it may be in its own nature, they were reminded every moment of the inferiority of their condition. Potgiess. lib. iii. c. 4. For the same reason it was enacted in the laws of almost all the nations of Europe, that no slave should be admitted to give evidence against a free man in a court of justice. Du Cange, voc. *Servus*, vol. vi. p. 451. Potgiess. lib. iii. c. 3.

II. *Villani*. They were likewise *adscripti glebæ* or *villæ*, from which they derived their name, and were transferrable along with it. Du Cange, voc. *Villanus*. But in this they differed from slaves, that they paid a fixed rent to their master for the land which they cultivated, and after paying that, all the fruits of their labour and industry belonged to themselves in property. This distinction is marked by Pere de

Fontain's Conseil. Vie de St. Louis par Joinville, p. 119. edit. de Du Cange. Several cases decided agreeably to this principle are mentioned by Murat. ibid. p. 773.

III. The last class of persons employed in agriculture were free men. These are distinguished by various names among the writers of the middle ages, *arimanni*, *conditionales*, *originarii*, *tributales*, &c. These seem to have been persons who possessed some small allodial property of their own, and besides that, cultivated some farm belonging to their more wealthy neighbours, for which they paid a fixed rent; and bound themselves likewise to perform several small services *in prato vel in messe, in aratura vel in vinea*, such as ploughing a certain quantity of their landlord's ground, assisting him in harvest and vintage-work, &c. The clearest proof of this may be found in Muratori, vol. i. p. 712. and in Du Cange, under the respective words above mentioned. I have not been able to discover whether these *arimanni*, &c. were removable at pleasure, or held their farms by lease for a certain number of years. The former, if we may judge from the genius and maxims of the age, seems to be most probable. These persons, however, were considered as free men in the most honourable sense of the word; they enjoyed all the privileges of that condition, and were even called to serve in war; an honour to which no slave was admitted. Murat. Antiq. vol. i. p. 743. vol. ii. p. 446. This account of the condition of these three different classes of persons will enable the reader to apprehend the full force of an argument which I shall produce in confirmation of what I have said in the text concerning the wretched state of the people during the middle ages. Notwithstanding the immense difference between the first of these classes and the third, such was the spirit of tyranny which prevailed among the great proprietors of lands, and so various their opportunities of oppressing those who were settled on their estates, and of rendering their condition intolerable, that many free men, in despair, renounced their liberty, and voluntarily surrendered themselves as slaves to their powerful masters. This they did in order that their masters might become more immediately interested to afford them protection, together with the means of subsisting themselves and their families. The forms of such a surrender, or *obnoxiatio*, as it was then called, are preserved by Marculfus, lib. ii. c. 28; and by the anonymous author published by M. Bignon, together with the collection of *formulæ* compiled by Marculfus, c. 16. In both, the reason given for the *obnoxiatio* is the wretched and indigent condition of the person who gives up his liberty. It was still more common for free men to surrender their liberty to bishops or abbots, that they might partake of the security which the vassals and slaves of churches and monasteries enjoyed, in consequence of the superstitious veneration paid to the saint under whose immediate protection they were supposed to be taken. Du Cange, voc. *Oblatus*, vol. iv. p. 1286. That condition must have been miserable indeed, which could induce a free man voluntarily to renounce his liberty, and to give up himself as a slave to the disposal of another. The number of slaves in every nation of Europe was immense. The greater part of the inferior class of people in France were reduced to this state at the commencement of the third race of kings. L'Esprit des Loix, liv. xxx. c. 11. the same was the case in England. Brady, Pref. to Gen. Hist.—Many curious facts with respect to the ancient state of *villains* or slaves in England, are published in Observations on the Statutes, chiefly the more ancient, 3d edit. p. 269, &c.

Note X. Sect. I. p. 314.

Innumerable proofs of this might be produced. Many charters, granted by persons of the highest rank, are preserved, from which it appears that they could not subscribe their name. It was usual for persons who could not write, to make the sign of the cross in confirmation of a charter. Several of these remain, where kings and persons of great eminence affix *signum crucis manu propria pro ignoratione literarum*. Du Cange, voc. *Crux*, vol. iii. p. 1191. From this is derived the phrase of signing instead of subscribing a paper. In the ninth century, Herbaud Comes Palatii, though supreme judge of the empire by virtue of his office, could not subscribe his name. Nouveau Traité de Diplomatique par deux Benedictins, 4to. tom. ii. p. 422. As late as the fourteenth century, Du Gueselin, constable of France, the greatest man in the state, and one of the greatest men of his age, could neither read nor write. St. Payle Memoires sur l'Ancienne Chevalerie, tit. ii. p. 82. Nor was this ignorance confined to laymen; the greater part of the clergy was not many degrees superior to them in science. Many dignified ecclesiastics could not subscribe the canons of those councils in which they sat as members. Nouv. Traité de Diplom. tom. ii. p. 424. One of the questions appointed by the canons to be put to persons who were candidates for orders was this: "Whether they could read the gospels and epistles, and explain the sense of them, at least literally?" Regino Prumiensis ap. Bruck. Hist. Philos. v. iii. p. 631. Alfred the Great complained, that from the Humber to the Thames there was not a priest who understood the liturgy in his mother-tongue, or who could translate the easiest piece of Latin; and that from the Thames to the sea the ecclesiastics were still more ignorant. Asserus de rebus gestis Alfredi, ap Camdeni Anglica, &c. p. 25. The ignorance of the clergy is quaintly described by an author of the dark ages: "Potius dediti gulæ quam glossæ; potius colligunt libras quam legunt libros; libentiùs intuentur Martham quam Mareum; malunt legere in Saimone quam in Solomone." Alanus de Art. Predicat. ap. Lebeuf Dissert. tom. ii. p. 21. To the obvious causes of such universal ignorance, arising from the state of government and manners, from the seventh to the

eleventh century, we may add the scarcity of books during that period, and the difficulty of rendering them more common. The Romans wrote their books either on parchment or on paper made of the Egyptian papyrus. The latter being the cheapest, was of course the most commonly used. But after the Saracens conquered Egypt in the seventh century, the communication between that country and the people settled in Italy, or in other parts of Europe, was almost entirely broken off, and the papyrus was no longer in use among them. They were obliged on that account to write all their books upon parchment, and as the price of that was high, books became extremely rare, and of great value. We may judge of the scarcity of the materials for writing them from one circumstance. There still remain several manuscripts of the eighth, ninth, and following centuries, written on parchment from which some former writing had been erased, in order to substitute a new composition in its place. In this manner it is probable that several works of the ancients perished. A book of Livy or of Tacitus might be erased to make room for the legendary tale of a saint, or the superstitious prayers of a missal. Murat. Antiq. Ital. vol. iii. p. 833. P. de Montfaucon affirms that the greater part of the manuscripts on parchment which he has seen, those of an ancient date excepted, are written on parchment from which some former treatise had been erased. Mem. de l'Acad. des Inscript. tom. ix. p. 325. As the want of materials for writing is one reason why so many of the works of the ancients have perished, it accounts likewise for the small number of manuscripts of any kind previous to the eleventh century, when they began to multiply, from a cause which shall be mentioned. Hist. Liter. de France, tom. vi. p. 6. Many circumstances prove the scarcity of books during these ages. Private persons seldom possessed any books whatever. Even monasteries of considerable note had only one missal. Murat. Antiq. vol. ix. p. 789. Lupus, abbot of Ferrieres, in a letter to the pope, A. D. 855, besecches him to lend him a copy of Cicero de Oratore and Quintilian's Institutions; "for," says he, "although we have parts of those books, there is no complete copy of them in all France." Murat. Ant. vol. iii. p. 835. The price of books became so high, that persons of a moderate fortune could not afford to purchase them. The countess of Anjou paid for a copy of the Homilies of Haimon, bishop of Halberstadt, two hundred sheep, five quarters of wheat, and the same quantity of rye and millet. Histoire Literaire de France, par des Religieux Benedictins, tom. vii. p. 3. Even so late as the year 1471, when Louis XI. borrowed the works of Rasis, the Arabian physician, from the faculty of medicine in Paris, he not only deposited in pledge a considerable quantity of plate, but was obliged to procure a nobleman to join with him as surety in a deed, binding himself, under a great forfeiture, to restore it. Gabr. Naudé Addit. à l'Histoire de Louys XI. par Comines, edit. de Fresnoy, tom. iv. p. 281. Many curious circumstances with respect to the extravagant price of books in the middle ages, are collected by that industrious compiler, to whom I refer such of my readers as deem this small branch of literary history an object of curiosity. When any person made a present of a book to a church or monastery, in which were the only libraries during several ages, it was deemed a donative of such value, that he offered it on the altar *pro remedio animæ suæ*, in order to obtain the forgiveness of his sins. Murat. vol. iii. p. 836. Hist. Liter. de France, tom. vi. p. 6. Nouv. Trait. du Diplomat. par deux Benedictins, 4to. tom. i. p. 481. In the eleventh century, the art of making paper, in the manner now become universal, was invented; by means of that, not only the number of manuscripts increased, but the study of the sciences was wonderfully facilitated. Murat. ib. p. 871. The invention of the art of making paper, and the invention of the art of printing, are two considerable events in literary history. It is remarkable that the former preceded the first dawning of letters and improvement in knowledge totowards the close of the eleventh century; the latter ushered in the light which spread over Europe at the era of the reformation.

Note XI. Sect. I. p. 314.

All the religious maxims and practices of the dark ages are a proof of this. I shall produce one remarkable testimony in confirmation of it, from an author canonized by the church of Rome, St. Eloy, or Egidius, bishop of Noyon, in the seventh century. "He is a good christian who comes frequently to church; who presents the oblation which is offered to God upon the altar; who doth not taste of the fruits of his own industry until he has consecrated a part of them to God; who, when the holy festivals approach, lives chastely even with his own wife during several days, that with a safe conscience he may draw near the altar of God; and who, in the last place, can repeat the Creed and the Lord's Prayer. Redeem then your souls from destruction, while you have the means in your power; offer presents and tithes to churchmen; come more frequently to church; humbly implore the patronage of the saints: for if you observe these things, you may come with security in the day of retribution to the tribunal of the eternal Judge, and say, "Give to us, O Lord, for we have given unto thee." Dacherii Spicilegium Vet. Script. vol. ii. p. 94. The learned and judicious translator of Dr. Mosheim's Ecclesiastical History, to one of whose additional notes I am indebted for my knowledge of this passage, subjoins a very proper reflection: "We see here a large and ample description of a good christian, in which there is not the least mention of the love of God, resignation to his will, obedience to his laws, or of justice, benevolence, and charity towards men." Mosh. Eccles. Hist. vol. i. p. 324.

NOTE XII. Sect. I. p. 314.

THAT infallibility in all its determinations to which the church of Rome pretends, has been attended with one unhappy consequence. As it is impossible to relinquish any opinion or to alter any practice which has been established by authority that cannot err, all its institutions and ceremonies must be immutable and everlasting, and the church must continue to observe, in enlightened times, those rites which were introduced during the ages of darkness and credulity. What delighted and edified the latter, must disgust and shock the former. Many of the rites observed in the Romish church appear manifestly to have been introduced by a superstition of the lowest and most illiberal species. Many of them were borrowed, with little variation, from the religious ceremonies established among the ancient heathens. Some were so ridiculous, that if every age did not furnish instances of the fascinating influence of superstition, as well as of the whimsical forms which it assumes, it must appear incredible that they should have been ever received or tolerated. In several churches of France, they celebrated a festival in commemoration of the Virgin Mary's flight into Egypt. It was called the Feast of the Ass. A young girl, richly dressed, with a child in her arms, was set upon an ass superbly caparisoned. The ass was led to the altar in solemn procession. High mass was said with great pomp. The ass was taught to kneel at proper places; a hymn no less childish than impious was sung in his praise: and when the ceremony was ended, the priest, instead of the usual words with which he dismissed the people, brayed three times like an ass; and the people, instead of the usual response, We bless the Lord, brayed three times in the same manner. Du Cange, voc. *Festum*, vol. iii. p. 424. This ridiculous ceremony was not, like the festival of fools and some other pageants of those ages, a mere farcical entertainment exhibited in a church, and mingled, as was then the custom, with an imitation of some religious rites; it was an act of devotion, performed by the ministers of religion, and by the authority of the church. However, as this practice did not prevail universally in the catholic church, its absurdity contributed at last to abolish it.

NOTE XIII. Sect. I. p. 316.

As there is no event in the history of mankind more singular than that of the Crusades, every circumstance that tends to explain or to give any rational account of this extraordinary frenzy of the human mind is interesting. I have asserted in the text, that the minds of men were prepared gradually for the amazing effort which they made in consequence of the exhortations of Peter the hermit, by several occurrences previous to his time. A more particular detail of this curious and obscure part of history may perhaps appear to some of my readers to be of importance. That the end of the world was expected about the close of the tenth and beginning of the eleventh century, and that this occasioned a general alarm, is evident from the authors to whom I have referred in the text. This belief was so universal and so strong, that it mingled itself with civil transactions. Many charters, in the latter part of the tenth century, begin in this manner: "Appropinquante mundi termino," &c. As the end of the world is now at hand, and by various calamities and judgments the signs of its approach are now manifest. Hist. de Langued. par. D. D. de Vic. & Vaisette, tom. ii. Preuves, p. 86, 89, 90, 117, 158, &c. One effect of this opinion was, that a great number of pilgrims resorted to Jerusalem with a resolution to die there, or to wait the coming of the Lord; kings, earls, marquisses, bishops, and even a great number of women, besides persons of an inferior rank, flocked to the Holy Land. Glaber. Rodulph. Hist. chez Bouquet Recueil, tom. x. p. 50, 52. Another historian mentions a vast cavalcade of pilgrims who accompanied the count of Angouleme to Jerusalem in the year 1026. Chronic. Ademari, ibid. p. 162. Upon their return, these pilgrims filled Europe with lamentable accounts of the state of christians in the Holy Land. Willerm. Tyr. Hist. ap. Gest. Dei per Franc. vol. ii. p. 636. Guibert. Abbat. Hist. ibid. vol. i. p. 476. Besides this, it was usual for many of the christian inhabitants of Jerusalem, as well as of other cities in the east, to travel as mendicants through Europe; and by describing the wretched condition of the professors of the christian faith under the dominion of infidels, to extort charity, and to excite zealous persons to make some attempt in order to deliver them from oppression. Baldrici Archiepiscopi Histor. ap. Gesta Dei, &c. vol. i. p. 86. In the year 986, Gerbert, archbishop of Ravenna, afterwards pope Silvester II., addressed a letter to all christians, in the name of the church of Jerusalem. It is eloquent and pathetic, and contains a formal exhortation to take arms against the pagan oppressors, in order to rescue the holy city from their yoke. Gerberti Epistolæ ap. Bouquet Recueil, tom. x. p. 426. In consequence of this spirited call, some subjects of the republic of Pisa equipped a fleet, and invaded the territories of the Mahometans in Syria. Murat. Script. Rer. Italic. vol. iii. p. 400. The alarm was taken in the east, and an opinion prevailed, A. D. 1010, that all the forces of Christendom were to unite, in order to drive the Mahometans out of Palestine. Chron. Ademari ap. Bouquet, tom. x. p. 152. It is evident, from all these particulars, that the ideas which led the crusaders to undertake their wild enterprise did not arise, according to the description of many authors, from a sudden fit of frantic enthusiasm, but were gradually formed; so that the universal concourse to the standard of the cross, when erected by Urban II., will appear less surprising.

If the various circumstances which I have enu-

merated in this note, as well as in the History, are sufficient to account for the ardour with which such vast numbers engaged in such a dangerous undertaking, the extensive privileges and immunities granted to the persons who assumed the cross, serve to account for the long continuance of this spirit in Europe. 1. They were exempted from prosecutions on account of debt during the time of their being engaged in this holy service. Du Cange, voc. *Crucis privilegium*, vol. ii. p. 1194.—2. They were exempted from paying interest for the money which they had borrowed, in order to fit them for this sacred warfare. Ibid.—3. They were exempted either entirely, or at least during a certain time, from the payment of taxes. Ibid. Ordonnances des Rois de France, tom. i. p. 33.—4. They might alienate their lands without the consent of the superior lord of whom they held. Ib.—5. Their persons and effects were taken under the protection of St. Peter, and the anathemas of the church were denounced against all who should molest them, or carry on any quarrel or hostility against them, during their absence, on account of the holy war. Du Cange, ibid. Guibertus Abbas ap. Bongars. i. p. 480, 482. —6. They enjoyed all the privileges of ecclesiastics, and were not bound to plead in any civil court, but were declared subject to the spiritual jurisdiction alone. Du Cange, ibid. Ordon. des Rois, tom. i. p. 34, 174.—7. They obtained a plenary remission of all their sins, and the gates of heaven were set open to them, without requiring any other proof of their penitence but their engaging in this expedition; and thus by gratifying their favourite passion, the love of war, they secured to themselves immunities which were not usually obtained but by paying large sums of money, or by undergoing painful penances. Guibert. Abbas, p. 480. When we behold the civil and ecclesiastical powers vying with each other, and straining their invention in order to devise expedients for encouraging and adding strength to the spirit of superstition, can we be surprised that it should become so general as to render it infamous, and a mark of cowardice, to decline engaging in the holy war? Willerm. Tyriensis ap. Bongars. vol. ii. p. 641. The histories of the Crusades, written by modern authors, who are apt to substitute the ideas and maxims of their own age in the place of those which influenced the persons whose actions they attempt to relate, convey a very imperfect notion of the spirit at that time predominant in Europe. The original historians, who were animated themselves with the same passions which possessed their contemporaries, exhibit to us a more striking picture of the times and manners which they describe. The enthusiastic rapture with which they account for the effects of the pope's discourse in the council of Clermont; the exultation with which they mention the numbers who devoted themselves to this holy warfare; the confidence with which they express their reliance on the Divine protection; the ecstasy of joy with which they describe their taking possession of the holy city, will enable us to conceive, in some degree, the extravagance of that zeal which agitated the minds of men with such violence, and will suggest as many singular reflections to a philosopher as any occurrence in the history of mankind. It is unnecessary to select the particular passages in the several historians, which confirm this observation. But lest those authors may be suspected of adorning their narrative with any exaggerated description, I shall appeal to one of the leaders who conducted the enterprise. There is extant a letter from Stephen, the earl of Chartres and Blois, to Adela his wife, in which he gives her an account of the progress of the crusaders. He describes the crusaders as the chosen army of Christ, as the servants and soldiers of God, as men who marched under the immediate protection of the Almighty, being conducted by his hand to victory and conquest. He speaks of the Turks as accursed, sacrilegious, and devoted by Heaven to destruction; and when he mentions the soldiers in the christian army who had died or were killed, he is confident that their souls were admitted directly into the joys of Paradise. Dacherii Spicilegium, vol. iv. p. 257.

The expense of conducting numerous bodies of men from Europe to Asia must have been excessive, and the difficulty of raising the necessary sums must have been proportionally great, during ages when the public revenues in every nation of Europe were extremely small. Some account is preserved of the expedients employed by Humbert II. Dauphin of Vienne, in order to levy the money requisite towards equipping him for the Crusade, A. D. 1346 These I shall mention, as they tend to show the considerable influence which the Crusades had, both on the state of property and of civil government. 1. He exposed to sale part of his domains; and as the price was destined for such a sacred service, he obtained the consent of the French king, of whom these lands were held, ratifying the alienation. Hist. de Dauphiné, tom. i. p. 332, 335.—2. He issued a proclamation, in which he promised to grant new privileges to the nobles, as well as new immunities to the cities and towns, in his territories, in consideration of certain sums which they were instantly to pay on that account. Ibid. tom. ii. p. 512. Many of the charters of community which I shall mention in another Note, were obtained in this manner.—3. He exacted a contribution towards defraying the charges of the expedition from all his subjects, whether ecclesiastics or laymen, who did not accompany him in person to the east. Ibid. tom. i. p. 335.—4. He appropriated a considerable part of his usual revenues for the support of the troops to be employed in this service. Ibid. tom. ii. p. 518.—5. He exacted considerable sums not only of the Jews settled in his dominions, but also of the Lombards and other bankers who had fixed their residence there. Ibid. tom. i. p. 338. tom. ii. 528. Notwithstanding the variety of these resources, the dauphin was involved in such expense

by this expedition, that on his return he was obliged to make new demands on his subjects, and to pillage the Jews by fresh exactions. Ibid. tom. i. p. 344, 347. When the count de Foix engaged in the first Crusade, he raised the money necessary for defraying the expenses of that expedition by alienating part of his territories. Hist. de. Langued. par D. D. de Vic et Vaisette, tom. ii. p. 287. In like manner Baldwin, count of Hainault, mortgaged or sold a considerable portion of his dominions to the bishop of Liege, A. D. 1096. Du Mont Corps Diplomatique, tom. i. p. 59. At a later period Baldwin, count of Namur, sold part of his estate to a monastery, when he intended to assume the cross, A. D. 1239. Miræi Oper. i. 313.

Note XIV. Sect. I. p. 317.

The usual method of forming an opinion concerning the comparative state of manners in two different nations, is by attending to the facts which historians relate concerning each of them. Various passages might be selected from the Byzantine historians, describing the splendour and magnificence of the Greek empire. P. de Montfaucon has produced from the writings of St. Chrysostom a very full account of the elegance and luxury of the Greeks in his age. That father in his sermons enters into such minute details concerning the manners and customs of his contemporaries, as appear strange in discourses from the pulpit. P. de Montfaucon has collected these descriptions, and ranged them under different heads. The court of the more early Greek emperors seems to have resembled those of eastern monarchs, both in magnificence and in corruption of manners. The emperors in the eleventh century, though inferior in power, did not yield to them in ostentation and splendour. Memoires de l'Acad. des Inscript. tom. xx. p. 197.—But we may decide concerning the comparative state of manners in the eastern empire, and among the nations in the west of Europe, by another method, which, if not more certain, is at least more striking. As Constantinople was the place of rendezvous for all the armies of the crusaders, this brought together the people of the east and west as to one great interview. There are extant several contemporary authors, both among the Greeks and Latins, who were witnesses of this singular congress of people, formerly strangers, in a great measure, to each other. They describe with simplicity and candour the impression which that new spectacle made upon their own minds. This may be considered as the most lively and just picture of the real character and manners of each people. When the Greeks speak of the Franks, they describe them as barbarians, fierce, illiterate, impetuous, and savage. They assume a tone of superiority, as a more polished people, acquainted with the arts both of government and of elegance, of which the other was ignorant. It is thus Anna Comnena describes the manners of the Latins, Alexias, p. 224, 231, 237. ap. Byz. Script. vol. xi. She always views them with contempt as a rude people, the very mention of whose names was sufficient to contaminate the beauty and elegance of history, p. 229. Nicetas Choniatas inveighs against them with still more violence, and gives an account of their ferocity and devastations, in terms not unlike those which preceding historians had employed in describing the incursions of the Goths and Vandals. Nicet. Chon. ap. Byz. Script. vol. iii. p. 302, &c. But on the other hand, the Latin historians were struck with astonishment at the magnificence, wealth, and elegance which they discovered in the eastern empire. "O what a vast city is Constantinople, (exclaims Fulcherius Carnotensis, when he first beheld it,) and how beautiful! How many monasteries are there in it, and how many palaces, built with wonderful art! How many manufactures are there in the city, amazing to behold! It would be astonishing to relate how it abounds with all good things, with gold, silver, and stuffs of various kinds; for every hour ships arrive in its port laden with all things necessary for the use of man." Fulcher. ap. Bongars. vol. i. p. 386. Willermus, Archbishop of Tyre, the most intelligent historian of the Crusades, seems to be fond, on every occasion, of describing the elegance and splendour of the court of Constantinople, and adds, that what he and his countrymen observed there exceeded any idea which they could have formed of it, "nostrarum enim rerum modum et dignitatem excedunt." Willerm. Tyr. ap. Bong. vol. ii. p. 657, 664. Benjamin the Jew, of Tudela, in Navarre, who began his travels A. D. 1173, appears to have been equally astonished at the magnificence of that city, and gives a description of its splendour in terms of high admiration. Benj. Tudel. chez les Voyages faits en 12, 13, &c. Siecles, par Bergeron, p. 10, &c. Guntherus, a French monk, who wrote a history of the conquest of Constantinople by the crusaders, in the thirteenth century, speaks of the magnificence of that city in the same tone of admiration: "Structuram autem ædificiorum in corpore civitatis, in ecclesiis videlicit, et turribus, et in domibus magnatorum, vix ullus vel describere potest, vel credere describenti, nisi qui ea oculata fide cognoverit." Hist. Constantinop. ap. Canisii Lectiones Antiquas, fol. Antw. 1725. vol. iv. p. 14. Geoffrey de Villehardouin, a nobleman of high rank, and accustomed to all the magnificence then known in the west, describes in similar terms the astonishment and admiration of such of his fellow-soldiers as beheld Constantinople for the first time: "They could not have believed," says he, "that there was a city so beautiful and so rich in the whole world. When they viewed its high walls, its lofty towers, its rich palaces, its superb churches, all appeared so great, that they could have formed no conception of this sovereign city unless they had seen it with their own eyes." Histoire de la Conquête de Constant. p. 49. From these undisguised representations

of their own feelings, it is evident that to the Greeks the crusaders appeared to be a race of rude unpolished barbarians; whereas the latter, how much soever they might contemn the unwarlike character of the former, could not help regarding them as far superior to themselves in elegance and arts.—That the state of government and manners was much more improved in Italy than in the other countries of Europe, is evident not only from the facts recorded in history, but it appears that the more intelligent leaders of the crusaders were struck with the difference. Jacobus de Vitriaco, a French historian of the holy war, makes an elaborate panegyric on the character and manners of the Italians. He views them as a more polished people, and particularly celebrates them for their love of liberty and civil wisdom: "In consiliis circumspecti, in re suâ publicâ procurandâ diligentes et studiosi; sibi in posterum providentes; aliis subjici renuentes; ante omnia libertatem sibi defendentes; sub uno quem eligunt capitaneo, communitati suæ jura et instituta dictantes et similiter observantes." Histor. Hierosol. ap. Gesta Dei per Francos, vol. ii. p. 1085.

Note XV. Sect. I. p. 318.

The different steps taken by the cities of Italy in order to extend their power and dominions are remarkable. As soon as their liberties were established, and they began to feel their own importance, they endeavoured to render themselves masters of the territory round their walls. Under the Romans, when cities enjoyed municipal privileges and jurisdiction. the circumjacent lands belonged to each town, and were the property of the community. But as it was not the genius of the feudal policy to encourage cities, or to show any regard for their possessions and immunities, these lands had been seized and shared among the conquerors. The barons to whom they were granted, erected their castles almost at the gates of the city, and exercised their jurisdiction there. Under pretence of recovering their ancient property, many of the cities in Italy attacked these troublesome neighbours, and dispossessing them, annexed their territories to the communities, and made thereby a considerable addition to their power. Several instances of this occur in the eleventh and beginning of the twelfth centuries. Murat. Antiq. Ital vol. iv. p. 159, &c. Their ambition increasing together with their power, the cities afterwards attacked several barons situated at a greater distance from their walls, and obliged them to engage that they would become members of their community; that they would take the oath of fidelity to their magistrates; that they would subject their lands to all burdens and taxes imposed by common consent; that they would defend the community against all its enemies; and that they would reside within the city during a certain specified time in each year. Murat. ibid. 163. This subjection of the nobility to the municipal government established in cities, became almost universal, and was often extremely grievous to persons accustomed to consider themselves as independent. Otto Frigensis thus describes the state of Italy under Frederic I. "The cities so much affect liberty, and are so solicitous to avoid the insolence of power, that almost all of them have thrown off every other authority, and are governed by their own magistrates. Insomuch that all that country is now filled with free cities, most of which have compelled their bishops to reside within their walls; and there is scarcely any nobleman, how great soever his power may be, who is not subject to the laws and government of some city." De Gestis Frider. I. Imp. lib. ii. c. 13. p. 453. In another place he observes of the marquis of Montserrat, that he was almost the only Italian baron who had preserved his independence, and had not become subject to the laws of any city. See also Muratori Antichita Estensi, vol. i. p. 411, 412. That state into which some of the nobles were compelled to enter, others embraced from choice. They observed the high degree of security, as well as of credit and estimation, which the growing wealth and dominion of the great communities procured to all the members of them. They were desirous to partake of these, and to put themselves under such powerful protection. With this view they voluntarily became citizens of the towns to which their lands were most contiguous; and abandoning their ancient castles, took up their residence in the cities, at least during part of the year. Several deeds are still extant, by which some of the most illustrious families in Italy are associated as citizens of different cities. Murat. ib. p. 165, &c. A charter, by which Atto de Macerata is admitted as a citizen of Osimo, A. D. 1198, in the Marcha di Ancona, is still extant. In this he stipulates, that he will acknowledge himself to be a burgess of that community; that he will to the utmost of his power promote its honour and welfare; that he will obey its magistrates; that he will enter into no league with its enemies; that he will reside in the town during two months in every year, or for a longer time, if required by the magistrates. The community, on the other hand, take him, his family and friends, under their protection, and engage to defend him against every enemy. Fr. Ant. Zacharias Anecdota medii Ævi. Aug. Taur. 1755, fol. p. 66. This privilege was deemed so important, that not only laymen, but ecclesiastics of the highest rank, condescended to be adopted as members of the great communities, in hopes of enjoying the safety and dignity which that condition conferred. Murat. ib. 179. Before the institution of communities, persons of noble birth had no other residence but their castles. They kept their petty courts there; and the cities were deserted, having hardly any inhabitants but slaves or persons of low condition. But in consequence of the practice which I have mentioned, cities not only

became more populous, but were filled with inhabitants of better rank, and a custom which still subsists in Italy was then introduced, that all families of distinction reside more constantly in the great towns than is usual in other parts of Europe. As cities acquired new consideration and dignity by the accession of such citizens, they became more solicitous to preserve their liberty and independence. The emperors, as sovereigns, had anciently a palace in almost every great city of Italy; when they visited that country, they were accustomed to reside in these palaces, and the troops which accompanied them were quartered in the houses of the citizens. This the citizens deemed both ignominious and dangerous. They could not help considering it as receiving a master and an enemy within their walls. They laboured therefore to get free of this subjection. Some cities prevailed on the emperors to engage that they would never enter their gates, but take up their residence without the walls. Chart. Hen. IV. Murat. ib. p. 24. Others obtained the imperial licence to pull down the palace situated within their liberties, on condition that they built another in the suburbs for the occasional reception of the emperor. Chart. Hen. IV. Murat. ibid. p. 25. These various encroachments of the Italian cities alarmed the emperors, and put them on schemes for re-establishing the imperial jurisdiction over them on its ancient footing. Frederic Barbarossa engaged in this enterprise with great ardour. The free cities of Italy joined together in a general league, and stood on their defence; and after a long contest, carried on with alternate success, a solemn treaty of peace was concluded at Constance, A. D. 1183, by which all the privileges and immunities granted by former emperors to the principal cities in Italy were confirmed and ratified. Murat. dissert. xlviii. This treaty of Constance was considered as such an important article in the jurisprudence of the middle ages, that it is usually published together with the Libri Feudorum at the end of the Corpus Juris Civilis. The treaty secured privileges of great importance to the confederate cities; and though it reserved a considerable degree of authority and jurisdiction to the empire, yet the cities persevered with such vigour in their efforts in order to extend their immunities, and the conjunctures in which they made them were so favourable, that, before the conclusion of the thirteenth century, most of the great cities in Italy had shaken off all marks of subjection to the empire, and were become independent sovereign republics. It is not requisite that I should trace the various steps by which they advanced to this high degree of power, so fatal to the empire, and so beneficial to the cause of liberty in Italy. Muratori, with his usual industry, has collected many original papers which illustrate this curious and little known part of history. Murat. Antiq. Ital. dissert. l. See also Jo. Bapt. Villanovæ Hist. Laudis Pompeii sive Lodi, in Græv. Thes. Antiquit. Ital. vol. iii. p. 888.

Note XVI. Sect. I. p. 319.

Long before the institution of communities in France, charters of immunity or franchise were granted to some towns and villages by the lords on whom they depended. But these are very different from such as became common in the twelfth and thirteenth centuries. They did not erect these towns into corporations; they did not establish a municipal government; they did not grant them the privilege of bearing arms. They contained nothing more than a manumission of the inhabitants from the yoke of servitude; an exemption from certain services which were oppressive and ignominious; and the establishment of a fixed tax or rent which the citizens were to pay to their lord in place of impositions which he could formerly lay upon them at pleasure. Two charters of this kind to two villages in the county of Rousillon, one in A. D. 974, the other in A. D. 1025, are still extant. Petr. de Marca, *Marca*, sive Limes Hispanicus, App. p. 909, 1038. Such concessions, it is probable, were not unknown in other parts of Europe, and may be considered as a step towards the more extensive privileges conferred by Louis le Gros on the towns within his domains. The communities in France never aspired to the same independence with those in Italy. They acquired new privileges and immunities, but the right of sovereignty remained entire to the king or baron within whose territories the respective cities were situated, and from whom they received the charter of their freedom. A great number of these charters, granted both by the kings of France, and by their great vassals, are published by M. D'Achery in his Spicilegium, and many are found in the collection of the Ordonnances des Rois de France. These convey a very striking representation of the wretched condition of cities previous to the institution of communities, when they were subject to the judges appointed by the superior lords of whom they held, and who had scarcely any other law but their will. Each concession in these charters must be considered as a grant of some new privileges which the people did not formerly enjoy, and each regulation as a method of redressing some grievance under which the inhabitants of cities formerly laboured. The charters of communities contain likewise the first expedients employed for the introduction of equal laws and regular government. On both these accounts they merit particular attention; and therefore, instead of referring my readers to the many bulky volumes in which they are scattered, I shall give them a view of some of the most important articles in these charters, ranged under two general heads. I. Such as respect personal safety. II. Such as respect the security of property.

I. During that state of turbulence and disorder which the corruption of the feudal government introduced into Europe, personal safety was the first and great object of every individual; and

as the great military barons alone were able to give sufficient protection to their vassals, this was one great source of their power and authority. But by the institution of communities, effectual provision was made for the safety of individuals, independent of the nobles. For, 1. The fundamental article in every charter was, that all the members of the community bound themselves by oath to assist, defend, and stand by each other against all aggressors, and that they should not suffer any person to injure, distress, or molest any of their fellow-citizens. D'Acher. Spicil. x. 642. xi. 341, &c.—2. Whoever resided in any town which was made free, was obliged, under a severe penalty, to accede to the community, and to take part in the mutual defence of its members. D'Acher. Spic. xi. 344.—3. The communities had the privilege of carrying arms; of making war on their private enemies; and of executing by military force any sentence which their magistrates pronounced. D'Ach. Spicil. x. 643, 644. xi. 343.—4. The practice of making satisfaction by a pecuniary compensation for murder, assault, or other acts of violence, most inconsistent with the order of society and the safety of individuals, was abolished; and such as committed these crimes were punished capitally, or with rigour adequate to their guilt. D'Ach. xi. 362. Miræi Opera Diplomatica, i. 292.—5. No member of a community was bound to justify or defend himself by battle or combat; but if he was charged with any crime, he could be convicted only by the evidence of witnesses, and the regular course of legal proceedings. Miræus, ibid. D'Ach. xi. 375, 349. Ordon. tom. iii. 265.—6. If any man suspected himself to be in danger from the malice or enmity of another, upon his making oath to that effect before a magistrate, the person suspected was bound under a severe penalty to give security for his peaceable behaviour. D'Ach. xi. 346. This is the same species of security which is still known in Scotland under the name of *Law-burrows*. In France it was first introduced among the inhabitants of communities, and having been found to contribute considerably towards personal safety, it was extended to all the other members of the society. Establissemens de St. Louis, liv. i. cap. 28, ap. Du Cange Vie de St. Louis, p. 15.

II. The provisions in the charters of communities concerning the security of property, are not less considerable than those respecting personal safety. By the ancient law of France, no person could be arrested or confined in prison on account of any private debt. Ordon. des Rois de France, tom. i. p. 72. 80. If any person was arrested upon any pretext but his having been guilty of a capital crime, it was lawful to rescue him out of the hands of the officers who had seized him. Ordon. iii. p. 17. Freedom from arrest on account of debt, seems likewise to have been enjoyed in other countries. Gudenus Sylloge Diplom. 473. In society, while it remained in its rudest and most simple form, debt seems to have been considered as an obligation merely personal. Men had made some progress towards refinement before creditors acquired a right of seizing the property of their debtors, in order to recover payment. The expedients for this purpose were all introduced originally in communities, and we can trace the gradual progress of them. 1. The simplest and most obvious species of security was, that the person who sold any commodity should receive a pledge from him who bought it, which he restored upon receiving payment. Of this custom there are vestiges in several charters of community. D'Ach. ix. 185. xi. 377.—2. When no pledge was given, and the debtor became refractory or insolvent, the creditor was allowed to seize his effects with a strong hand, and by his private authority; the citizens of Paris are warranted by the royal mandate, "ut ubicumque, et quocumque modo poterunt, tantum capiant, unde pecuniam sibi debitam integrè et plenariè habeant, et inde sibi invicem adjutores existant." Ordon. &c. tom. i. p. 6. This rude practice, suitable only to the violence of that which has been called a state of nature, was tolerated longer than one can conceive to be possible in any society where laws and order were at all known. The ordonnance authorizing it was issued A. D. 1134; and that which corrects the law, and prohibits creditors from seizing the effects of their debtors, unless by a warrant from a magistrate, and under his inspection, was not published until the year 1351. Ordon. tom. ii. p. 438. It is probable, however, that men were taught, by observing the disorders which the former mode of proceeding occasioned, to correct it in practice long before a remedy was provided by a law to that effect. Every discerning reader will apply this observation to many other customs and practices which I have mentioned. New customs are not always to be ascribed to the laws which authorize them. Those statutes only give a legal sanction to such things as the experience of mankind has previously found to be proper and beneficial.—3. As soon as the interposition of the magistrate became requisite, regular provision was made for attaching or distraining the movable effects of a debtor; and if his movables were not sufficient to discharge the debt, his immovable property, or estate in land, was liable to the same distress, and was sold for the benefit of his creditor. D'Ach. ix. p. 184, 185. xi. p. 348, 380. As this regulation afforded the most complete security to the creditor, it was considered as so severe, that humanity pointed out several limitations in the execution of it. Creditors were prohibited from seizing the wearing-apparel of their debtors, their beds, the door of their house, their instruments of husbandry, &c. D'Ach. ix. 184. xi. 377. Upon the same principles, when the power of distraining effects became more general, the horse and arms of a gentleman could not be seized. D'Ach. ix. 125. As hunting was the favourite amusement of martial nobles, the emperor Ludovicus Pius pro-

hibited the seizing of a hawk on account of any composition or debt. Capitul. lib. iv. § 21. But if the debtor had no other movables, even these privileged articles might be seized.—4. In order to render the security of property complete within a community, every person who was admitted a member of it was obliged to buy or build a house, or to purchase lands within its precincts, or at least to bring into the town a considerable portion of his movables, *per quæ justiciari possit, si quid fortè in eum querelæ evenerit.* D'Ach. xi. 326. Ordon. i. 367. Libertates S. Georgii de Esperanchia, Hist. de Dauphiné, tom. i. p. 26.—5. That security might be as perfect as possible, in some towns the members of the community seem to have been bound for each other. D'Ach. x. 644.—6. All questions with respect to property were tried within the community, by magistrates and judges whom the citizens elected or appointed. Their decisions were more equal and fixed than the sentences which depended on the capricious and arbitrary will of a baron who thought himself superior to all laws. D'Ach. x. 644, 646. xi. 344, et passim. Ordon. iii. 204.—7. No member of a community could be burthened by any arbitrary tax; for the superior lord who granted the charter of community, accepted of a fixed census or duty in lieu of all demands. Ordon. tom. iii. 204. Libertates de Calma. Hist. de Dauphinè, tom. i. p. 19. Libertates S. Georgii de Esperanchia, ibid. p. 26. Nor could the members of a community be distressed by an unequal imposition of the sum to be levied on the community. Regulations are inserted in the charters of some communities, concerning the method of determining the quota of any tax to be levied on each inhabitant. D'Ach. xi. 350, 365. St. Louis published an ordonnance concerning this matter, which extended to all the communities. Ordon. tom. i. 186. These regulations are extremely favourably to liberty, as they vest the power of proportioning the taxes in a certain number of citizens chosen out of each parish, who were bound by solemn oath to decide according to justice.—That the more perfect security of property was one great object of those who instituted communities, we learn not only from the nature of the thing, but from the express words of several charters, of which I shall only mention that granted by Alienor, queen of England and duchess of Guienne, to the community of Poitiers, "ut sua propria melius defendere possint, et magis integrè custodire." Du Cange, voc. *Communia*, vol. ii. p. 863.—Such are some of the capital regulations established in communities during the twelfth and thirteenth centuries. These may be considered as the first expedients for the re-establishment of law and order, and contributed greatly to introduce regular government among all the members of society. As soon as communities were instituted, high sentiments of liberty began to manifest themselves. When Humbert, lord of Beaujeu, upon granting a charter of community to the town of Belleville, exacted of the inhabitants an oath of fidelity to himself and successors, they stipulated, on their part, that he should swear to maintain their franchises and libertics; and, for their greater security, they obliged him to bring twenty gentlemen to take the same oath, and to be bound together with him. D'Ach. ix. 183. In the same manner the lord of Moriens in Dauphiné produced a certain number of persons as his sureties for the observation of the articles contained in the charter of community to that town. These were bound to surrender themselves prisoners to the inhabitants of Moriens, if their liege lord should violate any of their franchises; and they promised to remain in custody until he should grant the members of the community redress. Hist. de Dauphiné, tom. i. p. 17. If the mayor or chief magistrate of a town did any injury to a citizen, he was obliged to give security for his appearance in judgment, in the same manner as a private person; and if cast, was liable to the same penalty. D'Ach. ix. 183. These are ideas of equality uncommon in the feudal times. Communities were so favourable to freedom, that they were distinguished by the name of *Libertates.* Du Cange, vol. ii. p. 863. They were at first extremely odious to the nobles, who foresaw what a check they must prove to their power and domination. Guibert, abbot of Nogent, calls them execrable inventions, by which, contrary to law and justice, slaves withdrew themselves from that obedience which they owed to their masters. Du Cange, ibid. 862. The zeal with which some of the nobles and powerful ecclesiastics opposed the establishment of communities, and endeavoured to circumscribe their privileges, was extraordinary. A striking instance of this occurs in the contests between the archbishop of Reims and the inhabitants of that community. It was the chief business of every archbishop, during a considerable time, to abridge the rights and jurisdiction of the community; and the great object of the citizens, especially when the see was vacant, to maintain, to recover, and to extend their own jurisdiction. Histoire civile et politique de la Ville de Reims, par M. Anquetil, tom. i. p. 287, &c.

The observations which I have made concerning the low state of cities, and the condition of their inhabitants, are confirmed by innumerable passages in the historians and laws of the middle ages. It is not improbable, however, that some cities of the first order were in a better state, and enjoyed a superior degree of liberty. Under the Roman government, the municipal government established in cities was extremely favourable to liberty. The jurisdiction of the senate in each corporation and the privileges of the citizens were both extensive. There is reason to believe, that some of the greater cities which escaped the destructive rage of the barbarous nations, still retained their ancient form of government, at least in a great measure. They were governed by a council of citizens, and by magistrates whom they themselves elected. Very strong presumptions in favour of this opinion are produced

by M. l'Abbé De Bos, Hist. Crit. de la Mon. Franc. tom. i. p. 18, &c. tom. ii. p. 524. edit. 1742. It appears from some of the charters of community to cities granted in the twelfth and thirteenth centuries, that these only confirm the privileges possessed by the inhabitants previous to the establishment of the community. D'Acher. Spicileg. vol. xi. p. 345. Other cities claimed their privileges as having possessed them without interruption from the times of the Romans. Hist. Crit. de la Mon. Franc. tom. ii. p. 333. But the number of cities which enjoyed such immunities was so small as hardly in any degree to diminish the force of my conclusions in the text.

Note XVII. Sect. I. p. 319.

Having given a full account of the establishment as well as effects of communities in Italy and France, it will be neccesary to inquire with some attention into the progress of cities and of municipal government in Germany. The ancient Germans had no cities. Even in their hamlets or villages, they did not build their houses contiguous to each other. Tacit. de Mor. Germ. cap. 16. They considered it as a badge of servitude to be obliged to dwell in a city surrounded with walls. When one of their tribes had shaken off the Roman yoke, their countrymen required of them, as an evidence of their having recovered liberty, to demolish the walls of a town which the Romans had built in their country. Even the fiercest animals, said they, lose their spirit and courage when they are confined. Tacit. Histor. lib. iv. c. 64. The Romans built several cities of note on the banks of the Rhine. But in all the vast countries from that river to the coasts of the Baltic, there was hardly one city previous to the ninth century of the christian era. Conringius Exercitatio de Urbibus Germaniæ, Oper. vol. i. § 25, 27, 31, &c. Heineccius differs from Conringius with respect to this. But even after allowing to his arguments and authorities their utmost force, they prove only that there were a few places in those extensive regions on which some historians have bestowed the name of towns. Elem. Jur. German. lib. i. § 102. Under Charlemagne and the emperors of his family, as the political state of Germany began to improve, several cities were founded, and men became accustomed to associate and to live together in one place. Charlemagne founded two archbishoprics and nine bishoprics in the most considerable towns of Germany. Aub. Miræi Opera Diplomatica, vol. i. p. 16. His successors increased the number of these; and as bishops fixed their residence in the chief town of their diocese, and performed religious functions there, that induced many people to settle in them. Conring. ibid. § 48. But Henry, surnamed the Fowler, who began his reign A. D. 920, must be considered as the great founder of cities in Germany. The empire was at that time infested by the incursions of the Hungarians and other barbarous people. In order to oppose them, Henry encouraged his subjects to settle in cities, which he surrounded with walls strengthened by towers. He enjoined or persuaded a certain proportion of the nobility to fix their residence in the towns, and thus rendered the condition of citizens more honourable than it had been formerly. Wittikindus Annal. lib. i. ap. Conring. § 82. From this period the number of cities continued to increase, and they became more populous and more wealthy. But cities in Germany were still destitute of municipal liberty or jurisdiction. Such of them as were situated in the imperial demesnes were subject to the emperors. Their *Comites*, *Missi*, and other judges, presided in them, and dispensed justice. Towns situated on the estate of a baron were part of his fief, and he or his officers exercised a similar jurisdiction in them. Conring. ibid. § 73, 74. Heinec. Elem. Jur. Germ. lib. i. § 104. The Germans borrowed the institution of communities from the Italians. Knipschildius Tractatus Politico-Histor. Jurid. de Civitatum Imperialium Juribus, vol. i. lib. i. cap. 5. No. 23. Frederic Barbarossa was the first emperor who, from the same political consideration that influenced Louis le Gros, multiplied communities in order to abridge the power of the nobles. Pfeffel Abregé de l'Histoire et du Droit Publique d'Allemagne, 4to, p. 297. From the reign of Henry the Fowler, to the time when the German cities acquired full possession of their immunities, various circumstances contributed to their increase. The establishment of bishoprics, (already mentioned,) and the building of cathedrals, naturally induced many people to settle near the chief place of worship. It became the custom to hold councils and courts of judicature of every kind, ecclesiastical as well as civil, in cities. In the eleventh century, many slaves were enfranchised, the greater part of whom settled in cities. Several mines were discovered and wrought in different provinces, which drew together such a concourse of people as gave rise to several cities, and increased the number of inhabitants in others. Conring. § 105. The cities began, in the thirteenth century, to form leagues for their mutual defence, and for repressing the disorders occasioned by the private wars among the barons, as well as by their exactions. This rendered the condition of the inhabitants of cities more secure than that of any other order of men, and allured many to become members of their communities. Conring. § 94. There were inhabitants of three different ranks in the towns of Germany: the nobles, or familiæ; the citizens, or liberi; and the artisans, who were slaves, or homines proprii. Knipschild. lib. ii. cap. 29. No. 13. Henry V., who began his reign A. D. 1106, enfranchised the slaves who were artisans or inhabitants in several towns, and gave them the rank of citizens or liberi. Pfeffel, p. 254. Knipsch. lib. ii. c. 29. No. 113, 119. Though the cities in Germany did not acquire

liberty so early as those in France, they extended their privileges much further. All the imperial and free cities, the number of which is considerable, acquired the full right of being *immediate;* by which term, in the German jurisprudence, we are to understand that they are subject to the empire alone, and possess within their own precincts all the rights of complete and independent sovereignty. The various privileges of the imperial cities, the great guardians of the Germanic liberties, are enumerated by Knipschild, lib. ii. The most important articles are generally known, and it would be improper to enter into any disquisition concerning minute particulars.

Note XVIII. Sect. I. p. 319.

The Spanish historians are almost entirely silent concerning the origin and progress of communities in that kingdom; so that I cannot fix, with any degree of certainty, the time and manner of their first introduction there. It appears, however, from Mariana, vol. ii. p. 221. fol. Hagæ, 1736, that in the year 1350 eighteen cities had obtained a seat in the Cortes of Castile. From the account which will be given of their constitution and pretensions, Sect. III. it appears that their privileges and form of government were the same with those of the other feudal corporations; and this, as well as the perfect similarity of political institutions and transactions in all the feudal kingdoms, may lead us to conclude that communities were introduced there in the same manner, and probably about the same time, as in the other nations of Europe. In Aragon, as I shall have occasion to observe in a subsequent Note, cities seem early to have acquired extensive immunities, together with a share in the legislature. In the year 1118, the citizens of Saragossa had not only attained political liberty, but they were declared to be of equal rank with the nobles of the second class; and many other immunities unknown to persons in their rank of life in other parts of Europe, were conferred upon them. Zurita Annales de Aragon, tom. i. p. 44. In England, the establishment of communities or corporations was posterior to the conquest. The practice was borrowed from France, and the privileges granted by the crown were perfectly similar to those which I have enumerated. But as this part of history is well known to most of my readers, I shall, without entering into any critical or minute discussion, refer them to authors who have fully illustrated this interesting point in the English history. Brady's Treatise of Boroughs. Madox Firma Burgi, cap. i. sect. ix. Hume's History of England, vol. i. append. i. and ii. It is not improbable that some of the towns in England were formed into corporations under the Saxon kings, and that the charters granted by the kings of the Norman race were not charters of enfranchisement from a state of slavery, but a confirmation of privileges which they already enjoyed. See lord Lyttleton's History of Henry II., vol. ii. p. 317. The English cities, however, were very inconsiderable in the twelfth century. A clear proof of this occurs in the history to which I last referred. Fitzstephen, a contemporary author, gives a description of the city of London in the reign of Henry II.; and the terms in which he speaks of its trade, its wealth, and the splendour of its inhabitants, would suggest no inadequate idea of its state at present, when it is the greatest and most opulent city of Europe. But all ideas of grandeur and magnificence are merely comparative, and every description of them in general terms is very apt to deceive. It appears from Peter of Blois, archdeacon of London, who flourished in the same reign, and who had good opportunity of being well informed, that this city, of which Fitzstephen gives such a pompous account, contained no more than forty thousand inhabitants. Ibid. 315, 316. The other cities were small in proportion, and were not in a condition to extort any extensive privileges. That the constitution of the boroughs in Scotland, in many circumstances, resembled that of the towns in France and England, is manifest from the Leges Burgorum annexed to the Regiam Majestatem.

Note XIX. Sect. I. p. 320.

Soon after the introduction of the third estate into the national council, the spirit of liberty which that excited in France began to produce conspicuous effects. In several provinces of France, the nobility and communities formed associations whereby they bound themselves to defend their rights and privileges against the formidable and arbitrary proceedings of the king. The count de Boulainvilliers has preserved a copy of one of these associations, dated in the year 1314, twelve years after the admission of the deputies from towns into the states-general. Histoire de l'Ancien Gouvernement de la France, tom. ii. p. 94. The vigour with which the people asserted and prepared to maintain their rights, obliged their sovereigns to respect them. Six years after this association, Philip the Long issued a writ of summons to the community of Narbonne, in the following terms: "Philip, by the grace, &c., to our well-beloved, &c. As we desire, with all our heart, and above all other things, to govern our kingdom and people in peace and tranquillity, by the help of God; and to reform our said kingdom in so far as it stands in need thereof, for the public good, and for the benefit of our subjects, who in times past have been aggrieved and oppressed in divers manners by the malice of sundry persons, as we have learned by common report, as well as by the information of good men worthy of credit; and we having determined in our council which we have called to meet in our good city, &c., to give redress to the utmost of our power, by all ways and means possible, according to reason and justice, and willing that this should be done with solemnity and deliberation by the advice of the prelates, barons, and good

towns of our realm, and particularly of you, and that it should be transacted agreeably to the will of God, and for the good of our people, therefore we command," &c. Mably, Observat. ii. App. p. 386. I shall allow these to be only the formal words of a public and legal style; but the ideas are singular, and much more liberal and enlarged than one could expect in that age. A popular monarch of Great Britain could hardly address himself to parliament in terms more favourable to public liberty. There occurs in the history of France a striking instance of the progress which the principles of liberty had made in that kingdom, and of the influence which the deputies of towns had acquired in the states-general. During the calamities in which the war with England and the captivity of king John had involved France, the states-general made a bold effort to extend their own privileges and jurisdiction. The regulations established by the states, held A. D. 1355, concerning the mode of levying taxes, the administration of which they vested not in the crown, but in commissioners appointed by the states; concerning the coining of money; concerning the redress of the grievance of purveyance; concerning the regular administration of justice; are much more suitable to the genius of a republican government than that of a feudal monarchy. This curious statute is published, Ordon. tom. iii. p. 19. Such as have not an opportunity to consult that large collection, will find an abridgment of it in Hist. de France par Villaret, tom. ix. p. 130, or in Histoire de Boulainv. tom. ii. 213. The French historians represent the bishop of Laon, and Marcel, provost of the merchants of Paris, who had the chief direction of this assembly, as seditious tribunes, violent, interested, ambitious, and aiming at innovations subversive of the constitution and government of their country. That may have been the case; but these men possessed the confidence of the people; and the measures which they proposed as the most popular and acceptable, as well as most likely to increase their own influence, plainly prove that the spirit of liberty had spread wonderfully, and that the ideas which then prevailed in France concerning government were extremely liberal. The states-general held at Paris A. D. 1355, consisted of about eight hundred members, and above one-half of these were deputies from towns. M. Secousse Pref. à Ordon. tom. iii. p. 48. It appears that in all the different assemblies of the states held during the reign of John, the representatives of towns had great influence, and in every respect the third state was considered as co-ordinate, and equal to either of the other two. Ib. passim. These spirited efforts were made in France long before the House of Commons in England acquired any considerable influence in the legislature. As the feudal system was carried to its utmost height in France sooner than in England, so it began to decline sooner in the former than in the latter kingdom. In England almost all attempts to establish or to extend the liberty of the people have been successful; in France they have proved unfortunate. What were the accidental events or political causes which occasioned this difference, it is not my present business to inquire.

Note XX. Sect. I. p. 321.

In a former Note, No. VIII., I have inquired into the condition of that part of the people which was employed in agriculture; and have represented the various hardships and calamities of their situation. When charters of liberty or manumission were granted to such persons, they contained four concessions corresponding to the four capital grievances to which men in a state of servitude are subject. 1. The right of disposing of their persons by sale or grant was relinquished. 2. Power was given to them of conveying their property and effects by will or any other legal deed. Or if they happened to die intestate, it was provided that their property should go to their lawful heirs in the same manner as the property of other persons. 3. The services and taxes which they owed to their superior or liege lord, which were formerly arbitrary and imposed at pleasure, are precisely ascertained. 4. They are allowed the privilege of marrying according to their own inclination; formerly they could contract no marriage without their lord's permission, and with no person but one of his slaves. All these particulars are found united in the charter granted Habitatoribus Montis-Britonis, A. D. 1376. Hist. de Dauphiné, tom. i. p. 81. Many circumstances concurred with those which I have mentioned in the text, in procuring them deliverance from that wretched state. The gentle spirit of the christian religion; the doctrines which it teaches concerning the original equality of mankind; its tenets with respect to the divine government, and the impartial eye with which the Almighty regards men of every condition, and admits them to a participation of his benefits, are all inconsistent with servitude. But in this, as in many other instances, considerations of interest, and the maxims of false policy, led men to a conduct inconsistent with their principles. They were so sensible, however, of this inconsistency, that to set their fellow-christians at liberty from servitude was deemed an act of piety highly meritorious and acceptable to Heaven. The humane spirit of the christian religion struggled long with the maxims and manners of the world, and contributed more than any other circumstance to introduce the practice of manumission. When pope Gregory the Great, who flourished toward the end of the sixth century, granted liberty to some of his slaves, he gives this reason for it, " Cum Redemptor noster, totius conditor naturæ, ad hoc propitiatus humanam carnem voluerit assumere, ut divinitatis suæ gratia, dirempto (quo tenebamur captivi) vinculo, pristinæ nos restitueret libertati; salubriter agitur, si homines, quos ab initio liberos natura protulit, et jus gentium jugo substituit servitutis, in eâ, quâ nati fuerant, manumit-

tentis beneficio, libertati reddantur." Gregor. Magn. ap. Potgiess. lib. iv. c. i. § 3. Several laws of charters founded on reasons similar to this, are produced by the same author. Accordingly, a great part of the charters of manumission previous to the reign of Louis X. are granted pro amore Dei, pro remedio animæ, et pro mercede animæ. Murat. Antiq. Ital. vol. i. p. 849, 850. Du Cange, voc. *Manumissio.* The formality of manumission was executed in a church as a religious solemnity. The person to be set free was led round the great altar with a torch in his hand, he took hold of the horns of the altar, and there the solemn words conferring liberty were pronounced. Du Cange, ibid. vol. iv. p. 467. I shall transcribe a part of a charter of manumission granted A. D. 1056, both as it contains a full account of the ceremonies used in this form of manumission, and as a specimen of the imperfect knowledge of the Latin tongue in that barbarous age. It is granted by Willa, the widow of Hugo the duke and marquis, in favour of Clariza, one of her slaves. "Et ideo nos Domine Wille inclite cometisse—libera et absolvo te Cleriza filia Uberto —pro timore omnipotentis Dei, et remedio luminarie anime bone memorie quandam supra scripto Domini Ugo gloriossissimo, ut quando illum Dominus de hac vita migrare, jusserit, pars iniqua non abeat potestatem ullam, sed anguelus Domini nostri Jesu Christi colocare dignitur illum inter sanctos dilectos suos; et beatus Petrus princips apostolorum, qui habed potestatem omnium animarum ligandi et absolvendi, ut ipsi absolvat animæ ejus de peccatis sui, aperiad illum janua paradisi; pro eadem vero rationi, in mano mite te Benzo presbiter, ut vadat tecum in ecclesia sancti Bartholomæi apostoli; traad de tribus vicibus circa altare ipsius ecclesiæ cum cæreo apprehensum in manibus tuis et manibus suis; deinde exite ambulate in via quadrubio, ubi quatuor vie se dividuntur. Statimq; pro remedio luminarie anime bone memorie quondam supra scripto Domini Ugo et ipsi presbiter Benzo fecit omnia, et dixit, Ecce quatuor vie, ite et ambulate in quacunq; partem tibi placuerit, tam sic supra scripta Cleriza, qua nosque tui heredes, qui ab ac hora in antea nati, vel procreati fuerit utriusq; sexus," &c. Murat. ibid. p. 853. Many other charters might have been selected, which, in point of grammar or style, are in no wise superior to this. Manumission was frequently granted on death-bed or by latter-will. As the minds of men are at that time awakened to sentiments of humanity and piety, these deeds proceeded from religious motives, and were granted *pro redemptione animæ*, in order to obtain acceptance with God. Du Cange, ubi supra, p. 470. et voc. *Servus*, vol. vi. p. 451. Another method of obtaining liberty was by entering into holy orders, or taking the vow in a monastery. This was permitted for some time; but so many slaves escaped by this means out of the hands of their masters, that the practice was afterwards restrained, and at last prohibited, by the laws of almost all the nations of Europe. Murat. ibid. p. 842. Conformably to the same principles, princes, on the birth of a son, or upon any other agreeable event, appointed a certain number of slaves to be enfranchised, as a testimony of their gratitude to God for that benefit. Marculfi Form. lib. i. cap. 39. There are several forms of manumission published by Marculfus, and all of them are founded on religious considerations, in order to procure the favour of God, or to obtain the forgiveness of their sins. Lib. ii. c. 23, 33, 34. edit. Baluz. The same observation holds with respect to the other collections of formulæ annexed to Marculfus. As sentiments of religion induced some to grant liberty to their fellow-christians who groaned under the yoke of servitude, so mistaken ideas concerning devotion led others to relinquish their liberty. When a person conceived an extraordinary respect for the saint who was the patron of any church or monastery in which he was accustomed to attend religious worship, it was not unusual among men possessed with an access of superstitious reverence, to give up themselves and their posterity to be the slaves of the saint. Mabillon de Re Diplomat. lib. vi. 632. The *oblati* or voluntary slaves of churches or monasteries were very numerous, and may be divided into three different classes. The first were such as put themselves and effects under the protection of a particular church or monastery, binding themselves to defend its privileges and property against every aggressor. These were prompted to do so not merely by devotion, but in order to obtain that security which arose from the protection of the church. They were rather vassals than slaves, and sometimes persons of noble birth found it prudent to secure the protection of the church in this manner. Persons of the second class bound themselves to pay an annual tax or quitrent out of their estates to a church or monastery. Besides this, they sometimes engaged to perform certain services. They were called *censuales.* The last class consisted of such as actually renounced their liberty, and became slaves in the strict and proper sense of the word. These were called *ministeriales*, and enslaved their bodies, as some of the charters bear, that they might procure the liberty of their souls. Potgiesserus de Statu Servorum, lib. i. cap. i. § 6, 7. How zealous the clergy were to encourage the opinions which led to this practice, will appear from a clause in a charter by which one gives up himself as a slave to a monastery. "Cum sit omni carnali ingenuitate generosius extremum quodcumq; Dei servitium, scilicet quod terrena nobilitas multos plerumq; vitiorum servos facit, servitus vero Christi nobiles virtutibus reddit, nemo autem sani capitis virtutibus vitia comparaverit, claret pro certo eum esse generosiorem, qui se Dei servitio præbuerit proniorem. Quod ego Ragnaldus intelligens," &c. Another charter is expressed in the following words: "Eligens magis esse servus Dei quam libertus sæculi, firmiter credens et sciens, quod servire Deo, regnare est, summaque ingenuitas sit in qua ser-

vitus comparabatur Christi," &c. Du Cange, voc. *Oblatus*, vol. iv. p. 1286, 1287. Great, however, as the power of religion was, it does not appear that the enfranchisement of slaves was a frequent practice while the feudal system preserved its vigour. On the contrary, there were laws which set bounds to it as detrimental to society. Potgiess. lib. iv. c. 2. § 6. The inferior order of men owed the recovery of their liberty to the decline of that aristocratical policy which lodged the most extensive power in the hands of a few members of the society, and depressed all the rest. When Louis X. issued his ordonnance, several slaves had been so long accustomed to servitude, and their minds were so much debased by that unhappy situation, that they refused to accept of the liberty which was offered them. D'Ach. Spicel. vol. xi. p. 387. Long after the reign of Louis X. several of the French nobility continued to assert their ancient dominion over their slaves. It appears from an ordonnance of the famous Bertrand de Guesclin, Constable of France, that the custom of enfranchising them was considered as a pernicious innovation. Morice Mem. pour servir des Preuves à l'Hist. de Bret. tom. ii. p. 100. In some instances, when the prædial slaves were declared to be freemen, they were still bound to perform certain services to their ancient masters; and were kept in a state different from other subjects, being restricted either from purchasing land or becoming members of a community within the precincts of the manor to which they formerly belonged. Martene et Durand. Thesaur. Anecdot. vol. i. p. 914. This, however, seems not to have been common.—There is no general law for the manumission of slaves in the statute-book of England, similar to that which has been quoted from the ordonnances of the kings of France. Though the genius of the English constitution seems early to have favoured personal liberty, personal servitude nevertheless continued long in England in some particular places. In the year 1514 we find a charter of Henry VIII. enfranchising two slaves belonging to one of his manors. Rym. Fœder. vol. xiii. p. 470. As late as the year 1574, there is a commission from queen Elizabeth with respect to the manumission of certain bondmen belonging to her. Rymer, in Observat. on the Statutes, &c. p. 251.

Note XXI. Sect. I. p. 323.

There is no custom in the middle ages more singular than that of private war. It is a right of so great importance, and prevailed so universally, that the regulations concerning it occupy a considerable place in the system of laws during the middle ages. M. de Montesquieu, who has unravelled so many intricate points in feudal jurisprudence, and thrown light on so many customs formerly obscure and unintelligible, was not led by his subject to consider this. I shall therefore give a more minute account of the customs and regulations which directed a practice so contrary to the present ideas of civilized nations concerning government and order. 1. Among the ancient Germans, as well as other nations in a similar state of society, the right of avenging injuries was a private and personal right exercised by force of arms, without any reference to an umpire, or any appeal to a magistrate for decision. The clearest proofs of this were produced Note VI.—2. This practice subsisted among the barbarous nations after their settlement in the provinces of the empire which they conquered; and as the causes of dissension among them multiplied, their family feuds and private wars became more frequent. Proofs of this occur in their early historians. Greg. Turon. Hist. lib. vii. c. 2. lib. viii. c. 18. lib. x. c. 27. and likewise in the codes of their laws. It was not only allowable for the relations to avenge the injuries of their family, but it was incumbent on them. Thus, by the laws of the Angli and Werini, ad quemcunque hereditas terræ pervenerit, ad illum vestis bellica id est lorica et ultio proximi, et solatio leudis, debet pertinere, tit. vi. § 5. ap. Lindenbr. Leg. Saliq. tit. 63. Leg. Longob. lib. ii. tit. 14. § 10.—3. None but gentlemen, or persons of noble birth, had the right of private war. All disputes between slaves, villani, the inhabitants of towns, and freemen of inferior condition, were decided in the courts of justice. All disputes between gentlemen and persons of inferior rank were terminated in the same manner. The right of private war supposed nobility of birth and equality of rank in both the contending parties. Beaumanoir Coustumes de Beauv. ch. lix. p. 300. Ordon. des Rois de France, tom. ii. 395. § xvii. 508. § xv. &c. The dignified ecclesiastics likewise claimed and exercised the right of private war; but as it was not altogether decent for them to prosecute quarrels in person, *advocati* or *vidames* were chosen by the several monasteries and bishoprics. These were commonly men of high rank and reputation, who became the protectors of the churches and convents by which they were elected, espoused their quarrels, and fought their battles; armis omnia quæ erant ecclesiæ viriliter defendebant, et vigilanter protegebant. Brussel Usage des Fiefs, tom. i. p. 144. Du Cange, voc. *Advocatus*. On many occasions the martial ideas to which ecclesiastics of noble birth were accustomed, made them forget the pacific spirit of their profession, and led them into the field in person, at the head of their vassals, "flamma, ferro, cæde, possessiones ecclesiarum prælati defendebant." Guido Abbas ap. Du Cange, ib. p. 179.—4. It was not every injury or trespass that gave a gentleman a title to make war upon his adversary. Atrocious acts of violence, insults and affronts, publicly committed, were legal, and permitted motives for taking arms against the authors of them. Such crimes as are now punished capitally in civilized nations, at that time justified private hostilities. Beauman. ch. lix. Du Cange Dissert. xxix. sur Joinville, p. 331. But though the avenging of injuries was the only motive that could legally au-

thorize a private war, yet disputes concerning civil property often gave rise to hostilities, and were terminated by the sword. Du Cange Dissert. p. 332.——5. All persons present when any quarrel arose, or any act of violence was committed, were included in the war which it occasioned; for it was supposed to be impossible for any man in such a situation to remain neuter, without taking side with one or other of the contending parties. Beauman. p. 300.——6. All the kindred of the two principals in the war were included in it, and obliged to espouse the quarrel of the chieftain with whom they were connected. Du Cange, ibid. 332. This was founded on the maxim of the ancient Germans, "suscipere tam inimicitias seu patris, seu propinqui, quam amicitias, necesse est;" a maxim natural to all rude nations, among which the form of society and political union strengthen such a sentiment. This obligation was enforced by legal authority. If a person refused to take part in the quarrel of his kinsman, and to aid him against his adversary, he was deemed to have renounced all the rights and privileges of kindredship, and became incapable of succeeding to any of his relations, or of deriving any benefit from any civil right or property belonging to them Du Cange Dissert. p. 333. The method of ascertaining the degree of affinity which obliged a person to take part in the quarrel of a kinsman, was curious. While the church prohibited the marriage of persons within the seventh degree of affinity, the vengeance of private war extended as far as this absurd prohibition, and all who had such a remote connexion with any of the principals, were involved in the calamities of war. But when the church relaxed somewhat of its rigour, and did not extend its prohibition of marrying beyond the fourth degree of affinity, the same restriction took place in the conduct of private war. Beauman. 303. Du Cange Dissert. 333.——7. A private war could not be carried on between two full brothers, because both have the same common kindred, and consequently neither had any persons bound to stand by him against the other in the contest; but two brothers of the half-blood might wage war, because each of them has a distinct kindred. Beauman. p. 299.—8. The vassals of each principal in any private war were involved in the contest, because, by the feudal maxims, they were bound to take arms in defence of the chieftain of whom they held, and to assist him in every quarrel. As soon, therefore, as feudal tenures were introduced, and this artificial connexion was established between vassals and the baron of whom they held, vassals came to be considered as in the same state with relations. Beauman. 303. ——9. Private wars were very frequent for several centuries. Nothing contributed more to increase those disorders in government, or to encourage such ferocity of manners as reduced the nations of Europe to that wretched state which distinguished the period of history which I am reviewing. Nothing was such an obstacle to the introduction of a regular administration of justice. Nothing could more effectually discourage industry or retard the progress and cultivation of the arts of peace. Private wars were carried on with all the destructive rage which is to be dreaded from violent resentment when armed with force and authorized by law. It appears from the statutes prohibiting or restraining the exercise of private hostilities, that the invasion of the most barbarous enemy could not be more desolating to a country, or more fatal to its inhabitants, than those intestine wars. Ordon. tom. i. p. 701. tom. ii. p. 395, 408, 507, &c. The contemporary historians describe the excesses committed in prosecution of these quarrels in such terms as excite astonishment and horror. I shall mention only one passage from the History of the Holy War, by Guibert, Abbot of Nogent: "Erat eo tempore maximis ad invicem hostilitatibus, totius Francorum regni facta turbatio; creba ubiq; latrocinia, viarum obsessio; audiebantur passim, immo fiebant incendia infinita; nullis præter sola et indomita cupiditate existentibus causis extruebantur prælia; et ut brevi totum claudam, quicquid obtutibus cupidorum subjacebat, nusquam attendendo cujus esset, prædæ patebat." Gesta Dei per Francos, vol. i. p. 482.

Having thus collected the chief regulations which custom had established concerning the right and exercise of private war, I shall enumerate, in chronological order, the various expedients employed to abolish or restrain this fatal custom. 1. The first expedient employed by the civil magistrate, in order to set some bounds to the violence of private revenge, was the fixing by law the fine or composition to be paid for each different crime. The injured person was originally the sole judge concerning the nature of the wrong which he had suffered, the degree of vengeance which he should exact, as well as the species of atonement or reparation with which he might rest satisfied. Resentment became of course as implacable as it was fierce. It was often a point of honour not to forgive nor to be reconciled. This made it necessary to fix those compositions which make so great a figure in the laws of barbarous nations. The nature of crimes and offences was estimated by the magistrate, and the sum due to the person offended was ascertained with a minute and often a whimsical accuracy. Rotharis, the legislator of the Lombards, who reigned about the middle of the seventh century, discovers his intention both in ascertaining the composition to be paid by the offender, and in increasing its value; it is, says he, that the enmity may be extinguished, the prosecution may cease, and peace may be restored. Leg. Langob. lib. i. tit. 7. § 10.—2. About the beginning of the ninth century, Charlemagne struck at the root of the evil, and enacted, "That when any person had been guilty of a crime, or had committed an outrage, he should immediately submit to the penance which

the church imposed, and offer to pay the composition which the law prescribed; and if the injured person or his kindred should refuse to accept of this, and presume to avenge themselves by force of arms, their lands and properties should be forfeited." Capitul. A. D. 802, edit. Baluz. vol. i. 371.—3. But in this as well as in other regulations, the genius of Charlemagne advanced before the spirit of his age. The ideas of his contemporaries concerning regular government were too imperfect, and their manners too fierce, to submit to this law. Private wars, with all the calamities which they occasioned, became more frequent than ever after the death of that great monarch. His successors were unable to restrain them. The church found it necessary to interpose. The most early of these interpositions now extant is towards the end of the tenth century. In the year 990, several bishops in the south of France assembled, and published various regulations in order to set some bounds to the violence and frequency of private wars; if any person within their dioceses should venture to transgress, they ordained that he should be excluded from all christian privileges during his life, and be denied christian burial after his death. Du Mont Corps Diplomatique, tom. i. p. 41. These, however, were only partial remedies; and therefore a council was held at Limoges, A. D. 994. The bodies of the saints, according to the custom of those ages, were carried thither; and by these sacred relics men were exhorted to lay down their arms, to extinguish their animosities, and to swear that they would not for the future violate the public peace by their private hostilities. Bouquet Recueil des Histor. vol. x. p. 49, 147. Several other councils issued decrees to the same effect. Du Cange Dissert. 343.—4. But the authority of councils, how venerable soever in those ages, was not sufficient to abolish a custom which flattered the pride of the nobles, and gratified their favourite passions. The evil grew so intolerable that it became necessary to employ supernatural means for suppressing it. A bishop of Aquitaine, A. D. 1032, pretended that an angel had appeared to him, and brought him a writing from heaven, enjoining men to cease from their hostilities, and to be reconciled to each other. It was during a season of public calamity that he published this revelation. The minds of men were disposed to receive pious impressions, and willing to perform any thing in order to avert the wrath of heaven. A general peace and cessation from hostilities took place, and continued for seven years; and a resolution was formed, that no man should in times to come attack or molest his adversaries during the seasons set apart for celebrating the great festivals of the church, or from the evening of Thursday in each week to the morning of Monday in the week ensuing, the intervening days being considered as particularly holy, our Lord's passion having happened on one of these days, and his resurrection on another. A change in the dispositions of men so sudden, and which produced a resolution so unexpected, was considered as miraculous; and the respite from hostilities which followed upon it was called *The Truce of God.* Glaber. Rodulphus Histor. lib. v. ap Bouquet, vol. x. p. 59. This, from being a regulation or concert in one kingdom, became a general law in Christendom, was confirmed by the authority of several popes, and the violators were subjected to the penalty of excommunication. Corpus Jur. Canon. Decretal. lib. i. tit. 34. c. 1. Du Cange Glossar. voc. *Treuga.* An act of the council of Toulujes in Roussillon, A. D. 1041, containing all the stipulations required by the truce of God, is published by Dom. de Vic et Dom. Vaisette, Hist. de Languedoc, tom. ii. Preuves, p. 206. A cessation from hostilities during three complete days in every week, allowed such a considerable space for the passions of the antagonists to cool, and for the people to enjoy a respite from the calamities of war, as well as to take measures for their own security, that if this truce of God had been exactly observed, it must have gone far towards putting an end to private wars. This, however, seems not to have been the case; the nobles, disregarding the truce, prosecuted their quarrels without interruption as formerly. Qua nimirum tempestate, universæ provinciæ adeo devastationis continuæ importunitate inquietantur, ut ne ipsa, pro observatione divinæ pacis, professa sacramenta custodiantur. Abbas Uspurgensis, apud Datt. de Pace Imperii Publica, p. 13. No. 35. The violent spirit of the nobility could not be restrained by any engagements. The complaints of this were frequent; and bishops, in order to compel them to renew their vows and promises of ceasing from their private wars, were obliged to enjoin their clergy to suspend the performance of divine service, and the exercise of any religious function, within the parishes of such as were refractory and obstinate. Hist. de Langued. par D. D. de Vic et Vaisette, tom. ii. Preuves, p. 118.—5. The people, eager to obtain relief from their sufferings, called in a second time revelation to their aid. Towards the end of the twelfth century, a carpenter in Guienne gave out that Jesus Christ, together with the blessed Virgin, had appeared to him, and having commanded him to exhort mankind to peace, had given him, as a proof of his mission, an image of the Virgin holding her son in her arms, with this inscription, *Lamb of God who takest away the sins of the world, give us peace.* This low fanatic addressed himself to an ignorant age, prone to credit what was marvellous. He was received as an inspired messenger of God. Many prelates and barons assembled at Puy, and took an oath, not only to make peace with all their enemies, but to attack such as refused to lay down their arms and to be reconciled to their enemies. They formed an association for this purpose, and assumed the honourable name of *The Brotherhood of God.* Robertus de Monte Michaele, ap. M. de Lauriere

Pref. tom. i. Ordon. p. 29. But the influence of this superstitious terror or devotion was not of long continuance.—6. The civil magistrate was obliged to exert his authority in order to check a custom which threatened the dissolution of government. Philip Augustus, as some imagine, or St. Louis, as is more probable, published an ordonnance, A. D. 1245, prohibiting any person to commence hostilities against the friends and vassals of his adversary, until forty days after the commission of the crime or offence which gave rise to the quarrel; declaring that if any man presumed to transgress this statute, he should be considered as guilty of a breach of the public peace, and be tried and punished by the judge-ordinary as a traitor. Ordon. tom. i. p. 56. This was called *the Royal Truce*, and afforded time for the violence of resentment to subside, as well as leisure for the good offices of such as were willing to compose the difference. The happy effects of this regulation seem to have been considerable, if we may judge from the solicitude of succeeding monarchs to enforce it.—7. In order to restrain the exercise of private war still further, Philip the Fair, towards the close of the same century, A. D. 1296, published an ordonnance commanding all private hostilities to cease while he was engaged in war against the enemies of the state. Ordon. tom. i. p. 328, 390. This regulation, which seems to be almost essential to the existence and preservation of society, was often renewed by his successors, and being enforced by the regal authority, proved a considerable check to the destructive contests of the nobles. Both these regulations, introduced first in France, were adopted by the other nations of Europe.—8. The evil, however, was so inveterate, that it did not yield to all these remedies. No sooner was public peace established in any kingdom, than the barons renewed their private hostilities. They not only struggled to maintain this pernicious right, but to secure the exercise of it without any restraint. Upon the death of Philip the Fair, the nobles of different provinces in France formed associations, and presented remonstrances to his successor, demanding the repeal of several laws by which he had abridged the privileges of their order. Among these the right of private war is always mentioned as one of the most valuable; and they claim that the restraint imposed by the truce of God, the royal truce, as well as that arising from the ordonnance of the year 1296, should be taken off. In some instances the two sons of Philip, who mounted the throne successively, eluded their demands; in others they were obliged to make concessions. Ordon. tom. i. p. 551, 557, 561, 573. The ordonnances to which I here refer are of such length that I cannot insert them, but they are extremely curious, and may be peculiarly instructive to an English reader, as they throw considerable light on that period of English history in which the attempts to circumscribe the regal prerogative were carried on, not by the people struggling for liberty, but by the nobles contending for power. It is not necessary to produce any evidence of the continuance and frequency of private wars under the successors of Philip the Fair.—9. A practice somewhat similar to the royal truce was introduced, in order to strengthen and extend it. Bonds of assurance or mutual security were demanded from the parties at variance, by which they obliged themselves to abstain from all hostilities, either during a time mentioned in the bond, or for ever; and became subject to heavy penalties if they violated this obligation. These bonds were sometimes granted voluntarily, but more frequently exacted by the authority of the civil magistrate. Upon a petition from the party who felt himself weakest, the magistrate summoned his adversary to appear in court, and obliged him to give him a bond of assurance. If after that he committed any further hostilities, he became subject to all the penalties of treason. This restraint on private war was known in the age of St. Louis. Establissemens, liv. i. c. 28. It was frequent in Bretagne; and what is very remarkable, such bonds of assurance were given mutually between vassals and the lord of whom they held. Oliver de Clisson grants one to the duke of Bretagne, his sovereign. Morice Mem. pour servir de Preuves à l'Hist. de Bret. tom. i. p. 846. ii. p. 371. Many examples of bonds of assurance in other provinces of France are collected by Brussel, tom. ii. p. 856. The nobles of Burgundy remonstrated against this practice, and obtained exemption from it as an encroachment on the privileges of their order. Ordon. tom. i. p. 558. This mode of security was first introduced in cities, and the good effects of it having been felt there, was extended to the nobles. See Note XVI.—10. The calamities occasioned by private wars became at some times so intolerable, that the nobles entered into voluntary associations, binding themselves to refer all matters in dispute, whether concerning civil property or points of honour, to the determination of the majority of the associates. Morice Mem. pour servir de Preuves à l'Hist de Bret. tom. ii. p. 728.—11. But all these expedients proving ineffectual, Charles VI., A. D. 1413, issued an ordonnance expressly prohibiting private wars on any pretext whatsoever, with power to the judge ordinary to compel all persons to comply with this injunction, and to punish such as should prove refractory or disobedient, by imprisoning their persons, seizing their goods, and appointing the officers of justice, *Mangeurs et Gasteurs*, to live at free quarters on their estate. If those who were disobedient to this edict could not be personally arrested, he appointed their friends and vassals to be seized and detained until they gave surety for keeping the peace; and he abolished all laws, customs, or privileges which might be pleaded in opposition to this ordonnance. Ordon. tom. x. p. 138. How slow is the progress of reason and of civil order! Regulations which to us appear so equitable, obvious, and simple, required the efforts of civil and eccle-

siastical authority, during several centuries, to introduce and establish them. Even posterior to this period, Louis XI. was obliged to abolish private wars in Dauphiné by a particular edict, A. D. 1451. Du Cange Dissert. p. 348.

This Note would swell to a disproportionate bulk, if I should attempt to inquire with the same minute attention into the progress of this pernicious custom in the other countries of Europe. In England the ideas of the Saxons concerning personal revenge, the right of private wars, and the composition due to the party offended, seem to have been much the same with those which prevailed on the continent. The law of Ina *de vindicantibus*, in the eighth century, Lamb. p. 3.; those of Edmund in the tenth century, *de homicidio*, Lamb. p. 72. *et de inimicitiis*, p. 76.; and those of Edward the Confessor in the eleventh century, *de temporibus et diebus pacis*, or Treuga Dei, Lamb. p. 126. are perfectly similar to the *ordonnances* of the French kings their contemporaries. The laws of Edward, *de pace regis*, are still more explicit than those of the French monarchs, and, by several provisions in them, discover that a more perfect police was established in England at that period. Lambard, p. 128. fol. vers. Even after the conquest, private wars, and the regulations for preventing them, were not altogether unknown, as appears from Madox Formulare Anglicanum, No. cxlv., and from the extracts from Doomsday Book, published by Gale, Scriptores Hist. Britan. p. 759, 777. The well-known clause in the form of an English indictment, which, as an aggravation of the criminal's guilt, mentions his having assaulted a person who was in the peace of God and of the king, seems to be borrowed from the Treuga or Pax Dei, and the Pax Regis, which I have explained. But after the Conquest, the mention of private wars among the nobility occurs more rarely in the English history than in that of any other European nation, and no laws concerning them are to be found in the body of their statutes. Such a change in their own manners, and such a variation from those of their neighbours, is remarkable. Is it to be ascribed to the extraordinary power that William the Norman acquired by right of conquest, and transmitted to his successors, which rendered the execution of justice more vigorous and decisive, and the jurisdiction of the king's court more extensive, than under the monarchs on the Continent? Or was it owing to the settlement of the Normans in England, who having never adopted the practice of private war in their own country, abolished it in the kingdom which they conquered? It is asserted in an ordonnance of John, king of France, that in all times past persons of every rank in Normandy have been permitted to wage private war, and the practice has been deemed unlawful. Ordon. tom. ii. p. 407. If this fact were certain, it would go far towards explaining the peculiarity which I have mentioned. But as there are some English Acts of Parliament, which, according to the remark of the learned author of the *Observations on the Statutes, chiefly the more ancient*, recite falsehoods, it may be added that this is not peculiar to the laws of that country. Notwithstanding the positive assertion contained in this public law of France, there is good reason for considering it as a statute which recites a falsehood. This, however, is not the place for discussing that point. It is an inquiry not unworthy the curiosity of an English antiquary.

In Castile the pernicious practice of private war prevailed, and was authorized by the customs and law of the kingdom. Leges Tauri, tit. 76. cum commentario Anton. Gomezii, p. 551. As the Castilian nobles were no less turbulent than powerful, their quarrels and hostilities involved their country in many calamities. Innumerable proofs of this occur in Mariana. In Aragon the right of private revenge was likewise authorized by law, exercised in its full extent, and accompanied with the same unhappy consequences. Hieron. Blanca Comment. de Rebus Arag. ap. Schotti Hispan. illustrat. vol. iii. p. 733. Lex Jacobi I. A. D 1247. Fueros et Observancias del Reyno de Aragon, lib. ix. p. 182. Several confederacies between the kings of Aragon and their nobles, for the restoring of peace, founded on the Truce of God, are still extant. Petr. de Marca, *Marca* sive Limes Hispanic. App. 1303, 1388, 1428. As early as the year 1165, we find a combination of the king and court of Aragon in order to abolish the right of private war, and to punish those who presumed to claim that privilege. Anales de Aragon por Zurita, vol. i. p. 73. But the evil was so inveterate, that as late as A. D. 1519, Charles V. was obliged to publish a law enforcing all former regulations tending to suppress this practice. Fueros et Observanc. lib. ix. 183. b.

The Lombards and other northern nations who settled in Italy, introduced the same maxims concerning the right of revenge into that country, and these were followed by the same effects. As the progress of the evil was perfectly similar to what happened in France, the expedients employed to check its career, or to extirpate it finally, resembled those which I have enumerated. Murat. Ant. Ital. vol. ii. p. 306, &c.

In Germany the disorders and calamities occasioned by the right of private war were greater and more intolerable than in any other country of Europe. The imperial authority was so much shaken and enfeebled by the violence of the civil wars excited by the contests between the popes and the emperors of the Franconian and Suabian lines, that not only the nobility, but the cities, acquired almost independent power, and scorned all subordination and obedience to the laws. The frequency of these *faidæ*, or private wars, is often mentioned in the German annals, and the fatal effects of them are most pathetically described, Datt. de Pace Imper. pub. lib. i. cap. v. No. 30, et passim. The Germans early adopted the Treuga Dei, which was first

established in France. This, however, proved but a temporary and ineffectual remedy. The disorders multiplied so fast, and grew to be so enormous, that they threatened the dissolution of society, and compelled the Germans to have recourse to the only remedy of the evil, viz. an absolute prohibition of private wars. The emperor William published his edict to this purpose, A. D. 1255, an hundred and sixty years previous to the ordonnance of Charles VI. in France. Datt. lib. i. cap. 4. No. 20. But neither he nor his successors had authority to secure the observance of it. This gave rise to a practice in Germany, which conveys to us a striking idea both of the intolerable calamities occasioned by private wars, and of the feebleness of government during the twelfth and thirteenth centuries. The cities and nobles entered into alliances and associations, by which they bound themselves to maintain the public peace, and to make war on such as should violate it. This was the origin of the League of the Rhine, of Suabia, and of many smaller confederacies distinguished by various names. The rise, progress, and beneficial effects of these associations are traced by Datt with great accuracy. Whatever degree of public peace or of regular administration was preserved in the empire from the beginning of the twelfth century to the close of the fifteenth, Germany owes to these leagues. During that period, political order, respect for the laws, together with the equal administration of justice, made considerable progress in Germany. But the final and perpetual abolition of the right of private war was not accomplished until A. D. 1495. The imperial authority was, by that time, more firmly established; the ideas of men with respect to government and subordination were become more just. That barbarous and pernicious privilege of waging private war, which the nobles had so long possessed, was declared to be incompatible with the happiness and existence of society. In order to terminate any differences which might arise among the various members of the Germanic body, the imperial chamber was instituted with supreme jurisdiction, to judge without appeal in every question brought before it. That court has subsisted since that period, forming a very respectable tribunal of essential importance in the German constitution. Datt. lib. iii. iv. v. Pfeffel Abregé de l'Histoire du Droit, &c. p. 556.

Note XXII. Sect. I. p. 325.

It would be tedious, and of little use, to enumerate the various modes of appealing to the justice of God which superstition introduced during the ages of ignorance. I shall mention only one, because we have an account of it in a placitum, or trial, in the presence of Charlemagne, from which we may learn the imperfect manner in which justice was administered even during his reign. In the year 775, a contest arose between the bishop of Paris and the abbot of St. Denys, concerning the property of a small abbey. Each of them exhibited deeds and records, in order to prove the right to be in them. Instead of trying the authenticity or considering the import of these, the point was referred to the *judicium crucis*. Each produced a person, who, during the celebration of mass, stood before the cross with his arms expanded; and he whose representative first became weary, and altered his posture, lost the cause. The person employed by the bishop on this occasion, had less strength or less spirit than his adversary, and the question was decided in favour of the Abbot. Mabillon de Re Diplomat. lib. vi. p. 498. If a prince so enlightened as Charlemagne countenanced such an absurd mode of decision, it is no wonder that other monarchs should tolerate it so long. M. de Montesquieu has treated of the trial by judicial combat at considerable length. The two talents which distinguished that illustrious author, industry in tracing all the circumstances of ancient and obscure institutions, and sagacity in penetrating into the causes and principles which contributed to establish them, are equally conspicuous in his observations on this subject. To these I refer the reader, as they contain most of the principles by which I have endeavoured to explain this practice. De l'Esprit des Loix, lib. xxviii. It seems to be probable from the remarks of M. de Montesquieu, as well as from the facts produced by Muratori, tom. iii. Dissert. xxxviii., that appeals to the justice of God by the experiments with fire and water, &c. were frequent among the people who settled in the different provinces of the Roman empire, before they had recourse to the judicial combat; and yet the judicial combat seems to have been the most ancient mode of terminating any controversy among the barbarous nations in their original settlements. This is evident from Velleius Paterculus, lib. ii. c. 118. who informs us that all questions which were decided among the Romans by legal trial, were terminated among the Germans by arms. The same thing appears in the ancient laws and customs of the Swedes, quoted by Jo. O. Stiernhöök de jure Sueonum et Gothorum vetusto, 4to. Holmiæ, 1682. lib. i. c. 7. It is probable that when the various tribes which invaded the empire were converted to christianity, their ancient custom of allowing judicial combats appeared so glaringly repugnant to the precepts of religion, that for some time it was abolished, and by degrees several circumstances which I have mentioned led them to resume it.

It seems likewise to be probable, from a law quoted by Stiernhöök in the treatise which I have mentioned, that the judicial combat was originally permitted in order to determine points respecting the personal character or reputation of individuals, and was afterwards extended not only to criminal cases, but to questions concerning property. The words of the law are: "If any man shall say to another these reproachful words, 'You are not a man equal to

other men,' or, 'You have not the heart of a man, and the other shall reply, 'I am a man as good as you,' let them meet on the highway. If he who first gave offence appear, and the person offended absent himself, let the latter be deemed a worse man even than he was called; let him not be admitted to give evidence in judgment either for man or woman, and let him not have the privilege of making a testament. If he who gave the offence be absent, and only the person offended appear, let him call upon the other thrice with a loud voice, and make a mark upon the earth, and then let him who absented himself be deemed infamous because he uttered words which he durst not support. If both shall appear properly armed, and the person offended shall fall in the combat, let half compensation be paid for his death. But if the person who gave the offence shall fall, let it be imputed to his own rashness. The petulance of his tongue hath been fatal to him. Let him lie in the field without any compensation being demanded for his death." Lex Uplandica, ap. Stiern. p. 76. Martial people were extremely delicate with respect to every thing that affected their reputation as soldiers. By the laws of the Salians, if any man called another a *hare*, or accused him of having left his shield in the field of battle, he was ordained to pay a large fine. Leg. Sal. tit. xxxii. § 4, 6. By the law of the Lombards, if any one called another *arga*, i. e. a good-for-nothing fellow, he might immediately challenge him to combat. Leg. Longob. lib. i. tit. v. § 1. By the law of the Salians, if one called another *cenitus*, a term of reproach equivalent to arga, he was bound to pay a very high fine. Tit. xxxii. § 1. Paulus Diaconus relates the violent impression which this reproachful expression made upon one of his countrymen, and the fatal effects with which it was attended. De Gestis Longobard. liv. vi. c. 34. Thus the ideas concerning the point of honour, which we are apt to consider as a modern refinement, as well as the practice of duelling, to which it gave rise, are derived from the notions of our ancestors while in a state of society very little improved.

As M. de Montesquieu's view of this subject did not lead him to consider every circumstance relative to judicial combats, I shall mention some particular facts necessary for the illustration of what I have said with respect to them. A remarkable instance occurs of the decision of an abstract point of law by combat. A question arose in the tenth century concerning the *right of representation*, which was not then fixed, though now universally established in every part of Europe. "It was a matter of doubt and dispute (saith the historian) whether the sons of a son ought to be reckoned among the children of the family, and succeed equally with their uncles, if their father happened to die while their grandfather was alive. An assembly was called to deliberate on this point, and it was the general opinion that it ought to be remitted to the examination and decision of judges. But the emperor following a better course, and desirous of dealing honourably with his people and nobles, appointed the matter to be decided by battle between two champions. He who appeared in behalf of the right of children to represent their deceased father was victorious; and it was established by a perpetual decree, that they should hereafter share in the inheritance together with their uncles." Wittikindus Corbiensis, lib. Annal. ap. M. de Laurierc Pref. Ordon. vol. i. p. xxxiii. If we can suppose the caprice of folly to lead men to any action more extravagant than this of settling a point in law by combat, it must be that of referring the truth or falsehood of a religious opinion to be decided in the same manner. To the disgrace of human reason, it has been capable even of this extravagance. A question was agitated in Spain in the eleventh century, whether the Musarabic liturgy and ritual which had been used in the churches of Spain, or that approved of by the see of Rome, which differed in many particulars from the other, contained the form of worship most acceptable to the Deity. The Spaniards contended zealously for the ritual of their ancestors. The popes urged them to receive that to which they had given their infallible sanction. A violent contest arose. The nobles proposed to decide the controversy by the sword. The king approved of this method of decision. Two knights in complete armour entered the lists. John Ruys de Matanca, the champion of the Musarabic liturgy, was victorious. But the queen and archbishop of Toledo, who favoured the other form, insisted on having the matter submitted to another trial, and had interest enough to prevail in a request inconsistent with the laws of combat, which being considered as an appeal to God, the decision ought to have been acquiesced in as final. A great fire was kindled: a copy of each liturgy was cast into the flames: it was agreed that the book which stood this proof, and remained untouched, should be received in all the churches of Spain. The Musarabic liturgy triumphed likewise in this trial, and if we may believe Roderigo de Toledo, remained unhurt by the fire, when the other was reduced to ashes. The queen and archbishop had power or art sufficient to elude this decision also, and the use of the Musarabic form of devotion was permitted only in certain churches: a determination no less extraordinary than the whole transaction. Roder. de Toledo, quoted by P. Orleans, Hist. de Revol. d'Espagne, tom. i. p. 217. Mariana, lib. i. c. 18. vol. i. p. 378.—A remarkable proof of the general use of trial by combat, and of the predilection for that mode of decision, occurs in the laws of the Lombards. It was a custom in the middle ages, that any person might signify publicly the law to which he chose to be subjected; and by the prescriptions of that law he was obliged to regulate his transactions, without being bound to comply with any practice authorized by other codes of law. Persons who had subjected themselves to

the Roman law, and adhered to the ancient jurisprudence, as far as any knowledge of it was retained in those ages of ignorance, were exempted from paying any regard to the forms of proceedings established by the laws of the Burgundians, Lombards, and other barbarous people. But the emperor Otho, in direct contradiction to this received maxim, ordained, "That all persons, under whatever law they lived, even although it were the Roman law, should be bound to conform to the edicts concerning the trial by combat." Leg. Longob. lib. ii. tit. 55. § 38. While the trial by judicial combat subsisted, proof by charters, contracts, or other deeds, became ineffectual; and even this species of written evidence, calculated to render the proceedings of courts certain and decisive, was eluded. When a charter or other instrument was produced by one of the parties, his opponent might challenge it, affirm that it was false and forged, and offer to prove this by combat. Leg. Longob. ibid. § 34. It is true, that among the reasons enumerated by Beaumanoir, on account of which judges might refuse to permit a trial by combat, one is, "If the point in contest can be clearly proved or ascertained by other evidence. Coust. de Beauv. ch. 63. p. 325. But that regulation removed the evil only a single step: for the party who suspected that a witness was about to depose in a manner unfavourable to his cause, might accuse him of being suborned, give him the lie, and challenge him to combat; if the witness was vanquished in battle, no other evidence could be admitted, and the party by whom he was summoned to appear lost his cause. Leg. Baivar. tit. 16. § 2. Leg. Burgund. tit. 45. Beauman. ch. 61. p. 315. The reason given for obliging a witness to accept of a defiance, and to defend himself by combat, is remarkable, and contains the same idea which is still the foundation of what is called the point of honour; "for it is just, that if any one affirms that he perfectly knows the truth of any thing, and offers to give oath upon it, that he should not hesitate to maintain the veracity of his affirmation in combat." Leg. Burgund. tit. 45.

That the trial by judicial combat was established in every country of Europe, is a fact well known, and requires no proof. That this mode of decision was frequent, appears not only from the codes of ancient laws which established it, but from the earliest writers concerning the practice of law in the different nations of Europe. They treat of this custom at great length; they enumerate the regulations concerning it with minute accuracy, and explain them with much solicitude. It made a capital and extensive article in jurisprudence. There is not any one subject in their system of law which Beaumanoir, Defontaines, or the compilers of the Assises de Jerusalem, seem to have considered as of greater importance; and none upon which they have bestowed so much attention. The same observation will hold with respect to the early authors of other nations. It appears from Madox, that trials of this kind were so frequent in England, that fines paid on these occasions made no inconsiderable branch of the king's revenue. Hist. of the Exchеq. vol. i. p. 349. A very curious account of a judicial combat between Messire Robert de Beaumanoir, and Messire Pierre Tournemine, in presence of the duke of Bretagne, A. D. 1385, is published by Morice Mem. pour servir de Preuves à l'Hist. de Bretagne, tom. ii. p. 498. All the formalities observed in such extraordinary proceedings are there described more minutely than in any ancient monument which I have had an opportunity of considering. Tournemine was accused by Beaumanoir of having murdered his brother. The former was vanquished, but was saved from being hanged upon the spot, by the generous intercession of his antagonist. A good account of the origin of the laws concerning judicial combat is published in the history of Pavia by Bernardo Sacci, lib. ix. c. 8. in Græv. Thes. Antiquit. Ital. vol. iii. 743.

This mode of trial was so acceptable, that ecclesiastics, notwithstanding the prohibitions of the church, were constrained not only to connive at the practice, but to authorize it. A remarkable instance of this is produced by Pasquier Recherches, lib. iv. chap. i. p. 350. The abbot Wittikindus, whose words I have produced in this Note, considered the determination of a point in law by combat, as the best and most honourable mode of decision. In the year 978, a judicial combat was fought in the presence of the emperor. The archbishop Aldebert advised him to terminate a contest which had arisen between two noblemen of his court, by this mode of decision. The vanquished combatant, though a person of high rank, was beheaded on the spot. Chronic. Ditmari Episc. Mersb. chez Bouquet Recueil des Hist. tom. x. p. 121. Questions concerning the property of churches and monasteries were decided by combat. In the year 961, a controversy concerning the church of St. Medard, whether it belonged to the abbey of Beaulieu or not, was terminated by judicial combat. Bouquet Recueil des Hist. tom. ix. p. 729. Ibid. p. 612, &c. The emperor Henry I. declares, that this law authorizing the practice of judicial combats was enacted with consent and applause of many faithful bishops. Ibid. p. 231. So remarkably did the martial ideas of those ages prevail over the genius and maxims of the canon law, which in other instances was in the highest credit and authority with ecclesiastics. A judicial combat was appointed in Spain, by Charles V., A. D. 1522. The combatants fought in the emperor's presence, and the battle was conducted with all the rites prescribed by the ancient laws of chivalry. The whole transaction is described at great length by Pontus Heuterus Rer. Austriac. lib. viii. c. 17. p. 205.

The last instance which occurs in the history of France, of a judicial combat authorized by the magistrate, was the famous one between M. Jarnac

and M. de la Chaistaignerie, A. D. 1547. A trial by combat was appointed in England A. D. 1571, under the inspection of the judges in the court of Common Pleas; and though it was not carried to the same extremity with the former, Queen Elizabeth having interposed her authority, and enjoined the parties to compound the matter, yet, in order to preserve their honour, the lists were marked out, and all the forms previous to the combat were observed with much ceremony. Spelm. Gloss. voc. *Campus*, p. 103. In the year 1631, a judicial combat was appointed between Donald lord Rea, and David Ramsay, Esq. by the authority of the lord high constable and earl marshal of England; but that quarrel likewise terminated without bloodshed, being accommodated by Charles I. Another instance occurs seven years later. Rushworth in Observations on the Statutes, &c. p. 266.

Note XXIII. Sect. I. p. 327.

The text contains the great outlines which mark the course of private and public jurisdiction in the several nations of Europe. I shall here follow more minutely the various steps of this progress, as the matter is curious and important enough to merit this attention. The payment of a fine by way of satisfaction to the person or family injured, was the first device of a rude people in order to check the career of private resentment, and to extinguish those *faidæ*, or deadly feuds, which were prosecuted among them with the utmost violence. This custom may be traced back to the ancient Germans, Tacit. de Morib. Germ. c. 21. and prevailed among other uncivilized nations. Many examples of this are collected by the ingenious and learned author of Historical Law Tracts, vol. i. p. 41. These fines were ascertained and levied in three different manners. At first they were settled by voluntary agreement between the parties at variance. When their rage began to subside, and they felt the bad effects of their continuing in enmity, they came to terms of concord, and the satisfaction made was called a *composition*, implying that it was fixed by mutual consent. De l'Esprit des Loix, lib. xxx. c. 19. It is apparent from some of the more ancient codes of laws, that at the time when these were compiled, matters still remained in that simple state. In certain cases the person who had committed an offence was left exposed to the resentment of those whom he had injured, until he should recover their favour, quoquo modo potuerit. Lex Frision. tit. 11. § 1. The next mode of levying these fines was by the sentence of arbiters. An arbiter is called in the Regiam Majestatem, *amicabilis compositor*, lib. xi. c. 4. § 10. He could estimate the degree of offence with more impartiality than the parties interested, and determine with greater equity what satisfaction ought to be demanded. It is difficult to bring an authentic proof of a custom previous to the records preserved in any nation of Europe. But one of the Formulæ Andegavenses compiled in the sixth century, seems to allude to a transaction carried on, not by the authority of a judge, but by the mediation of arbiters chosen by mutual consent. Bouquet Recueil des Histor. tom. iv. p. 566. But as an arbiter wanted authority to enforce his decisions, judges were appointed with compulsive power to oblige both parties to acquiesce in their decisions. Previous to this last step, the expedient of paying compositions was an imperfect remedy against the pernicious effects of private resentment. As soon as this important change was introduced, the magistrate, putting himself in place of the person injured, ascertained the composition with which he ought to rest satisfied. Every possible injury that could occur in the intercourse of civil society was considered and estimated, and the compositions due to the person aggrieved were fixed with such minute attention as discovers, in most cases, amazing discernment and delicacy, in some instances unaccountable caprice. Besides the composition payable to the private party, a certain sum, called a *fredum*, was paid to the king or state, as Tacitus expresses it, or to the fiscus, in the language of the barbarous laws. Some authors, blending the refined ideas of modern policy with their reasonings concerning ancient transactions, have imagined that the *fredum* was a compensation due to the community on account of the violation of the public peace. But it is manifestly nothing more than the price paid to the magistrate for the protection which he afforded against the violence of resentment. The enacting of this was a considerable step towards improvement in criminal jurisprudence. In some of the more ancient codes of laws, the *freda* are altogether omitted, or so seldom mentioned, that it is evident they were but little known. In the later codes, the *fredum* is as precisely specified as the composition. In common cases it was equal to the third part of the composition. Capitul. vol. i. p. 52. In some extraordinary cases, where it was more difficult to protect the person who had committed violence, the *fredum* was augmented. Capitul. vol. i. p. 515. These *freda* made a considerable branch in the revenues of the barons; and in whatever district territorial jurisdiction was granted, the royal judges were prohibited from levying any *freda*. In explaining the nature of the *fredum*, I have followed, in a great measure, the opinion of M. de Montesquieu, though I know that several learned antiquaries have taken the word in a different sense. De l'Esprit des Loix, liv. xxx. c. 20, &c. The great object of judges was to compel the one party to give and the other to accept the satisfaction prescribed. They multiplied regulations to this purpose, and enforced them by grievous penalties. Leg. Longob. lib. i. tit. 9. § 34. Ib. tit. 37. § 1, 2. Capitul. vol. i. p. 371. § 22. The person who received a composition was obliged to cease from all further hostility, and to confirm his reconciliation with the adverse party by an oath. Leg. Longob. lib. i. tit. 9. § 8. As an additional and more permanent evidence of reconciliation, he was

required to grant a bond of security to the person from whom he received a composition, absolving him from all further prosecution. Marculfus and the other collectors of ancient writs have preserved several different forms of such bonds. Marc. lib. xi. § 18. Append. § 23. Form. Sirmondicæ, § 39. The *Letters of Slanes*, known in the law of Scotland, are perfectly similar to these bonds of security. By the Letters of Slanes, the heirs and relations of a person who had been murdered, bound themselves, in consideration of an *assythment* or composition paid to them, to forgive, "pass over, and for ever forget, and in oblivion inter, all rancour, malice, revenge, prejudice, grudge, and resentment, that they have or may conceive against the aggressor or his posterity for the crime which he had committed, and discharge him of all action, civil or criminal, against him or his estate, for now and ever." System of Stiles by Dallas of St. Martin's, p. 862. In the ancient form of Letters of Slanes, the private party not only forgives and forgets, but pardons and grants remission of the crime. This practice Dallas, reasoning according to the principles of his own age, considers as an encroachment on the rights of sovereignty, as none, says he, could pardon a criminal but the king. Ibid. But in early and rude times, the prosecution, the punishment, and the pardon of criminals, were all deeds of the private person who was injured. Madox has published two writs, one in the reign of Edward I., the other in the reign of Edward III., by which private persons grant a release or pardon of all trespasses, felonies, robberies, and murders committed. Formul. Anglican. No. 702, 705. In the last of these instruments some regard seems to be paid to the rights of the sovereign, for the pardon is granted *en quant que en nous est*. Even after the authority of the magistrate was interposed in punishing crimes, the punishment of criminals is long considered chiefly as a gratification to the resentment of the persons who have been injured. In Persia a murderer is still delivered to the relations of the person whom he has slain, who put him to death with their own hands. If they refuse to accept a sum of money as a compensation, the sovereign, absolute as he is, cannot pardon the murderer. Voyages de Chardin, iii. p. 417. edit. 1735, 4to. Voyages de Tavernier, liv. 5. c. 5, 10. Among the Arabians, though one of the first polished people in the east, the same custom still subsists. Description de l'Arabie par M. Niebuhr, p. 28. By a law in the kingdom of Aragon as late as the year 1564, the punishment of one condemned to death cannot be mitigated but by consent of the parties who have been injured. Fueros et Observancias del Reyno de Aragon, p. 204. 6.

If, after all the engagements to cease from enmity which I have mentioned, any person renewed hostilities, and was guilty of any violence either towards the person from whom he had received a composition, or towards his relations and heirs, this was deemed a most heinous crime, and punished with extraordinary rigour. It was an act of direct rebellion against the authority of the magistrate, and was repressed by the interposition of all his power. Leg. Longob. lib. i. tit. 9. § 8, 34. Capit. vol. i. p. 371. § 22. Thus the avenging of injuries was taken out of private hands, a legal composition was established, and peace and amity were restored under the inspection and by the authority of a judge. It is evident, that at the time when the barbarians settled in the provinces of the Roman empire, they had fixed judges established among them with compulsive authority. Persons vested with this character are mentioned by the earliest historians. Du Cange, voc. *Judices*. The right of territorial jurisdiction was not altogether an usurpation of the feudal barons, or an invasion of the prerogative of the sovereign. There is good reason to believe that the powerful leaders, who seized different districts of the countries which they conquered, and kept possession of them as *allodial* property, assumed from the beginning the right of jurisdiction, and exercised it within their own territories. This jurisdiction was supreme and extended to all causes. The clearest proofs of this are produced by M. Bouquet, Le Droit publique de France ecclairei, &c. tom. i. p. 206, &c. The privilege of judging his own vassals appears to have been originally a right inherent in every baron who held a fief. As far back as the archives of nations can conduct us with any certainty, we find the jurisdiction and fief united. One of the earliest charters to a layman which I have met with, is that of Ludovicus Pius, A. D. 814. And it contains the right of territorial jurisdiction in the most express and extensive terms. Capitul. vol. ii. p. 1405. There are many charters to churches and monasteries of a more early date, containing grants of similar jurisdiction, and prohibiting any royal judge to enter the territories of those churches or monasteries, or to perform any act of judicial authority there. Bouquet Recueil des Hist. tom. iv. p. 628, 631, 633. tom. v. p. 703, 710, 752, 762. Muratori has published many very ancient charters containing the same immunities. Antiq. Ital. Dissert. lxx. In most of these deeds the royal judge is prohibited from exacting the *freda* due to the possessor of territorial jurisdiction, which shows that they constituted a valuable part of the revenue of each superior lord at that juncture. The expense of obtaining a sentence in a court of justice during the middle ages was so considerable, that this circumstance alone was sufficient to render men unwilling to decide any contest in judicial form. It appears from a charter in the thirteenth century, that the baron who had the right of justice received the fifth part of the value of every subject the property of which was tried and determined in his court. If, after the commencement of a law-suit, the parties terminated the contest in an amicable manner, or by arbitration, they were nevertheless bound to pay the fifth part of the subject contested to the court before which the suit had been brought.

Hist. de Dauphiné, Geneve, 1722, tom. i. p. 22. Similar to this is a regulation in the charter of liberty granted to the town of Friburg, A. D. 1120. If two of the citizens shall quarrel, and if one of them shall complain to the superior lord or to his judge, and after commencing the suit, shall be privately reconciled to his adversary, the judge, if he does not approve of this reconciliation, may compel him to go on with his law-suit, and all who were present at the reconciliation shall forfeit the favour of the superior lord. Historia Zaringo Badensis. Auctor. Jo. Dan. Schœpflinus. Carolsr. 1765. 4to. vol. v. p. 55.

What was the extent of that jurisdiction which those who held fiefs possessed originally, we cannot now determine with certainty. It is evident that during the disorders which prevailed in every kingdom of Europe, the great vassals took advantage of the feebleness of their monarchs, and enlarged their jurisdictions to the utmost. As early as the tenth century, the more powerful barons had usurped the right of deciding all causes, whether civil or criminal. They had acquired the *High Justice* as well as the *Low*. Establ. de St. Louis, lib. i. c. 24, 25. Their sentences were final, and there lay no appeal from them to any superior court. Several striking instances of this are collected by Brussel. Traité des Fiefs, liv. iii. c. 11, 12, 13. Not satisfied with this, the more potent barons got their territories erected into *Regalities*, with almost every royal prerogative and jurisdiction. Instances of these were frequent in France. Bruss. ib. In Scotland, where the power of the feudal nobles became exorbitant, they were very numerous. Historical Law Tracts, vol. i. tract vi. Even in England, though the authority of the Norman kings circumscribed the jurisdiction of the barons within more narrow limits than in any other feudal kingdom, several counties palatine were erected, into which the king's judges could not enter, and no writ could come in the king's name, until it received the seal of the county palatine. Spelman. Gloss. voc. *Comites Palatini;* Blackstone's Commentaries on the Laws of England, vol. iii. p. 78. These lords of regalities had a right to claim or rescue their vassals from the king's judges, if they assumed any jurisdiction over them. Brussel, ubi supra. In the law of Scotland this privilege was termed the right of *repledging;* and the frequency of it not only interrupted the course of justice, but gave rise to great disorders in the exercise of it. Hist. Law Tracts, ib. The jurisdiction of the counties palatine seems to have been productive of like inconveniences in England.

The remedies provided by princes against the bad effects of these usurpations of the nobles, or inconsiderate grants of the crown, were various, and gradually applied. Under Charlemagne and his immediate descendants, the regal prerogative still retained great vigour, and the *Duces*, *Comites*, and *Missi Dominici*, the former of whom were ordinary and fixed judges, the latter extraordinary and itinerant judges, in the different provinces of their extensive dominions, exercised a jurisdiction coordinate with the barons in some cases, and superior to them in others. Du Cange, voc. *Dux*, *Comites*, et *Missi*. Murat. Antiq. Dissert. viii. & ix. But under the feeble race of monarchs who succeeded them, the authority of the royal judges declined, and the barons acquired that unlimited jurisdiction which has been described. Louis VI. of France attempted to revive the function of the *Missi Dominici* under the title of *Juges des Exempts*, but the barons were become too powerful to bear such an encroachment on their jurisdiction, and he was obliged to desist from employing them. Henaut Abregé Chron. tom. ii. p. 730. His successor (as has been observed) had recourse to expedients less alarming. The appeal *de defaute de droit*, or on account of the refusal of justice, was the first which was attended with any considerable effect. According to the maxims of feudal law, if a baron had not as many vassals as enabled him to try, by their peers, the parties who offered to plead in his court, or if he delayed or refused to proceed in the trial, the cause might be carried, by appeal, to the court of the superior lord of whom the baron held, and tried there. De l'Esprit des Loix, liv. xxviii. c. 28. Du Cange, voc. *Defectus justiciæ*. The number of peers or assessors in the courts of barons was frequently very considerable. It appears from a criminal trial in the court of the Viscount de Lautrec, A. D. 1299, that upwards of two hundred persons were present, and assisted in the trial, and voted in passing judgment. Hist. de Langued. par D. D. de Vic et Vaisette, tom. iv. Preuves, p. 114. But as the right of jurisdiction had been usurped by many inconsiderable barons, they were often unable to hold courts. This gave frequent occasion to such appeals, and rendered the practice familiar. By degrees such appeals began to be made from the courts of the more powerful barons, and it is evident, from a decision recorded by Brussel, that the royal judges were willing to give countenance to any pretext for them. Traités des Fiefs, tom. i. p. 235, 261. This species of appeal had less effect in abridging the jurisdiction of the nobles, than the appeal on account of the injustice of the sentence. When the feudal monarchs were powerful, and their judges possessed extensive authority, such appeals seem to have been frequent. Capitul. vol. i. p. 175, 180.; and they were made in a manner suitable to the rudeness of a simple age. The persons aggrieved resorted to the palace of their sovereign, and with outcries and loud noise called to him for redress. Capitul. lib. iii. c. 59. Chronic. Lawterbergiense ap. Mencken. Script. German. vol. ii. p. 284. b. In the kingdom of Aragon, the appeals to the *Justiza*, or supreme judge, were taken in such a form as supposed the appellant to be in immediate danger of death, or of some violent outrage; he rushed into the presence of the judge, crying with a loud voice, *Avi*, *Avi*, *Fuerza*, *Fuerza*, thus imploring (as it were) the

instant interposition of that supreme judge in order to save him. Hier. Blanca Comment. de Rebus Aragon. ap. Script. Hispanic. Pistorii, vol. iii. p. 753. The abolition of the trial by combat facilitated the revival of appeals of this kind. The effects of the subordination which appeals established, in introducing attention, equity, and consistency of decision into courts of judicature, were soon conspicuous; and almost all causes of importance were carried to be finally determined in the king's courts. Brussel, tom. i. 252. Various circumstances which contributed towards the introduction and frequency of such appeals are enumerated De l'Esprit des Loix, liv. xxviii. c. 27. Nothing, however, was of such effect as the attention which monarchs gave to the constitution and dignity of their courts of justice. It was the ancient custom for the feudal monarchs to preside themselves in their courts, and to administer justice in person. Marculf. lib. i. § 25. Murat. Dissert. xxxi.—Charlemagne, whilst he was dressing, used to call parties into his presence, and having heard and considered the subject of litigation, gave judgment concerning it. Eginhartus Vita Caroli magni, cited by Madox Hist. of Exchequer, vol. i. p. 91. This trial and decision of causes by the sovereigns themselves could not fail of rendering their courts respectable. St. Louis, who encouraged to the utmost the practice of appeals, revived this ancient custom, and administered justice in person with all the ancient simplicity. "I have often seen the saint," says Joinville, "sit under the shade of an oak in the wood of Vincennes, when all who had any complaint freely approached him. At other times he gave orders to spread a carpet in a garden, and seating himself upon it, heard the causes that were brought before him." Hist. de St. Louis, p. 13. edit. 1761. Princes of inferior rank who possessed the right of justice, sometimes dispensed it in person, and presided in their tribunals. Two instances of this occur with respect to the Dauphines of Vienne. Hist. de Dauphinè, tom. i. p. 18. tom. ii. p. 257. But as kings and princes could not decide every cause in person, nor bring them all to be determined in the same court, they appointed *Baillis*, with a right of jurisdiction, in different districts of their kingdom. These possessed powers somewhat similar to those of the ancient *Comites*. It was towards the end of the twelfth century and beginning of the thirteenth, that this office was first instituted in France. Brussel, liv. ii. c. 35. When the king had a court established in different quarters of his dominions, this invited his subjects to have recourse to it. It was the private interest of the *Baillis*, as well as an object of public policy, to extend their jurisdiction. They took advantage of every defect in the rights of the barons, and of every error in their proceedings, to remove causes out of their courts, and to bring them under their own cognizance. There was a distinction in the feudal law, and an extremely ancient one, between the high justice and the low. Capitul. 3. A. D. 812. § 4. A. D. 815. § 3. Establ. de St. Louis, liv i. c. 40. Many barons possessed the latter jurisdiction who had no title to the former. The former included the right of trying crimes of every kind, even the highest; the latter was confined to petty trespasses. This furnished endless pretexts for obstructing, restraining, and reviewing the proceedings in the baron courts. Ordon. ii. 457. § 25. 458. § 29.——A regulation of greater importance succeeded the institution of *Baillis*. The king's supreme court or parliament was rendered fixed as to the place, and constant as to the time, of its meetings. In France, as well as in the other feudal kingdoms, the king's court of justice was originally ambulatory, followed the person of the monarch, and was held only during some of the great festivals. Philip Augustus, A. D. 1305, rendered it stationary at Paris, and continued its terms during the greater part of the year. Pasquier Recherches, liv. ii. c. 2 & 3, &c. Ordon. tom. i. p. 366. § 62. He and his successors vested extensive powers in that court; they granted the members of it several privileges and distinctions which it would be tedious to enumerate. Pasquier. Ibid. Velly Hist. de France, tom. vii. p. 307. Persons eminent for integrity and skill in law were appointed judges there. Ibid. By degrees the final decision of all causes of importance was brought into the parliament of Paris, and the other parliaments which administered justice in the king's name in different provinces of the kingdom. This jurisdiction, however, the parliament of Paris acquired very slowly, and the great vassals of the crown made violent efforts in order to obstruct the attempts of that parliament to extend its authority. Towards the close of the thirteenth century, Philip the Fair was obliged to prohibit his parliament from taking cognisance of certain appeals brought into it from the courts of the count of Bretagne, and to recognise and respect his right of supreme and final jurisdiction. Mémoires pour servir de Preuves à l'Histoire de Bretagne par Morice, tom. i. p. 1037, 1074. Charles VI. at the end of the following century was obliged to confirm the rights of the dukes of Bretagne in still more ample form. Ibid. tom. ii. p. 580, 581. So violent was the opposition of the barons to this right of appeal, which they considered as fatal to their privileges and power, that the authors of the *Encyclopedie* have mentioned several instances in which barons put to death or mutilated such persons as ventured to appeal from the sentences pronounced in their courts to the parliament of Paris, tom. xii. Art. *Parlement*, p. 25.

The progress of jurisdiction in the other feudal kingdoms was in a great measure similar to that which we have traced in France. In England the territorial jurisdiction of the barons was both ancient and extensive. Leg. Edw. Conf. Nos. 5 and 9. After the Norman conquest it became more strictly feudal; and it is evident from facts recorded

in the English history, as well as from the institution of counties palatine, which I have already mentioned, that the usurpations of the nobles in England were not less bold or extensive than those of their contemporaries on the continent. The same expedients were employed to circumscribe or abolish those dangerous jurisdictions. William the Conqueror established a constant court in the hall of his palace; from which the four courts now intrusted with the administration of justice in England took their rise. Henry II. divided his kingdom into six circuits, and sent itinerant judges to hold their courts in them at stated seasons. Blackstone's Commentaries on the Laws of England, vol. iii. 57. Justices of the peace were appointed in every county by subsequent monarchs, to whose jurisdiction the people gradually had recourse in many civil causes. The privileges of the counties palatine were gradually limited; with respect to some points they were abolished; and the administration of justice was brought into the king's courts, or before judges of his appointment. The several steps taken for this purpose are enumerated in Dalrymple's History of Feudal Property, chap. vii.

In Scotland the usurpations of the nobility were more exorbitant than in any other feudal kingdom. The progress of their encroachments, and the methods taken by the crown to limit or abolish their territorial and independent jurisdictions, both which I had occasion to consider and explain in a former work, differed very little from those of which I have now given the detail. History of Scotland, Bk. I. p. 13.

I should perplex myself and my readers in the labyrinth of German jurisprudence, if I were to attempt to delineate the progress of jurisdiction in the empire, with a minute accuracy. It is sufficient to observe, that the authority which the Aulic council and Imperial chamber now possess, took its rise from the same desire of redressing the abuses of territorial jurisdiction, and was acquired in the same manner that the royal courts attained influence in other countries of Europe. All the important facts with respect to both these particulars, may be found in Phil. Datt. de Pace publica Imperii, lib. iv. The capital articles are pointed out in Pfeffel Abregé de l'Histoire et Droit publique d'Allemagne, p. 556, 581.; and in Traité du Droit publique de l'Empire par M. le Coq. de Villeray. The two last treatises are of great authority, having been composed under the eye of M. Schœpflin of Strasburg, one of the ablest public lawyers in Germany.

Note XXIV. Sect. I. p. 328.

It is not easy to fix with precision the period at which ecclesiastics first began to claim exemption from the civil jurisdiction. It is certain that during the early and purest ages of the church, they pretended to no such immunity. The authority of the civil magistrate extended to all persons and to all causes. This fact has not only been clearly established by protestant authors, but is admitted by many Roman catholics of eminence, and particularly by the writers in defence of the liberties of the Gallican church. There are several original papers published by Muratori, which show that in the ninth and tenth centuries causes of the greatest importance relating to ecclesiastics were still determined by civil judges. Antiq. Ital. vol. v. dissert. lxx. Proofs of this are produced likewise by M. Houard, Anciennes Loix des François, &c. vol. i. p. 209. Ecclesiastics did not shake off all at once their subjection to civil courts. This privilege, like their other usurpations, was acquired slowly and step by step. This exemption seems at first to have been merely an act of complaisance, flowing from veneration for their character. Thus from a charter of Charlemagne in favour of the church of Mans, A. D. 796, to which M. l'Abbé de Foy refers in his Notice de Diplomes, tom. i. p. 201. that monarch directs his judges, if any difference should arise between the administrators of the revenues of that church and any person whatever, not to summon the administrators to appear in mallo publico; but first of all to meet with them, and to endeavour to accommodate the difference in an amicable manner. This indulgence was in process of time improved into a legal exemption, which was founded on the same superstitious respect of the laity for the clerical character and function. A remarkable instance of this occurs in a charter of Frederic Barbarossa, A. D. 1172, to the monastery of Altenburg. He grants them judicium non tantum sanguinolentis plagæ, sed vitæ et mortis; he prohibits any of the royal judges from disturbing their jurisdiction; and the reason which he gives for this ample concession is, nam quorum, ex Dei gratia, ratione divini ministerii onus leve est, et jugum suave; nos penitus nolumus illos oppressionis contumeliâ vel manu Laica, fatigari. Mencken Script. Rer. Germ. vol. iii. p. 1067.

It is not necessary for illustrating what is contained in the text, that I should describe the manner in which the code of the canon law was compiled, or show that the doctrines in it most favourable to the power of the clergy are founded on ignorance, or supported by fraud and forgery. The reader will find a full account of these in Gerard. Van Mastricht. Historia Juris Ecclesiastici, et in Science de Gouvernement, par M. Real, tom. vii. c. i. & iii. § 2, 3, &c. The history of the progress and extent of ecclesiastical jurisdiction, with an account of the arts which the clergy employed in order to draw causes of every kind into the spiritual courts, is no less curious, and would throw great light upon many of the customs and institutions of the dark ages; but it is likewise foreign from the present subject. Du Cange, in his Glossary, voc. *Curia Christianitatis*, has collected most of the causes with respect to which the clergy arrogated an exclusive jurisdiction, and refers to the authors or original papers which confirm his observations. Giannone, in his

Civil History of Naples, lib. xix. § 3. has ranged these under proper heads, and scrutinizes the pretensions of the church with his usual boldness and discernment. M. Fleury observes, that the clergy multiplied the pretexts for extending the authority of the spiritual courts with so much boldness, that it was soon in their power to withdraw almost every person and every cause from the jurisdiction of the civil magistrate. Hist. Eccles. tom. xix. Disc. Prelim. 16. But how ill-founded soever the jurisdiction of the clergy may have been, or whatever might be the abuses to which their manner of exercising it gave rise, the principles and forms of their jurisprudence were far more perfect than that which was known in the civil courts. It seems to be certain that ecclesiastics never submitted, during any period in the middle ages, to the laws contained in the codes of the barbarous nations, but were governed entirely by the Roman law. They regulated all their transactions by such of its maxims as were preserved by tradition, or were contained in the Theodosian Code and other books extant among them. This we learn from a custom which prevailed universally in those ages. Every person was permitted to choose among the various codes of laws then in fôrce, that to which he was willing to conform. In any transaction of importance, it was usual for the persons contracting to mention the law to which they submitted, that it might be known how any controversy that should arise between them was to be decided. Innumerable proofs of this occur in the charters of the middle ages. But the clergy considered it as such a valuable privilege of their order to be governed by the Roman law, that when any person entered into holy orders, it was usual for him to renounce the code of laws to which he had been formerly subject, and to declare that he now submitted to the Roman law. Constat me Johannem clericum, filium quondam Verandi, qui professus sum, ex natione mea, lege vivere Langobardorum, sed tamen, pro honore ecclesiastico, lege nunc videor vivere Romana. Charta, A. D. 1072. Farulfus presbyter qui professus sum, more sacerdotii mei, lege vivere Romana. Charta, A. D. 1075. Muratori Antichita Estensi, vol. i. p. 78. See likewise Houard Anciennes Loix des François, &c. vol. i. p. 203.

The code of the canon law began to be compiled early in the ninth century. Mem. de l'Acad. des Inscript. tom. xviii. p. 346, &c. It was above two centuries after that before any collection was made of those customs which were the rule of judgments in the courts of the barons. Spiritual judges decided, of course, according to written and known laws; lay judges, left without any fixed guide, were directed by loose traditionary customs. But besides this general advantage of the canon law, its forms and principles were more consonant to reason, and more favourable to the equitable decision of every point in controversy, than those which prevailed in lay courts. It appears from Notes XXI. and XXIII., concerning private wars and the trial by combat, that the whole spirit of ecclesiastical jurisprudence was adverse to those sanguinary customs which were destructive of justice; and the whole force of ecclesiastical authority was exerted to abolish them, and to substitute trials by law and evidence in their room. Almost all the forms in lay courts which contribute to establish, and continue to preserve, order in judicial proceedings, are borrowed from the canon law. Fleury Instit. du Droit canon. part iii. c. 6. p. 52. St. Louis, in his Establissemens, confirms many of his new regulations concerning property and the administration of justice, by the authority of the canon law, from which he borrowed them. Thus for instance, the first hint of attaching movables, for the recovery of a debt, was taken from the canon law. Estab. liv. ii. c. 21 & 40. And likewise the *cessio bonorum*, by a person who was insolvent. Ibid. In the same manner he established new regulations with respect to the effects of persons dying intestate, liv. i. c. 89. These, and many other salutary regulations, the canonists had borrowed from the Roman law. Many other examples might be produced, of more perfect jurisprudence in the canon law than was known in lay courts. For that reason it was deemed a high privilege to be subject to ecclesiastical jurisdiction. Among the many immunities by which men were allured to engage in the dangerous expeditions for the recovery of the Holy Land, one of the most considerable was, the declaring such as took the cross to be subject only to the spiritual courts, and to the rules of decision observed in them. See Note XIII. and Du Cange, voc. *Crucis privilegia*.

Note XXV. Sect. I. p. 329.

The rapidity with which the knowledge and study of the Roman law spread over Europe is amazing. The copy of the Pandects was found at Amalphi, A. D. 1137. Irnerius opened a college of civil law at Bologna a few years after. Giann. Hist. book xi. c. 2. It began to be taught as a part of academical learning in different parts of France before the middle of the century. Vaccarius gave lectures on the civil law at Oxford as early as the year 1147. A regular system of feudal law, formed plainly in imitation of the Roman code, was composed by two Milanese lawyers about the year 1150. Gratian published the code of canon law, with large additions and emendations, about the same time. The earliest collection of those customs, which served as the rules of decision in the courts of justice, is the *Assises de Jerusalem*. They were compiled, as the preamble informs us, in the year 1099, and are called Jus Consuetudinarium quo regebatur regnum orientale. Willerm. Tyr. lib. xix. c. 2. But peculiar circumstances gave occasion to this early compilation. The victorious crusaders settled as a colony in a foreign country, and adventurers from all the different nations of Europe composed this new society. It was necessary on that account

to ascertain the laws and customs which were to regulate the transactions of business and the administration of justice among them. But in no country of Europe was there at that time any collection of customs, nor had any attempt been made to render law fixed. The first undertaking of that kind was by Glanville, lord chief justice of England, in his Tractatus de Legibus et Consuetudinibus Angliæ, composed about the year 1181. The Regiam Majestatem in Scotland, ascribed to David I., seems to be an imitation, and a servile one, of Glanville. Several Scottish antiquaries, under the influence of that pious credulity which disposes men to assent without hesitation to whatever they deem for the honour of their native country, contend zealously that the Regiam Majestatem is a production prior to the treatise of Glanville; and have brought themselves to believe that a nation in a superior state of improvement borrowed its laws and institutions from one considerably less advanced in its political progress. The internal evidence (were it my province to examine it) by which this theory might be refuted, is in my opinion decisive. The external circumstances which have seduced Scottish authors into this mistake, have been explained with so much precision and candour by sir David Dalrymple, in his examination of some of the arguments for the high antiquity of Regiam Majestatem, Edin. 1769, 4to, that it is to be hoped the controversy will not be again revived. Pierre de Fontaines, who tells us that he was the first who had attempted such a work in France, composed his *Conseil*, which contains an account of the customs of the country of Vermandois in the reign of St. Louis, which began A. D. 1226. *Beaumanoir*, the author of the *Coustumes de Beauvoisis*, lived about the same time. The Establissemens of St. Louis, containing a large collection of the customs which prevailed within the royal domains, were published by the authority of that monarch. As soon as men became acquainted with the advantages of having written customs and laws, to which they could have recourse on every occasion, the practice of collecting them became common. Charles VII. of France, by an ordonnance A. D. 1453, appointed the customary laws in every province of France to be collected and arranged. Velley and Villaret. Histoire, tom. xvi. p. 113. His successor Louis XI. renewed the injunction. But this salutary undertaking hath never been fully executed, and the jurisprudence of the French nation remains more obscure and uncertain than it would have been if these prudent regulations of their monarchs had taken effect. A mode of judicial determination was established in the middle ages, which affords the clearest proof that judges, while they had no other rule to direct their decrees but unwritten and traditionary customs, were often at a loss how to find out the facts and principles according to which they were bound to decide. They were obliged, in dubious cases, to call a certain number of old men, and to lay the case before them, that they might inform them what was the practice or custom with regard to the point. This was called *Enqueste par tourbe*. Du Cange, voc. *Turba*. The effects of the revival of the Roman jurisprudence have been explained by M. de Montesquieu, liv. xxviii. c. 42. and by Mr. Hume, Hist. of England, vol. ii. p. 441. I have adopted many of their ideas. Who can pretend to review any subject which such writers have considered, without receiving from them light and information? At the same time I am convinced that the knowledge of the Roman law was not so entirely lost in Europe during the middle ages as is commonly believed. My subject does not require me to examine this point. Many striking facts with regard to it are collected by Donato Antonio d'Asti dall' uso e autorita della regione civile nelle provincie dell' Imperio Occidentale. Nap. 1751. 2 vols. 8vo.

That the civil law is intimately connected with the municipal jurisprudence in several countries of Europe, is a fact so well known that it needs no illustration. Even in England, where the common law is supposed to form a system perfectly distinct from the Roman code, and although such as apply in that country to the study of the common law boast of this distinction with some degree of affectation, it is evident that many of the ideas and maxims of the civil law are incorporated into the English jurisprudence. This is well illustrated by the ingenious and learned author of Observations on the Statutes, chiefly the more ancient, 3d edit. p. 76, &c.

Note XXVI. Sect. I. p. 329.

The whole history of the middle ages makes it evident that war was the sole profession of gentlemen, and almost the only object attended to in their education. Even after some change in manners began to take place, and the civil arts of life had acquired some reputation, the ancient ideas with respect to the accomplishments necessary for a person of noble birth continued long in force. In the Mémoires de Fleuranges, p. 9, &c. we have an account of the youthful exercises and occupations of Francis I., and they were altogether martial and athletic. That father of letters owed his relish for them, not to education, but to his own good sense and good taste. The manners of the superior order of ecclesiastics during the middle ages furnish the strongest proof that, in some instances, the distinction of professions was not completely ascertained in Europe. The functions and character of the clergy are obviously very different from those of laymen; and among the inferior orders of churchmen, this constituted a distinct character separate from that of other citizens. But the dignified ecclesiastics, who were frequently of noble birth, were above such a distinction; they retained the idea of what belonged to them as gentlemen, and in spite of the decrees of popes or the canons of councils, they bore arms, led their vassals to the field, and fought at their head in battle. Among them the priesthood

was scarcely a separate profession; the military accomplishments which they thought essential to them as gentlemen were cultivated; the theological science and pacific virtues suitable to their spiritual function were neglected and despised.

As soon as the science of law became a laborious study, and the practice of it a separate profession, such persons as rose to eminence in it obtained honours which had formerly been appropriated to soldiers. Knighthood was the most illustrious mark of distinction during several ages, and conferred privileges to which rank or birth alone were not entitled. To this high dignity persons eminent for their knowledge of law were advanced, and were thereby placed on a level with those whom their military talents had rendered conspicuous. *Miles Justitiæ*, *Miles Literatus*, became common titles. Matthew Paris mentions such knights as early as A. D. 1251. If a judge attained a certain rank in the courts of justice, that alone gave him a right to the honour of knighthood. Pasquier Recherches, liv. xi. c. 16. p. 130. Dissertations Historiques sur la Chevalerie par Honorè de Sainte Marie, p. 164, &c. A profession that led to offices which ennobled the persons who held them, grew into credit, and the people of Europe became accustomed to see men rise to eminence by civil as well as military talents.

Note XXVII. Sect. I. p. 300.

The chief intention of these notes, was to bring at once under the view of my readers such facts and circumstances as tend to illustrate or confirm what is contained in that part of the history to which they refer. When these lay scattered in many different authors, and were taken from books not generally known, or which many of my readers might find it disagreeable to consult, I thought it would be of advantage to collect them together. But when every thing necessary for the proof or illustration of my narrative or reasoning may be found in any one book which is generally known, or deserves to be so, I shall satisfy myself with referring to it. This is the case with respect to Chivalry. Almost every fact which I have mentioned in the text, together with many other curious and instructive particulars concerning this singular institution, may be found in Mémoires sur l'Ancienne Chevalerie considerée comme une Etablissement politique et militaire, par M. de la Curne de St. Palaye.

Note XXVIII. Sect. I. p. 332.

The subject of my inquiries does not call me to write a history of the progress of science. The facts and observations which I have produced, are sufficient to illustrate the effects of its progress upon manners and the state of society. While science was altogether extinct in the western parts of Europe, it was cultivated in Constantinople and other parts of the Grecian empire. But the subtile genius of the Greeks turned almost entirely to theological disputation. The Latins borrowed that spirit from them, and many of the controversies which still occupy and divide theologians took their rise among the Greeks, from whom the other Europeans derived a considerable part of their knowledge. See the testimony of Æneas Sylvius ap. Conringium de antiq. Academicis, p. 43. Histoire Literaire de France, tom. vii. p. 113, &c. tom. ix. p. 151, &c. Soon after the empire of the caliphs was established in the east, some illustrious princes arose among them, who encouraged science. But when the Arabians turned their attention to the literature cultivated by the ancient Greeks and Romans, the chaste and correct taste of their works of genius appeared frigid and unanimated to a people of a more warm imagination. Though they could not admire the poets and historians of Greece or of Rome, they were sensible of the merit of their philosophers. The operations of the intellect are more fixed and uniform than those of the fancy or taste. Truth makes an impression nearly the same in every place: the ideas of what is beautiful, elegant, or sublime, vary in different climates. The Arabians, though they neglected Homer, translated the most eminent of the Greek philosophers into their own language; and, guided by their precepts and discoveries, applied themselves with great ardour to the study of geometry, astronomy, medicine, dialectics, and metaphysics. In the three former they made considerable and useful improvements, which have contributed not a little to advance those sciences to that high degree of perfection which they have attained. In the two latter they chose Aristotle for their guide, and refining on the subtle and distinguishing spirit which characterizes his philosophy, they rendered it in a great degree frivolous or unintelligible. The schools established in the east for teaching and cultivating these sciences were in high reputation. They communicated their love of science to their countrymen who conquered Africa and Spain; and the schools instituted there were little inferior in fame to those in the east. Many of the persons who distinguished themselves by their proficiency in science during the twelfth and thirteenth centuries were educated among the Arabians. Bruckerus collects many instances of this, Histor. Philos. vol. iii. p. 681, &c. Almost all the men eminent for science during several centuries, if they did not resort in person to the schools in Africa and Spain, were instructed in the philosophy of the Arabians. The first knowledge of the Aristotelian philosophy in the middle ages was acquired by translations of Aristotle's works out of the Arabic. The Arabian commentators were deemed the most skilful and authentic guides in the study of his system. Conring. Antiq. Acad. Diss. iii. p. 95, &c. Supplem. p. 241, &c. Murat. Antiquit. Ital. vol. iii. p. 932, &c. From them the schoolmen derived the genius and principles of their philosophy, which contributed so much to retard the progress of true science.

The establishment of colleges or universities is a remarkable era in literary history. The schools

in cathedrals and monasteries confined themselves chiefly to the teaching of grammar. There were only one or two masters employed in that office. But in colleges professors were appointed to teach all the different parts of science. The course or order of education was fixed: the time that ought to be allotted to the study of each science was ascertained: a regular form of trying the proficiency of students was prescribed; and academical titles and honours were conferred on such as acquitted themselves with approbation. A good account of the origin and nature of these is given by Seb. Bacmeisterus Antiquitates Rostochienses, sive, Historia Urbis et Academiæ Rostoch. ap. Monumenta inedita Rer. Germ. per E. J. de Westphalen, vol. iii. p. 781. Lips. 1743. The first obscure mention of these academical degrees in the university of Paris (from which the other universities in Europe have borrowed most of their customs and institutions) occurs A. D. 1215. Crevier Hist. de l'Univ. de Paris, tom. i. p. 296, &c. They were completely established A. D. 1231. Ibid. 248. It is unnecessary to enumerate the several privileges to which bachelors, masters, and doctors were entitled. One circumstance is sufficient to demonstrate the high degree of estimation in which they were held. Doctors in the different faculties contended with knights for precedence, and the dispute was terminated in many instances by advancing the former to the dignity of knighthood, the high prerogatives of which I have mentioned. It was even asserted that a doctor had a right to that title without creation. Bartolus taught——doctorem actualiter regentem in jure civili per decennium effici militem ipso facto. Honoré de St. Marie Dissert. p. 165. This was called Chevalerie de lectures, and the persons advanced to that dignity, Milites Clerici. These new establishments for education, together with the extraordinary honours conferred on learned men, greatly increased the number of scholars. In the year 1262, there were ten thousand students in the university of Bologna; and it appears from the history of that university, that law was the only science taught in it at that time. In the year 1340, there were thirty thousand in the university of Oxford. Speed's Chron. ap. Anderson's Chronol. Deduction of Commerce, vol. i. p. 172. In the same century, ten thousand persons voted in a question agitated in the university of Paris; and as graduates alone were admitted to that privilege, the number of students must have been very great. Velley Hist. de France, tom. xi. p. 147. There were indeed few universities in Europe at that time; but such a number of students may nevertheless be produced as a proof of the extraordinary ardour with which men applied to the study of science in those ages; it shows likewise that they already began to consider other professions beside that of a soldier as honourable and useful.

Note XXIX. Sect. I. p. 332.

The great variety of subjects which I have endeavoured to illustrate, and the extent of this upon which I now enter, will justify my adopting the words of M. de Montesquieu, when he begins to treat of commerce. "The subject which follows would require to be discussed more at large, but the nature of this work does not permit it. I wish to glide on a tranquil stream, but I am hurried along by a torrent."

Many proofs occur in history of the little intercourse between nations during the middle ages. Towards the close of the tenth century, count Bouchard, intending to found a monastery at St. Maur des Fosses, near Paris, applied to an abbot of Clogny in Burgundy, famous for his sanctity, entreating him to conduct the monks thither. The language in which he addressed that holy man is singular: he tells him, that he had undertaken the labour of such a great journey; that he was fatigued with the length of it, therefore hoped to obtain his request, and that his journey into such a distant country should not be in vain. The answer of the abbot is still more extraordinary: he refused to comply with his desire, as it would be extremely fatiguing to go along with him into a strange and unknown region. Vita Burchardi venerabilis Comitis ap. Bouquet Rec. des Hist. vol x. p. 351. Even so late as the beginning of the twelfth century, the monks of Ferrieres, in the diocese of Sens, did not know that there was such a city as Tournay in Flanders; and the monks of St. Martin of Tournay were equally unacquainted with the situation of Ferrieres. A transaction in which they were both concerned made it necessary for them to have some intercourse. The mutual interest of both monasteries prompted each to find out the situation of the other. After a long search, which is particularly described, the discovery was made by accident. Herimannus Abbas de Restauratione St. Martini Tornacensis ap. Dacher. Spicil. vol. xii. p. 400. The ignorance of the middle ages with respect to the situation and geography of remote countries was still more remarkable. The most ancient geographical chart which now remains as a monument of the state of that science in Europe during the middle ages, is found in a manuscript of the Chronique de St. Denys. There the three parts of the earth then known are so represented that Jerusalem is placed in the middle of the globe, and Alexandria appears to be as near to it as Nazareth. Mem. de l'Acad. des Belles Lettres, tom. xvi. p. 185. There seem to have been no inns or houses of entertainment for the reception of travellers during the middle ages. Murat. Antiq. Ital. vol. iii. p. 581, &c. This is a proof of the little intercourse which took place between different nations. Among people whose manners are simple, and who are seldom visited by strangers, hospitality is a virtue of the first rank. This duty of hospitality

was so necessary in that state of society which took place during the middle ages, that it was not considered as one of those virtues which men may practise or not, according to the temper of their minds and the generosity of their hearts. Hospitality was enforced by statutes, and such as neglected this duty were liable to punishment. Quicunque hospiti venienti lectum aut focum negaverit, trium solidorum inlatione mulctetur. Leg. Burgund. tit. xxxviii. § 1. Si quis homini aliquo pergenti in itinere mansionem vetaverit, sexaginta solidos componat in publico. Capitul. lib. vi. § 82. This increase of the penalty, at a period so long after that in which the laws of the Burgundians were published, and when the state of society was much improved, is very remarkable. Other laws of the same purport are collected by Jo. Fred. Polac. Systema Jurisprud. Germanicæ, Lips. 1733, p. 75. The laws of the Slavi were more rigorous than any that he mentions; they ordained "that the movables of an inhospitable person should be confiscated, and his house burnt. They were even so solicitous for the entertainment of strangers, that they permitted the landlord to steal for the support of his guest." Quod noctu furatus fueris, cras appone hospitibus. Rerum Mecleburgicar. lib. viii. à Mat. Jo. Beehr. Lips. 1751, p. 50. In consequence of these laws, or of the state of society which made it proper to enact them, hospitality abounded while the intercourse among men was inconsiderable, and secured the stranger a kind reception under every roof where he chose to take shelter. This, too, proves clearly that the intercourse among men was rare, for as soon as this became frequent, what was a pleasure became a burden, and the entertaining of travellers was converted into a branch of commerce.

But the laws of the middle ages afford a proof still more convincing of the small intercourse between different nations. The genius of the feudal system, as well as the spirit of jealousy which always accompanies ignorance, concurred in discouraging strangers from settling in any new country. If a person removed from one province in a kingdom to another, he was bound within a year and a day to acknowledge himself the vassal of the baron in whose estate he settled; if he neglected to do so, he became liable to a penalty; and if at his death he neglected to leave a certain legacy to the baron within whose territory he had resided, all his goods were confiscated. The hardships imposed on foreigners settling in a country, were still more intolerable. In more early times, the superior lord of any territory in which a foreigner settled might seize his person, and reduce him to servitude. Very striking instances of this occur in the history of the middle ages. The cruel depredations of the Normans in the ninth century, obliged many inhabitants of the maritime provinces of France to fly into the interior parts of the kingdom. But instead of being received with that humanity to which their wretched condition entitled them, they were reduced to a state of servitude. Both the civil and ecclesiastical powers found it necessary to interpose, in order to put a stop to this barbarous practice. Potgiesser. de Statu Servor. lib. i. c. 1. § 16. In other countries the laws permitted the inhabitants of the maritime provinces to reduce such as were shipwrecked on their coast to servitude. Ibid. § 17. This barbarous custom prevailed in many countries of Europe. The practice of seizing the goods of persons who had been shipwrecked, and of confiscating them as the property of the lord on whose manor they were thrown, seems to have been universal. De Westphalen Monum. inedita Rer. Germ. vol. iv. p. 907, &c. et Du Cange, voc. *Laganum*, Beehr. Rer. Mecleb. lib. p. 512. Among the ancient Welch, three sorts of persons, a madman, a stranger, and a leper, might be killed with impunity. Leges Hoel Dda, quoted in Observat. on the Statutes, chiefly the more ancient, p. 22. M. de Lauriere produces several ancient deeds which prove, that in different provinces of France strangers became the slaves of the lord on whose lands they settled. Glossaire du Droit François, Art. *Aubaine*, p. 92. Beaumanoir says, "that there are several places in France, in which if a stranger fixes his residence for a year and day, he becomes the slave of the lord of the manor." Const. de Beauv. ch. 45. p. 254. As a practice so contrary to humanity could not subsist long, the superior lords found it necessary to rest satisfied, instead of enslaving aliens, with levying certain annual taxes upon them, or imposing upon them some extraordinary duties or services. But when any stranger died, he could not convey his effects by will; and all his real as well as personal estate fell to the king, or to the lord of the barony, to the exclusion of his natural heirs. This is termed in France *Droit D'Aubaine*. Pref. de Laurier. Ordon. tom. i. p. 15. Brussel, tom. ii. p. 944. Du Cange, voc. *Albani*. Pasquier Recherches, p. 367. This practice of confiscating the effects of strangers upon their death was very ancient. It is mentioned, though very obscurely, in a law of Charlemagne, A. D. 813. Capitul. Baluz. p. 507. § 5. Not only persons who were born in a foreign country were subject to the Droit D'Aubaine, but in some countries such as removed from one diocese to another, or from the lands of one baron to another. Brussel, vol. ii. p. 947, 949. It is hardly possible to conceive any law more unfavourable to the intercourse between nations. Something similar to it, however, may be found in the ancient laws of every kingdom in Europe. With respect to Italy, see Murat. Ant. vol. ii. p. 14. As nations advanced in improvement, this practice was gradually abolished. It is no small disgrace to the French jurisprudence, that this barbarous, inhospitable custom should have so long remained among a people so highly civilized.

The confusion and outrage which abounded under a feeble form of government, incapable of framing or executing salutary laws, rendered the communi-

eation between the different provinces of the same kingdom extremely dangerous. It appears from a letter of Lupus, abbot of Ferrieres, in the ninth century, that the highways were so much infested by banditti, that it was necessary for travellers to form themselves into companies or caravans, that they might be safe from the assault of robbers. Bouquet Recueil des Hist. vol. vii. p. 515. The numerous regulations published by Charles the Bald in the same century, discover the frequency of these disorders; and such acts of violence were become so common, that by many they were hardly considered as criminal. For this reason the inferior judges, called Centenarii, were required to take an oath, that they would neither commit any robbery themselves, nor protect such as were guilty of that crime. Capitul. edit. Baluz. vol. ii p. 63, 68. The historians of the ninth and tenth centuries give pathetic descriptions of these disorders. Some remarkable passages to this purpose are collected by Mat. Jo. Beehr. Rer. Mccleb. lib. viii. p. 603. They became so frequent and audacious, that the authority of the civil magistrate was unable to repress them. The ecclesiastical jurisdiction was called in to aid it. Councils were held with great solemnity, the bodies of the saints were brought thither, and in presence of their sacred relics, anathemas were denounced against robbers, and other violators of the public peace. Bouquet Recueil des Hist. tom. x. p. 360, 431, 536. One of these forms of excommunication, issued A. D. 988, is still preserved, and is so singular, and composed with eloquence of such a peculiar kind, that it will not perhaps be deemed unworthy of a place here. After the usual introduction, and mentioning the outrage which gave occasion to the anathema, it runs thus: "Obtenebrescant oculi vestri, qui concupiverunt; arescant manus, quæ rapuerunt; debilitentur omnia membra, quæ adjuverunt. Semper laboretis, nec requiem inveniatis, fructuque vestri laboris prevemini. Formidetis, et paveatis, à facie persequentis, et non persequentis hostis, ut tabescendo deficiatis. Sit portio vestra cum Juda traditore Domini, in terra mortis et tenebrarum; donec corda vestra ad satisfactionem plenam convertantur.—Ne cessent a vobis hæ maledictiones, scelerum vestrorum persecutrices, quamdiu permanebitis in peccato pervasionis. Amen, Fiat, Fiat." Bouquet, ibid. p. 517.

Note XXX. Sect. I. p. 333.

With respect to the progress of commerce which I have described p. 332, &c. it may be observed that the Italian states carried on some commerce with the cities of the Greek empire as early as the age of Charlemagne, and imported into their own country the rich commodities of the east. Murat. Antiq. Ital. vol. ii. p. 882. In the tenth century the Venetians had opened a trade with Alexandria in Egypt. Ibid. The inhabitants of Amalphi and Pisa had likewise extended their trade to the same ports. Murat. ib. p. 884, 885. The effects of the Crusades in increasing the wealth and commerce of the Italian states, and particularly that which they carried on with the east, I have explained, page 317. They not only imported the Indian commodities from the east, but established manufactures of curious fabric in their own country. Several of these are enumerated by Muratori in his Dissertations concerning the *arts* and the *weaving* of the middle ages. Antiq. Ital. vol. ii. p. 349, 399. They made great progress, particularly in the manufacture of silk, which had long been peculiar to the eastern provinces of Asia. Silk stuffs were of such high price in ancient Rome, that only a few persons of the first rank were able to purchase them. Under Aurelian, A. D. 270, a pound of silk was equal in value to a pound of gold. Absit ut auro fila pensentur. Libra enim auri tunc libra serici fuit. Vopiscus in Aureliano. Justinian in the sixth century introduced the art of rearing silk-worms into Greece, which rendered the commodity somewhat more plentiful, though still it was of such great value as to remain an article of luxury or magnificence, reserved only for persons of the first order, or for public solemnities. Roger I. king of Sicily, about the year 1130, carried off a number of artificers in the silk trade from Athens, and settling them in Palermo, introduced the culture of silk into his kingdom, from which it was communicated to other parts of Italy. Giannon. Hist. of Naples, b. xi. c. 7. This seems to have rendered silk so common, that about the middle of the fourteenth century a thousand citizens of Genoa appeared in one procession clad in silk robes. Sugar is likewise a production of the east. Some plants of the sugar-cane were brought from Asia; and the first attempt to cultivate them in Sicily was made about the middle of the twelfth century. From thence they were transplanted into the southern provinces of Spain. From Spain they were carried to the Canary and Madeira Isles, and at length into the New World. Ludovico Guicciardini, in enumerating the goods imported into Antwerp about the year 1500, mentions the sugar which they received from Spain and Portugal as a considerable article. He describes that sugar as the product of the Madeira and Canary Islands. Descritt. de Paesi Bassi, p. 180, 181. The sugar-cane was introduced into the West Indies before that time, but the cultivation of it was not so improved or so extensive as to furnish an article of much consequence in commerce. In the middle ages, though sugar was not raised in such quantities, or employed for so many purposes, as to become one of the common necessaries of life, it appears to have been a considerable article in the commerce of the Italian states.

These various commodities with which the Italians furnished the other nations of Europe, procured them a favourable reception in every kingdom. They were established in France in the thirteenth century with most extensive immunities. They not only obtained every indulgence favourable to their

commerce, but personal rights and privileges were granted to them which the natives of the kingdom did not enjoy. Ordon. tom. iv. p. 668. By a special proviso, they were exempted from the Droit d'Aubaine. Ibid. p. 670. As the Lombards (a name frequently given to all Italian merchants in many parts of Europe) engrossed the trade of every kingdom in which they settled, they became masters of its cash. Money of course was in their hands not only a sign of the value of other commodities, but became an object of commerce itself. They dealt largely as bankers. In an ordonnance, A. D. 1295, we find them styled *mercatores* and *campsores*. They carried on this as well as other branches of their commerce with somewhat of that rapacious spirit which is natural to monopolizers who are not restrained by the competition of rival traders. An absurd opinion which prevailed in the middle ages, was, however, in some measure the cause of their exorbitant demands, and may be pleaded in apology for them. Trade cannot be carried on with advantage unless the persons who lend a sum of money are allowed a certain premium for the use of it, as a compensation for the risk which they run in permitting another to traffic with their stock. This premium is fixed by law in all commercial countries, and is called the legal interest of money. But the fathers of the church had preposterously applied the prohibitions of usury in Scripture to the payment of legal interest, and condemned it as a sin. The schoolmen, misled by Aristotle, whose sentiments they followed implicitly and without examination, adopted the same error, and enforced it. Blackstone's Commentaries on the Laws of England, vol. ii. p. 455. Thus the Lombards found themselves engaged in a traffic which was every where deemed criminal and odious. They were liable to punishment if detected. They were not satisfied, therefore, with that moderate premium which they might have claimed if their trade had been open and authorized by law. They exacted a sum proportional to the danger and infamy of a discovery. Accordingly we find that it was usual for them to demand twenty per cent. for the use of money in the thirteenth century. Murat. Antiq. Ital. vol. i. p. 893. About the beginning of that century, the countess of Flanders was obliged to borrow money in order to pay her husband's ransom. She procured the sum requisite either from Italian merchants or from Jews. The lowest interest which she paid to them was above twenty per cent. and some of them exacted near thirty. Martene and Durand. Thesaur. Anecdotorum, vol. i. p. 886. In the fourteenth century, A. D. 1311, Philip IV. fixed the interest which might be legally exacted in the fairs of Champagne at twenty per cent. Ordon. tom. i. p. 484. The interest of money in Aragon was somewhat lower. James I., A. D. 1242, fixed it by law at eighteen per cent. Petr. de Marca. *Marca* sive Limes Hispan. app. 1433. As late as the year 1490, it appears that the interest of money in Placentia was at the rate of forty per cent. This is the more extraordinary, because at that time the commerce of the Italian States was become considerable. Memorie Storiche de Piacenza, tom. viii. p. 104. Piac. 1760. It appears from Lud. Guicciardini, that Charles V. had fixed the rate of interest in his dominions in the Low Countries at twelve per cent. and at the time when he wrote, about the year 1560, it was not uncommon to exact more than that sum. He complains of this as exorbitant, and points out its bad effects both on agriculture and commerce. Descrit di Paesi Bassi, p. 172. This high interest of money is alone a proof that the profits on commerce were exorbitant, and that it was not carried on to great extent.—The Lombards were likewise established in England in the thirteenth century, and a considerable street in the city of London still bears their name. They enjoyed great privileges, and carried on an extensive commerce, particularly as bankers. See Anderson's Chronol. Deduction, vol. i. p. 137, 160, 204, 231. where the statutes or other authorities which confirm this are quoted. But the chief mart for Italian commodities was at Bruges. Navigation was then so imperfect, that to sail from any port in the Baltic, and to return again, was a voyage too great to be performed in one summer. For that reason, a magazine or storehouse half-way between the commercial cities in the north, and those in Italy, became necessary. Bruges was pitched upon as the most convenient station. That choice introduced vast wealth into the Low Countries. Bruges was at once the staple for English wool; for the woollen and linen manufactures of the Netherlands; for the naval stores and other bulky commodities of the north; and for the Indian commodities, as well as domestic productions, imported by the Italian states. The extent of its commerce in Indian goods with Venice alone, appears from one fact. In the year 1318, five Venetian galeasses laden with Indian commodities arrived at Bruges, in order to dispose of their cargoes at the fair. These galeasses were vessels of very considerable burden. L. Guic. Descritt. di Paesi Bassi, p. 174. Bruges was the greatest emporium in all Europe. Many proofs of this occur in the historians and records of the thirteenth and fourteenth centuries. But instead of multiplying quotations, I shall refer my readers to Anderson, vol. i. p. 12, 137, 213, 246, &c. The nature of this work prevents me from entering into any more minute detail, but there are some detached facts which give a high idea of the wealth both of the Flemish and Italian commercial states. The duke of Brabant contracted his daughter to the Black Prince, son of Edward III. of England, A. D. 1339, and gave her a portion which we may reckon to be of equal value with three hundred thousand pounds of our present money. Rymer's Fœdera, vol. v. p. 113. John Galeazzo Visconti, duke of Milan, concluded a treaty of marriage between his daughter and Lionel, duke of Clarence, Edward's third son,

A. D. 1367, and granted her a portion equal to two hundred thousand pounds of our present money. Rymer's Fœder. vol. vi. p. 547. These exorbitant sums so far exceeding what was then granted by the most powerful monarchs, and which appear extraordinary even in the present age, when the wealth of Europe is so much increased, must have arisen from the riches which flowed into those countries from their extensive and lucrative commerce. The first source of wealth to the towns situated on the Baltic sea seems to have been the herring fishery; the shoals of herrings frequenting at that time the coasts of Sweden and Denmark, in the same manner as they now resort to the British coasts. The effects of this fishery are thus described by an author of the thirteenth century. The Danes, says he, who were formerly clad in the poor garb of sailors, are now clothed in scarlet, purple, and fine linen. For they abound with wealth flowing from their annual fishery on the coast of Schonen; so that all nations resort to them, bringing their gold, silver, and precious commodities, that they may purchase herrings, which the divine bounty bestows upon them. Arnoldus Lubecensis ap. Couring. de Urbib. German. § 87.

The Hanseatic League is the most powerful commercial confederacy known in history. Its origin towards the close of the twelfth century, and the objects of its union, are described by Knipschildt Tractatus Historico-Politico Juridicus de Juribus Civitat. Imper. lib. i. cap. 4. Anderson has mentioned the chief facts with respect to their commercial progress, the extent of the privileges which they obtained in different countries, their successful wars with several monarchs, as well as the spirit and zeal with which they contended for those liberties and rights without which it is impossible to carry on commerce to advantage. The vigorous efforts of a society of merchants attentive only to commercial objects, could not fail of diffusing new and more liberal ideas concerning justice and order in every country of Europe where they settled.

In England the progress of commerce was extremely slow; and the causes of this are obvious. During the Saxon heptarchy, England, split into many petty kingdoms, which were perpetually at variance with each other; exposed to the fierce incursions of the Danes and other northern pirates; and sunk in barbarity and ignorance, was in no condition to cultivate commerce, or to pursue any system of useful and salutary policy. When a better prospect began to open by the union of the kingdom under one monarch, the Norman conquest took place. This occasioned such a violent shock, as well as such a sudden and total revolution of property, that the nation did not recover from it during several reigns. By the time that the constitution began to acquire some stability, and the English had so incorporated with their conquerors as to become one people, the nation engaged with no less ardour than imprudence in support of the pretensions of their sovereigns to the crown of France, and long wasted its vigour and genius in its wild efforts to conquer that kingdom. When, by ill success, and repeated disappointments, a period was at last put to this fatal frenzy, and the nation, beginning to enjoy some repose, had leisure to breathe and to gather new strength, the destructive wars between the houses of York and Lancaster broke out, and involved the kingdom in the worst of all calamities. Thus, besides the common obstructions of commerce occasioned by the nature of the feudal government and the state of manners during the middle ages, its progress in England was retarded by peculiar causes. Such a succession of events adverse to the commercial spirit was sufficient to have checked its growth, although every other circumstance had favoured it. The English were accordingly one of the last nations in Europe who availed themselves of those commercial advantages which were natural or peculiar to their country. Before the reign of Edward III., all the wool of England, except a small quantity wrought into coarse cloths for home consumption, was sold to the Flemings or Lombards, and manufactured by them. Though Edward, A. D. 1326, began to allure some of the Flemish weavers to settle in England, it was long before the English were capable of fabricating cloth for foreign markets, and the export of unwrought wool still continued to be the chief article of their commerce. Anderson, passim.—All foreign commodities were brought into England by the Lombards or Hanseatic merchants. The English ports were frequented by ships both from the north and south of Europe, and they tamely allowed foreigners to reap all the profits arising from the supply of their wants. The first commercial treaty of England on record, is that with Haquin, king of Norway, A. D. 1217. Anders. vol. i. p. 108. But the English did not venture to trade in their own ships to the Baltic until the beginning of the fourteenth century. Ibid. p. 151. It was after the middle of the fifteenth before they sent any ship into the Mediterranean. Ibid. p. 177. Nor was it long before this period that their vessels began to visit the ports of Spain or Portugal. But though I have pointed out the slow progress of the English commerce as a fact little attended to, and yet meriting consideration; the concourse of foreigners to the ports of England, together with the communication among all the different countries in Europe, which went on increasing from the beginning of the twelfth century, is sufficient to justify all the observations and reasonings in the text concerning the influence of commerce on the state of manners and of society.

Note XXXI. Sect. III. p. 354.

I have not been able to discover the precise manner in which the Justiza was appointed. Among the claims of the *junta* or *union* formed against James I. A. D. 1264, this was one, That the king

should not nominate any person to be Justiza without the consent or approbation of the ricoshombres or nobles. Zurita Anales de Aragon, vol. i. p. 180. But the king in his answer to their remonstrance asserts, "that it was established by immemorial practice, and was conformable to the laws of the kingdom, that the king in virtue of his royal prerogative should name the Justiza." Zurita, ib. 181. Blanca, 656. From another passage in Zurita it appears, that while the Aragonese enjoyed the privilege of *the union*, i. e. the power of confederating against their sovereign as often as they conceived that he had violated any of their rights and immunities, the Justiza was not only nominated by the king, but held his office during the king's pleasure. Nor was this practice attended with any bad effects, as the privilege of the union was a sufficient and effectual check to any abuse of the royal prerogative. But when the privilege of the union was abolished as dangerous to the order and peace of society, it was agreed that the Justiza should continue in office during life. Several kings, however, attempted to remove Justizas who were obnoxious to them, and they sometimes succeeded in the attempt. In order to guard against this encroachment, which would have destroyed the intention of the institution, and have rendered the Justiza the dependant and tool of the crown instead of the guardian of the people, a law was enacted in the Cortes, A. D. 1442, ordaining that the Justiza should continue in office during life, and should not be removed from it unless by the authority of the Cortes. Fueros et Observancias del Reyno de Arag. lib. i. p. 22. By former laws the person of the Justiza had been declared sacred, and he was responsible only to the Cortes. Ibid. p. 15. b. Zurita and Blanca, who both published their histories while the Justiza of Aragon retained the full exercise of his privileges and jurisdiction, have neglected to explain several circumstances with regard to the office of that respectable magistrate, because they addressed their works to their countrymen, who were well acquainted with every particular concerning the functions of a judge to whom they looked up as to the guardian of their liberties. It is vain to consult the later historians of Spain about any point with respect to which the excellent historians whom I have named are silent. The ancient constitution of their country was overturned, and despotism established on the ruin of its liberties, when the writers of this and the preceding century composed their histories; and on that account they had little curiosity to know the nature of those institutions to which their ancestors owed the enjoyment of freedom, or they were afraid to describe them with much accuracy. The spirit with which Mariana, his continuator Miniana, and Ferreras, write their histories, is very different from that of the two historians of Aragon from whom I have taken my account of the constitution of that kingdom.

Two circumstances concerning the Justiza, besides those which I have mentioned in the text, are worthy of observation: 1. None of the ricoshombres, or noblemen of the first order, could be appointed Justiza. He was taken out of the second class of cavaileros, who seem to have been nearly of the same condition or rank with gentlemen or commoners in Great Britain. Fueros et Observanc. del Reyno, &c. lib. i. p. 21. b. The reason was, By the laws of Aragon the ricoshombres were not subject to capital punishment; but as it was necessary for the security of liberty that the Justiza should be accountable for the manner in which he executed the high trust reposed in him, it was a powerful restraint upon him to know that he was liable to be punished capitally. Blanca, p. 657, 756. Zurita, tom. ii. 229. Fueros et Observanc. lib. ix. p. 182. b. 183. It appears too from many passages in Zurita, that the Justiza was appointed to check the domineering and oppressive spirit of the nobles, as well as to set bounds to the power of the monarch, and therefore he was chosen from an order of citizens equally interested in opposing both.

2. A magistrate possessed of such vast powers as the Justiza, might have exercised them in a manner pernicious to the state, if he himself had been subject to no control. A constitutional remedy was on that account provided against this danger. Seventeen persons were chosen by lot in each meeting of the Cortes. These formed a tribunal, called the court of inquisition into the office of Justiza. This court met at three stated terms in each year. Every person had liberty of complaining to it of any iniquity or neglect of duty in the Justiza, or in the inferior judges who acted in his name. The Justiza and his deputies were called to answer for their conduct. The members of the court passed sentence by ballot. They might punish by degradation, confiscation of goods, or even with death. The law which erected this court, and regulated the form of its procedure, was enacted A. D. 1461. Zurita Anales, iv. 102. Blanca Comment. Rer. Aragon, 770. Previous to this period, inquiry was made into the conduct of the Justiza, though not with the same formality. He was, from the first institution of the office, subject to the review of the Cortes. The constant dread of such an impartial and severe inquiry into his behaviour, was a powerful motive to the vigilant and faithful discharge of his duty. A remarkable instance of the authority of the Justiza, when opposed to that of the king, occurs in the year 1386. By the constitution of Aragon, the eldest son or heir-apparent of the crown possessed considerable power and jurisdiction in the kingdom. Fueros et Observanc. del Reyno de Arag. lib. i. p. 16. Peter IV., instigated by a second wife, attempted to deprive his son of this, and enjoined his subjects to yield him no obedience. The prince immediately applied to the Justiza, "the safeguard and defence (says Zurita) against all violence and oppression." The Justiza granted him the *firmo de derecho*, the effect of which was, that upon his giving surety to

appear in judgment, he could not be deprived of any immunity or privilege which he possessed, but in consequence of a legal trial before the Justiza, and of a sentence pronounced by him. This was published throughout the kingdom; and notwithstanding the proclamation in contradiction to this which had been issued by the king, the prince continued in the exercise of all his rights, and his authority was universally recognised. Zurita Anales de Aragon, tom. ii. 385.

Note XXXII. Sect. III. p. 354.

I have been induced, by the concurring testimony of many respectable authors, to mention this as the constitutional form of the oath of allegiance which the Aragonese took to their sovereigns. I must acknowledge, however, that I have not found this singular oath in any Spanish author whom I have had an opportunity of consulting. It is mentioned neither by Zurita, nor Blanca, nor Argensola, nor Sayas, who were all historiographers appointed by the Cortes of Aragon to record the transactions of the kingdom. All these writers possess a merit which is very rare among historians. They are extremely accurate in tracing the progress of the laws and constitution of their country. Their silence with respect to this creates some suspicion concerning the genuineness of the oath. But as it is mentioned by so many authors who produce the ancient Spanish words in which it is expressed, it is probable that they have taken it from some writer of credit whose works have not fallen into my hands. The spirit of the oath is perfectly agreeable to the genius of the Aragonese constitution. Since the publication of the first edition, the learned M. Totze, Professor of History at Batzow in the duchy of Mecklenburg, has been so good as to point out to me a Spanish author of great authority who has published the words of this oath. It is Antonio Perez, a native of Aragon, secretary to Philip II. The words of the oath are, "Nos que valemos tanto como vos, os hazemos nuestro Rey y Segnor, con tal que nos guardeys nuestros fueros, y libertades, y si No, No." Las Obras y Relaciones de Ant. Perez. 8vo. par Juan de la Planche 1631, p. 143.

The privilege of Union which I have mentioned in the preceding Note, and alluded to in the text, is indeed one of the most singular which could take place in a regular government, and the oath that I have quoted expresses nothing more than this constitutional privilege entitled the Aragonese to perform. If the king or his ministers violated any of the laws or immunities of the Aragonese, and did not grant immediate redress in consequence of their representations and remonstrances, the nobles of the first rank, or *Ricoshombres de natura, et de mesnada*, the equestrian order, or the nobility of the second class, called *Hidalgos et Infanciones*, together with the magistrates of cities, might, either in the Cortes or in a voluntary assembly, join in union, and binding themselves by mutual oaths and the exchange of hostages to be faithful to each other, they might require the king, in the name and by the authority of this body corporate, to grant them redress. If the king refused to comply with their request, or took arms in order to oppose them, they might, in virtue of the privilege of union, instantly withdraw their allegiance from the king, refuse to acknowledge him as their sovereign, and proceed to elect another monarch; nor did they incur any guilt, or become liable to any prosecution, on that account. Blanca Com. Rer. Arag. 661, 669. This union did not resemble the confederacies in other feudal kingdoms. It was a constitutional association, in which legal privileges were vested, which issued its mandates under a common seal, and proceeded in all its operations by regular and ascertained forms. This dangerous right was not only claimed, but exercised. In the year 1287, the Aragonese formed a union in opposition to Alfonso III., and obliged that king not only to comply with their demands, but to ratify a privilege so fatal to the power of the crown. Zurita Anales, tom. i. p. 322. In the year 1347, a union was formed against Peter IV. with equal success, and a new ratification of the privilege was extorted. Zurita. tom. ii. p. 202. But soon after, the king having defeated the leaders of the union in battle, the privilege of union was finally abrogated in the Cortes, and all the laws or records which contained any confirmation of it were cancelled or destroyed. The king, in presence of the Cortes, called for the act whereby he had ratified the union, and having wounded his hand with his poniard, he held it above the record—"That privilege (says he) which has been so fatal to the kingdom, and so injurious to royalty, should be effaced with the blood of a king." Zurita, tom. ii. p. 229. The law abolishing the union is published Fueros et Observanc. lib. ix. p. 178. From that period the Justiza became the constitutional guardian of public liberty, and his power and jurisdiction occasioned none of those violent convulsions which the tumultuary privilege of the union was apt to produce. The constitution of Aragon, however, still remained extremely free. One source of this liberty arose from the early admission of the representatives of cities into the Cortes. It seems probable from Zurita, that burgesses were constituent members of the Cortes from its first institution. He mentions a meeting of Cortes, A. D. 1133, in which the *procuradores de las ciudades y villas* were present. Tom. i. p. 51. This is the constitutional language in which their presence is declared in the Cortes, after the journals of that court were regularly kept. It is probable that an historian so accurate as Zurita would not have used these words, if he had not taken them from some authentic record. It was more than a century after this period before the representatives of cities formed a constituent part in the supreme assemblies of the other European nations. The free spirit of the Aragonese government is conspicuous in many particulars. The Cortes

not only opposed the attempts of their kings to increase their revenue or to extend their prerogative, but they claimed rights and exercised powers which will appear extraordinary even in a country accustomed to the enjoyment of liberty. In the year 1286, the Cortes claimed the privilege of naming the members of the king's council and the officers of his household; and they seem to have obtained it for some time. Zurita, tom. i. p. 303, 307. It was the privilege of the Cortes to name the officers who commanded the troops raised by their authority. This seems to be evident from a passage in Zurita. When the Cortes, in the year 1503, raised a body of troops to be employed in Italy, it passed an act empowering the king to name the officers who should command them, Zurita, tom. v. p. 274.; which plainly implies, that without this warrant it did not belong to him in virtue of his prerogative. In the Fueros et Observancias del Reyno de Aragon, two general declarations of the rights and privileges of the Aragonese are published; the one in the reign of Pedro I., A. D. 1283, the other in that of James II., A. D. 1325. They are of such a length that I cannot insert them; but it is evident from these, that not only the privileges of the nobility, but the rights of the people, personal as well as political, were at that period more extensive and better understood than in any kingdom in Europe. Lib. i. p. 7, 9. The oath by which the king bound himself to observe those rights and liberties of the people, was very solemn. Ibid. p. 14. b. & p. 15. The Cortes of Aragon discovered not only the jealousy and vigilance which are peculiar to free states in guarding the essential parts of the constitution, but they were scrupulously attentive to observe the most minute forms and ceremonies to which they were accustomed. According to the established laws and customs of Aragon, no foreigner had liberty to enter the hall in which the Cortes assembled. Ferdinand, in the year 1481, appointed his queen, Isabella, regent of the kingdom, while he was absent during the course of the campaign. The law required that a regent should take the oath of fidelity in presence of the Cortes; but as Isabella was a foreigner, before she could be admitted the Cortes thought it necessary to pass an act authorizing the serjeant-porter to open the door of the hall, and to allow her to enter; "so attentive were they (says Zurita) to observe their laws and forms, even such as may seem most minute." Tom. iv. p. 313.

The Aragonese were no less solicitous to secure the personal rights of individuals than to maintain the freedom of the constitution; and the spirit of their statutes with respect to both was equally liberal. Two facts relative to this matter merit observation. By an express statute in the year 1335, it was declared to be unlawful to put any native Aragonese to the torture. If he could not be convicted by the testimony of witnesses, he was instantly absolved. Zurita, tom. ii. p. 66. Zurita records the regulation with the satisfaction natural to an historian when he contemplates the humanity of his countrymen. He compares the laws of Aragon to those of Rome, as both exempted citizens and freemen from such ignominious and cruel treatment, and had recourse to it only in the trial of slaves. Zurita had reason to bestow such an encomium on the laws of his country. Torture was at that time permitted by the laws of every other nation in Europe. Even in England, from which the mild spirit of legislation has long banished it, torture was not at that time unknown. Observations on the Statutes, chiefly the more ancient, &c. p. 66.

The other fact shows that the same spirit which influenced the legislature prevailed among the people. In the year 1485, the religious zeal of Ferdinand and Isabella prompted them to introduce the inquisition into Aragon. Though the Aragonese were no less superstitiously attached than the other Spaniards to the Roman catholic faith, and no less desirous to root out the seeds of error and of heresy which the Jews and Moors had scattered, yet they took arms against the inquisitors, murdered the chief inquisitor, and long opposed the establishment of that tribunal. The reason which they gave for their conduct was, That the mode of trial in the inquisition was inconsistent with liberty. The criminal was not confronted with the witnesses, he was not acquainted with what they deposed against him, he was subjected to torture, and the goods of persons condemned were confiscated. Zurita Anales, tom. iv. p. 341.

The form of government in the kingdom of Valencia and principality of Catalonia, which were annexed to the crown of Aragon, was likewise extremely favourable to liberty. The Valencians enjoyed the privilege of *union* in the same manner with the Aragonese. But they had no magistrate resembling the Justiza. The Catalonians were no less jealous of their liberties than the two other nations, and no less bold in asserting them. But it is not necessary for illustrating the following history, to enter into any further detail concerning the peculiarities in the constitution of these kingdoms.

Note XXXIII. Sect. III. p. 354.

I have searched in vain among the historians of Castile for such information as might enable me to trace the progress of laws and government in Castile, or to explain the nature of the constitution with the same degree of accuracy wherewith I have described the political state of Aragon. It is manifest not only from the historians of Castile, but from its ancient laws, particularly the Fuero Juzgo, that its monarchs were originally elective. Ley, 2, 5, 8. They were chosen by the bishops, the nobility, and the people. Ibid. It appears from the same venerable code of laws, that the prerogative of the Castilian monarchs was extremely limited. Villaldiego, in his commentary on the Fuero Juzgo, produces many facts and authorities in confirmation of

both these particulars. Dr. Geddes, who was well acquainted with Spanish literature, complains that he could find no author who gave a distinct account of the Cortes or supreme assembly of the nation, or who described the manner in which it was held, or mentioned the precise number of members who had a right to sit in it. He produces, however, from Gil Gonzales d'Avila, who published a history of Henry II., the writ of summons to the town of Abula, requiring it to choose representatives to appear in the Cortes which he called to meet A. D. 1390. From this we learn, that prelates, dukes, marquisses, the masters of the three military orders, condes, and ricoshombres, were required to attend. These composed the bodies of ecclesiastics and nobles, which formed two members of the legislature. The cities which sent members to that meeting of the Cortes were forty-eight. The number of representatives (for the cities had right to choose more or fewer according to their respective dignity) amounted to a hundred and twenty-five. Geddes' Miscellaneous Tracts, vol. i. p. 331. Zurita having occasion to mention the Cortes which Ferdinand held at Toro A. D. 1505, in order to secure for himself the government of Castile after the death of Isabella, records, with his usual accuracy, the names of the members present, and of the cities which they represented. From that list it appears that only eighteen cities had deputies in this assembly. Anales de Aragon, tom. vi. p. 3. What was the occasion of this great difference in the number of cities represented in these two meetings of the Cortes, I am unable to explain.

Note XXXIV. Sect. III. p. 355.

A great part of the territory in Spain was engrossed by the nobility. L. Marinæus Siculus, who composed his treatise De Rebus Hispaniæ during the reign of Charles V., gives a catalogue of the Spanish nobility, together with the yearly rent of their estates. According to his account, which he affirms was as accurate as the nature of the subject would admit, the sum total of the annual revenue of their lands amounted to one million four hundred and eighty-two thousand ducats. If we make allowance for the great difference in the value of money in the fifteenth century from that which it now bears, and consider that the catalogue of Marinæus includes only the *Titulados*, or nobility whose families were distinguished by some honorary title, their wealth must appear very great. L. Marinæus ap. Schott. Scriptores Hispan. vol i. p. 323. The commons of Castile, in their contests with the crown, which I shall hereafter relate, complain of the extensive property of the nobility as extremely pernicious to the kingdom. In one of their manifestos they assert, that from Valladolid to St. Jago in Galicia, which was an hundred leagues, the crown did not possess more than three villages. All the rest belonged to the nobility, and could be subjected to no public burden. Sandov. Vida del Emperor Carl. V. vol. i. p. 422. It appears from the testimony of authors quoted by Bovadilla, that these extensive possessions were bestowed upon the *ricoshombres*, *hidalgos*, and *cavalleros*, by the kings of Castile, in reward for the assistance which they had received from them in expelling the Moors. They likewise obtained by the same means a considerable influence in the cities, many of which anciently depended upon the nobility. Politica para Corregidores. Amb. 1750. fol. vol. i. 440, 442.

Note XXXV. Sect. III. p. 356.

I have been able to discover nothing certain, as I observed, Note XVIII., with respect to the origin of communities of free cities in Spain. It is probable that as soon as the considerable towns were recovered from the Moors, the inhabitants who fixed their residence in them, being persons of distinction and credit, had all the privilege of municipal government and jurisdiction conferred upon them. Many striking proofs occur of the splendour, wealth, and power of the Spanish cities. Hieronymus Paulus wrote a description of Barcelona in the year 1491, and compares the dimensions of the town to that of Naples, and the elegance of its buildings, the variety of its manufactures, and the extent of its commerce, to Florence. Hieron. Paulus ap. Schott. Scrip. Hisp. ii. 844. Marinæus describes Toledo as a large and populous city. A great number of its inhabitants were persons of quality and of illustrious rank. Its commerce was great. It carried on with great activity and success the manufactures of silk and wool; and the number of inhabitants employed in these two branches of trade amounted nearly to ten thousand. Marin. ubi supr. p. 308. I know no city, says he, that I would prefer to Valladolid for elegance and splendour. Ibid. p. 312. We may form some estimate of its populousness from the following circumstances. The citizens having taken arms, in the year 1516, in order to oppose a measure concerted by cardinal Ximenes, they mustered in the city, and in the territory which belonged to it, thirty thousand fighting men. Sandov. Vida. del Emper. Carl. V. tom. i. p. 81. The manufactures carried on in the towns of Spain were not intended merely for home consumption, they were exported to foreign countries, and their commerce was a considerable source of wealth to the inhabitants. The maritime laws of Barcelona are the foundation of mercantile jurisprudence in modern times, as the Leges Rhodiæ were among the ancients. All the commercial states in Italy adopted these laws, and regulated their trade according to them. Sandi Storia Civile Veneziani, vol. ii. 865. It appears from several ordonnances of the kings of France, that the merchants of Aragon and Castile were received on the same footing, and admitted to the same privileges, with those of Italy. Ordonnances des Roys, &c. tom. ii. p. 135. iii. 166, 504, 635. Cities in such a flourishing state became a re-

spectable part of the society, and were entitled to a considerable share in the legislature. The magistrates of Barcelona aspired to the highest honour a Spanish subject can enjoy, that of being covered in the presence of their sovereign, and of being treated as grandees of the kingdom. Origin de la Dignidad de Grande de Castilla por Don Alonso Carillo. Madr. 1657, p. 18.

Note XXXVI. Sect. III. p. 356.

The military order of St. Jago, the most honourable and opulent of the three Spanish orders, was instituted about the year 1170. The bull of confirmation by Alexander III. is dated A. D. 1176. At that time a considerable part of Spain still remained under subjection to the Moors, and the whole country was much exposed to depredations not only of the enemy, but of banditti. It is no wonder, then, that an institution the object of which was to oppose the enemies of the christian faith, and to restrain and punish those who disturbed the public peace, should be extremely popular, and meet with general encouragement. The wealth and power of the order became so great, that, according to one historian, the grand master of St. Jago was the person in Spain of greatest power and dignity next to the king. Æl. Anton. Nebrissensis, ap. Schott. Scrip. Hisp. i. 812. Another historian observes, that the order possessed every thing in Castile that a king would most desire to obtain. Zurita Anales, v. 22. The knights took the vows of obedience, of poverty, and of conjugal chastity. By the former they were bound implicitly to obey the commands of their grand master. The order could bring into the field a thousand men at arms. Æl. Ant. Nebriss. p. 813. If, as we have reason to believe, these men at arms were accompanied as was usual in that age, this was a formidable body of cavalry. There belonged to this order eighty-four commanderies, and two hundred priories and other benefices. Dissertations sur la Chevalerie par Hon. de St. Marie, p. 262. It is obvious how formidable to his sovereign the command of these troops, the administration of such revenues, and the disposal of so many offices, must have rendered a subject. The other two orders, though inferior to that of St. Jago in power and wealth, were nevertheless very considerable fraternities. When the conquest of Granada deprived the knights of St. Jago of those enemies against whom their zeal was originally directed, superstition found out a new object, in defence of which they engaged to employ their courage. To their usual oath they added the following clause: "We do swear to believe, to maintain, and to contend in public and in private, that the Virgin Mary, the Mother of God, our Lady, was conceived without the stain of original sin." This addition was made about the middle of the seventeenth century. Honoré de St. Marie Dissertations, &c. p. 263.—Nor is such a singular engagement peculiar to the order of St. Jago. The members of the second military order in Spain, that of Calatrava, equally zealous to employ their prowess in defence of the honours of the blessed Virgin, have likewise professed themselves her true knights. Their vow, conceived in terms more theologically accurate than that of St. Jago, may afford some amusement to an English reader. "I vow to God, to the Grand Master, and to you who here represent his person, that now, and for ever, I will maintain and contend, that the Virgin Mary, Mother of God, our Lady, was conceived without original sin, and never incurred the pollution of it; but that in the moment of her happy conception, and of the union of her soul with her body, the Divine Grace prevented and preserved her from original guilt, by the merits of the passion and death of Christ our Redeemer, her future Son, foreseen in the Divine Council, by which she was truly redeemed, and by a more noble kind of redemption than any of the children of Adam. In the belief of this truth, and in maintaining the honour of the most Holy Virgin, through the strength of Almighty God, I will live and will die." Definiciones de la Orden. de Calatrava, conforme al Capitulo General en 1652, fol. Madr. 1748. p. 153. Though the church of Rome hath prudently avoided to give its sanction to the doctrine of the immaculate conception, and the two great monastic orders of St. Dominick and St. Francis have espoused opposite opinions concerning it, the Spaniards are such ardent champions for the honour of the Virgin, that when the present king of Spain instituted a new military order in the year 1771, in commemoration of the birth of his grandson, he put it under the immediate protection of the most Holy Mary, in the mystery of her immaculate conception. Constitutiones de la Real y distinguida Orden. Espanola de Carlos III. p. 7. To undertake the defence of the Virgin Mary's honour had such a resemblance to that species of refined gallantry which was the original object of chivalry, that the zeal with which the military orders bound themselves, by a solemn vow, to defend it, was worthy of a true knight, in those ages when the spirit of the institution subsisted in full vigour. But in the present age it must excite some surprise to see the institution of an illustrious order connected with a doctrine so extravagant, and destitute of any foundation in Scripture.

Note XXXVII. Sect. III. p. 357.

I have frequently had occasion to take notice of the defects in police during the middle ages, occasioned by the feebleness of government and the want of proper subordination among the different ranks of men. I have observed in a former Note, that this greatly interrupted the intercourse between nations, and even between different places in the same kingdom. The description which the Spanish historians give of the frequency of rapine, murder, and every act of violence in all the provinces of Spain, are amazing, and present to us the

idea of a society but little removed from the disorder and turbulence of that which has been called a state of nature. Zurita Anales de Arag. i. 175. Æl. Ant. Nebrissensis Rer. a Ferdin. gestar. Hist. ap. Schottum. ii. 849. Though the excess of these disorders rendered the institution of the *Santa Hermandad* necessary, great care was taken at first to avoid giving any offence or alarm to the nobility. The jurisdiction of the judges of the Hermandad was expressly confined to crimes which violated the public peace. All other offences were left to the cognizance of the ordinary judges. If a person was guilty of the most notorious perjury in any trial before a judge of the Hermandad, he could not punish him, but was obliged to remit the case to the ordinary judge of the place. Commentaria in Regias Hispan. Constitut. per Alph. de Azevedo, pars v. p. 223, &c. fol. Duaci, 1612. Notwithstanding these restrictions, the barons were early sensible how much the establishment of the Hermandad would encroach on their jurisdiction. In Castile some opposition was made to the institution; but Ferdinand had the address to obtain the consent of the constable to the introduction of the Hermandad into that part of the kingdom where his estate lay; and by that means, as well as the popularity of the institution, he surmounted every obstacle that stood in its way. Æl. Ant. Nebrissen. 851. In Aragon the nobles combined against it with great spirit; and Ferdinand, though he supported it with vigour, was obliged to make some concessions in order to reconcile them. Zurita Anales de Arag. iv. 356. The power and revenue of the Hermandad in Castile seem to have been very great. Ferdinand, when preparing for the war against the Moors of Granada, required of the Hermandad to furnish him sixteen thousand beasts of burden, together with eight thousand men to conduct them; and he obtained what he demanded. Æl. Ant. Nebriss. 881. The Hermandad has been found to be of so much use in preserving peace, and restraining or detecting crimes, that it is still continued in Spain; but as it is no longer necessary either for moderating the power of the nobility or extending that of the crown, the vigour and authority of the institution diminish gradually.

Note XXXVIII. Sect. III. p. 358.

Nothing is more common among antiquaries, and there is not a more copious source of error, than to decide concerning the institutions and manners of past ages by the forms and ideas which prevail in their own times. The French lawyers in the seventeenth and eighteenth centuries, having found their sovereigns in possession of absolute power, seem to think it a duty incumbent on them to maintain that such undoubted authority belonged to the crown in every period of their monarchy. "The government of France," says M. de Real very gravely, "is purely monarchical at this day, as it was from the beginning. Our kings were absolute originally as they are at present." Science de Gouvernement, tom. ii. p. 31. It is impossible, however, to conceive two states of civil society more unlike to each other than that of the French nation under Clovis and that under Louis XV. It is evident from the codes of laws of the various tribes which settled in Gaul and the countries adjacent to it, as well as from the history of Gregory of Tours and other early annalists, that among all these people the form of government was extremely rude and simple, and that they had scarcely begun to acquire the first rudiments of that order and police which are necessary in extensive societies. The king or leader had the command of soldiers or companions, who followed his standard from choice, not by constraint. I have produced the clearest evidence of this, Note VI. An event related by Gregory of Tours lib. iv. c. 14. affords the most striking proof of the dependence of the early French kings on the sentiment and inclination of their people. Clotaire I. having marched at the head of his army in the year 553 against the Saxons, that people, intimidated at his approach, sued for peace, and offered to pay a large sum to the offended monarch. Clotaire was willing to close with what they proposed. But his army insisted to be led forth to battle. The king employed all his eloquence to persuade them to accept of what the Saxons were ready to pay. The Saxons, in order to soothe them, increased their original offer. The king renewed his solicitations; but the army, enraged, rushed upon the king, tore his tent in pieces, dragged him out of it, and would have slain him on the spot, if he had not consented to lead them instantly against the enemy.

If the early monarchs of France possessed such limited authority, even while at the head of their army, their prerogative during peace will be found to be still more confined. They ascended the throne not by any hereditary right, but in consequence of the election of their subjects. In order to avoid an unnecessary number of quotations, I refer my readers to Hottomanni Franco-Gallia, cap. vi. p. 47. edit. 1573, where they will find the fullest proof of this from Gregory of Tours, Amoinus, and the most authentic historians of the Merovingian kings. The effect of this election was not to invest them with absolute power. Whatever related to the general welfare of the nation, was submitted to public deliberation, and determined by the suffrage of the people, in the annual assemblies called Les Champs de Mars and Les Champs de Mai. These assemblies were called *Champs*, because, according to the custom of all the barbarous nations, they were held in the open air, in some plain capable of containing the vast number of persons who had a right to be present. Jo. Jac. Sorberus de Comitiis veterum Germanorum, vol. i. § 19, &c. They were denominated Champs de Mars and de Mai, from the months in which they were held. Every freeman seems to have had a right to be present in these assemblies. Sorberus, ibid. § 133, &c. The ancient annals of the Franks describe the persons who were present

in the assembly held A. D. 788, in these words: In placito Ingelheimensi conveniunt pontifices, majores, minores, sacerdotes, reguli, duces, comites, præfecti, cives, oppidani. Apud Sorber. § 304. There every thing that concerned the happiness of their country, says an ancient historian, every thing that could be of benefit to the Franks, was considered and enjoined. Fredegarius ap Du Cange Glossar. voc. *Campus Martii.* Chlotharius II. describes the business and acknowledges the authority of these assemblies. They are called, says he, that whatever relates to the common safety may be considered and resolved by common deliberation; and whatever they determine, to that I will conform. Amoinus de Gest. Franc. lib. iv. c. i. ap. Bouquet Recueil, iii. 116. The statutory clauses, or words of legislative authority, in the decrees issued in these assemblies, run not in the name of the king alone. "We have treated, says Childebert, in a decree A. D. 532, in the assembly of March, together with our nobles, concerning some affairs, and we now publish the conclusion, that it may come to the knowledge of all." Childeb. Decret. ap. Bouquet Recueil des Histor. tom. iv. p. 3. We have agreed, together with our vassals. Ibid. § 2. It is agreed in the assembly in which we were all united. Ibid. § 4. The Salic laws, the most venerable monument of French jurisprudence, were enacted in the same manner. Dictaverunt Salicam legem proceres ipsius gentis, qui tunc temporis apud eam erant Rectores. Sunt autem electi de pluribus viri quatuor—qui per tres Mallos convenientes, omnes causarum origines solicitè discurrendo, tractantes de singulis judicium decreverunt hoc modo. Præf. Leg. Salic. ap. Bouquet. Ibid. p. 122. Hoc decretum est apud regem et principes ejus, et apud cunctum populum christianum, qui infra regnum Merwingorum consistunt. Ibid. p. 124. Nay, even in their charters the kings of the first race are careful to specify that they were granted with the consent of their vassals. Ego Childebertus Rex unà cum consensu et voluntate Francorum, &c. A. D. 558. Bouquet, ibid. 622. Chlotharius III. unà cum patribus nostris episcopis, optimatibus, cæterisque palatii nostri ministris, A. D. 664. Ib. 648. De consensu fidelium nostrorum. Mably Observ. tom. i. p. 239. The historians likewise describe the functions of the king in the national assemblies, in such terms as imply that his authority there was extremely small, and that every thing depended on the court itself. Ipse Rex (says the author of Annales Francorum, speaking of the Field of March) sedebat in sella regia, circumstante exercitu, præcipiebatque is, die illo, quicquid a Francis deeretum erat. Bouquet Recueil, tom. ii. p. 647.

That the general assemblies exercised supreme jurisdiction over all persons, and with respect to all causes, is so evident as to stand in need of no proof. The trial of Brunehaut, A. D. 613, how unjust soever the sentence against her may be, as related by Fredegarius, Chron. cap. 42. Bouquet, ibid. 430. is in itself sufficient proof of this. The notorious violence and iniquity of the sentence serve to demonstrate the extent of jurisdiction which this assembly possessed, as a prince so sanguinary as Clothaire II. thought the sanction of its authority would be sufficient to justify his rigorous treatment of the mother and grandmother of so many kings.

With respect to conferring donatives on the prince, we may observe, that among nations whose manners and political institutions are simple, the public as well as individuals having few wants, they are little acquainted with taxes, and free uncivilized tribes disdain to submit to any stated imposition. This was remarkably the case of the Germans, and of all the various people that issued from that country. Tacitus pronounces two tribes not to be of German origin, because they submitted to pay taxes. De Morib. Germ. c. 43. And speaking of another tribe according to the ideas prevalent in Germany, he says, "they were not degraded by the imposition of taxes." Ibid. c. 29. Upon the settlement of the Franks in Gaul, we may conclude, that while elated with the consciousness of victory they would not renounce the high-spirited ideas of their ancestors, or voluntarily submit to a burden which they regarded as a badge of servitude. The evidence of the earliest records and historians justifies this conclusion. M. de Montesquieu, in the twelfth and subsequent chapters of the thirteenth book of l'Esprit des Loix, and M. de Mably, Observat. sur l'Hist. de France, tom. i. p. 247. have investigated this fact with great attention, and have proved clearly that the property of freemen among the Franks was not subject to any stated tax; that the state required nothing from persons of this rank but military service at their own expense, and that they should entertain the king in their houses when he was upon any progress through his dominions, or his officers when sent on any public employment, furnishing them with carriages and horses. Monarchs subsisted almost entirely upon the revenues of their own domains, and upon the perquisites arising from the administration of justice, together with a few small fines and forfeitures exacted from such as had been guilty of certain trespasses. It is foreign from my subject to enumerate these. The reader may find them in Observat. de M. de Mably, vol. i. p. 267.

When any extraordinary aid was granted by free men to their sovereign, it was purely voluntary. In the annual assembly of March or May, it was the custom to make the king a present of money, of horses or arms, or some other thing of value. This was an ancient custom, and derived from their ancestors the Germans. Mos est civitatibus, ultro ac viritim conferri principibus vel armentorum vel frugum, quod pro honore acceptum, etiam necessitatibus subvenit. Tacit. de Mor. Germ. c. 15. These gifts, if we may form a judgment concerning them from the general terms in which they are mentioned

by the ancient historians, were considerable, and made no small part of the royal revenue. Many passages to this purpose are produced by M. du Cange, Dissert. iv. sur Joinville, 153. Sometimes a conquered people specified the gift which they bound themselves to pay annually, and it was exacted as a debt if they failed. Annales Metenses, ap. Du Cange, ibid. p. 155. It is probable that the first step towards taxation was to ascertain the value of these gifts, which were originally gratuitous, and to compel the people to pay the sum at which they were rated. Still, however, some memory of their original was preserved, and the aids granted to monarchs in all the kingdoms of Europe were termed *benevolences* or *free gifts*.

The kings of the second race in France were raised to the throne by the election of the people. Pepinus Rex pius, says an author who wrote a few years after the transaction which he records, per authoritatem Papæ, et unctionem sancti chrismatis et electionem omnium Francorum in regni solio sublimatus est. Clausula de Pepini consecratione ap. Bouq. Recueil des Histor. tom. v. p. 9. At the same time, as the chief men of the nation had transferred the crown from one family to another, an oath was exacted of them, that they should maintain on the throne the family which they had now promoted; ut nunquam de alterius lumbis regem in ævo præsumant eligere. Ibid. p. 10. This oath the nation faithfully observed during a considerable space of time. The posterity of Pepin kept possession of the throne; but with respect to the manner of dividing their dominions among their children, princes were obliged to consult the general assembly of the nation. Thus Pepin himself, A. D. 768, appointed his two sons, Charles and Carlomannus, to reign as joint sovereigns; but he did this, unà cum consensu Francorum et procerum suorum seu et episcoporum, before whom he laid the matter in their general assembly. Conventus apud Sanctum Dionysium, Capitular. vol. i. p. 187. This destination the French confirmed in a subsequent assembly, which was called upon the death of Pepin; for, as Eginhart relates, they not only appointed them kings, but by their authority they regulated the limits of their respective territories. Vita Car. Magni ap. Bouquet Recueil, tom. v. p. 90. In the same manner, it was by the authority of the supreme assemblies that any dispute which arose among the descendants of the royal family was determined. Charlemagne recognises this important part of their jurisdiction, and confirms it in his charter concerning the partition of his dominions; for he appoints that, in case of any uncertainty with respect to the right of the several competitors, he whom the people shall choose shall succeed to the crown. Capitular. vol. i. 442.

Under the second race of kings, the assemblies of the nation, distinguished by the name of Conventus, Malli, Placita, were regularly assembled once a year at least, and frequently twice in the year. One of the most valuable monuments of the history of France is the treatise of Hincmarus, archbishop of Rheims, de Ordine Palatii. He died A. D. 882, only sixty-eight years after Charlemagne, and he relates in that short discourse the facts which were communicated to him by Adalhardus, a minister and confidant of Charlemagne. From him we learn that this great monarch never failed to hold the general assembly of his subjects every year. In quo placito generalitas universorum majorum tam clericorum quam laicorum conveniebat. Hincm. Oper. edit. Sirmondi, vol. ii. c. 29, 211. In these assemblies, matters which related to the general safety and state of the kingdom were always discussed before they entered upon any private or less important business. Ibid. c. 33. p. 213. His immediate successors imitated his example, and transacted no affair of importance without the advice of their great council.

Under the second race of kings, the genius of the French government continued to be in a good measure democratical. The nobles, the dignified ecclesiastics, and the great officers of the crown, were not the only members of the national council; the people, or the whole body of free men, either in person or by their representatives, had a right to be present in it. Hincmarus, in describing the manner of holding the general assemblies, says, that if the weather was favourable they met in the open air; but if otherwise, they had different apartments allotted to them: so that the dignified clergy were separated from the laity, and the comites vel hujusmodi principes sibimet honorificabiliter a cætera multitudine segregarentur. Ibid. c. 35. p. 114. Agobardus, archbishop of Lyons, thus describes a national council in the year 833, wherein he was present. Qui ubique conventus extitit ex reverendissimis episcopis, et magnificentissimis viris illustribus, collegio quoque abbatum et comitum, promiscuæque ætatis et dignitatis populo. The *cætera multitudo* of Hincmarus is the same with the *populus* of Agobardus, and both describe the inferior order of free men, the same who were afterwards known in France by the name of the third estate, and in England by the name of commons. The people, as well as the members of higher dignity, were admitted to a share of the legislative power. Thus, by a law A. D. 803, it is ordained, "that the question shall be put to the people with respect to every new law, and if they shall agree to it, they shall confirm it by their signature." Capit. vol. i. 394. There are two capitularia which convey to us a full idea of the part which the people took in the administration of government. When they felt the weight of any grievance, they had a right to petition the sovereign for redress. One of these petitions, in which they desire that ecclesiastics might be exempted from bearing arms, and from serving in person against the enemy, is still extant. It is addressed to Charlemagne, A. D. 803, and expressed in such terms as could have been used only by men

conscious of liberty, and of the extensive privileges which they possessed. They conclude with requiring him to grant their demand, if he wished that they should any longer continue faithful subjects to him. That great monarch, instead of being offended or surprised at the boldness of their petition, received it in a most gracious manner, and signified his willingness to comply with it. But sensible that he himself did not possess legislative authority, he promises to lay the matter before the next general assembly, that such things as were of common concern to all might be there considered and established by common consent. Capitul. tom. i. p. 405—409. As the people by their petitions brought matters to be proposed in the general assembly, we learn from another capitulare the form in which they were approved there, and enacted as laws. The propositions were read aloud, and then the people were required to declare whether they assented to them or not. They signified their assent by crying, three times, "We are satisfied;" and then the capitulare was confirmed by the subscription of the monarch, the clergy, and the chief men of the laity. Capitul. tom. i. p. 627. A. D. 822. It seems probable from a capitulare of Carolus Calvus, A. D. 851, that the sovereign could not refuse his assent to what was proposed and established by his subjects in the general assembly. Tit. ix. § 6. Capitul. vol. ii. p. 47. It is unnecessary to multiply quotations concerning the legislative power of the national assembly of France under the second race, or concerning its right to determine with regard to peace and war. The uniform style of the capitularia is an abundant confirmation of the former. The reader who desires any further information with respect to the latter, may consult Les Origines ou l'Ancien Gouvernement de la France, &c. tom. iii. p. 87, &c. What has been said with respect to the admission of the people or their representatives into the supreme assembly merits attention, not only in tracing the progress of the French government, but on account of the light which it throws upon a similar question agitated in England, concerning the time when the commons became part of the legislative body in that kingdom.

Note XXXIX. Sect. III. p. 358.

That important change which the constitution of France underwent when the legislative power was transferred from the great council of the nation to the king, has been explained by the French antiquaries with less care than they bestow in illustrating other events in their history. For that reason I have endeavoured with greater attention to trace the steps which led to this memorable revolution. I shall here add some particulars which tend to throw additional light upon it. The Leges Salicæ, the Leges Burgundionum, and other codes published by the several tribes which settled in Gaul, were general laws extending to every person, to every province and district where the authority of those tribes was acknowledged. But they seem to have become obsolete; and the reason of their falling into disuse is very obvious. Almost the whole property of the nation was allodial when these laws were framed. But when the feudal institutions became general, and gave rise to an infinite variety of questions peculiar to that species of tenure, the ancient codes were of no use in deciding with regard to these, because they could not contain regulations applicable to cases which did not exist at the time when they were compiled. This considerable change in the nature of property made it necessary to publish the new regulations contained in the *Capitularia*. Many of these, as is evident from the perusal of them, were public laws extending to the whole French nation, in the general assembly of which they were enacted. The weakness of the greater part of the monarchs of the second race, and the disorder into which the nation was thrown by the depredations of the Normans, encouraged the barons to usurp an independent power formerly unknown in France. The nature and extent of that jurisdiction which they assumed I have formerly considered. The political union of the kingdom was at an end, its ancient constitution was dissolved, and only a feudal relation subsisted between the king and his vassals. The regal jurisdiction extended no further than the domains of the crown. Under the last kings of the second race, these were reduced almost to nothing. Under the first kings of the third race, they comprehended little more than the patrimonial estate of Hugh Capet, which he annexed to the crown. Even with this accession, they continued to be of small extent. Velly, Hist. de France, tom. iii. p. 32. Many of the most considerable provinces in France did not at first acknowledge Hugh Capet as a lawful monarch. There are still extant several charters, granted during the first years of his reign, with this remarkable clause in the form of dating the charter: "Deo regnante, rege expectante," regnante domino nostro Jesu Christo, Francis autem contra jus regnum usurpante Ugone rege. Bouquet Recueil, tom. x. p. 544. A monarch whose title was thus openly disputed, was not in a condition to assert the royal jurisdiction, or to limit that of the barons.

All these circumstances rendered it easy for the barons to usurp the rights of royalty within their own territories. The Capitularia became no less obsolete than the ancient laws; local customs were every where introduced, and became the sole rule by which all civil transactions were conducted and all causes were tried. The wonderful ignorance which became general in France during the ninth and tenth centuries, contributed to the introduction of customary law. Few persons except ecclesiastics could read; and as it was not in the power of such illiterate persons to have recourse to written laws, either as their guide in business or their rule in administering justice, the customary law, the knowledge of which was preserved by tradition, universally prevailed.

During this period the general assembly of the

nation seems not to have been called, nor to have once exerted its legislative authority. Local customs regulated and decided every thing. A striking proof of this occurs in tracing the progress of the French jurisprudence. The last of the Capitularia collected by M. Baluze, was issued in the year 921 by Charles the Simple. An hundred and thirty years elapsed from that period to the publication of the first ordonnance of the kings of the third race, contained in the great collection of M. Lauriere ; and the first ordonnance which appears to be an act of legislation extending to the whole kingdom, is that of Philip Augustus, A. D. 1190. Ordon. tom. i. p. 1, 18. During that long period of two hundred and sixty-nine years, all transactions were directed by local customs, and no addition was made to the statutary law of France. The ordonnances, previous to the reign of Philip Augustus, contain regulations the authority of which did not extend beyond the king's domains.

Various instances occur of the caution with which the kings of France ventured at first to exercise legislative authority. M. l'Ab. de Mably produces an ordonnance of Philip Augustus, A. D. 1206, concerning the Jews, who in that age were in some measure the property of the lord in whose territories they resided. But it is rather a treaty of the king with the countess of Champagne and the Compte de Dampierre, than an act of royal power; and the regulations in it seem to be established not so much by his authority as by their consent. Observat. sur l'Hist. de France, ii. p. 355. In the same manner an ordonnance of Louis VIII. concerning the Jews, A. D. 1223, is a contract between the king and his nobles with respect to their manner of treating that unhappy race of men. Ordon. tom. i. p. 47. The Establissemens of St. Louis, though well adapted to serve as general laws to the whole kingdom, were not published as such, but only as a complete code of customary law, to be of authority within the king's domains. The wisdom, the equity, and the order conspicuous in that code of St. Louis, procured it a favourable reception throughout the kingdom. The veneration due to the virtues and good intentions of its author, contributed not a little to reconcile the nation to that legislative authority which the king began to assume. Soon after the reign of St. Louis, the idea of the king's possessing supreme legislative power became common. If, says Beaumanoir, the king makes any establishment specially for his own domain, the barons may nevertheless adhere to their ancient customs: but if the establishment be general, it shall be current throughout the whole kingdom, and we ought to believe that such establishments are made with mature deliberation, and for the general good. Cout. de Beauvoisis, c. 48. p. 265. Though the kings of the third race did not call the general assembly of the nation during the long period from Hugh Capet to Philip the Fair, yet they seem to have consulted the bishops and barons who happened to be present in their court, with respect to any new law which they published. Examples of this occur Ordon. tom. i. p. 3 & 5. This practice seems to have continued as late as the reign of St. Louis, when the legislative authority of the crown was well established. Ordon. tom. i. p. 58. A. D. 1246. This attention paid to the barons, facilitated the king's acquiring such full possession of the legislative power as enabled them afterwards to exercise it without observing that formality.

The assemblies distinguished by the name of the states-general, were first called A. D. 1302, and were held occasionally from that period to the year 1614, since which time they have not been summoned. These were very different from the ancient assemblies of the French nation under the kings of the first and second race. There is no point with respect to which the French antiquaries are more generally agreed, than in maintaining that the states-general had no suffrage in the passing of laws, and possessed no proper legislative jurisdiction. The whole tenor of the French history confirms this opinion. The form of proceeding in the states-general was this: The king addressed himself, at opening the meeting, to the whole body assembled in one place, and laid before them the affairs on account of which he had summoned them. Then the deputies of each of the three orders, of nobles, of clergy, and of the third estate, met apart and prepared their *cahier* or memorial, containing their answer to the propositions which had been made to them, together with the representations which they thought proper to lay before the king. These answers and representations were considered by the king in his council, and generally gave rise to an ordonnance. These ordonnances were not addressed to the three estates in common. Sometimes the king addressed an ordonnance to each of the estates in particular: sometimes he mentioned the assembly of the three estates: sometimes mention is made only of the assembly of that estate to which the ordonnance is addressed: sometimes no mention at all is made of the assembly of estates which suggested the propriety of enacting the law. Preface au tom. iii. des Ordon. p. xx. Thus the states-general had only the privilege of advising and remonstrating; the legislative authority resided in the king alone.

Note XL. Sect. III. p. 360.

If the parliament of Paris be considered only as the supreme court of justice, every thing relative to its origin and jurisdiction is clear and obvious. It is the ancient court of the king's palace, new-modelled, rendered stationary, and invested with an extensive and ascertained jurisdiction. The power of this court, while employed in this part of its functions, is not the object of present consideration. The pretensions of the parliament to control the exercise of the legislative authority, and its claim of a right to interpose with respect to public affairs and the political administration of the kingdom, lead to in-

quiries attended with great difficulty. As the officers and members of the parliament of Paris were anciently nominated by the king, were paid by him, and on several occasions were removed by him at pleasure, (Chronic. Scandaleuse de Louis XI. chez les Mem. de Comines, tom. ii. p. 51. Edit. de M. Lenglet de Fresnoy,) they cannot be considered as representatives of the people, nor could they claim any share in the legislative power as acting in their name. We must therefore search for some other source of this high privilege. 1. The parliament was originally composed of the most eminent persons in the kingdom. The peers of France, ecclesiasties of the highest order, and noblemen of illustrious birth, were members of it, to whom were added some clerks and counsellors learned in the laws. Pasquier Recherches, p. 44, &c. Encyclopedie, tom. xii. art *Parlement*, p. 3, 5. A court thus constituted was properly a committee of the states-general of the kingdom, and was composed of those barons and *fideles* whom the kings of France were accustomed to consult with regard to every act of jurisdiction or legislative authority. It was natural, therefore, during the intervals between the meetings of the states-general, or during those periods when that assembly was not called, to consult the parliament, to lay matters of public concern before it, and to obtain its approbation and concurrence, before any ordonnance was published to which the people were required to conform. 2. Under the second race of kings, every new law was reduced into proper form by the chancellor of the kingdom, was proposed by him to the people, and when enacted, was committed to him to be kept among the public records, that he might give authentic copies of it to all who should demand them. Hincm. de Ord. Palat. c. 16. Capitul. Car. Calv. tit. xiv. § 11. tit. xxxiii. The chancellor presided in the parliament of Paris at its first institution. Encyclopedie, tom. iii. art. *Chancelier*, p. 88. It was, therefore, natural for the king to continue to employ him in his ancient functions of framing, taking into his custody, and publishing the ordonnances which were issued. To an ancient copy of the Capitularia of Charlemagne, the following words are subjoined: Anno tertio clementissimi domini nostri Caroli Augusti, sub ipso anno, hæc facta Capitula sunt, et consignata Stephano comiti, ut hæc manifesta faceret Parisiis mallo publico, et illa legere faceret coram Scabineis, quod ita et fecit, et omnes in uno consenserunt, quod ipsi voluissent observare usque in posterum, etiam omnes Scabinei, Episcopi, Abbates, Comites, manu propria subter signaverunt. Bouquet Recueil, tom. v. p. 663. *Mallus* signifies not only the public assembly of the nation, but the court of justice held by the Comes, or missus dominicus. *Scabini* were the judges or the assessors of the judges in that court. Here, then, seems to be a very early instance, not only of laws being published in a court of justice, but of their being verified or confirmed by the subscription of the judges. If this was the common practice, it naturally introduced the verifying of edicts in the parliament of Paris. But this conjecture I propose with that diffidence which I have felt in all my reasonings concerning the laws and institutions of foreign nations. 3. This supreme court of justice in France was dignified with the appellation of parliament, the name by which the general assembly of the nation was distinguished towards the close of the second race of kings; and men both in reasoning and in conduct, were wonderfully influenced by the similarity of names. The preserving the ancient names of the magistrates established while the republican government subsisted in Rome, enabled Augustus and his successors to assume new powers with less observation and greater ease. The bestowing the same name in France upon two courts which were extremely different, contributed not a little to confound their jurisdictions and functions.

All these circumstances concurred in leading the kings of France to avail themselves of the parliament of Paris as the instrument of reconciling the people to the exercise of legislative authority by the crown. The French, accustomed to see all new laws examined and authorized before they were published, did not sufficiently distinguish between the effect of performing this in the national assembly, or in a court appointed by the king. But as that court was composed of respectable members, and who were well skilled in the laws of their country, when any new edict received its sanction, that was sufficient to dispose the people to submit to it.

When the practice of *verifying* and *registering* the royal edicts in the parliament of Paris became common, the parliament contended that this was necessary in order to give them legal authority. It was established as a fundamental maxim in French jurisprudence, that no law could be published in any other manner; that without this formality no edict or ordonnance could have any effect; that the people were not bound to obey it, and ought not to consider it as an edict or ordonnance, until it was verified in the supreme court, after free deliberation. Roche-flavin des Parlemens de France, 4to. Gen. 1621, p. 921. The parliament, at different times, hath with great fortitude and integrity opposed the will of their sovereigns; and, notwithstanding their repeated and peremptory requisitions and commands, hath refused to verify and publish such edicts as it conceived to be oppressive to the people, or subversive of the constitution of the kingdom. Roche-flavin reckons that between the year 1562 and the year 1589, the parliament refused to verify more than a hundred edicts of the kings. Ibid. 925. Many instances of the spirit and constancy with which the parliaments of France opposed pernicious laws, and asserted their own privileges, are enumerated by Limnæus in his Notitiæ Regni Franciæ, lib. i. c. 9. p. 224.

But the power of the parliament to maintain and defend this privilege bore no proportion to its im-

portanee, or to the courage with which the members asserted it. When any monarch was determined that an edict should be carried into execution, and found the parliament inflexibly resolved not to verify or publish it, he could easily supply this defect by the plenitude of his regal power. He repaired to the parliament in person, he took possession of his seat of justice, and commanded the edict to be read, verified, registered, and published in his presence. Then, according to another maxim of French law, the king himself being present, neither the parliament, nor any magistrate whatever, can exercise any authority or perform any function. Adveniente Principe, cessat magistratus. Roche-flavin, ibid. p. 928, 929. Encyclopedie, tom. ix. art. *Lit. de Justice*, p. 581. Roche-flavin mentions several instances of kings who actually exerted this prerogative, so fatal to the residue of the rights and liberties transmitted to the French by their ancestors. Pasquier produces some instances of the same kind. Rech. p. 61. Limnæus enumerates many other instances, but the length to which this note has swelled prevents me from inserting them at length, though they tend greatly to illustrate this important article in the French history, p. 245. Thus by an exertion of prerogative, which, though violent, seems to be constitutional, and is justified by innumerable precedents, all the efforts of the parliament to limit and control the king's legislative authority are rendered ineffectual.

I have not attempted to explain the constitution or jurisdiction of any parliament in France but that of Paris. All of them are formed upon the model of that most ancient and respectable tribunal, and all my observations concerning it will apply with full force to them.

Note XLI. Sect. III. p. 361.

The humiliating posture in which a great emperor implored absolution is an event so singular, that the words in which Gregory himself describes it merit a place here, and convey a striking picture of the arroganee of that pontiff. Per triduum, ante portam castri, deposito omni regio cultu, miserabiliter, utpote discalceatus, et laneis indutus, persistens, non prius cum multo fletu apostolicæ miserationis auxilium, et consolationem implorari destitit, quam omnes qui ibi aderant, et ad quos rumor ille pervenit, ad tantam pietatem, et compassionis misericordiam movit, ut pro eo multis precibus et lacrymis intercedentes, omnes quidem insolitam nostræ mentis duritiam mirarentur; nonnulli vero in nobis non apostolicæ sedis gravitatem, sed quasi tyrannicæ feritatis crudelitatem esse clamârunt. Epist. Gregor. ap. Memorie della Contessa Matilda da Fran. Mar. Fiorentini. Lucca, 1756, vol. i. p. 174.

Note XLII. Sect. III. p. 364.

As I have endeavoured in the history to trace the various steps in the progress of the constitution of the empire, and to explain the peculiarities in its policy very fully, it is not necessary to add much by way of illustration. What appears to be of any importanee, I shall range under distinct heads.

1. With respect to the power, jurisdiction, and revenue of the emperors. A very just idea of these may be formed by attending to the view which Pfeffel gives of the rights of the emperors at two different periods. The first at the close of the Saxon race, A. D. 1024. These according to his enumeration, were the right of conferring all the great ecclesiastical benefices in Germany; of receiving the revenues of them during a vacancy; of mortmain, or of succeeding to the effects of ecclesiastics who died intestate. The right of confirming or of annulling the elections of the popes. The right of assembling councils, and of appointing them to decide concerning the affairs of the church. The right of conferring the title of king upon their vassals. The right of granting vacant fiefs. The right of receiving the revenues of the empire, whether arising from the imperial domains, from imposts and tolls, from gold or silver mines, from the taxes paid by the Jews, or from forfeitures. The right of governing Italy as its proper sovereigns. The right of erecting free cities, and of establishing fairs in them. The right of assembling the diets of the empire, and of fixing the time of their duration. The right of coining money, and of conferring that privilege on the states of the empire. The right of administering both high and low justice within the territories of the different states. Abregé, p. 160. The other period is at the extinction of the emperors of the families of Luxemburg and Bavaria, A. D. 1437. According to the same author, the imperial prerogatives at that time were the right of conferring all dignities and titles, except the privilege of being a state of the empire. The right of *Preces primariæ*, or of appointing once during their reign a dignitary in each chapter or religious house. The right of granting dispensations with respect to the age of majority. The right of erecting cities, and of conferring the privilege of coining money. The right of calling the meetings of the diet, and of presiding in them. Abregé, &c. p. 507. It were easy to show that Mr. Pfeffel is well founded in all these assertions, and to confirm them by the testimony of the most respectable authors. In the one period the emperors appear as mighty sovereigns with extensive prerogatives; in the other, as the heads of a confederacy with very limited powers.

The revenues of the emperors decreased still more than their authority. The early emperors, and particularly those of the Saxon line, besides their great patrimonial or hereditary territories, possessed an extensive domain both in Italy and Germany, which belonged to them as emperors. Italy belonged to the emperors as their proper kingdom, and the revenues which they drew from it were very considerable. The first alienations of the imperial revenue were made in that country. The Italian cities hav-

ing acquired wealth, and aspiring at independence, purchased their liberty from different emperors, as I have observed Note XV. The sums which they paid, and the emperors with whom they concluded these bargains, are mentioned by Casp. Klockius de Ærario Norimb. 1671, p. 85, &c. Charles IV. and his son Wenceslaus, dissipated all that remained of the Italian branch of the domain. The German domain lay chiefly upon the banks of the Rhine, and was under the government of the counts palatine. It is not easy to mark out the boundaries, or to estimate the value of this ancient domain, which has been so long incorporated with the territories of different princes. Some hints with respect to it may be found in the glossary of Speidelius, which he has entitled Speculum Juridico Philologicopolitico Historicum Observationem, &c. Norimb. 1673. vol. i. p. 679, 1045. A more full account of it is given by Klockius de Ærario, p. 84. Besides this the emperors possessed considerable districts of land lying intermixed with the estates of the dukes and barons. They were accustomed to visit these frequently, and drew from their vassals in each what was sufficient to support their court during the time of their residence among them. Annalistæ, ap. Struv. tom. i. p. 611. A great part of these detached possessions were seized by the nobles during the long interregnum, or during the wars occasioned by the contests between the emperors and the court of Rome. At the same time that such encroachments were made on the fixed or territorial property of the emperors, they were robbed almost entirely of their casual revenues, the princes and barons appropriating to themselves taxes and duties of every kind which had usually been paid to them. Pfeffel Abregé, p. 374. The profuse and inconsiderate ambition of Charles IV. squandered whatever remained of the imperial revenues after so many defalcations. He, in the year 1376, in order to prevail with the electors to choose his son Wenceslaus king of the Romans, promised each of them a hundred thousand crowns. But being unable to pay so large a sum, and eager to secure the election to his son, he alienated to the three ecclesiastical electors, and to the Count Palatine, such countries as still belonged to the Imperial domain on the banks of the Rhine, and likewise made over to them all the taxes and tolls then levied by the emperors in that district. Trithemius, and the author of the Chronicle of Magdeburgh, enumerate the territories and taxes which were thus alienated, and represent this as the last and fatal blow to the imperial authority. Struv. Corp. vol. i. p. 437. From that period the shreds of the ancient revenues possessed by the emperors have been so inconsiderable, that, in the opinion of Speidelius, all that they yield would be so far from defraying the expense of supporting their household, that they would not pay the charge of maintaining the posts established in the empire. Speidelii Speculum, &c. vol. i. p. 680. These funds, inconsiderable as they were, continued to decrease. Granvelle, the minister of Charles V., asserted in the year 1546, in presence of several of the German princes, that his master drew no money at all from the empire. Sleid. History of the Reformation, Lond. 1689, p. 372. The same is the case at present. Traitè de droite publique de l'Empire, par. M. le Coq. de Villeray, p. 55. From the reign of Charles IV., whom Maximilian called the pest of the empire, the emperors have depended entirely on their hereditary dominions as the chief and almost the only source of their power, and even of their subsistence.

2. The ancient mode of electing the emperors, and the various changes which it underwent, require some illustration. The imperial crown was originally attained by election, as well as those of most monarchies in Europe. An opinion long prevailed among the antiquaries and public lawyers of Germany, that the right of choosing the emperors was vested in the archbishops of Mentz, Cologne, and Trevcs, the king of Bohemia, the duke of Saxony, the marquis of Brandenburg, and the count palatine of the Rhine, by an edict of Otho III. confirmed by Gregory V. about the year 996. But the whole tenor of history contradicts this opinion. It appears, that from the earliest period in the history of Germany, the person who was to reign over all was elected by the suffrage of all. Thus Conrad I. was elected by all the people of the Franks, say some annalists; by all the princes and chief men, say others; by all the nation, say others. See their words. Struv. Corp. 211. Conringius de German. Imper. Repub. Acroamata Sex. Ebroduni, 1654, p. 103. In the year 1024, posterior to the supposed regulations of Otho III., Conrad II. was elected by all the chief men, and his election was approved and confirmed by the people. Struv. Corp. 284. At the election of Lotharius II. A. D. 1125, sixty thousand persons of all ranks were present. He was named by the chief men, and their nomination was approved by the people. Struv. ibid. p. 357. The first author who mentions the seven electors is Martinus Polonus, who flourished in the reign of Frederic II. which ended A. D. 1250. We find that in all the ancient elections to which I have referred, the princes of the greatest power and authority were allowed by their countrymen to name the person whom they wished to appoint emperor, and the people approved or disapproved of their nomination. This privilege of voting first is called by the German lawyers the right of *Prætaxation*. Pfeffel Abregé p. 316. This was the first origin of the exclusive right which the electors acquired. The electors possessed the most extensive territories of any princes in the empire; all the great offices of the state were in their hands by hereditary right; as soon as they obtained or engrossed so much influence in the election as to be allowed the right of pretaxation, it was vain to oppose their will, and it even became unnecessary for the inferior ecclesiastics and barons to attend, when they had no other function but that of confirming the deed of these

more powerful princes by their assent. During times of turbulence, the subordinate members of the Germanic body could not resort to the place of election without a retinue of armed vassals, the expense of which they were obliged to defray out of their own revenues; and finding their attendance to be unnecessary, they were unwilling to waste them to no purpose. The rights of the seven electors were supported by all the descendants and allies of their powerful families, who shared in the splendour and influence which they enjoyed by this distinguishing privilege. Pfeffel Abregé, p. 376. The seven electors were considered as the representatives of all the orders which composed the highest class of German nobility. There were three archbishops, chancellors of the three great districts into which the empire was anciently divided; one king, one duke, one marquis, and one count. All these circumstances contributed to render the introduction of this considerable innovation into the constitution of the Germanic body extremely easy. Every thing of importance relating to this branch of the political state of the empire is well illustrated by Onuphrius Panvinius, an Augustinian monk of Verona, who lived in the reign of Charles V. His treatise, if we make some allowance for that partiality which he expresses in favour of the powers which the popes claimed in the empire, has the merit of being one of the first works in which a controverted point in history is examined with critical precision, and with a proper attention to that evidence which is derived from records, or the testimony of contemporary historians. It is inserted by Goldastus in his Politica Imperialia, p. 2.

As the electors have engrossed the sole right of choosing the emperors, they have assumed likewise that of deposing them. This high power the electors have not only presumed to claim, but have ventured in more than one instance to exercise. In the year 1298 a part of the electors deposed Adolphus of Nassau, and substituted Albert of Austria in his place. The reasons on which they found their sentence show that this deed flowed from factious not from public-spirited motives. Struv. Corp. vol. i. 540. In the first year of the fifteenth century. the electors deposed Wenceslaus, and placed the imperial crown on the head of Rupert, elector palatine. The act of deposition is still extant. Goldasti Constit. vol. i. p. 379. It is pronounced in the name and by the authority of the electors, and confirmed by several prelates and barons of the empire, who were present. These exertions of the electoral power demonstrate that the imperial authority was sunk very low.

The other privileges of the electors, and the rights of the electoral college, are explained by the writers on the public law in Germany.

3. With respect to the diets or general assemblies of the empire, it would be necessary, if my object were to write a particular history of Germany, to enter into a minute detail concerning the forms of assembling them, the persons who have right to be present, their division into several colleges or benches, the objects of their deliberation, the mode in which they carry on their debates or give their suffrages, and the authority of their decrees or recesses. But as my only object is to give the outlines of the constitution of the German empire, it will be sufficient to observe, that originally the diets of the empire were exactly the same with the assemblies of March and of May, held by the kings of France. They met at least once a-year. Every freeman had a right to be present. They were assemblies in which a monarch deliberated with his subjects concerning their common interest. Arumæus de Comitiis Rom. German. Imperii, 4to. Jenæ, 1660, cap. 7. No. 20, &c. But when the princes, dignified ecclesiastics, and barons, acquired territorial and independent jurisdiction, the diet became an assembly of the separate states, which formed the confederacy of which the emperor was head. While the constitution of the empire remained in its primitive form, attendance on the diets was a duty, like the other services due from feudal subjects to their sovereign, which the members were bound to perform in person; and if any member who had a right to be present in the diet neglected to attend in person, he not only lost his vote, but was liable to a heavy penalty. Arumæus de Comit. c. 5. No. 40. Whereas, from the time that the members of the diet became independent states, the right of suffrage was annexed to the territory or dignity, not to the person. The members, if they could not or would not attend in person, might send their deputies, as princes send ambassadors, and they were entitled to exercise all the rights belonging to their constituents. Ibid. No. 42, 46, 49. By degrees, and upon the same principle of considering the diet as an assembly of independent states, in which each confederate had the right of suffrage, if any member possessed more than one of those states or characters which entitle to a seat in the diet, he was allowed a proportional number of suffrages. Pfeffel Abregé, 622. From the same cause the imperial cities, as soon as they became free, and acquired supreme and independent jurisdiction within their own territories, were received as members of the diet. The powers of the diet extend to every thing relative to the common concern of the Germanic body, or that can interest or affect it as a confederacy. The diet takes no cognizance of the interior administration in the different states, unless that happens to disturb or threaten the general safety.

4. With respect to the imperial chamber, the jurisdiction of which has been the great source of order and tranquillity in Germany, it is necessary to observe that this court was instituted in order to put an end to the calamities occasioned by private wars in Germany. I have already traced the rise and progress of this practice, and pointed out its pernicious effects as fully as their extensive influence during the middle ages required. In Germany pri-

vate wars seem to have been more frequent, and productive of worse consequences, than in the other countries of Europe. There are obvious reasons for this. The nobility of Germany were extremely numerous, and the causes of their dissension multiplied in proportion. The territorial jurisdiction which the German nobles acquired was more complete than that possessed by their order in other nations. They became, in reality, independent powers, and they claimed all the privileges of that character. The long interregnum from A. D. 1256 to A. D. 1273, accustomed them to an uncontrolled license, and led them to forget that subordination which is necessary in order to maintain public tranquillity. At the time when the other monarchs of Europe began to acquire such an increase of power and revenues as added new vigour to their government, the authority and revenues of the emperors continued gradually to decline. The diets of the empire, which alone had authority to judge between such mighty barons, and power to enforce its decisions, met very seldom. Conring. Acroamata, p. 234. The diets, when they did assemble, were often composed of several thousand members, Chronic. Constat. ap. Struv. Corp. i. p. 546; and were tumultuary assemblies, ill qualified to decide concerning any question of right. The session of the diets continued only two or three days, Pfeffel Abregé, p. 244: so that they had no time to hear or discuss any cause that was in the smallest degree intricate. Thus Germany was left, in some measure, without any court of judicature capable of deciding the contests between its more powerful members, or of repressing the evils occasioned by their private wars.

All the expedients which were employed in other countries of Europe in order to restrain this practice, and which I have described Note XXI., were tried in Germany with little effect. The confederacies of the nobles and of the cities, and the division of Germany into various circles, which I mentioned in that Note, were found likewise insufficient. As a last remedy, the Germans had recourse to arbiters whom they called *Austregæ*. The barons and states in different parts of Germany joined in conventions, by which they bound themselves to refer all controversies that might arise between them to the determination of *Austregæ*, and to submit to their sentences as final. These arbiters are named sometimes in the treaty of convention, an instance of which occurs in Ludewig Reliquæ Manuscr. omnis ævi, vol. ii. p. 212; sometimes they were chosen by mutual consent upon occasion of any contest that arose; sometimes they were appointed by neutral persons; and sometimes the choice was left to be decided by lot. Datt. de Pace publica Imperii, lib. i. cap. 27. No. 60, &c. Speidelius Speculum, &c. voc. *Austrag.* p. 95. Upon the introduction of this practice, the public tribunals of justice became in a great measure useless, and were almost entirely deserted.

In order to re-establish the authority of government, Maximilian I. instituted the imperial chamber at the period which I have mentioned. This tribunal consisted originally of a president, who was always a nobleman of the first order, and of sixteen judges. The president was appointed by the emperor, and the judges partly by him and partly by the states, according to forms which it is unnecessary to describe. A sum was imposed, with their own consent, on the states of the empire, for paying the salaries of the judges and officers in this court. The imperial chamber was established first at Francfort on the Maine. During the reign of Charles V. it was removed to Spires, and continued in that city above a century and a half. It is now fixed at Wetzlar. This court takes cognizance of all questions concerning civil right between the states of the empire, and passes judgment in the last resort, and without appeal. To it belongs likewise the privilege of judging in criminal causes which may be considered as connected with the preservation of the public peace. Pfeffel Abregé, 560.

All causes relating to points of feudal right or jurisdiction, together with such as respect the territories which hold of the empire in Italy, belong properly to the jurisdiction of the Aulic council. This tribunal was formed upon the model of the ancient court of the palace instituted by the emperors of Germany. It depended not upon the states of the empire, but upon the emperor; he having the right of appointing at pleasure all the judges of whom it is composed. Maximilian, in order to procure some compensation for the diminution of his authority by the powers vested in the imperial chamber, prevailed on the diet, A. D. 1512, to give its consent to the establishment of the Aulic council. Since that time it has been a great object of policy in the court of Vienna to extend the jurisdiction and support the authority of the Aulic council, and to circumscribe and weaken those of the imperial chamber. The tedious forms and dilatory proceedings of the imperial chamber have furnished the emperors with pretexts for doing so. Lites Spiræ, according to the witticism of a German lawyer, spirant, sed nunquam expirant. Such delays are unavoidable in a court composed of members named by many different states, jealous of each other. Whereas the judges of the Aulic council, depending upon one master, and being responsible to him alone, are more vigorous and decisive. Puffendorf. de Statu Imper. German. cap. v. § 20. Pfeffel Abregé, p. 581.

Note XLIII. Sect. III. p. 365.

The description which I have given of the Turkish government is conformable to the accounts of the most intelligent travellers who have visited that empire. The count de Marsigli, in his treatise concerning the military state of the Turkish empire, ch. vi. and the author of Observations on the religion, laws, government, and manners of the Turks, published at London 1768, vol. i. p. 81, differ from other writers who have described the political constitution of that powerful monarchy. As they had

opportunity, during their long residence in Turkey, to observe the order and justice conspicuous in several departments of administration, they seem unwilling to admit that it should be denominated a despotism. But when the form of government in any country is represented to be despotic, this does not suppose that the power of the monarch is continually exerted in acts of violence, injustice, and cruelty. Under political constitutions of every species, unless when some frantic tyrant happens to hold the sceptre, the ordinary administration of government must be conformable to the principles of justice, and if not active in promoting the welfare of the people, cannot certainly have their destruction for its object. A state in which the sovereign possesses the absolute command of a vast military force, together with the disposal of an extensive revenue; in which the people have no privileges, and no part either immediate or remote in legislation; in which there is no body of hereditary nobility, jealous of their own rights and distinctions, to stand as an intermediate order between the prince and the people, cannot be distinguished by any name but that of a despotism. The restraints, however, which I have mentioned, arising from the *Capicula* and from religion, are powerful. But they are not such as change the nature or denomination of the government. When a despotic prince employs an armed force to support his authority, he commits the supreme power to their hands. The Prætorian bands in Rome dethroned, murdered, and exalted their princes, in the same wanton manner with the soldiery of the Porte at Constantinople. But notwithstanding this, the Roman emperors have been considered by all political writers as possessing despotic power.

The author of Observations on the religion, laws, government, and manners of the Turks, in a preface to the second edition of his work, hath made some remarks on what is contained in this Note, and in that part of the text to which it refers. It is with diffidence I set my opinion in opposition to that of a person who has observed the government of the Turks with attention, and has described it with abilities. But after a careful review of the subject, to me the Turkish government still appears of such a species as can be ranged in no class but that to which political writers have given the name of *despotism*. There is not in Turkey any constitutional restraint upon the will of the sovereign, or any barrier to circumscribe the exercise of his power, but the two which I have mentioned; one afforded by religion, the principle upon which the authority of the Sultan is founded, the other by the army, the instrument which he must employ to maintain his power. The author represents the *Uleme*, or body of the law, as an intermediate order between the monarch and the people. Pref. p. 30. But whatever restraint the authority of the *Ulema* may impose upon the sovereign, is derived from religion. The *Moulahs*, out of whom the Mufti and other chief officers of the law must be chosen, are ecclesiastics. It is as interpreters of the Koran or Divine will that they are objects of veneration. The check, then, which they give to the exercise of arbitrary power is not different from one of those of which I took notice. Indeed this restraint cannot be very considerable. The Mufti, who is the head of the order, as well as every inferior officer of law, is named by the sultan, and is removable at his pleasure. The strange means employed by the *Ulema*, in 1746, to obtain the dismission of a minister whom they hated, is a manifest proof that they possess but little constitutional authority which can serve as a restraint upon the will of the sovereign. Observat. p. 92 of 2d edit. If the author's idea be just, it is astonishing that the *body of the law* should have no method of remonstrating against the errors of administration but by setting fire to the capital.

The author seems to consider the *Capiculy* or soldiery of the Porte, neither as formidable instruments of the sultan's power, nor as any restraint upon the exercise of it. His reasons for this opinion are, that the number of the Capiculy is small in proportion to the other troops which compose the Turkish armies, and that in time of peace they are undisciplined. Pref. 2d edit. p. 23, &c. But the troops stationed in a capital, though their number be not great, are always masters of the sovereign's person and power. The Prætorian bands bore no proportion to the legionary troops in the frontier provinces. The soldiery of the Porte are more numerous, and must possess power of the same kind, and be equally formidable, sometimes to the sovereign, and oftener to the people. However much the discipline of the Janizaries may be neglected at present, it certainly was not so in that age to which alone my description of the Turkish government applies. The author observes, Pref. p. 29, that the janizaries never deposed any sultan of themselves, but that some form of law, true or false, has been observed, and that either the Mufti, or some other minister of religion, has announced to the unhappy prince the law which renders him unworthy of the throne. Observ. p. 102. This will always happen. In every revolution, though brought about by military power, the deeds of the soldiery must be confirmed and carried into execution with the civil and religious formalities peculiar to the constitution.

This addition to the Note may serve as a further illustration of my own sentiments, but is not made with an intention of entering into any controversy with the author of *Observations*, &c. to whom I am indebted for the obliging terms in which he has expressed his remarks upon what I had advanced. Happy were it for such as venture to communicate their opinions to the world, if every animadversion upon them were conveyed with the same candid and liberal spirit. In one particular, however, he seems to have misapprehended what I meant. Pref. p. 17. I certainly did not mention his or count Marsigli's long residence in Turkey as a circumstance which should detract from the weight of their authority. I

took notice of it in justice to my readers, that they might rceeive my opinion with distrust, as it differed from that of persons whose means of information werc so far superior to mine.

Note XLIV. Sect. III. p. 365.

The institution, the discipline, and privileges of the janizaries, are described by all the authors who give any account of the Turkish government. The manner in which enthusiasm was employed in order to inspirc them with courage, is thus rclated by prince Cantemir: "When Amurath I. had formed them into a body, he sent them to Haji Bektash, a Turkish saint famous for his miracles and prophecies, desiring him to bestow on them a banner, to pray to God for their success, and to give them a name. The saint, when they appeared in his presence, put the slecve of his gown upon one of their heads, and said, Let them be called *Yengicheri*. Let their countenance be ever bright, their hands victorious, their sword keen; let their spear always hang over the heads of their enemies; and wherever they go, may they return with a shining face." History of the Ottoman Empire, p. 38. The number of janizaries, at the first institution of the body, was not considerable. Under Solyman, in the year 1521, they amounted to twelve thousand. Since that time their number has greatly increased. Marsigli Etat, &c. ch. xvi. p. 68. Though Solyman possessed such abilities and authority as to restrain this formidable body within the bounds of obedience, yet its tendency to limit the powcr of thc sultans was, even in that age, foreseen by sagacious observers. Nicolas Daulphinois, who accompanied M. D'Aramon, ambassador from Henry II. of France to Solyman, published an account of his travels, in which he describes and celebrates the discipline of the janizaries, but at the same time predicts that they would one day become formidable to their masters, and act the same part at Constantinople as the prætorian bands had done at Rome. Collection of Voyages from the earl of Oxford's library, vol. i. p. 599.

Note XLV. Sect. III. p. 366.

Solyman the Magnificent, to whom the Turkish historians have given the surname of *Canuni*, or institutor of rules, first brought the finances and military establishment of the Turkish cmpire into a regular form. He divided the military force into the *Capiculy* or soldiery of the Porte, which was properly the standing army, and *Serrataculy* or soldiers appointed to guard the frontiers. Thc chief strength of the latter consisted of those who held Timariots and Ziams. These were portions of land granted to certain persons for life, in much the same manner as the military fiefs among the nations of Europe, in return for which military service was performed. Solyman, in his *Canué-Nam* or book of regulations, fixed with great accuracy the extent of these lands in each province of his empire, appointed the precise number of soldiers each person who held a Timariot or a Ziam should bring into the field, and established the pay which they should receive while engaged in servicc. Count Marsigli and sir Paul Rycaut havc given cxtracts from this book of regulations, and it appears that the ordinary establishment of the Turkish army exceeded an hundred and fifty thousand men. When these were addcd to the soldiery of the Porte, they formed a military power greatly superior to what any christian state could command in the sixteenth century. Marsigli Etat Militaire, &c. p. 136. Rycaut's State of the Ottoman empire, book iii. ch. ii. As Solyman, during his active reign, was engaged so constantly in war that his troops were always in the field, the *Serrataculy* became almost equal to the janizaries themselves in discipline and valour.

It is not surprising, then, that the authors of the sixteenth century should represent the Turks as far superior to the christians, both in the knowledge and in the practice of the art of war. Guicciardini informs us that the Italians learned the art of fortifying towns from the Turks. Histor. lib. xv. p. 266. Busbequius, who was ambassador from the emperor Ferdinand to Solyman, and who had opportunity to observe the state both of the christian and Turkish armies, published a discourse concerning the best manner of carrying on war against the Turks, in which he points out at great length the immense advantage which the infidels possessed with respect to discipline and military improvements of every kind. Busbequii Opera, edit. Elzevir, p. 393, &c. The testimony of other authors might be added, if the matter were in any degree doubtful.

Before I conclude these Proofs and Illustrations, I ought to explain the reason of two omissions in them; one of which it is necessary to mention on my own account, the other to obviate an objection to this part of the work.

In all my inquiries and disquisitions concerning the progress of government, manners, literature, and commerce during the middle ages, as well as in my delineations of the political constitution of the different states of Europe at the opcning of the sixteenth century, I have not once mentioned M. de Voltaire, who, in his *Essay sur l'Histoire generale*, has reviewed the same period, and has treated of all thesc subjects. This does not proceed from inattention to the words of that extraordinary man, whose genius, no less enterprising than universal, has attempted almost every different species of literary composition. In many of these he excels. In all, if he had left religion untouched, he is instructive and agreeable. But as he seldom imitates the example of modern historians in citing the authors from whom they derived their information, I could not with propriety appeal to his authority in confirmation of any doubtful or unknown fact. I have often, however, followed him as my guide in these researches; and he has not only pointed out the

facts with respect to which it was of importance to inquire, but the conclusions which it was proper to draw from them. If he had, at the same time, mentioned the books which relate these particulars, a great part of my labour would have been unnecessary, and many of his readers who now consider him only as an entertaining and lively writer, would find that he is a learned and well informed historian.

As to the other omission, every intelligent reader must have observed that I have not entered, either in the historical part of this volume, or in the Proofs and Illustrations, into the same detail with respect to the ancient laws and customs of the British kingdoms as concerning those of the other European nations. As the capital facts with regard to the progress of government and manners in their own country are known to most of my readers, such a detail appeared to me to be less essential. Such facts and observations, however, as were necessary towards completing my design in this part of the work, I have mentioned under the different articles which are the subjects of my disquisitions. The state of government in all the nations of Europe having been nearly the same during several ages, nothing can tend more to illustrate the progress of the English constitution than a careful inquiry into the laws and customs of the kingdoms on the Continent. This source of information has been too much neglected by the English antiquaries and lawyers. Filled with admiration of that happy constitution now established in Great Britain, they have been more attentive to its forms and principles than to the condition and ideas of remote times, which in almost every particular differ from the present. While engaged in perusing the laws, charters, and early historians of the continental kingdoms, I have often been led to think that an attempt to illustrate the progress of English jurisprudence and policy, by a comparison with those of other kingdoms in a similar situation, would be of great utility, and might throw much light on some points which are now obscure, and decide others which have been long controverted.

THE

HISTORY

OF THE

REIGN OF THE EMPEROR CHARLES V.

BOOK I.

Birth of Charles V.

CHARLES V. was born at Ghent on the twenty-fourth day of February, in the year one thousand five hundred. His father, Philip the Handsome, archduke of Austria, was the son of the emperor Maximilian, and of Mary, the only child of Charles the Bold, the last prince of the house of Burgundy. His mother, Joanna, was the second daughter of Ferdinand, king of Aragon, and of Isabella, queen of Castile.

His dominions, and the events by which he acquired them.

A long train of fortunate events had opened the way for this young prince to the inheritance of more extensive dominions than any European monarch, since Charlemagne, had possessed. Each of his ancestors had acquired kingdoms or provinces towards which their prospect of succession was extremely remote. The rich possessions of Mary of Burgundy had been destined for another family, she having been contracted by her father to the only son of Louis XI. of France; but that capricious monarch, indulging his hatred to her family, chose rather to strip her of part of her territories by force, than to secure the whole by marriage; and by this misconduct, fatal to his posterity, he threw all the Netherlands and Franche Comté into the hands of a rival. Isabella, the daughter of John II. of Castile, far from having any prospect of that noble inheritance which she transmitted to her grandson, passed the early part of her life in obscurity and indigence. But the Castilians, exasperated against her brother Henry IV., an ill-advised and vicious prince, publicly charged him with impotence, and his queen with adultery. Upon his demise, rejecting Joanna, whom Henry had uniformly, and even on his death-bed, owned to be his lawful daughter, and whom an assembly of the States had acknowledged to be the heir of his kingdom, they obliged her to retire into Portugal, and placed Isabella on the throne of Castile. Ferdinand owed the crown of Aragon to the unexpected death of his elder brother, and acquired the kingdoms of Naples and Sicily by violating the faith of treaties, and disregarding the ties of blood. To all these kingdoms Christopher Columbus, by an effort of genius and of intrepidity the boldest and most successful that is recorded in the annals of mankind, added a new world, the wealth of which became one considerable source of the power and grandeur of the Spanish monarchs.

Philip and Joanna, his father and mother, visit Spain.

Don John, the only son of Ferdinand and Isabella, and their eldest daughter, the queen of Portugal, being cut off, without issue, in the flower of youth, all their hopes centred in Joanna and her posterity. But as her husband, the archduke, was a stranger to the Spaniards, it was thought expedient to invite him into Spain, that, by residing among them, he might accustom himself to their laws and manners; and it was expected that the Cortes, or assembly of States, whose authority was then so great in Spain that no title to the crown was reckoned valid unless it received their sanction, would acknowledge his right of succession, together with that of the Infanta his wife. Philip and Joanna passing through France in their way to Spain, were entertained in that kingdom with the utmost magnificence. The archduke did homage 1502. to Louis XII. for the earldom of Flanders, and took his seat as a peer of the realm in the parliament of Paris. They were received in Spain with every mark of honour that the parental affection of Ferdinand and Isabella, or the respect of their subjects, could devise; and their title to the crown was soon after acknowledged by the Cortes of both kingdoms.

Ferdinand jealous of Philip's power.

But amidst these outward appearances of satisfaction and joy, some secret uneasiness preyed upon the mind of each of these princes. The stately and

reserved ceremonial of the Spanish court was so burdensome to Philip, a prince young, gay, affable, fond of society and of pleasure, that he soon began to express a desire of returning to his native country, the manners of which were more suited to his temper. Ferdinand, observing the declining health of his queen, with whose life he knew that his right to the government of Castile must cease, easily foresaw that a prince of Philip's disposition, and who already discovered an extreme impatience to reign, would never consent to his retaining any degree of authority in that kingdom; and the prospect of this diminution of his power awakened the jealousy of that ambitious monarch.

Isabella's solicitude with respect to him and her daughter.

Isabella beheld, with the sentiments natural to a mother, the indifference and neglect with which the archduke treated her daughter, who was destitute of those beauties of person, as well as those accomplishments of mind, which fix the affections of an husband. Her understanding, always weak, was often disordered. She doated on Philip with such an excess of childish and indiscreet fondness, as excited disgust rather than affection. Her jealousy, for which her husband's behaviour gave her too much cause, was proportioned to her love, and often broke out in the most extravagant actions. Isabella, though sensible of her defects, could not help pitying her condition, which was soon rendered altogether deplorable by the archduke's abrupt resolution of setting out in the middle of winter for Flanders, and of leaving her in Spain. Isabella entreated him not to abandon his wife to grief and melancholy, which might prove fatal to her, as she was near the time of her delivery. Joanna conjured him to put off his journey for three days only, that she might have the pleasure of celebrating the festival of Christmas in his company. Ferdinand, after representing the imprudence of his leaving Spain before he had time to become acquainted with the genius or to gain the affections of the people who were one day to be his subjects, besought him, at least, not to pass through France, with which kingdom he was then at open war. Philip, without regarding either the dictates of humanity or the maxims of prudence, persisted in his purpose; and, on the twenty-second of December, set out for the Low Countries by the way of France.

Disorder of Joanna's mind. Birth of Ferdinand, afterwards emperor.

From the moment of his departure Joanna sunk into a deep and sullen melancholy,[b] and while she was in that situation bore Ferdinand, her second son, for whom the power of his brother Charles afterwards procured the kingdoms of Hungary and Bohemia, and to whom he at last transmitted the imperial sceptre. Joanna was the only person in Spain who discovered no joy at the birth of this prince. Insensible to that as well as to every other pleasure, she was wholly occupied with the thoughts of returning to her husband; nor did she in any degree recover tranquillity of mind, until she arrived at Brussels next year.[c] 1504.

Philip, in passing through France, had an interview with Louis XII., and signed a treaty with him, by which he hoped that all the differences between France and Spain would have been finally terminated. But Ferdinand, whose affairs at that time were extremely prosperous in Italy, where the superior genius of Gonsalvo de Cordova, the great captain, triumphed on every occasion over the arms of France, did not pay the least regard to what his son-in-law had concluded, and carried on hostilities with greater ardour than ever.

Death of Isabella.

From this time Philip seems not to have taken any part in the affairs of Spain, waiting in quiet till the death either of Ferdinand or of Isabella should open the way to one of their thrones. The latter of these events was not far distant. The untimely death of her son and eldest daughter had made a deep impression on the mind of Isabella; and as she could derive but little consolation for the losses which she had sustained either from her daughter Joanna, whose infirmities daily increased, or from her son-in-law, who no longer preserved even the appearance of a decent respect towards that unhappy princess, her spirits and health began gradually to decline, and, after languishing some months, she died at Medina del Campo, on the twenty-sixth of November, one thousand five hundred and four. She was no less eminent for virtue than for wisdom; and whether we consider her behaviour as a queen, as a wife, or as a mother, she is justly entitled to the high encomiums bestowed upon her by the Spanish historians.[d]

Her will, appointing Ferdinand regent of Castile.

A few weeks before her death, she made her last will; and being convinced of Joanna's incapacity to assume the reins of government into her own hands, and having no inclination to commit them to Philip, with whose conduct she was extremely dissatisfied, she appointed Ferdinand regent or administrator of the affairs of Castile, until her grandson Charles should attain the age of twenty. She bequeathed to Ferdinand likewise one-half of the revenues which should arise from the Indies, together with the grand-masterships of the three military orders; dignities which rendered the person who possessed them almost independent, and which Isabella had, for that reason, annexed to the crown.[e] But before she signed a deed so favourable to Ferdinand, she obliged him to swear that he would not, by a second marriage, or by any other means, endeavour to deprive Joanna or her posterity of their right of succession to any of his kingdoms.[f]

Immediately upon the queen's death, Ferdinand resigned the title of king of Castile, and issued

a Petri Martyris Angielii Epistolæ, 250, 253. b Id. Epist. 255.
c Mariana. lib. 27. c. 11, 14. Flechier Vie de Ximen. i. 191.
d P. Mart. Ep. 279.
e P. Martyr. Ep. 277. Mar. Hist. lib. 28. c. 11. Ferreras Hist. Gener. d'Espagne, tom. viii. 263.
f Mar. Hist. lib. 28. c. 14.

orders to proclaim Joanna and Philip the sovereigns of that kingdom. But at the same time he assumed the character of regent, in consequence of Isabella's testament; and not long after, he prevailed on the Cortes of Castile to acknowledge his right to that office. This, however, he did not procure without difficulty, nor without discovering such symptoms of alienation and disgust among the Castilians as filled him with great uneasiness. The union of Castile and Aragon for almost thirty years, had not so entirely extirpated the ancient and hereditary enmity which subsisted between the natives of these kingdoms, that the Castilian pride could submit, without murmuring, to the government of a king of Aragon. Ferdinand's own character, with which the Castilians were well acquainted, was far from rendering his authority desirable. Suspicious, discerning, severe, and parsimonious, he was accustomed to observe the most minute actions of his subjects with a jealous attention, and to reward their highest services with little liberality; and they were now deprived of Isabella, whose gentle qualities, and partiality to her Castilian subjects, often tempered his austerity, or rendered it tolerable. The maxims of his government were especially odious to the grandees; for that artful prince, sensible of the dangerous privileges conferred upon them by the feudal institutions, had endeavoured to curb their exorbitant power[g] by extending the royal jurisdiction, by protecting their injured vassals, by increasing the immunities of cities, and by other measures equally prudent. From all these causes a formidable party among the Castilians united against Ferdinand; and though the persons who composed it had not hitherto taken any public step in opposition to him, he plainly saw, that upon the least encouragement from their new king they would proceed to the most violent extremities.

Ferdinand acknowledged as regent by the Cortes, 1505.

The Castilians dissatisfied.

Philip endeavours to obtain the government of Castile.

There was no less agitation in the Netherlands upon receiving the accounts of Isabella's death, and of Ferdinand's having assumed the government of Castile. Philip was not of a temper tamely to suffer himself to be supplanted by the ambition of his father-in-law. If Joanna's infirmities and the nonage of Charles rendered them incapable of government, he, as a husband, was the proper guardian of his wife, and, as a father, the natural tutor of his son. Nor was it sufficient to oppose to these just rights, and to the inclination of the people of Castile, the authority of a testament, the genuineness of which was perhaps doubtful, and its contents to him appeared certainly to be iniquitous. A keener edge was added to Philip's resentment, and new vigour infused into his councils, by the arrival of Don John Manuel. He was Ferdinand's ambassador at the imperial court; but upon the first notice of Isabella's death, repaired to Brussels, flattering himself that under a young and liberal prince he might attain to power and honours which he could never have expected in the service of an old and frugal master. He had early paid court to Philip during his residence in Spain, with such assiduity as entirely gained his confidence; and having been trained to business under Ferdinand, could oppose his schemes with equal abilities, and with arts not inferior to those for which that monarch was distinguished.[h]

He requires Ferdinand to resign the regency.

By the advice of Manuel, ambassadors were despatched to require Ferdinand to retire into Aragon, and to resign the government of Castile to those persons whom Philip should intrust with it until his own arrival in that kingdom. Such of the Castilian nobles as had discovered any satisfaction with Ferdinand's administration, were encouraged by every method to oppose it. At the same time a treaty was concluded with Louis XII. by which Philip flattered himself that he had secured the friendship and assistance of that monarch.

Meanwhile Ferdinand employed all the arts of address and policy in order to retain the power of which he had got possession. By means of Conchillos, an Aragonian gentleman, he entered into a private negociation with Joanna, and prevailed on that weak princess to confirm, by her authority, his right to the regency. But this intrigue did not escape the penetrating eye of Don John Manuel: Joanna's letter of consent was intercepted; Conchillos was thrown into a dungeon; she herself confined to an apartment in the palace, and all her Spanish domestics secluded from her presence.[i]

Ferdinand abandoned by the Castilian nobles.

The mortification which the discovery of this intrigue occasioned to Ferdinand, was much increased by his observing the progress which Philip's emissaries made in Castile. Some of the nobles retired to their castles; others to the towns in which they had influence; they formed themselves into confederacies, and began to assemble their vassals. Ferdinand's court was almost totally deserted; not a person of distinction but Ximenes, archbishop of Toledo, the duke of Alva, and the marquis of Denia, remaining there; while the houses of Philip's ambassadors were daily crowded with noblemen of the highest rank.

Ferdinand resolves to marry, in order to exclude his daughter from the throne.

Exasperated at this universal defection, and mortified perhaps with seeing all his schemes defeated by a younger politician, Ferdinand resolved, in defiance of the law of nature and of decency, to deprive his daughter and her posterity of the crown of Castile, rather than renounce the regency of that kingdom. His plan for accomplishing this was no less bold than the intention itself was wicked. He demanded in marriage Joanna, the supposed daughter of Henry IV., on the belief of whose illegitimacy Isabella's right to the crown of Castile was founded; and by reviving the claim of

g Marian, lib. 28. c. 12. h Zurita Annales de Aragon, tom. vi. p. 12.

i P. Mart Ep. 287. Zurita Annales, vi. p. 14.

this princess, in opposition to which he himself had formerly led armies and fought battles, he hoped once more to get possession of the throne of that kingdom. But Emanuel, king of Portugal, in whose dominions Joanna resided, at that time having married one of Ferdinand's daughters by Isabella, refused his consent to that unnatural match; and the unhappy princess herself, having lost all relish for the objects of ambition by being long immured in a convent, discovered no less aversion to it.[k]

Marries a niece of the French king.

The resources, however, of Ferdinand's ambition were not exhausted. Upon meeting with a repulse in Portugal, he turned towards France, and sought in marriage German de Foix, a daughter of the viscount of Narbonne, and of Mary, the sister of Louis XII. The war which that monarch had carried on against Ferdinand in Naples had been so unfortunate, that he listened with joy to a proposal which furnished him with an honourable pretence for concluding peace: and though no prince was ever more remarkable than Ferdinand for making all his passions bend to the maxims of interest, or become subservient to the purposes of ambition, yet so vehement was his resentment against his son-in-law, that the desire of gratifying it rendered him regardless of every other consideration. In order to be revenged of Philip by detaching Louis from his interest, and in order to gain a chance of excluding him from his hereditary throne of Aragon, and the dominions annexed to it, he was ready once more to divide Spain into separate kingdoms, though the union of these was the great glory of his reign, and had been the chief object of his ambition; he consented to restore the Neapolitan nobles of the French faction to their possessions and honours; and submitted to the ridicule of marrying, in an advanced age, a princess of eighteen.[l]

The conclusion of this match, which deprived Philip of his only ally, and threatened him with the loss of so many kingdoms, gave him a dreadful alarm, and convinced Don John Manuel that there was now a necessity of taking other measures with regard to the affairs of Spain.[m] He accordingly instructed the Flemish ambassadors in the court of Spain, to testify the strong desire which their master had of terminating all differences between him and Ferdinand in an amicable manner, and his willingness to consent to any conditions that would re-establish the friendship which ought to subsist between a father and a son-in-law. Ferdinand, though he had made and broken more treaties than any prince of any age, was apt to confide so far in the sincerity of other men, or to depend so much upon his own address and their weakness, as to be always extremely fond of a negociation. He listened with eagerness to the declarations, and

A treaty between Ferdinand and Philip.

Nov. 24.

soon concluded a treaty at Salamanca; in which it was stipulated, that the government of Castile should be carried on in the joint names of Joanna, of Ferdinand, and of Philip; and that the revenues of the crown, as well as the right of conferring offices, should be shared between Ferdinand and Philip by an equal division.[n]

Nothing, however, was further from Philip's thoughts than to observe this treaty. His sole intention in proposing it was to amuse Ferdinand, and to prevent him from taking any measures for obstructing his voyage into Spain. It had that effect. Ferdinand, sagacious as he was, did not for some time suspect his design; and though, when he perceived it, he prevailed on the king of France not only to remonstrate against the archduke's journey, but to threaten hostilities if he should undertake it; though he solicited the duke of Gueldres to attack his son-in-law's dominions in the Low Countries, Philip and his consort nevertheless set sail with a numerous fleet and a good body of land forces. They were obliged by a violent tempest to take shelter in England, where Henry VII., in compliance with Ferdinand's solicitations, detained them upwards of three months;[o] at last they were permitted to depart, and after a more prosperous voyage, they arrived in safety at Corunna in Galicia; nor durst Ferdinand attempt, as he once intended, to oppose their landing by force of arms.

1506. Philip and Joanna set sail for Spain.

April 28.

The Castilian nobles, who had been obliged hitherto to conceal or to dissemble their sentiments, now declared openly in favour of Philip. From every corner of the kingdom persons of the highest rank, with numerous retinues of their vassals, repaired to their new sovereign. The treaty of Salamanca was universally condemned, and all agreed to exclude from the government of Castile a prince who, by consenting to disjoin Aragon and Naples from that crown, discovered so little concern for its true interests. Ferdinand meanwhile, abandoned by almost all the Castilians, disconcerted by their revolt, and uncertain whether he should peaceably relinquish his power, or take arms in order to maintain it, earnestly solicited an interview with his son-in-law, who, by the advice of Manuel, studiously avoided it. Convinced at last, by seeing the number and zeal of Philip's adherents daily increase, that it was vain to think of resisting such a torrent, Ferdinand consented by treaty to resign the regency of Castile into the hands of Philip, to retire into his hereditary dominions of Aragon, and to rest satisfied with the masterships of the military orders, and that share of the revenue of the Indies which Isabella had bequeathed to him. Though an interview between the princes was no longer necessary, it was agreed to on both sides from motives of decency. Philip

The nobility of Castile declare for Philip.

June 27. Ferdinand resigns the regency of Castile, and retires to Aragon.

k Sandov. Hist. of Civil Wars in Castile. Lon. 1655, p. 5. Zurita Annales de Aragon, tom. vi. p. 213.
l P. Mart. Ep. 290, 292. Mariana. lib. 28. c. 16, 17.
m P. Mart. Ep. 293.
n Zurita Annales de Aragon, vi. 19. P. Mart. Ep. 293, 294.
o Ferrer. Hist. viii. 285.

repaired to the place appointed with a splendid retinue of Castilian nobles, and a considerable body of armed men. Ferdinand appeared without any pomp, attended by a few followers mounted on mules, and unarmed. On that occasion Don John Manuel had the pleasure of displaying before the monarch whom he had deserted the extensive influence which he had acquired over his new master. While Ferdinand suffered, in presence of his former subjects, the two most cruel mortifications which an artful and ambitious prince can feel; being at once overreached in conduct and stripped of power.[p]

July. Not long after he retired into Aragon; and hoping that some favourable accident would soon open the way to his return into Castile, he took care to protest, though with great secrecy, that the treaty concluded with his son-in-law, being extorted by force, ought to be deemed void of all obligation.[q]

Philip and Joanna acknowledged as king and queen by the Cortes. Philip took possession of his new authority with a youthful joy. The unhappy Joanna, from whom he derived it, remained, during all these contests, under the dominion of a deep melancholy; she was seldom allowed to appear in public; her father, though he had often desired it, was refused access to her; and Philip's chief object was to prevail on the Cortes to declare her incapable of government, that an undivided power might be lodged in his hands until his son should attain to full age. But such was the partial attachment of the Castilians to their native princess, that though Manuel had the address to gain some members of the Cortes assembled at Valladolid, and others were willing to gratify their new sovereign in his first request, the great body of the representatives refused their consent to a declaration which they thought so injurious to the blood of their monarchs.[r] They were unanimous, however, in acknowledging Joanna and Philip queen and king of Castile, and their son Charles prince of Asturias.

Death of Philip, Sept. 25, 1506. This was almost the only memorable event during Philip's administration. A fever put an end to his life in the twenty-eighth year of his age, when he had not enjoyed the regal dignity, which he had been so eager to obtain, full three months.[s]

The disorder of Joanna's mind increases. The whole royal authority in Castile ought of course to have devolved upon Joanna. But the shock occasioned by a disaster so unexpected as the death of her husband, completed the disorder of her understanding, and her incapacity for government. During all the time of Philip's sickness, no entreaty could prevail on her, though in the sixth month of her pregnancy, to leave him for a moment. When he expired, however, she did not shed one tear, or utter a single groan. Her grief was silent and settled. She continued to watch the dead body with the same tenderness and attention as if it had been alive;[t] and though at last she permitted it to be buried, she soon removed it from the tomb to her own apartment. There it was laid upon a bed of state, in a splendid dress: and having heard from some monk a legendary tale of a king who revived after he had been dead fourteen years, she kept her eyes almost constantly fixed on the body, waiting for the happy moment of its return to life. Nor was this capricious affection for her dead husband less tinctured with jealousy than that which she had borne to him while alive. She did not permit any of her female attendants to approach the bed on which his corpse was laid; she would not suffer any woman who did not belong to her family to enter the apartment; and rather than grant that privilege to a midwife, though a very aged one had been chosen on purpose, she bore the princess Catharine without any other assistance than that of her own domestics.[u]

She is incapable of government. A woman in such a state of mind was little capable of governing a great kingdom; and Joanna, who made it her sole employment to bewail the loss and to pray for the soul of her husband, would have thought her attention to public affairs an impious neglect of those duties which she owed to him. But though she declined assuming the administration herself, yet, by a strange caprice of jealousy, she refused to commit it to any other person; and no entreaty of her subjects could persuade her to name a regent, or even to sign such papers as were necessary for the execution of justice and the security of the kingdom.

Maximilian the emperor and Ferdinand competitors for the regency. The death of Philip threw the Castilians into the greatest perplexity. It was necessary to appoint a regent both on account of Joanna's frenzy and the infancy of her son; and as there was not among the nobles any person so eminently distinguished either by superiority in rank or abilities as to be called by the public voice to that high office, all naturally turned their eyes either towards Ferdinand, or towards the emperor Maximilian. The former claimed that dignity as administrator for his daughter, and by virtue of the testament of Isabella; the latter thought himself the legal guardian of his grandson, whom, on account of his mother's infirmity, he already considered as king of Castile. Such of the nobility as had lately been most active in compelling Ferdinand to resign the government of the kingdom, trembled at the thoughts of his being restored so soon to his former dignity. They dreaded the return of a monarch not apt to forgive, and who, to those defects with which they were already acquainted, added that resentment which the remembrance of their behaviour, and reflection upon his own disgrace, must naturally have excited. Though none of these objections lay against Maximilian, he was a stranger to the laws and manners of Castile; he had not either troops or money to

p Zurita Annales de Arag. vi. 64. Mar. lib. 28. c. 19, 20. P. Mart. Ep. 304, 305, &c.
q Zurita Annales de Arag. vi. 68. Ferrer. Hist. viii. 290.
r Zurita Annales de Arag. vi. p. 75.
s Marian. lib. 28. c. 23.
t P. Mart. Ep. 316.
u Mar. Hist. lib. 29. c. 3 & 5. P. Mart. Ep. 318, 324, 328, 332.

support his pretensions; nor could his claim be admitted without a public declaration of Joanna's incapacity for government, an indignity to which, notwithstanding the notoriety of her distemper, the delicacy of the Castilians could not bear the thoughts of subjecting her.

Don John Manuel, however, and a few of the nobles who considered themselves as most obnoxious to Ferdinand's displeasure, declared for Maximilian, and offered to support his claim with all their interest. Maximilian, always enterprising and decisive in council, though feeble and dilatory in execution, eagerly embraced the offer. But a series of ineffectual negociations was the only consequence of this transaction. The emperor, as usual, asserted his rights in a high strain, promised a great deal, and performed nothing.[x]

Ferdinand absent on a visit to his kingdom of Naples.

A few days before the death of Philip, Ferdinand had set out for Naples, that, by his own presence, he might put an end, with greater decency, to the viceroyalty of the great captain, whose important services and cautious conduct did not screen him from the suspicions of his jealous master. Though an account of his son-in-law's death reached him at Porto-fino, in the territories of Genoa, he was so solicitous to discover the secret intrigues which he supposed the great captain to have been carrying on, and to establish his own authority on a firm foundation in the Neapolitan dominions, by removing him from the supreme command there, that, rather than discontinue his voyage, he chose to leave Castile in a state of anarchy, and even to risk, by this delay, his obtaining possession of the government of that kingdom.[y]

Acquires the regency of Castile, chiefly through the influence of cardinal Ximenes.

Nothing but the great abilities and prudent conduct of his adherents could have prevented the bad effects of this absence. At the head of these was Ximenes, archbishop of Toledo, who, though he had been raised to that dignity by Isabella, contrary to the inclination of Ferdinand, and though he could have no expectation of enjoying much power under the administration of a master little disposed to distinguish him by extraordinary marks of attention, was nevertheless so disinterested as to prefer the welfare of his country before his own grandeur, and to declare that Castile could never be so happily governed as by a prince whom long experience had rendered thoroughly acquainted with its true interest. The zeal of Ximenes to bring over his countrymen to this opinion, induced him to lay aside somewhat of his usual austerity and haughtiness.

1507.

He condescended, on this occasion, to court the disaffected nobles, and employed address as well as arguments to persuade them. Ferdinand seconded his endeavours with great art; and by concessions to some of the grandees, by promises to others, and by letters full of complaisance to all, he gained many of his most violent opponents.[z] Though many cabals were formed, and some commotions were excited, yet when Ferdinand, after having settled the affairs of Naples, arrived in Castile, he entered upon the administration without opposition. The prudence with which he exercised his authority in that kingdom, equalled the good fortune by which he had recovered it. By a moderate but steady administration, free from partiality and from resentment, he entirely reconciled the Castilians to his person, and secured to them, during the remainder of his life, as much domestic tranquillity as was consistent with the genius of the feudal government, which still subsisted among them in full vigour.[a]

Aug. 21. Ferdinand returns to Spain.

His prudent administration.

Nor was the preservation of tranquillity in his hereditary kingdoms the only obligation which the Archduke Charles owed to the wise regency of his grandfather; it was his good fortune, during that period, to have very important additions made to the dominions over which he was to reign. On the coast of Barbary, Oran, and other conquests of no small value, were annexed to the crown of Castile by cardinal Ximenes, who, with a spirit very uncommon in a monk, led in person a numerous army against the Moors of that country; and, with a generosity and magnificence still more singular, defrayed the whole expense of the expedition out of his own revenues.[b] In Europe, Ferdinand, under pretences no less frivolous than unjust, as well as by artifices the most shameful and treacherous, expelled John d'Albert, the lawful sovereign, from the throne of Navarre; and seizing on that kingdom, extended the limits of the Spanish monarchy from the Pyrenees on the one hand to the frontiers of Portugal on the other.[c]

Conquest of Oran.

1509.

Acquisition of Navarre.

Ferdinand jealous of his grandson Charles.

It was not, however, the desire of aggrandizing the archduke which influenced Ferdinand in this or in any other of his actions. He was more apt to consider that young prince as a rival, who might one day wrest out of his hands the government of Castile, than as a grandson, for whose interest he was intrusted with the administration. This jealousy soon begot aversion and even hatred, the symptoms of which he was at no pains to conceal. Hence proceeded his immoderate joy when his young queen was delivered of a son, whose life would have deprived Charles of the crowns of Aragon, Naples, Sicily, and Sardinia; and upon the untimely death of that prince, he discovered, for the same reason, an excessive solicitude to have other children. This impatience hastened, in all probability, the accession of Charles to the crown of Spain. Ferdinand, in order to procure a blessing of which, from his advanced age and the in-

x Mariana, lib. 29. c. 7. Zurita Annales de Arag. vi. 93.
y Zurita Annales de Arag. vi. p. 85.
z Zurita Annales de Arag. vi. p. 87, 94, 100.
a Mariana, lib. 29. c. 10.
b Ibid. lib. 29. c. 18.
c Ibid. lib. 30. c. 11, 12, 18, 24.

temperance of his youth, he could have little prospect, had recourse to his physicians, and by their prescription took one of those potions which are supposed to add vigour to the constitution, though they more frequently prove fatal to it. This was its effect on a frame so feeble and exhausted as that of Ferdinand; for though he survived a violent disorder which it at first occasioned, it brought on such an habitual languor and dejection of mind as rendered him averse from any serious attention to public affairs, and fond of frivolous amusements, on which he had not hitherto bestowed much time.[d] Though he now despaired of having any son of his own, his jealousy of the archduke did not abate, nor could he help viewing him with that aversion which princes often bear to their successors. In order to gratify this unnatural passion, he made a will appointing prince Ferdinand, who having been born and educated in Spain was much beloved by the Spaniards, to be regent of all his kingdoms, until the arrival of the archduke his brother; and by the same deed he settled upon him the grandmastership of the three military orders. The former of these grants might have put it in the power of the young prince to have disputed the throne with his brother; the latter would, in any event, have rendered him almost independent of him.

1513.

1515. Endeavours to diminish his power, by a will in favour of Ferdinand.

Ferdinand retained to the last that jealous love of power which was so remarkable through his whole life. Unwilling even at the approach of death to admit a thought of relinquishing any portion of his authority, he removed continually from place to place, in order to fly from his distemper, or to forget it. Though his strength declined every day, none of his attendants durst mention his condition; nor would he admit his father confessor, who thought such silence criminal and unchristian, into his presence. At last the danger became so imminent that it could be no longer concealed. Ferdinand received the intimation with a decent fortitude; and touched perhaps with compunction at the injustice which he had done his grandson, or influenced by the honest remonstrances of Carvajal, Zapara, and Vargas, his most ancient and faithful counsellors, who represented to him, that by investing prince Ferdinand with the regency he would infallibly entail a civil war on the two brothers, and by bestowing on him the grandmastership of the military orders, would strip the crown of its noblest ornament and chief strength, he consented to alter his will with respect to both these particulars. By a new deed he left Charles the sole heir of all his dominions, and allotted to prince Ferdinand, instead of that throne of which he thought himself almost secure, an inconsiderable establishment of fifty thousand ducats a-year.[e] He died a few hours after signing this will, on the twenty-third day of January, one thousand five hundred and sixteen.

1516. Is persuaded to alter that will,

and dies.

Charles, to whom such a noble inheritance descended by his death, was near the full age of sixteen. He had hitherto resided in the Low Countries, his paternal dominions. Margaret of Austria, his aunt, and Margaret of York, the sister of Edward IV. of England, and widow of Charles the Bold, two princesses of great virtue and abilities, had the care of forming his early youth. Upon the death of his father, the Flemings committed the government of the Low Countries to his grandfather the emperor Maximilian, with the name rather than the authority of regent.[f] Maximilian made choice of William de Croy, lord of Chievres, to superintend the education of the young prince his grandson.[g] That nobleman possessed in an eminent degree the talents which fitted him for such an important office, and discharged the duties of it with great fidelity. Under Chievres, Adrian of Utrecht acted as preceptor. This preferment, which opened his way to the highest dignities an ecclesiastic can attain, he owed not to his birth, for that was extremely mean; nor to his interest, for he was a stranger to the arts of a court; but to the opinion which his countrymen entertained of his learning. He was indeed no inconsiderable proficient in those frivolous sciences which, during several centuries, assumed the name of philosophy, and had published a commentary, which was highly esteemed, upon *The Book of Sentences*, a famous treatise of Petrus Lombardus, considered at that time as the standard system of metaphysical theology. But whatever admiration these procured him in an illiterate age, it was soon found that a man accustomed to the retirement of a college, unacquainted with the world, and without any tincture of taste or elegance, was by no means qualified for rendering science agreeable to a young

Education of Charles V.

d Zurita Annales de Arag. vi. p. 347. P. Mart. Ep. 531. Argensola Annales de Aragon, lib. i. p. 4.

e Mar. Hist. lib. 30. c. ult. Zurita Annales de Arag. vi. 401. P. Mart. Ep. 565, 566. Argensola Annales de Arag. lib. i. p. 11.

f Pontius Heuterus, Rerum Austriacarum, lib. xv. Lov. 1649. lib. vii. c. 2. p. 155.

g The French historians, upon the authority of M. de Bellay, Mem. p. 11. have unanimously asserted that Philip, by his last will, having appointed the king of France to have the direction of his son's education, Louis XII., with a disinterestedness suitable to the confidence reposed in him, named Chievres for that office. Even the president Henaut has adopted this opinion. Abregé Chron. A. D. 1507. Varillas, in his usual manner, pretends to have seen Philip's testament. Pract. de l'Education des Princes, p. 16. But the Spanish, German, and Flemish historians concur in contradicting this assertion of the French authors. It appears from Heuterus, a contemporary Flemish historian of great authority, that Louis XII., by consenting to the marriage of Germanic de Foix with Ferdinand, had lost much of that confidence which Philip once placed in him; that his disgust was increased by the French king's giving in marriage to the count of Angoulême his eldest daughter, whom he had formerly betrothed to Charles. Heuter. Rer. Austr. lib. v. 151. That the French, a short time before Philip's death, had violated the peace which subsisted between them and the Flemings, and Philip had complained of this injury, and was ready to resent it. Heuter. Ibid. All these circumstances render it improbable that Philip, who made his will a few days before he died, Heuter. p. 152. should commit the education of his son to Louis XII. In confirmation of these plausible conjectures, positive testimony can be produced. It appears from Heuterus, that Philip, when he set out for Spain, had intrusted Chievres both with the care of his son's education and with the government of his dominions in the Low Countries. Heuter. lib. vii. p. 153. That an attempt was made, soon after Philip's death, to have the emperor Maximilian appointed regent during the minority of his grandson; but this being opposed, Chievres seems to have continued to discharge both the offices which Philip had committed to him. Heuter. ibid. 153, 155. That in the beginning of the year 1508, the Flemings invited Maximilian to accept of the regency, to which he consented, and appointed his daughter Margaret, together with a council of Flemings, to exercise the supreme authority when he himself should at any time be absent. He likewise named Chievres as governor, and Adrian of Utrecht as preceptor, to his son. Heut. ibid. 155, 157. What Heuterus relates with respect to this matter is confirmed by Moringus in Vita Adriani apud Analecta Casp. Burmanni de Adriano, cap. 10. by Barlandus, Chronic. Brabant. ibid. p. 25. and by Haræus, Annal. Brab. vol. ii. 520, &c

prince. Charles, accordingly, discovered an early aversion to learning, and an excessive fondness for those violent and martial exercises to excel in which was the chief pride, and almost the only study, of persons of rank in that age. Chievres encouraged this taste, either from a desire of gaining his pupil by indulgence, or from too slight an opinion of the advantages of literary accomplishments.[h] He instructed him, however, with great care in the arts of government; he made him study the history not only of his own kingdoms, but of those with which they were connected; he accustomed him, from the time of his assuming the government of Flanders in the year one thousand five hundred and fifteen, to attend to business; he persuaded him to peruse all papers relating to public affairs; to be present at the deliberations of his privy-counsellors, and to propose to them himself those matters concerning which he required their opinion.[i] From such an education Charles contracted habits of gravity and reccollection which scarcely suited his time of life. The first openings of his genius did not indicate that superiority which its maturer age displayed.[k] He did not discover in his youth the impetuosity of spirit which commonly ushers in an active and enterprising manhood. Nor did his early obsequiousness to Chievres, and his other favourites, promise that capacious and decisive judgment which afterwards directed the affairs of one half of Europe. But his subjects, dazzled with the external accomplishments of a graceful figure and manly address, and viewing his character with that partiality which is always shown to princes during their youth, entertained sanguine hopes of his adding lustre to those crowns which descended to him by the death of Ferdinand.

The first openings of his character.

State of Spain requires a vigorous administration.

The kingdoms of Spain, as is evident from the view which I have given of their political constitution, were at that time in a situation which required an administration no less vigorous than prudent. The feudal institutions, which had been introduced into all its different provinces by the Goths, the Suevi, and the Vandals, subsisted in great force. The nobles, who were powerful and warlike, had long possessed all the exorbitant privileges which these institutions invested in their order. The cities in Spain were more numerous and more considerable than the genius of feudal government, naturally unfavourable to commerce and to regular police, seemed to admit. The personal rights and political influence which the inhabitants of these cities had acquired were extensive. The royal prerogative, circumscribed by the privileges of the nobility, and by the pretensions of the people, was confined within very narrow limits. Under such a form of government the principles of discord were many; the bond of union was extremely feeble; and Spain felt not only all the inconveniences occasioned by the defects in the feudal system, but was exposed to disorders arising from the peculiarities in its own constitution.

During the long administration of Ferdinand, no internal commotion, it is true, had arisen in Spain. His superior abilities had enabled him to restrain the turbulence of the nobles, and to moderate the jealousy of the commons. By the wisdom of his domestic government, by the sagacity with which he conducted his foreign operations, and by the high opinion that his subjects entertained of both, he had preserved among them a degree of tranquillity greater than was natural to a constitution in which the seeds of discord and disorder were so copiously mingled. But by the death of Ferdinand these restraints were at once withdrawn; and faction and discontent, from being long repressed, were ready to break out with fiercer animosity.

Ferdinand had appointed cardinal Ximenes regent.

In order to prevent these evils, Ferdinand had in his last will taken a most prudent precaution, by appointing cardinal Ximenes, archbishop of Toledo, to be sole regent of Castile, until the arrival of his grandson in Spain. The singular character of this man, and the extraordinary qualities which marked him out for that office at such a juncture, merit a particular description. He was descended of an honourable, not of a wealthy, family; and the circumstances of his parents, as well as his own inclinations, having determined him to enter into the church, he early obtained benefices of great value, and which placed him in the way of the highest preferment. All these, however, he renounced at once; and after undergoing a very severe noviciate, assumed the habit of St. Francis in a monastery of Observantine Friars, one of the most rigid orders in the Romish church. There he soon became eminent for his uncommon austerity of manners, and for those excesses of superstitious devotion which are the proper characteristics of the monastic life. But notwithstanding these extravagances, to which weak and enthusiastic minds alone are usually prone, his understanding, naturally penetrating and decisive, retained its full vigour, and acquired him such great authority in his own order as raised him to be their provincial. His reputation for sanctity soon procured him the office of father confessor to queen Isabella, which he accepted with the utmost reluctance. He preserved in a court the same austerity of manners which had distinguished him in the cloister. He continued to make all his journeys on foot; he subsisted only upon alms; his acts of mortification were as severe as ever, and his penances as rigorous. Isabella, pleased with her choice, conferred on him, not long after, the archbishopric of Toledo, which, next to the papacy, is the richest dignity in the church of Rome. This honour he declined with a firmness which nothing but the authoritative injunction of the pope was

His rise and character.

h Jovii Vita Adriani, p. 91. Struvii Corpus Hist. Germ. ii. 967. P. Heuter. Rer. Austr. lib. vii. c. 3. p. 157.

i Memoires de Bellay, 8vo. Par. 1573 p. 11. P. Heuter. lib. viii. c. 1. p. 184.

k P. Martyr. Ep. 569, 655.

able to overcome. Nor did this height of promotion change his manners. Though obliged to display in public that magnificence which became his station, he himself retained his monastic severity. Under his pontifical robes he constantly wore the coarse frock of St. Francis, the rents in which he used to patch with his own hands. He at no time used linen, but was commonly clad in hair-cloth. He slept constantly in his habit, most frequently on the ground or on boards, rarely in a bed. He did not taste any of the delicacies which appeared at his table, but satisfied himself with that simple diet which the rule of his order prescribed.[l] Notwithstanding these peculiarities, so opposite to the manners of the world, he possessed a thorough knowledge of its affairs; and no sooner was he called by his station, and by the high opinion which Ferdinand and Isabella entertained of him, to take a principal share in the administration, than he displayed talents for business which rendered the fame of his wisdom equal to that of his sanctity. His political conduct, remarkable for the boldness and originality of all his plans, flowed from his real character, and partook both of its virtues and its defects. His extensive genius suggested to him schemes vast and magnificent. Conscious of the integrity of his intentions, he pursued these with unremitting and undaunted firmness. Accustomed from his early youth to mortify his own passions, he showed little indulgence toward those of other men. Taught by his system of religion to check even his most innocent desires, he was the enemy of every thing to which he could affix the name of elegance or pleasure. Though free from any suspicion of cruelty, he discovered in all his commerce with the world a severe inflexibility of mind and austerity of character, peculiar to the monastic profession, and which can hardly be conceived in a country where that is unknown.

Cardinal Adrian appointed regent by Charles.

Such was the man to whom Ferdinand committed the regency of Castile; and though Ximenes was then near fourscore, and perfectly acquainted with the labour and difficulty of the office, his natural intrepidity of mind, and zeal for the public good, prompted him to accept of it without hesitation. Adrian of Utrecht, who had been sent into Spain a few months before the death of Ferdinand, produced full powers from the archduke to assume the name and authority of regent upon the demise of his grandfather; but such was the aversion of the Spaniards to the government of a stranger, and so unequal the abilities of the two competitors, that Adrian's claim would at once have been rejected, if Ximenes himself, from complaisance to his new master, had not consented to acknowledge him as regent, and to carry on the government in conjunction with him. By this, however, Adrian acquired a dignity merely nominal. Ximenes, though he treated him with great decency and even respect, retained the whole power in his own hands.[m]

Ximenes obtains the sole direction of affairs.

The cardinal's first care was to observe the motions of the infant Don Ferdinand, who, having been flattered with so near a prospect of supreme power, bore the disappointment of his hopes with greater impatience than a prince at a period of life so early could have been supposed to feel. Ximenes, under pretence of providing more effectually for his safety, removed him from Guadaloupe, the place in which he had been educated, to Madrid, where he fixed the residence of the court. There he was under the cardinal's own eye, and his conduct, with that of his domestics, was watched with the utmost attention.[n]

His precautions against the infant Don Ferdinand.

The first intelligence he received from the Low Countries gave greater disquiet to the cardinal, and convinced him how difficult a task it would be to conduct the affairs of an unexperienced prince, under the influence of counsellors unacquainted with the laws and manners of Spain. No sooner did the account of Ferdinand's death reach Brussels, than Charles, by the advice of his Flemish ministers, resolved to assume the title of king. By the laws of Spain, the sole right to the crowns both of Castile and of Aragon belonged to Joanna; and though her infirmities disqualified her from governing, this incapacity had not been declared by any public act of the Cortes in either kingdom; so that the Spaniards considered this resolution not only as a direct violation of their privileges, but as an unnatural usurpation in a son on the prerogatives of a mother, towards whom, in her present unhappy situation, he manifested a less delicate regard than her subjects had always expressed.[o] The Flemish court, however, having prevailed both on the pope and on the emperor to address letters to Charles as king of Castile, (the former of whom, it was pretended, had a right as head of the church, and the latter as head of the empire, to confer this title,) instructions were sent to Ximenes, to prevail on the Spaniards to acknowledge it. Ximenes, though he had earnestly remonstrated against the measure as no less unpopular than unnecessary, resolved to exert all his authority and credit in carrying it into execution, and immediately assembled such of the nobles as were then at court. What Charles required was laid before them; and when, instead of complying with his demands, they began to murmur against such an unprecedented encroachment on their privileges, and to talk high of the rights of Joanna, and their oath of allegiance to her, Ximenes hastily interposed, and, with that firm and decisive tone which was natural to him, told them that they were not called now to deliberate, but to obey; that their sovereign did not apply to them for advice, but expected submission;

Charles assumes the title of king.

Recognised through the influence of Ximenes, April 13.

l Histoire de l'Administration du Card. Ximen. par Mich. Baudier, 4to, 1635, p. 13.

m Gometius de Reb. gest. Ximenii, p. 150. fol. Compl. 1569.

n Miniana Contin. Marianæ, lib. i. c. 2. Baudier Hist. de Ximenes. p. 118.

o P. Mart. Ep. 568.

and "this day," added he, "Charles shall be proclaimed king of Castile in Madrid; and the rest of the cities, I doubt not, will follow his example." On the spot he gave orders for that purpose;[p] and notwithstanding the novelty of the practice, and the secret discontents of many persons of distinction, Charles's title was universally recognised. In Aragon, where the privileges of the subject were more extensive, and the abilities as well as authority of the archbishop of Saragossa, whom Ferdinand had appointed regent, were far inferior to those of Ximenes, the same obsequiousness to the will of Charles did not appear, nor was he acknowledged there under any other character but that of prince, until his arrival in Spain.[q]

His schemes for extending the prerogative:

Ximenes, though possessed only of delegated power, which, from his advanced age, he could not expect to enjoy long, assumed, together with the character of regent, all the ideas natural to a monarch, and adopted schemes for extending the regal authority, which he pursued with as much intrepidity and ardour as if he himself had been to reap the advantages resulting from their success. The exorbitant privileges of the Castilian nobles circumscribed the prerogative of the prince within very narrow limits. These privileges the cardinal considered as so many unjust extortions from the crown, and determined to abridge them. Dangerous as the attempt was, there were circumstances in his situation which promised him greater success than any king of Castile could have expected. The strict and prudent economy of his archiepiscopal revenues furnished him with more ready money than the crown could at any time command; the sanctity of his manners, his charity and munificence, rendered him the idol of the people; and the nobles themselves, not suspecting any danger from him, did not observe his motions with the same jealous attention as they would have watched those of one of their monarchs.

by depressing the nobility:

Immediately upon his accession to the regency, several of the nobles, fancying that the reins of government would of consequence be somewhat relaxed, began to assemble their vassals, and to prosecute, by force of arms, private quarrels and pretensions which the authority of Ferdinand had obliged them to dissemble or to relinquish. But Ximenes, who had taken into pay a good body of troops, opposed and defeated all their designs with unexpected vigour and facility; and though he did not treat the authors of these disorders with any cruelty, he forced them to acts of submission extremely mortifying to the haughty spirit of Castilian grandees.

by forming a body of troops depending on the crown:

But while the cardinal's attacks were confined to individuals, and every act of rigour was justified by the appearance of necessity, founded on the forms of justice, and tempered with a mixture of lenity, there was scarcely room for jealousy or complaint. It was not so with his next measure, which, by striking at a privilege essential to the nobility, gave a general alarm to the whole order. By the feudal constitution the military power was lodged in the hands of the nobles, and men of an inferior condition were called into the field only as their vassals, and to follow their banners. A king with scanty revenues and a limited prerogative depended on those potent barons in all his operations. It was with their forces he attacked his enemies, and with them he defended his kingdom. While at the head of troops attached warmly to their own immediate lords, and accustomed to obey no other commands, his authority was precarious and his efforts feeble. From this state Ximenes resolved to deliver the crown; and as mercenary standing armies were unknown under the feudal government, and would have been odious to a martial and generous people, he issued a proclamation, commanding every city in Castile to enrol a certain number of its burgesses, in order that they might be trained to the use of arms on Sundays and holidays; he engaged to provide officers to command them at the public expense; and, as an encouragement to the private men, promised them an exemption from all taxes and impositions. The frequent incursions of the Moors from Africa, and the necessity of having some force always ready to oppose them, furnished a plausible pretence for this innovation. The object really in view was to secure the king a body of troops independent of his barons, and which might serve to counterbalance their power.[r] The nobles were not slow in perceiving what was his intention, and saw how effectually the scheme which he had adopted would accomplish his end; but as a measure which had the pious appearance of resisting the progress of the infidels was extremely popular, and as any opposition to it arising from their order alone would have been imputed wholly to interested motives, they endeavoured to excite the cities themselves to refuse obedience, and to inveigh against the proclamation as inconsistent with their charters and privileges. In consequence of their instigations, Burgos, Valladolid, and several other cities, rose in open mutiny. Some of the grandees declared themselves their protectors. Violent remonstrances were presented to the king. His Flemish counsellors were alarmed. Ximenes alone continued firm and undaunted, and partly by terror, partly by entreaty, by force in some instances, and by forbearance in others, he prevailed on all the refractory cities to comply.[s] During his administration he continued to execute his plan with vigour; but soon after his death it was entirely dropped.

By recalling the grants of former monarchs to the nobility.

His success in this scheme for reducing the exorbitant power of the nobility encouraged him to attempt a

p Gometius, p. 152, &c. Baudier, Hist. de Ximen. p. 121.
q P. Mart. Ep. 572.

r Minianæ Continuatio Marianæ, fol. Hag. 1733. p. 3.
s P. Mart. Ep. 556, &c. Gometius, p. 160, &c.

diminution of their possessions, which were no less exorbitant. During the contests and disorders inseparable from the feudal government, the nobles, ever attentive to their own interest, and taking advantage of the weakness or distress of their monarchs, had seized some parts of the royal demesnes, obtained grants of others, and having gradually wrested almost the whole out of the hands of the prince, had annexed them to their own estates. The titles by which most of the grandees held these lands were extremely defective; it was from some successful usurpation which the crown had been too feeble to dispute, that many derived their only claim to possession. An inquiry carried back to the origin of these encroachments, which were almost coeval with the feudal system, was impracticable; and as it would have stripped every nobleman in Spain of great part of his lands, it must have excited a general revolt. Such a step was too bold even for the enterprising genius of Ximenes. He confined himself to the reign of Ferdinand; and beginning with the pensions granted during that time, refused to make any further payment, because all right to them expired with his life. He then called to account such as had acquired crown lands under the administration of that monarch, and at once resumed whatever he had alienated. The effects of these revocations extended to many persons of high rank; for though Ferdinand was a prince of little generosity, yet he and Isabella having been raised to the throne of Castile by a powerful faction of the nobles, they were obliged to reward the zeal of their adherents with great liberality, and the royal demesnes were their only fund for that purpose. The addition made to the revenue of the crown by these revocations, together with his own frugal economy, enabled Ximenes not only to discharge all the debts which Ferdinand had left, and to remit considerable sums to Flanders, but to pay the officers of his new militia, and to establish magazines not only more numerous, but better furnished with artillery, arms, and warlike stores, than Spain had ever possessed in any former age.[t] The prudent and disinterested application of these sums was a full apology to the people for the rigour with which they were exacted.

The nobles oppose his measures;

The nobles, alarmed at these repeated attacks, began to think of precautions for the safety of their order. Many cabals were formed, loud complaints were uttered, and desperate resolutions taken; but before they proceeded to extremities, they appointed some of their number to examine the powers in consequence of which the cardinal exercised acts of such high authority. The admiral of Castile, the duke de Infantado, and the Condé de Benevento, grandees of the first rank, were intrusted with this commission. Ximenes received them with cold civility; and in answer to their demand, produced the testament of Ferdinand by which he was appointed regent, together with the ratification of that deed by Charles. To both these they objected; and he endeavoured to establish their validity. As the conversation grew warm, he led them insensibly towards a balcony, from which they had a view of a large body of troops under arms, and of a formidable train of artillery. "Behold," says he, pointing to these and raising his voice, "the powers which I have received from his catholic majesty. With these I govern Castile; and with these I will govern it until the king, your master and mine, takes possession of his kingdom."[u] A declaration so bold and haughty silenced them and astonished their associates. To take arms against a man aware of his danger, and prepared for his defence, was what despair alone would dictate. All thoughts of a general confederacy against the cardinal's administration were laid aside; and, except from some slight commotions excited by the private resentment of particular noblemen, the tranquillity of Castile suffered no interruption.

but without success.

Thwarted by Charles's Flemish ministers.

It was not only from the opposition of the Spanish nobility that obstacles arose to the execution of the cardinal's schemes; he had a constant struggle to maintain with the Flemish ministers, who, presuming upon their favour with the young king, aimed at directing the affairs of Spain as well as those of their own country. Jealous of the great abilities and independent spirit of Ximenes, they considered him rather as a rival who might circumscribe their power, than as a minister who by his prudence and vigour was adding to the grandeur and authority of their master. Every complaint against his administration was listened to with pleasure by the courtiers in the Low Countries. Unnecessary obstructions were thrown by their means in the way of all his measures; and though they could not either with decency or safety deprive him of the office of regent, they endeavoured to lessen his authority by dividing it. They soon discovered that Adrian of Utrecht, already joined with him in office, had neither genius nor spirit sufficient to give the least check to his proceedings; and therefore Charles, by their advice, added to the commission of regency La Chau, a gentleman, and afterwards Amerstorf, a nobleman of Holland; the former distinguished for his address, the latter for his firmness. Ximenes, though no stranger to the malevolent intention of the Flemish courtiers, received these new associates with all the external marks of distinction due to the office with which they were invested; but when they came to enter upon business, he abated nothing of that air of superiority with which he had treated Adrian, and still retained the sole direction of affairs. The Spaniards, more averse, perhaps, than any other people to the government of strangers, approved of all his efforts to preserve his own authority. Even the nobles,

An additional number of regents appointed.

Ximenes retains the direction of affairs.

t Flechier Vie de Ximen. ii. 600.

u Flech. ii. 551. Ferreras Hist. viii. 433.

influenced by this national passion, and forgetting their jealousies and discontents, chose rather to see the supreme power in the hands of one of their countrymen whom they feared, than in those of foreigners, whom they hated.

His successful war in Navarre:

Ximenes, though engaged in such great schemes of domestic policy, and embarrassed by the artifices and intrigues of the Flemish ministers, had the burden of two foreign wars to support. The one was in Navarre, which was invaded by its unfortunate monarch, John d'Albert. The death of Ferdinand, the absence of Charles, the discord and disaffection which reigned among the Spanish nobles, seemed to present him with a favourable opportunity of recovering his dominions. The cardinal's vigilance, however, defeated a measure so well concerted. As he foresaw the danger to which that kingdom might be exposed, one of his first acts of administration was to order thither a considerable body of troops. While the king was employed with one part of his army in the siege of St. Jean Pied en Port, Villalva, an officer of great experience and courage, attacked the other by surprise, and cut it to pieces. The king instantly retreated with precipitation, and an end was put to the war.[x] But as Navarre was filled at that time with towns and castles slightly fortified and weakly garrisoned, which, being unable to resist an enemy, served only to furnish him with places of retreat, Ximenes, always bold and decisive in his measures, ordered every one of these to be dismantled except Pampeluna, the fortifications of which he proposed to render very strong. To this uncommon precaution Spain owes the possession of Navarre. The French, since that period, have often entered, and have as often overrun, the open country; while they were exposed to all the inconveniences attending an invading army, the Spaniards have easily drawn troops from the neighbouring provinces to oppose them; and the French having no place of any strength to which they could retire, have been obliged repeatedly to abandon their conquest with as much rapidity as they gained it.

His operations in Africa less fortunate.

The other war, which he carried on in Africa against the famous adventurer Horuc Barbarossa, who, from a private corsair, raised himself, by his singular valour and address, to be king of Algiers and Tunis, was far from being equally successful. The ill conduct of the Spanish general, and the rash valour of his troops, presented Barbarossa with an easy victory. Many perished in the battle, more in the retreat, and the remainder returned into Spain covered with infamy. The magnanimity, however, with which the cardinal bore this disgrace, the only one he experienced during his administration, added new lustre to his character.[y] Great composure of temper under a disappointment was not expected from a man so remarkable for the eagerness and impatience with which he urged on the execution of all his schemes.

This disaster was soon forgotten; while the conduct of the Flemish court proved the cause of constant uneasiness, not only to the cardinal, but to the whole Spanish nation. All the great qualities of Chievres, the prime minister and favourite of the young king, were sullied with an ignoble and sordid avarice. The accession of his master to the crown of Spain opened a new and copious source for the gratification of this passion. During the time of Charles's residence in Flanders, the whole tribe of pretenders to offices or to favour resorted thither. They soon discovered that without the patronage of Chievres it was vain to hope for preferment; nor did they want sagacity to find out the proper method of securing his protection. Great sums of money were drawn out of Spain. Every thing was venal, and disposed of to the highest bidder. After the example of Chievres, the inferior Flemish ministers engaged in this traffic, which became as general and avowed as it was infamous.[z] The Spaniards were filled with rage when they beheld offices of great importance to the welfare of their country set to sale by strangers unconcerned for its honour or its happiness. Ximenes, disinterested in his whole administration, and a stranger, from his native grandeur of mind, to the passion of avarice, inveighed with the utmost boldness against the venality of the Flemings. He represented to the king, in strong terms, the murmurs and indignation which their behaviour excited among a free and high-spirited people, and besought him to set out without loss of time for Spain, that, by his presence, he might dissipate the clouds which were gathering all over the kingdom.[a]

Corruption of the Flemish ministers, particularly of Chievres.

Charles persuaded by Ximenes to visit Spain.

Charles was fully sensible that he had delayed too long to take possession of his dominions in Spain. Powerful obstacles, however, stood in his way, and detained him in the Low Countries. The war which the league of Cambray had kindled in Italy still subsisted; though, during its course, the armies of all the parties engaged in it had changed their destination and their objects. France was now in alliance with Venice, which it had at first combined to destroy: Maximilian and Ferdinand had for some years carried on hostilities against France, their original ally, to the valour of whose troops the confederacy had been indebted in a great measure for its success. Together with his kingdoms Ferdinand transmitted this war to his grandson; and there was reason to expect that Maximilian, always fond of new enterprises, would persuade the young monarch to enter into it with ardour. But the Flemings, who had long possessed an extensive commerce, which, during the league of Cambray, had grown to a great height upon the ruins of the Venetian trade, dreaded a rupture with France; and Chievres, sagacious to discern the true interest of his country, and not warped on this occasion by his love of wealth, warmly declared for maintaining

x P. Mart. Ep. 570.

y Gometius, lib. vi. p. 179.

z Miniana, Contin. l. i. c. 2.

a P. Mart. Ep. 576.

peace with the French nation. Francis I. destitute of allies, and solicitous to secure his late conquests in Italy by a treaty, listened with joy to the first overtures of accommodation. Chievres himself conducted the negociation in the name of Charles: Gouffier appeared as plenipotentiary for Francis. Each of them had presided over the education of the prince whom he represented. They had both adopted the same pacific system, and were equally persuaded that the union of the two monarchs was the happiest event for themselves as well as for their kingdoms. In such hands the negociation did not languish. A few days after opening their conferences at Noyon, they concluded a treaty of confederacy and mutual defence between the two monarchs; the chief articles in which were, that Francis should give in marriage to Charles his eldest daughter the princess Louise, an infant of a year old, and as her dowry, should make over to him all his claims and pretensions upon the kingdom of Naples; that, in consideration of Charles's being already in possession of Naples, he should, until the accomplishment of the marriage, pay an hundred thousand crowns a-year to the French king, and the half of that sum annually, as long as the princess had no children; that when Charles shall arrive in Spain, the heirs of the king of Navarre may represent to him their right to that kingdom; and if, after examining their claim, he does not give them satisfaction, Francis shall be at liberty to assist them with all his forces.[b] This alliance not only united Charles and Francis, but obliged Maximilian, who was unable alone to cope with the French and Venetians, to enter into a treaty with those powers; which put a final period to the bloody and tedious war that the league of Cambray had occasioned. Europe enjoyed a few years of universal tranquillity, and was indebted for that blessing to two princes whose rivalship and ambition kept it in perpetual discord and agitation during the remainder of their reigns.

A peace concluded with France, Aug. 13, 1516.

The Flemings averse to Charles's visit to Spain.

By the treaty of Noyon Charles secured a safe passage into Spain. It was not, however, the interest of his Flemish ministers that he should visit that kingdom soon. While he resided in Flanders, the revenues of the Spanish crown were spent there, and they engrossed, without any competitors, all the effects of their monarch's generosity; their country became the seat of government, and all favours were dispensed by them. Of all these advantages they ran the risk of seeing themselves deprived, from the moment that their sovereign entered Spain. The Spaniards would naturally assume the direction of their own affairs; the Low Countries would be considered only as a province of that mighty monarchy; and they who now distributed the favours of the prince to others, must then be content to receive them from the hands of strangers. But what Chievres chiefly wished to avoid was an interview between the king and Ximenes. On the one hand, the wisdom, the integrity, and the magnanimity of that prelate gave him a wonderful ascendant over the minds of men; and it was extremely probable that these great qualities, added to the reverence due to his age and office, would command the respect of a young prince, who, capable of noble and generous sentiments himself, would, in proportion to his admiration of the cardinal's virtues, lessen his deference towards persons of another character. Or, on the other hand, if Charles should allow his Flemish favourites to retain all the influence over his councils which they at present possessed, it was easy to foresee that the cardinal would remonstrate loudly against such an indignity to the Spanish nation, and vindicate the rights of his country with the same intrepidity and success with which he had asserted the prerogatives of the crown. For these reasons all his Flemish counsellors combined to retard his departure; and Charles, unsuspicious from want of experience, and fond of his native country, suffered himself to be unnecessarily detained in the Netherlands a whole year after signing the treaty of Noyon.

Afraid of Ximenes.

The repeated entreaties of Ximenes, the advice of his grandfather Maximilian, and the impatient murmurs of his Spanish subjects, prevailed on him at last to embark. He was attended not only by Chievres, his prime minister, but by a numerous and splendid train of the Flemish nobles, fond of beholding the grandeur or of sharing in the bounty of their prince. After a dangerous voyage he landed at Villa Viciosa, in the province of Asturias, and was received with such loud acclamations of joy as a new monarch whose arrival was so ardently desired had reason to expect. The Spanish nobility resorted to their sovereign from all parts of the kingdom, and displayed a magnificence which the Flemings were unable to emulate.[c]

1517. Charles embarks for Spain.

Sept. 13.

His Flemish ministers endeavour to prevent an interview with Ximenes.

Ximenes, who considered the presence of the king as the greatest blessing to his dominions, was advancing towards the coast as fast as the infirm state of his health would permit, in order to receive him. During his regency, and notwithstanding his extreme old age, he had abated in no degree the rigour or frequency of his mortifications; and to these he added such laborious assiduity in business as would have worn out the most youthful and vigorous constitution. Every day he employed several hours in devotion; he celebrated mass in person; he even allotted some space for study. Notwithstanding these occupations, he regularly attended the council; he received and read all papers presented to him; he dictated letters and instructions; and took under his inspection all business, civil, ecclesiastical, or military. Every moment of his time was filled up with some serious

b Leonard Recueil des Traitez, tom. ii. 69.

c P. Mart. Ep. 599, 601

employment. The only amusement in which he indulged himself, by way of relaxation after business, was to canvass, with a few friars and other divines, some intricate article in scholastic theology. Wasted by such a course of life the infirmities of age daily grew upon him. On his journey a violent disorder seized him at Bos Equillos, attended with uncommon symptoms; which his followers considered as the effects of poison,[d] but could not agree whether the crime ought to be imputed to the hatred of the Spanish nobles, or to the malice of the Flemish courtiers. This accident obliging him to stop short, he wrote to Charles, and with his usual boldness advised him to dismiss all the strangers in his train, whose numbers and credit gave offence already to the Spaniards, and would ere long alienate the affections of the whole people. At the same time he earnestly desired to have an interview with the king, that he might inform him of the state of the nation and the temper of his subjects. To prevent this, not only the Flemings, but the Spanish grandees, employed all their address, and industriously kept Charles at a distance from Aranda, the place to which the cardinal had removed. Through their suggestions every measure that he recommended was rejected; the utmost care was taken to make him feel, and to point out to the whole nation, that his power was on the decline; even in things purely trivial, such a choice was always made as was deemed most disagreeable to him. Ximenes did not bear this treatment with his usual fortitude of spirit. Conscious of his own integrity and merit, he expected a more grateful return from a prince to whom he delivered a kingdom more flourishing than it had been in any former age, together with authority more extensive and better established than the most illustrious of his ancestors had ever possessed. He could not therefore, on many occasions, refrain from giving vent to his indignation and complaints. He lamented the fate of his country, and foretold the calamities which it would suffer from the insolence, the rapaciousness, and ignorance of strangers. While his mind was agitated by these passions, he received a letter from the king, in which, after a few cold and formal expressions of regard, he was allowed to retire to his diocese, that after a life of such continued labour he might end his days in tranquillity. This message proved fatal to Ximenes. His haughty mind, it is probable, could not survive disgrace; perhaps his generous heart could not bear the prospect of the misfortunes ready to fall on his country. Whichsoever of these opinions we embrace, certain it is that he expired a few hours after reading the letter.[e] The variety, the grandeur, and the success of his schemes, during a regency of only twenty months, leave it doubtful whether his sagacity in council, his prudence in conduct, or his boldness in execution, deserve the greatest praise. His reputation is still high in Spain, not only for wisdom, but for sanctity; and he is the only prime minister mentioned in history whom his contemporaries reverenced as a saint,[f] and to whom the people under his government ascribed the power of working miracles.

Charles's ingratitude to Ximenes.

His death.

Nov. 8.

Soon after the death of Ximenes, Charles made his public entry with great pomp into Valladolid, whither he had summoned the Cortes of Castile. Though he assumed on all occasions the name of king, that title had never been acknowledged in the Cortes. The Spaniards considering Joanna as possessed of the sole right to the crown, and no example of a son's having enjoyed the title of king during the life of his parents occurring in their history, the Cortes discovered all that scrupulous respect for ancient forms, and that aversion to innovation, which are conspicuous in popular assemblies. The presence, however, of their prince, the address, the artifices, and the threats of his ministers, prevailed on them at last to proclaim him king, in conjunction with his mother, whose name they appointed to be placed before that of her son in all public acts. But when they made this concession, they declared that if at any future period Joanna should recover the exercise of reason, the whole authority should return into her hands. At the same time they voted a free gift of six hundred thousand ducats to be paid in three years, a sum more considerable than had ever been granted to any former monarch.[g]

1518. Cortes held at Valladolid.

Declare Charles king.

Notwithstanding this obsequiousness of the Cortes to the will of the king, the most violent symptoms of dissatisfaction with his government began to break out in the kingdom. Chievres had acquired over the mind of the young monarch the ascendant not only of a tutor but of a parent. Charles seemed to have no sentiments but those which his minister inspired, and scarcely uttered a word but what he put into his mouth. He was constantly surrounded by Flemings; no person got access to him without their permission, nor was any admitted to audience but in their presence. As he spoke the Spanish language very imperfectly, his answers were always extremely short, and often delivered with hesitation. From all these circumstances many of the Spaniards were led to believe that he was a prince of a slow and narrow genius. Some pretended to discover a strong resemblance between him and his mother, and began to whisper that his capacity for government would never be far superior to hers; and though they who had the best opportunity of judging concerning his character maintained that, notwithstanding such unpromising appearances, he possessed a large fund of know-

Discontent of the Castilians, and the causes of it.

d Miniana, Contin. lib. i. c. 3.
e Marsollier Vie de Ximenes, p. 447. Gometius, lib. vii. p. 206, &c. Baudier Hist. de Ximen. ii. p. 208.

f Flechier Vie de Ximen. ii. p. 746.
g Miniana, Contin. lib. i. c. 3. P. Mart. Ep. 608. Sandov. p. 12.

ledge as well as of sagacity,[h] yet all agreed in condemning his partiality towards the Flemings, and his attachment to his favourites, as unreasonable and immoderate. Unfortunately for Charles these favourites were unworthy of his confidence. To amass wealth seems to have been their only aim; and as they had reason to fear that either their master's good sense or the indignation of the Spaniards might soon abridge their power, they hastened to improve the present opportunity, and their avarice was the more rapacious because they expected their authority to be of no long duration. All honours, offices, and benefices were either engrossed by the Flemings, or publicly sold by them. Chievres, his wife, and Sauvage, whom Charles, on the death of Ximenes, had imprudently raised to be chancellor of Castile, vied with each other in all the refinements of extortion and venality. Not only the Spanish historians, who, from resentment, may be suspected of exaggeration, but Peter Martyr Angleria, an Italian, who resided at that time in the court of Spain, and who was under no temptation to deceive the persons to whom his letters are addressed, gives a description which is almost incredible, of the insatiable and shameless covetousness of the Flemings. According to Angleria's calculation, which he asserts to be extremely moderate, they remitted into the Low Countries in the space of ten months no less a sum than a million and one hundred thousand ducats. The nomination of William de Croy, Chievres' nephew, a young man not of canonical age, to the archbishopric of Toledo, exasperated the Spaniards more than all these exactions. They considered the elevation of a stranger to the head of their church, and to the richest benefice in the kingdom, not only as an injury, but as an insult to the whole nation; both clergy and laity, the former from interest, the latter from indignation, joined in exclaiming against it.[i]

Charles holds the Cortes of Aragon.

Charles, leaving Castile thus disgusted with his administration, set out for Saragossa, the capital of Aragon, that he might be present in the Cortes of that kingdom. On his way thither he took leave of his brother Ferdinand, whom he sent into Germany on the pretence of visiting their grandfather Maximilian in his old age. To this prudent precaution Charles owed the preservation of his Spanish dominions. During the violent commotions which arose there soon after this period, the Spaniards would infallibly have offered the crown to a prince who was the darling of the whole nation; nor did Ferdinand want ambition, or counsellors, that might have prompted him to accept of the offer.[k]

The Aragonese more intractable than the Castilians.

The Aragonese had not hitherto acknowledged Charles as king, nor would they allow the Cortes to be assembled in his name, but in that of the Justiza, to whom, during an interregnum, this privilege belonged.[l] The opposition Charles had to struggle with in the Cortes of Aragon was more violent and obstinate than that which he had overcome in Castile; after long delays, however, and with much difficulty, he persuaded the members to confer on him the title of king, in conjunction with his mother. At the same time he bound himself by that solemn oath which the Aragonese exacted of their kings, never to violate any of their rights or liberties. When a donative was demanded, the members were still more intractable; many months elapsed before they would agree to grant Charles two hundred thousand ducats, and that sum they appropriated so strictly for paying debts of the crown which had long been forgotten, that a very small part of it came into the king's hands. What had happened in Castile taught them caution, and determined them rather to satisfy the claims of their fellow-citizens, how obsolete soever, than to furnish strangers the means of enriching themselves with the spoils of their country.[m]

During these proceedings of the Cortes, ambassadors arrived at Saragossa from Francis I. and the young king of Navarre, demanding the restitution of that kingdom, in terms of the treaty of Noyon. But neither Charles nor the Castilian nobles, whom he consulted on this occasion, discovered any inclination to part with this acquisition. A conference held soon after at Montpelier, in order to bring this matter to an amicable issue, was altogether fruitless; while the French urged the injustice of the usurpation, the Spaniards were attentive only to its importance.[n]

From Aragon Charles proceeded to Catalonia, where he wasted as much time, encountered more difficulties, and gained less money. The Flemings were now become so odious in every province of Spain by their exactions, that the desire of mortifying them, and of disappointing their avarice, augmented the jealousy with which a free people usually conduct their deliberations. 1519.

Combination of the Castilians against the Flemish ministers.

The Castilians, who had felt most sensibly the weight and rigour of the oppressive schemes carried on by the Flemings, resolved no longer to submit with a tameness fatal to themselves, and which rendered them the objects of scorn to their fellow-subjects in the other kingdoms of which the Spanish monarchy was composed. Segovia, Toledo, Seville, and several other cities of the first rank, entered into a confederacy for the defence of their rights and privileges; and notwithstanding the silence of the nobility, who, on this occasion, discovered neither the public spirit nor the resolution which became their order, the confederates laid before the king a full view of the state of the kingdom, and of the maladministration of his favourites. The preferment of strangers, the exportation of the current coin, the increase of taxes, were the grievances of which they chiefly complained; and of these they demanded redress with that

h Sandoval, p. 31. P. Mart. Ep. 655.
i Sandoval, 28—31. P. Mart. Ep. 608, 611, 613, 614, 622, 623, 639. Miniana, Contin. lib. i. c. 3. p. 8.
k P. Martyr, Ep. 619. Ferreras, viii. 460.
l P. Martyr, Ep. 605.
m Ibid. Ep, 615—634.
n Ibid. Ep. 605, 633, 640.

boldness which is natural to a free people. These remonstrances, presented at first at Saragossa, and renewed afterwards at Barcelona, Charles treated with great neglect. The confederacy, however, of these cities at this juncture, was the beginning of that famous union among the commons of Castile, which not long after threw the kingdom into such violent convulsions as shook the throne, and almost overturned the constitution.[o]

Death of the emperor Maximilian, Jan. 12.

Soon after Charles's arrival at Barcelona, he received the account of an event which interested him much more than the murmurs of the Castilians or the scruples of the Cortes of Catalonia. This was the death of the emperor Maximilian; an occurrence of small importance in itself, for he was a prince conspicuous neither for his virtues, nor his power, nor his abilities; but rendered by its consequences more memorable than any that had happened during several ages. It broke that profound and universal peace which then reigned in the christian world; it excited a rivalship between two princes, which threw all Europe into agitation, and kindled wars more general and of longer duration than had hitherto been known in modern times.

The revolutions occasioned by the expedition of the French king Charles VIII. into Italy, had inspired the European princes with new ideas concerning the importance of the imperial dignity. The claims of the empire upon some of the Italian states were numerous; its jurisdiction over others was extensive; and though the former had been almost abandoned, and the latter seldom exercised under princes of slender abilities and of little influence, it was obvious that in the hands of an emperor possessed of power or of genius, they might be employed as engines for stretching his dominion over the greater part of that country. Even Maximilian, feeble and unsteady as his conduct always was, had availed himself of the infinite pretensions of the empire, and had reaped advantage from every war and every negociation in Italy during his reign. These considerations, added to the dignity of the station, confessedly the first among christian princes, and to the rights inherent in the office, which, if exerted with vigour, were far from being inconsiderable, rendered the imperial crown more than ever an object of ambition.

Maximilian had endeavoured to secure the imperial crown to his grandson.

Not long before his death, Maximilian had discovered great solicitude to preserve this dignity in the Austrian family, and to procure the king of Spain to be chosen his successor. But he himself having never been crowned by the pope, a ceremony deemed essential in that age, was considered only as emperor *elect*. Though historians have not attended to that distinction, neither the Italian nor German chancery bestowed any other title upon him than that of king of the Romans; and no example occurring in history of any person's being chosen a successor to a king of the Romans, the Germans, always tenacious of their forms, and unwilling to confer upon Charles an office for which their constitution knew no name, obstinately refused to gratify Maximilian in that point.[p]

Charles and Francis I. competitors for the empire.

By his death this difficulty was at once removed, and Charles openly aspired to that dignity which his grandfather had attempted without success to secure for him. At the same time Francis I., a powerful rival, entered the lists against him; and the attention of all Europe was fixed upon this competition, no less illustrious from the high rank of the candidates than from the importance of the prize for which they contended. Each of them urged his pretensions with sanguine expectations, and with no unpromising prospect of success. Charles considered the imperial crown as belonging to him of right, from its long continuance in the Austrian line; he knew that none of the German princes possessed power or influence enough to appear as his antagonist; he flattered himself that no consideration would induce the natives of Germany to exalt any foreign prince to a dignity which, during so many ages, had been deemed peculiar to their own nation; and least of all, that they would confer this honour upon Francis I., the sovereign of a people whose genius and laws and manners differed so widely from those of the Germans, that it was hardly possible to establish any cordial union between them; he trusted not a little to the effect of Maximilian's negociations, which, though they did not attain their end, had prepared the minds of the Germans for his elevation to the imperial throne; but what he relied on as a chief recommendation, was the fortunate situation of his hereditary dominions in Germany, which served as a natural barrier to the empire against the encroachments of the Turkish power. The conquests, the abilities, and the ambition of sultan Selim II. had spread over Europe, at that time, a general and well founded alarm. By his victories over the Mamelukes, and the extirpation of that gallant body of men, he had not only added Egypt and Syria to his empire, but had secured to it such a degree of internal tranquillity, that he was ready to turn against Christendom the whole force of his arms, which nothing hitherto had been able to resist. The most effectual expedient for stopping the progress of this torrent, seemed to be the election of an emperor possessed of extensive territories in that country where its first impression would be felt, and who, besides, could combat this formidable enemy with all the forces of a powerful monarchy, and with all the wealth furnished by the mines of the new world or the commerce of the Low Countries. These were the arguments by which Charles publicly supported his claim; and to men of inte-

Pretensions and hopes of Charles.

o P. Martyr, Ep. 630. Ferreras, viii. 464.
p Guicciardini, lib. xiii. p. 15. Hist. Gener. d'Allemagne, par P. Barre, tom. viii. part 1. p. 1087. P. Heuter. Rer. Austr. lib. vii. c. 17, 179. lib. viii. c. 2. p. 183.

grity and reflection they appear to be not only plausible but convincing. He did not, however, trust the success of his cause to these alone. Great sums of money were remitted from Spain; all the refinements and artifice of negociation were employed; and a considerable body of troops kept on foot at that time, by the states of the Circle of Suabia, was secretly taken into his pay. The venal were gained by presents; the objections of the more scrupulous were answered or eluded; some feeble princes were threatened and overawed.[q]

Of France.

On the other hand, Francis supported his claim with equal eagerness, and no less confidence of its being well founded. His emissaries contended that it was now high time to convince the princes of the house of Austria, that the imperial crown was elective and not hereditary; that other persons might aspire to an honour which their arrogance had accustomed them to regard as the property of their family; that it required a sovereign of mature judgment, and of approved abilities, to hold the reins of government in a country where such unknown opinions concerning religion had been published, as had thrown the minds of men into an uncommon agitation, which threatened the most violent effects; that a young prince, without experience, and who had hitherto given no specimens of his genius for command, was no fit match for Selim, a monarch grown old in the art of war and in the course of victory; whereas a king who in his early youth had triumphed over the valour and discipline of the Swiss, till then reckoned invincible, would be an antagonist not unworthy the conqueror of the east; that the fire and impetuosity of the French cavalry, added to the discipline and stability of the German infantry, would form an army so irresistible, that instead of waiting the approach of the Ottoman forces, it might carry hostilities into the heart of their dominions; that the election of Charles would be inconsistent with a fundamental constitution, by which the person who holds the crown of Naples is excluded from aspiring to the imperial dignity; that his elevation to that honour would soon kindle a war in Italy, on account of his pretensions to the duchy of Milan, the effects of which could not fail of reaching the empire, and might prove fatal to it.[r] But while the French ambassadors enlarged upon these and other topics of the same kind in all the courts of Germany, Francis, sensible of the prejudices entertained against him as a foreigner, unacquainted with the German language or manners, endeavoured to overcome these, and to gain the favour of the princes by immense gifts and by infinite promises. As the expeditious method of transmitting money, and the decent mode of conveying a bribe, by bills of exchange, were then little known, the French ambassadors travelled with a train of horses loaded with treasure, an equipage not very honourable for that prince by whom they were employed, and infamous for those to whom they were sent.[s]

Views and interest of other states:

The other European princes could not remain indifferent spectators of a contest the decision of which so nearly affected every one of them. Their common interest ought naturally to have formed a general combination in order to disappoint both competitors, and to prevent either of them from obtaining such a pre-eminence in power and dignity as might prove dangerous to the liberties of Europe. But the ideas with respect to a proper distribution and balance of power were so lately introduced into the system of European policy, that they were not hitherto objects of sufficient attention. The passions of some princes, the want of foresight in others, and the fear of giving offence to the candidates, hindered such a salutary union of the powers of Europe, and rendered them either totally negligent of the public safety, or kept them from exerting themselves with vigour in its behalf.

of the Swiss:

The Swiss Cantons, though they dreaded the elevation of either of the contending monarchs, and though they wished to have seen some prince whose dominions were less extensive, and whose power was more moderate, seated on the imperial throne, were prompted, however, by their hatred of the French nation, to give an open preference to the pretensions of Charles, while they used their utmost influence to frustrate those of Francis.[t]

of the Venetians:

The Venetians easily discerned that it was the interest of their republic to have both the rivals set aside; but their jealousy of the house of Austria, whose ambition and neighbourhood had been fatal to their grandeur, would not permit them to act up to their own ideas, and led them hastily to give the sanction of their approbation to the claim of the French king.

of Henry VIII.

It was equally the interest and more in the power of Henry VIII. of England, to prevent either Francis or Charles from acquiring a dignity which would raise them so far above other monarchs. But though Henry often boasted that he held the balance of Europe in his hand, he had neither the steady attention, the accurate discernment, nor the dispassionate temper, which that delicate function required. On this occasion it mortified his vanity so much to think that he had not entered early into that noble competition which reflected such honour upon the two antagonists, that he took a resolution of sending an ambassador into Germany, and of declaring himself a candidate for the imperial throne. The ambassador, though loaded with caresses by the German princes and the pope's nuncio, informed his master that he could hope for no success in a claim which he had been so late in preferring. Henry, imputing his

q Guicc. lib. xiii. 159. Sleidan, Hist. of the Reformat. 14. Struvii Corp. Hist. German. ii. 976. Not. 20.

r Guicc. lib. xiii. 160. Sleid. p. 16. Geor. Sabini de Elect. Car. V. Historia apud Scardii Script. Rer. German, vol. ii. p. 4.

s Memoires de Marech. de Pleuranges, p. 291.

t Sabinus, p. 6.

disappointment to that circumstance alone, and soothed with this ostentatious display of his own importance, seems to have taken no further part in the matter, either by contributing to thwart both his rivals, or to promote one of them.[u]

Of Leo X.

Leo X., a pontiff no less renowned for his political abilities than for his love of the arts, was the only prince of the age who observed the motions of the two contending monarchs with a prudent attention, or who discovered a proper solicitude for the public safety. The imperial and papal jurisdiction interfered in so many instances, the complaints of usurpation were so numerous on both sides, and the territories of the church owed their security so little to their own force, and so much to the weakness of the powers around them, that nothing was so formidable to the court of Rome as an emperor with extensive dominions or of enterprising genius. Leo trembled at the prospect of beholding the imperial crown placed on the head of the king of Spain and of Naples, and the master of the new world; nor was he less afraid of seeing a king of France who was duke of Milan and lord of Genoa, exalted to that dignity. He foretold that the election of either of them would be fatal to the independence of the Holy See, to the peace of Italy, and perhaps to the liberties of Europe. But to oppose them with any prospect of success required address and caution in proportion to the greatness of their power, and their opportunities of taking revenge. Leo was defective in neither. He secretly exhorted the German princes to place one of their own number on the imperial throne, which many of them were capable of filling with honour. He put them in mind of the constitution by which the kings of Naples were for ever excluded from that dignity.[x] He warmly exhorted the French king to persist in his claim, not from any desire that he should gain his end, but as he foresaw that the Germans would be more disposed to favour the king of Spain, he hoped that Francis himself, when he discovered his own chance of success to be desperate, would be stimulated by resentment and the spirit of rivalship to concur with all his interest in raising some third person to the head of the empire; or, on the other hand, if Francis should make an unexpected progress, he did not doubt but that Charles would be induced by similar motives to act the same part; and thus, by a prudent attention, the mutual jealousy of the two rivals might be so dexterously managed as to disappoint both. But this scheme, the only one which a prince in Leo's situation could adopt, though concerted with great wisdom, was executed with little discretion. The French ambassadors in Germany fed their master with vain hopes; the pope's nuncio being gained by them, altogether forgot the instructions which he had received; and Francis persevered so long and with such obstinacy in urging his own pretensions, as rendered all Leo's measures abortive.[y]

The diet assembles. June 17th.

Such were the hopes of the candidates, and the views of the different princes, when the diet was opened according to form at Frankfort. The right of choosing an emperor had long been vested in seven great princes distinguished by the name of electors, the origin of whose office, as well as the nature and extent of their powers, have already been explained. These were at that time Albert of Brandenburg, archbishop of Mentz; Herman count de Wied, archbishop of Cologne; Richard de Greiffenklau, archbishop of Triers; Lewis, king of Bohemia; Lewis, count Palatine of the Rhine; Frederic, duke of Saxony; and Joachim I. marquis of Brandenburg. Notwithstanding the artful arguments produced by the ambassadors of the two kings in favour of their respective masters, and in spite of all their solicitations, intrigues, and presents, the electors did not forget that maxim on which the liberty of the German constitution was thought to be founded. Among the members of the Germanic body, which is a great republic composed of states almost independent, the first principle of patriotism is to depress and limit the power of the emperor; and of this idea, so natural under such a form of government, a German politician seldom loses sight. No prince of considerable power or extensive dominions had for some ages been raised to the imperial throne. To this prudent precaution many of the great families in Germany owed the splendour and independence which they had acquired during that period. To elect either of the contending monarchs would have been a gross violation of that salutary maxim; would have given to the empire a master instead of a head; and would have reduced themselves from the rank of being almost his equals to the condition of his subjects.

Views of the electors.

Offer the imperial crown to Frederic of Saxony,

Full of these ideas, all the electors turned their eyes towards Frederic, duke of Saxony, a prince of such eminent virtue and abilities as to be distinguished by the name of the *Sage*, and with one voice they offered him the imperial crown. He was not dazzled with that object which monarchs so far superior to him in power courted with such eagerness; and after deliberating upon the matter a short time, he rejected it with a magnanimity and disinterestedness no less singular than admirable. "Nothing," he observed, "could be more impolitic than an obstinate adherence to a maxim which, though sound and just in many cases, was not applicable to all. In times of tranquillity, said he, we wish for an emperor who has not power to invade our liberties; times of danger demand one who is able to secure our safety. The Turkish armies, led by a gallant and victorious monarch, are

who rejects it,

u Memoires de Fleuranges, 314. Herbert Hist. of Henry VIII.
x Goldasti Constitutiones Imperiales. Francof. 1673, vol. i. 439.

y Guicciar. lib. xiii. 161.

now assembling. They are ready to pour in upon Germany with a violence unknown in former ages. New conjunctures call for new expedients. The imperial sceptre must be committed to some hand more powerful than mine, or that of any other German prince. We possess neither dominions, nor revenues, nor authority, which enable us to encounter such a formidable enemy. Recourse must be had in this exigency to one of the rival monarchs. Each of them can bring into the field forces sufficient for our defence. But as the king of Spain is of German extraction; as he is a member and prince of the empire by the territories which descend to him from his grandfather; as his dominions stretch along that frontier which lies most exposed to the enemy —his claim is preferable, in my opinion, to that of a stranger to our language, to our blood, and to our country; and therefore I give my vote to confer on him the imperial crown."

This opinion, dictated by such uncommon generosity and supported by arguments so plausible, made a deep impression on the electors. The king of Spain's ambassadors, sensible of the important service which Frederic had done their master, sent him a considerable sum of money, as the first token of that prince's gratitude. But he who had greatness of mind to refuse a crown, disdained to receive a bribe; and upon their entreating that at least he would permit them to distribute part of that sum among his attendants, he replied, That he could not prevent them from accepting what should be offered, but whoever took a single florin should be dismissed next morning from his service.[z]

and refuses any present from Charles's ambassadors.

Further deliberations of the electors.

No prince in Germany could now aspire to a dignity which Frederic had declined for reasons applicable to them all. It remained to make a choice between the two great competitors. But besides the prejudice in Charles's favour arising from his birth as well as the situation of his German dominions, he owed not a little to the abilities of the cardinal de Gurk, and the zeal of Erard de la Mark, bishop of Liege, two of his ambassadors, who had conducted their negociations with more prudence and address than those intrusted by the French king. The former, who had long been the minister and favourite of Maximilian, was well acquainted with the art of managing the Germans; and the latter having been disappointed of a cardinal's hat by Francis, employed all the malicious ingenuity with which the desire of revenge inspires an ambitious mind, in thwarting the measures of that monarch. The Spanish party among the electors daily gained ground; and even the pope's nuncio, being convinced that it was vain to make any further opposition, endeavoured to acquire some merit with the future emperor, by offering voluntarily, in the name of his master, a dispensation to hold the imperial crown in conjunction with that of Naples.[a]

On the twenty-eighth of June, five months and ten days after the death of Maximilian, this important contest, which had held all Europe in suspense, was decided. Six of the electors had already declared for the king of Spain; and the archbishop of Triers, the only firm adherent to the French interest, having at last joined his brethren, Charles was, by the unanimous voice of the electoral college, raised to the imperial throne.[b]

They choose Charles emperor.

But though the electors consented, from various motives, to promote Charles to that high station, they discovered at the same time great jealousy of his extraordinary power, and endeavoured, with the utmost solicitude, to provide against his encroaching on the privileges of the Germanic body. It had long been the custom to demand of every new emperor a confirmation of these privileges, and to require a promise that he never would violate them in any instance. While princes who were formidable neither from extent of territory nor of genius possessed the imperial throne, a general and verbal engagement to this purpose was deemed sufficient security. But under an emperor so powerful as Charles, other precautions seemed necessary. A *Capitulation* or claim of right was formed, in which the privileges and immunities of the electors, of the princes of the empire, of the cities, and of every other member of the Germanic body, are enumerated. This capitulation was immediately signed by Charles's ambassadors in the name of their master, and he himself, at his coronation, confirmed it in the most solemn manner. Since that period the electors have continued to prescribe the same conditions to all his successors; and the capitulation, or mutual contract between the emperor and his subjects, is considered in Germany as a strong barrier against the progress of the imperial power, and as the great charter of their liberties, to which they often appeal.[c]

They are apprehensive of his power, and take precautions against it.

The important intelligence of his election was conveyed in nine days from Frankfort to Barcelona, where Charles was still detained by the obstinacy of the Catalonian Cortes, which had not hitherto brought to an issue any of the affairs which came before it. He received the account with the joy natural to a young and aspiring mind, on an accession of power and dig-

The election notified to Charles.

z P. Daniel, an historian of considerable name, seems to call in question the truth of this account of Frederic's behaviour in refusing the imperial crown, because it is not mentioned by Georgius Sabinus in his history of the election and coronation of Charles V. tom. iii. p. 63. But no great stress ought to be laid on an omission in a superficial author, whose treatise, though dignified with the name of history, contains only such an account of the ceremonial of Charles's election as is usually published in Germany on like occasions. Scard. Rer. Germ. Script. vol. ii. p. 1. The testimony of Erasmus, lib. xiii. epist. 4. and that of Sleidan. p. 18, are express. Seckendorf, in his Commentarius Historicus et Apologeticus de Lutheranismo, p. 121. has examined this fact with his usual industry, and has established its truth by the most undoubted evidence. To these testimonies which he has collected, I may add the decisive one of cardinal Cajetan, the pope's legate at Frankfort, in his letter, July 5, 1519. Epistres des Princes, &c. recueilles par Ruscelli, traduicts par Belforest. Par. 1572, p. 60.

a Freheri Rer. German. Scriptores, vol. iii. 172. cur. Struvii. Argent. 1717. Giannone Hist. of Naples, ii. 498.

b Jac. Aug. Thuan. Hist. sui Temporis, edit. Bulkley, lib. i. c. 9.

c Pfeffel Abregé de l'Hist. de Droit Publique d'Allemagne, 590. Limnei Capitulat. Imper. Epistres des Princes par Ruscelli, p. 60.

nity which raised him so far above the other princes of Europe. Then it was that those vast prospects which allured him during his whole administration began to open, and from this era we may date the formation, and are able to trace the gradual progress, of a grand system of enterprising ambition, which renders the history of his reign so worthy of attention.

Its effect upon him.

A trivial circumstance first discovered the effects of this great elevation upon the mind of Charles. In all the public writs which he now issued as King of Spain, he assumed the title of *majesty*, and required it from his subjects as a mark of their respect. Before that time all the monarchs of Europe were satisfied with the appellation of *Highness* or *Grace;* but the vanity of other courts soon led them to imitate the example of the Spanish. The epithet of majesty is no longer a mark of pre-eminence. The most inconsiderable monarchs in Europe enjoy it, and the arrogance of the greater potentates has invented no higher denomination.[d]

The Spaniards dissatisfied with this event.

The Spaniards were far from viewing the promotion of their king to the imperial throne with the same satisfaction which he himself felt. To be deprived of the presence of their sovereign, and to be subjected to the government of a viceroy and his council, a species of administration often oppressive and always disagreeable, were the immediate and necessary consequences of this new dignity. To see the blood of their countrymen shed in quarrels wherein the nation had no concern; to behold its treasures wasted in supporting the splendour of a foreign title; to be plunged in the chaos of Italian and German politics, were effects of this event almost as unavoidable. From all these considerations, they concluded that nothing could have happened more pernicious to the Spanish nation; and the fortitude and public spirit of their ancestors, who, in the Cortes of Castile, prohibited Alfonso the Wise from leaving the kingdom in order to receive the imperial crown, were often mentioned with the highest praise, and pronounced to be extremely worthy of imitation at this juncture.[e]

But Charles, without regarding the sentiments or murmurs of his Spanish subjects, accepted of the imperial dignity, which the count palatine, at the head of a solemn embassy, offered him in the name of the electors; and declared his intention of setting out soon for Germany, in order to take possession of it. This was the more necessary, because, according to the forms of the German constitution, he could not, before the ceremony of a public coronation, exercise any act of jurisdiction or authority.[f]

November.

Their discontent increases.

Their certain knowledge of this resolution augmented so much the disgust of the Spaniards, that a sullen and refractory spirit prevailed among persons of all ranks. The pope having granted the king the tenths of all ecclesiastical benefices in Castile, to assist him in carrying on war with greater vigour against the Turks, a convocation of the clergy unanimously refused to levy that sum, upon pretence that it ought never to be exacted but at those times when Christendom was actually invaded by the infidels; and though Leo, in order to support his authority, laid the kingdom under an interdict, so little regard was paid to a censure which was universally deemed unjust, that Charles himself applied to have it taken off. Thus the Spanish clergy, besides their merit in opposing the usurpations of the pope, and disregarding the influence of the crown, gained the exemption which they claimed.[g]

An insurrection in Valencia.

The commotions which arose in the kingdom of Valencia, annexed to the crown of Aragon, were more formidable, and produced more dangerous and lasting effects. A seditious monk having by his sermons excited the citizens of Valencia, the capital city, to take arms, and to punish certain criminals in a tumultuary manner, the people, pleased with this exercise of power, and with such a discovery of their own importance, not only refused to lay down their arms, but formed themselves into troops and companies, that they might be regularly trained to martial exercises. To obtain some security against the oppression of the grandees was the motive of this association, and proved a powerful bond of union; for as the aristocratical privileges and independence were more complete in Valencia than in any other of the Spanish kingdoms, the nobles, being scarcely accountable for their conduct to any superior, treated the people not only as vassals but as slaves. They were alarmed, however, at the progress of this unexpected insurrection, as it might encourage the people to attempt shaking off the yoke altogether; but as they could not repress them without taking arms, it became necessary to have recourse to the emperor, and to desire his permission to attack them. At the same time the people made choice of deputies to represent their grievances, and to implore the protection of their sovereign. Happily for the latter they arrived at court when Charles was exasperated to a high degree against the nobility. As he was eager to visit Germany, where his presence became every day more necessary, and as his Flemish courtiers were still more impatient to return into their native country, that they might carry thither the spoils which they had amassed in Castile, it was impossible for him to hold the Cortes of Valencia in person. He had for that reason empowered the cardinal Adrian to represent him in that assembly, and in his name to receive their oath of allegiance, to confirm their privileges with the usual solemnities, and to demand of them a free gift. But the Valencian nobles, who

1520. Its progress.

d Minianæ Contin. Mar. p. 13. Ferreras, viii. 471. Memoires Hist. de la Houssaie, tom. i. p. 53, &c.

e Sand. i. p. 32. Minianæ Con. p. 14. f Sab. P. Barre, viii. 1085.

g P. Martyr. Ep. 462. Ferreras, viii. 473.

considered this measure as an indignity to their country, which was no less entitled than his other kingdoms to the honour of their sovereign's presence, declared that by the fundamental laws of the constitution they could neither acknowledge as king a person who was absent, nor grant him any subsidy; and to this declaration they adhered with a haughty and inflexible obstinacy. Charles, piqued by their behaviour, decided in favour of the people, and rashly authorized them to continue in arms. Their deputies returned in triumph, and were received by their fellow-citizens as the deliverers of their country. The insolence of the multitude increasing with their success, they expelled all the nobles out of the city, committed the government to magistrates of their own election, and entered into an association distinguished by the name of *Germanada* or *Brotherhood*, which proved the source not only of the wildest disorders but of the most fatal calamities in that kingdom.[h]

The Cortes of Castile summoned to meet in Galicia.

Meanwhile the kingdom of Castile was agitated with no less violence. No sooner was the emperor's intention to leave Spain made known, than several cities of the first rank resolved to remonstrate against it, and to crave redress once more of those grievances which they had formerly laid before him. Charles artfully avoided admitting their deputies to audience; and as he saw from this circumstance how difficult it would be, at this juncture, to restrain the mutinous spirit of the greater cities, he summoned the Cortes of Castile to meet at Compostella, a town in Galicia. His only reason for calling that assembly, was the hope of obtaining another donative; for as his treasury had been exhausted in the same proportion that the riches of his ministers increased, he could not, without some additional aid, appear in Germany with splendour suited to the imperial dignity. To appoint a meeting of the Cortes in so remote a province, and to demand a new subsidy before the time for paying the former was expired, were innovations of a most dangerous tendency; and among a people not only jealous of their liberties, but accustomed to supply the wants of their sovereigns with a very frugal hand, excited an universal alarm. The magistrates of Toledo remonstrated against both these measures in a very high tone; the inhabitants of Valladolid, who expected that the Cortes should have been held in that city, were so enraged that they took arms in a tumultuary manner; and if Charles, with his foreign counsellors, had not fortunately made their escape during a violent tempest, they would have massacred all the Flemings, and have prevented him from continuing his journey towards Compostella.

The proceedings of that assembly.

Every city through which he passed petitioned against holding a Cortes in Galicia, a point with regard to which Charles was inflexible. But though the utmost influence had been exerted by the ministers in order to procure a choice of representatives favourable to their designs, such was the temper of the nation, that at the opening of the assembly there appeared among many of the members unusual symptoms of ill-humour, which threatened a fierce opposition to all the measures of the court. No representatives were sent by Toledo; for the lot according to which, by ancient custom, the election was determined in that city, having fallen upon two persons devoted to the Flemish ministers, their fellow-citizens refused to grant them a commission in the usual form, and in their stead made choice of two deputies, whom they empowered to repair to Compostella, and to protest against the lawfulness of the Cortes assembled there. The representatives of Salamanca refused to take the usual oath of fidelity unless Charles consented to change the place of meeting. Those of Toro, Madrid, Cordova, and several other places, declared the demand of another donative to be unprecedented, unconstitutional, and unnecessary. All the arts, however, which influence popular assemblies, bribes, promises, threats, and even force, were employed in order to gain members. The nobles, soothed by the respectful assiduity with which Chievres and the other Flemings paid court to them, or instigated by a mean jealousy of that spirit of independence which they saw rising among the commons, openly favoured the pretensions of the court, or at the utmost did not oppose them; and at last, in contempt not only of the sentiments of the nation but of the ancient forms of the constitution, a majority voted to grant the donative for which the emperor had applied.[i] Together with this grant the Cortes laid before Charles a representation of those grievances whereof his people complained, and in their name craved redress; but he, having obtained from them all that he could expect, paid no attention to this ill-timed petition, which it was no longer dangerous to disregard.[k]

April 1.

The disaffection of the Castilians increases.

Charles appoints regents during his absence,

As nothing now retarded his embarkation, he disclosed his intention with regard to the regency of Castile during his absence, which he had hitherto kept secret, and nominated cardinal Adrian to that office. The viceroyalty of Aragon he conferred on Don John de Lanuza; that of Valencia on Don Diego de Mendoza Condé de Melito. The choice of the two latter was universally acceptable; but the advancement of Adrian, though the only Fleming who had preserved any reputation among the Spaniards, animated the Castilians with new hatred against foreigners; and even the nobles, who had so tamely suffered other inroads upon the constitution, felt the indignity offered to their own order by his promotion, and remonstrated against it as illegal. But Charles's first desire of visiting Germany, as well as the impatience of his ministers to leave Spain, were now so much increased, that without attending to

h P. Martyr Ep. 651. Ferreras, viii. 476, 485.

i P. Martyr. Ep. 653. Sandoval, p. 32, &c. k Sandoval, 84.

the murmurs of the Castilians, or even taking time to provide any remedy against an insurrection in Toledo, which at that time threatened and afterwards produced most formidable effects, he sailed from Corunna on the twenty-second of May; and by setting out so abruptly in quest of a new crown, he endangered a more important one of which he was already in possession.[1]

and embarks for the Low Countries.

BOOK II.

Many concurring circumstances not only called Charles's thoughts towards the affairs of Germany, but rendered his presence in that country necessary. The electors grew impatient of so long an interregnum; his hereditary dominions were disturbed by intestine commotions; and the new opinions concerning religion made such rapid progress as required the most serious consideration. But above all, the motions of the French king drew his attention, and convinced him that it was necessary to take measures for his own defence with no less speed than vigour.

Charles's presence in Germany necessary.

When Charles and Francis entered the lists as candidates for the imperial dignity, they conducted their rivalship with many professions of regard for each other, and with repeated declarations that they would not suffer any tincture of enmity to mingle itself with this honourable emulation. "We both court the same mistress," said Francis, with his usual vivacity; "each ought to urge his suit with all the address of which he is master; the most fortunate will prevail, and the other must rest contented."[a] But though two young and high-spirited princes, and each of them animated with the hope of success, might be capable of forming such a generous resolution, it was soon found that they presumed upon a moderation too refined and disinterested for human nature. The preference given to Charles in the sight of all Europe mortified Francis extremely, and inspired him with all the passions natural to disappointed ambition. To this was owing the personal jealousy and rivalship which subsisted between the two monarchs during their whole reign; and the rancour of these, augmented by a real opposition of interest, which gave rise to many unavoidable causes of discord, involved them in almost perpetual hostilities. Charles had paid no regard to the principal article in the treaty of Noyon, by refusing oftener than once to do justice to John d'Albert, the excluded monarch of Navarre, whom Francis was bound in honour, and prompted by interest, to restore to his throne. The French king had pretensions to the crown of Naples, of which Ferdinand had deprived his predecessor by a most unjustifiable breach of faith. The emperor might reclaim the duchy of Milan as a fief of the empire, which Francis had seized, and still kept in possession, without having received investiture of it from the emperor. Charles considered the duchy of Burgundy as the patrimonial domain of his ancestors, wrested from them by the unjust policy of Louis XI.; and observed with the greatest jealousy the strict connexions which Francis had formed with the duke of Gueldres, the hereditary enemy of his family.

Rise and progress of the rivalship between Charles and Francis I.

When the sources of discord were so many and various, peace could be of no long continuance, even between princes the most exempt from ambition or emulation. But as the shock between two such mighty antagonists could not fail of being extremely violent, they both discovered no small solicitude about its consequences, and took time not only to collect and to ponder their own strength, and to compare it with that of their adversary, but to secure the friendship or assistance of the other European powers.

Their deliberations previous to the commencement of hostilities.

The pope had equal reason to dread the two rivals, and saw that he who prevailed would become absolute master in Italy. If it had been in his power to engage them in hostilities without rendering Lombardy the theatre of war, nothing would have been more agreeable to him than to see them waste each other's strength in endless quarrels. But this was impossible. Leo foresaw that on the first rupture between the two monarchs, the armies of France and Spain would take the field in the Milanese; and while the scene of their operations was so near, and the subject for which they contended so interesting to him, he could not long remain neuter. He was obliged, therefore, to adapt his plan of conduct to his political situation. He courted and soothed the emperor and king of France with equal industry and address. Though warmly solicited by each of them to espouse his cause, he assumed all the appearances of entire impartiality, and attempted to conceal his real sentiments under that profound dissimulation which seems to have been affected by most of the Italian politicians in that age.

They negociate with the pope,

The views and interest of the Venetians were not different from those of the pope; nor were they less solicitous to prevent Italy from becoming the seat of war, and their own republic from being involved in the quarrel. But through all Leo's artifices, and notwithstanding his high pretensions to a perfect neutrality, it was visible that he leaned towards the emperor, from whom he had both more to fear and more to hope than from Francis; and it was equally manifest, that if it became necessary to take a side, the Venetians would, from motives of the same nature, declare for the king of France. No considerable assistance, however, was to be expected from the Italian States, who were jealous to an extreme degree of

with the Venetians;

[1] P. Martyr. Ep. 670. Sandov. 86.

[a] Guic. lib. xiii. p. 159.

the Transalpine powers, and careful to preserve the balance even between them, unless when they were seduced to violate this favourite maxim of their policy by the certain prospect of some great advantage to themselves.

with Henry VIII.

But the chief attention both of Charles and of Francis was employed in order to gain the king of England, from whom each of them expected assistance more effectual, and afforded with less political caution. Henry VIII. had ascended the throne of that kingdom in the year one thousand five hundred and nine, with such circumstances of advantage as promised a reign of distinguished felicity and splendour. The

The great power of that monarch.

union in his person of the two contending titles of York and Lancaster, the alacrity and emulation with which both factions obeyed his commands, not only enabled him to exert a degree of vigour and authority in his domestic government which none of his predecessors could have safely assumed, but permitted him to take a share in the affairs of the Continent, from which the attention of the English had long been diverted by their unhappy intestine divisions. The great sums of money which his father had amassed, rendered him the most wealthy prince in Europe. The peace which had subsisted under the cautious administration of that monarch, had been of sufficient length to recruit the population of the kingdom after the desolation of the civil wars, but not so long as to enervate its spirit; and the English, ashamed of having rendered their own country so long a scene of discord and bloodshed, were eager to display their valour in some foreign war, and to revive the memory of the victories gained on the

Character of Henry.

continent by their ancestors. Henry's own temper perfectly suited the state of his kingdom and the disposition of his subjects. Ambitious, active, enterprising, and accomplished in all the martial exercises which in that age formed a chief part in the education of persons of noble birth, and inspired them with an early love of war, he longed to engage in action, and to signalize the beginning of his reign by some remarkable exploit. An opportunity soon presented

1513.

itself; and the victory at Guincgate, together with the successful sieges of Teroüenne and Tournay, though of little utility to England, reflected great lustre on its monarch, and confirmed the idea which foreign princes entertained of his power and consequence. So many concurring causes, added to the happy situation of his own dominions, which secured them from foreign invasion, and to the fortunate circumstance of his being in possession of Calais, which served not only as a key to France, but opened an easy passage into the Netherlands, rendered the king of England the natural guardian of the liberties of Europe, and the arbiter between the emperor and French monarch. Henry himself was sensible of this singular advantage, and convinced that, in order to preserve the balance even, it was his office to prevent either of the rivals from acquiring such superiority of power as might be fatal to the other, or formidable to the rest of Christendom. But he was destitute of the penetration, and still more of the temper, which such a delicate function required. Influenced by caprice, by vanity, by resentment, by affection, he was incapable of forming any regular and extensive system of policy, or of adhering to it with steadiness. His measures seldom resulted from attention to the general welfare, or from a deliberate regard to his own interest, but were dictated by passions which rendered him blind to both, and prevented his gaining that ascendant in the affairs of Europe, or from reaping such advantage to himself, as a prince of greater art, though with inferior talents, might have easily secured.

and of his minister cardinal Wolsey.

All the impolitic steps in Henry's administration must not, however, be imputed to defects in his own character; many of them were owing to the violent passions and insatiable ambition of his prime minister and favourite, cardinal Wolsey. This man, from one of the lowest ranks in life, had risen to an height of power and dignity to which no English subject ever arrived; and governed the haughty, presumptuous, and intractable spirit of Henry with absolute authority. Great talents, and of very different kinds, fitted him for the two opposite stations of minister and of favourite. His profound judgment, his unwearied industry, his thorough acquaintance with the state of the kingdom, his extensive knowledge of the views and interests of foreign courts, qualified him for that uncontrolled direction of affairs with which he was intrusted. The elegance of his manners, the gaiety of his conversation, his insinuating address, his love of magnificence, and his proficiency in those parts of literature of which Henry was fond, gained him the affection and confidence of the young monarch. Wolsey was far from employing this vast and almost royal power to promote either the true interest of the nation or the real grandeur of his master. Rapacious at the same time and profuse, he was insatiable in desiring wealth. Of boundless ambition, he aspired after new honours with an eagerness unabated by his former success; and being rendered presumptuous by his uncommon elevation, as well as by the ascendant which he had gained over a prince who scarcely brooked advice from any other person, he discovered in his whole demeanour the most overbearing haughtiness and pride. To these passions he himself sacrificed every consideration; and whoever endeavoured to obtain his favour or that of his master, found it necessary to soothe and to gratify them.

The court paid to Wolsey by Francis.

As all the states of Europe sought Henry's friendship at that time, all courted his minister with incredible attention and obsequiousness, and strove by presents, by promises, or by flattery, to work upon his

avarice, his ambition, or his pride.[b] Francis had, in the year one thousand five hundred and eighteen, employed Bonnivet, admiral of France, one of his most accomplished and artful courtiers, to gain this haughty prelate. He himself bestowed on him every mark of respect and confidence. He consulted him with regard to his most important affairs, and received his responses with implicit deference. By these arts, together with the grant of a large pension, Francis attached the cardinal to his interest, who persuaded his master to surrender Tournay to France, to conclude a treaty of marriage between his daughter the princess Mary and the dauphin, and to consent to a personal interview with the French king.[c] From that time the most familiar intercourse subsisted between the two courts; Francis, sensible of the great value of Wolsey's friendship, laboured to secure the continuance of it by every possible expression of regard, bestowing on him, in all his letters, the honourable appellations of father, tutor, and governor.

and by Charles.

Charles observed the progress of this union with the utmost jealousy and concern. His near affinity to the king of England gave him some title to his friendship; and soon after his accession to the throne of Castile, he had attempted to ingratiate himself with Wolsey, by settling on him a pension of three thousand livres. His chief solicitude at present was to prevent the intended interview with Francis, the effects of which upon two young princes whose hearts were no less susceptible of friendship than their manners were capable of inspiring it, he extremely dreaded. But after many delays, occasioned by difficulties with respect to the ceremonial, and by the anxious precautions of both courts for the safety of their respective sovereigns, the time and place of meeting were at last fixed. Messengers had been sent to different courts, inviting all comers who were gentlemen, to enter the lists, at tilt and tournament, against the two monarchs and their knights. Both Francis and Henry loved the splendour of these spectacles too well, and were too much delighted with the graceful figure which they made on such occasions, to forego the pleasure or glory which they expected from such a singular and brilliant assembly. Nor was the cardinal less fond of displaying his own magnificence in the presence of two courts, and of discovering to the two nations the extent of his influence over both their monarchs. Charles, finding it impossible to prevent the interview, endeavoured to disappoint its effects, and to pre-occupy the favour of the English monarch and his minister by an act of complaisance still more flattering and more uncommon. Having sailed from Corunna, as has already been related, he steered his course directly towards England, and relying wholly on Henry's generosity for his own safety, landed at Dover. This unexpected visit surprised the nation. Wolsey, however, was well acquainted with the emperor's intention. A negociation, unknown to the historians of that age, had been carried on between him and the court of Spain; this visit had been concerted; and Charles granted the cardinal, whom he calls his *most dear friend*, an additional pension of seven thousand ducats.[d] Henry, who was then at Canterbury in his way to France, immediately despatched Wolsey to Dover in order to welcome the emperor; and being highly pleased with an event so soothing to his vanity, hastened to receive with suitable respect a guest who had placed in him such unbounded confidence.

Charles visits England, May 26.

Insinuates himself into favour both with the king and Wolsey.

Charles, to whom time was precious, staid only four days in England; but during that short space he had the address not only to give Henry favourable impressions of his character and intentions, but to detach Wolsey entirely from the interest of the French king. All the grandeur, the wealth, and the power which the cardinal possessed did not satisfy his ambitious mind, while there was one step higher to which an ecclesiastic could ascend. The papal dignity had for some time been the object of his wishes, and Francis, as the most effectual method of securing his friendship, had promised to favour his pretensions, on the first vacancy, with all his interest. But as the emperor's influence in the college of cardinals was greatly superior to that of the French king, Wolsey grasped eagerly at the offer which that artful prince had made him, of exerting it vigorously in his behalf; and allured by this prospect, which, under the pontificate of Leo, still in the prime of his life, was a very distant one, he entered with warmth into all the emperor's schemes. No treaty, however, was concluded at that time between the two monarchs; but Henry, in return for the honour which Charles had done him, promised to visit him in some place of the Low Countries, immediately after taking leave of the French king.

June 7. Interview between Henry and Francis.

His interview with that prince was in an open plain between Guisnes and Ardres, where the two kings and their attendants displayed their magnificence with such emulation and profuse expense, as procured it the name of the *Field of the Cloth of Gold.* Feats of chivalry, parties of gallantry, together with such exercises and pastimes as were in that age reckoned manly or elegant, rather than serious business, occupied both courts during eighteen days that they continued together.[e] Whatever impres-

b Fiddes' Life of Wolsey, 166. Rymer's Fœdera, xiii. 718.
c Herbert's Hist. of Henry VIII. 30. Rymer, xiii. 624.
d Rymer, xiii. 714.
e The French and English historians describe the pomp of this interview, and the various spectacles, with great minuteness. One circumstance mentioned by the Mareschal de Pleuranges, who was present, and which must appear singular in the present age, is commonly omitted. "After the tournament," says he, "the French and English wrestlers made their appearance, and wrestled in presence of the kings and the ladies; and as there were many stout wrestlers there, it afforded excellent pastime: but as the king of France had neglected to bring any wrestlers out of Bretagne, the English gained the prize.—After this the kings of France and England retired to a tent, where they drank together, and the king of England, seizing the king of France by the collar, said, '*My brother, I must wrestle with you*,' and endeavoured once or twice to trip up his heels; but the king of France, who is a dexterous wrestler, twisted him round, and threw

sion the engaging manners of Francis, or the liberal and unsuspicious confidence with which he treated Henry, made on the mind of that monarch, was soon effaced by Wolsey's artifices, or by an interview he had with the emperor at Gravelines; which was conducted with less pomp than that near Guisnes, but with greater attention to what might be of political utility.

July 10.

Henry's ideas of his own importance.

This assiduity with which the two greatest monarchs in Europe paid court to Henry, appeared to him a plain acknowledgment that he held the balance in his hands, and convinced him of the justness of the motto which he had chosen, "That whoever he favoured would prevail." In this opinion he was confirmed by an offer which Charles made, of submitting any difference that might arise between him and Francis to his sole arbitration. Nothing could have the appearance of greater candour and moderation than the choice of a judge who was reckoned the common friend of both. But as the emperor had now attached Wolsey entirely to his interest, no proposal could be more insidious, nor, as appeared by the sequel, more fatal to the French king.[f]

Coronation of the emperor.

Charles, notwithstanding his partial fondness for the Netherlands, the place of his nativity, made no long stay there; and after receiving the homage and congratulations of his countrymen, hastened to Aix-la-Chapelle, the place appointed by the golden bull for the coronation of the emperor. There, in presence of an assembly more numerous and splendid than had appeared on any former occasion, the crown of Charlemagne was placed on his head, with all the pompous solemnity which the Germans affect in their public ceremonies, and which they deem essential to the dignity of their empire.[g]

October 23.

Solyman the Magnificent ascends the Ottoman throne.

Almost at the same time Solyman the Magnificent, one of the most accomplished, enterprising, and victorious of the Turkish sultans, a constant and formidable rival to the emperor, ascended the Ottoman throne. It was the peculiar glory of that period to produce the most illustrious monarchs who have at any one time appeared in Europe. Leo, Charles, Francis, Henry, and Solyman, were each of them possessed of talents which might have rendered any age wherein they happened to flourish conspicuous. But such a constellation of great princes shed uncommon lustre on the sixteenth century. In every contest, great power as well as great abilities were set in opposition; the efforts of valour and conduct on one side, counterbalanced by an equal exertion of the same qualities on the other, not only occasioned such a variety of events as renders the history of that period interesting, but served to check the exorbitant progress of any of those princes, and to prevent their attaining such pre-eminence in power as would have been fatal to the liberty and happiness of mankind.

him on the earth with prodigious violence. The king of England wanted to renew the combat, but was prevented." Memoires de Fleuranges, 12mo. Paris, 1753, p. 329.

Diet called to meet at Worms.

The first act of the emperor's administration was to appoint a diet of the empire to be held at Worms on the sixth of January, one thousand five hundred and twenty-one. In his circular letters to the different princes, he informed them that he had called this assembly in order to concert with them the most proper measures for checking the progress of those new and dangerous opinions which threatened to disturb the peace of Germany, and to overturn the religion of their ancestors.

Rise of the Reformation;

Charles had in view the opinions which had been propagated by Luther and his disciples since the year one thousand five hundred and seventeen. As these led to that happy reformation in religion which rescued one part of Europe from the papal yoke, mitigated its rigour in the other, and produced a revolution in the sentiments of mankind, the greatest as well as the most beneficial that has happened since the publication of Christianity, not only the events which at first gave birth to such opinions, but the causes which rendered their progress so rapid and successful, deserve to be considered with minute attention.

To overturn a system of religious belief founded on ancient and deep-rooted prejudices, supported by power, and defended with no less art than industry; to establish in its room doctrines of the most contrary genius and tendency; and to accomplish all this not by external violence or the force of arms, are operations which historians the least prone to credulity and superstition ascribe to that Divine Providence which, with infinite ease, can bring about events which to human sagacity appear impossible. The interposition of Heaven in favour of the christian religion at its first publication, was manifested by miracles and prophecies wrought and uttered in confirmation of it. Though none of the reformers possessed, or pretended to possess, these supernatural gifts, yet that wonderful preparation of circumstances which disposed the minds of men for receiving their doctrines, that singular combination of causes which secured their success, and enabled men destitute of power and of policy to triumph over those who employed against them extraordinary efforts of both, may be considered as no slight proof that the same hand which planted the christian religion protected the reformed faith, and reared it from beginnings extremely feeble to an amazing degree of vigour and maturity.

from inconsiderable beginnings.

It was from causes seemingly fortuitous, and from a source very inconsiderable, that all the mighty effects of the reformation flowed. Leo X. when raised to the papal throne found the revenues of the church exhausted by the vast projects of his two ambitious predecessors,

f Herbert, 37.

g Hartman. Mauri Relatio Coronat. Car. V. ap Goldast. Polit. Imperial. Franc. 1614. fol. p. 261.

Alexander VI. and Julius II. His own temper, naturally liberal and enterprising, rendered him incapable of that severe and patient economy which the situation of his finances required. On the contrary, his schemes for aggrandizing the family of Medici, his love of splendour, his taste for pleasure, and his magnificence in rewarding men of genius, involved him daily in new expenses; in order to provide a fund for which, he tried every device that the fertile invention of priests had fallen upon to drain the credulous multitude of their wealth. Among others, he had recourse to a sale of *indulgences*. According to the doctrine of the Romish church, all the good works of the saints, over and above those which were necessary towards their own justification, are deposited, together with the infinite merits of Jesus Christ, in one inexhaustible treasury. The keys of this were committed to St. Peter, and to his successors the popes, who may open it at pleasure, and by transferring a portion of this superabundant merit to any particular person for a sum of money, may convey to him either the pardon of his own sins, or a release for any one in whose happiness he is interested, from the pains of purgatory. Such indulgences were first invented in the eleventh century by Urban II., as a recompence for those who went in person upon the meritorious enterprise of conquering the Holy Land. They were afterwards granted to those who hired a soldier for that purpose; and in process of time were bestowed on such as gave money for accomplishing any pious work enjoined by the pope.[h] Julius II. had bestowed indulgences on all who contributed towards building the church of St. Peter at Rome; and as Leo was carrying on that magnificent and expensive fabric, his grant was founded on the same pretence.[i]

A sale of indulgences published by Leo X.;

The right of promulgating these indulgences in Germany, together with a share in the profits arising from the sale of them, was granted to Albert, elector of Metz and archbishop of Magdeburg, who, as his chief agent for retaining them in Saxony, employed Tetzel, a Dominican friar, of licentious morals, but of an active spirit, and remarkable for his noisy and popular eloquence. He, assisted by the monks of his order, executed the commission with great zeal and success, but with little discretion or decency; and though, by magnifying excessively the benefit of their indulgences,[k] and by disposing of them at a very low price, they carried on for some time an extensive and lucrative traffic among the credulous and the ignorant, the extravagance of their assertions, as well as the irregularities in their conduct, came at last to give general offence. The princes and nobles were irritated at seeing their vassals drained of so much wealth, in order to replenish the treasury of a profuse pontiff. Men of piety regretted the delusion of the people, who being taught to rely for the pardon of their sins on the indulgences which they purchased, did not think it incumbent on them either to study the doctrines taught by genuine christianity, or to practise the duties which it enjoins. Even the most unthinking were shocked at the scandalous behaviour of Tetzel and his associates, who often squandered in drunkenness, gaming, and low debauchery, those sums which were piously bestowed in hopes of obtaining eternal happiness; and all began to wish that some check were given to this commerce, no less detrimental to society than destructive to religion.

so conducted as to give general offence.

Such was the favourable juncture, and so disposed were the minds of his countrymen to listen to his discourses, when Martin Luther first began to call in question the efficacy of indulgences, and to declaim against the vicious lives and false doctrines of the persons employed in promulgating them. Luther was a native of Eisleben in Saxony, and though born of poor parents, had received a learned education, during the progress of which he gave many indications of uncommon vigour and acuteness of genius. His mind was naturally susceptible of serious sentiments, and tinctured with somewhat of that religious melancholy which delights in the solitude and devotion of a monastic life. The death of a companion killed by lightning at his side in a violent thunder-storm, made such an impression on his mind as co-operated with his natural temper in inducing him to retire into a convent of Augustinian friars, where, without suffering the entreaties of his parents to divert him from what he thought his duty to God, he assumed the habit of that order. He soon acquired great reputation, not only for piety, but for his love of knowledge and his unwearied application to study. He had been taught the scholastic philosophy and the-

First appearance of Luther, and his character.

h History of the Council of Trent, by F. Paul, p. 4.

i Palavic. Hist. Conc. Trident. p. 4.

k As the form of these indulgences, and the benefits which they were supposed to convey, are unknown in protestant countries, and little understood, at present, in several places where the Roman Catholic religion is established, I have, for the information of my readers, translated the form of absolution used by Tetzel: "May our Lord Jesus Christ have mercy upon thee, and absolve thee by the merits of his most holy passion. And I, by his authority, that of his blessed apostles Peter and Paul, and of the most holy pope, granted and committed to me in these parts, do absolve thee, first from all ecclesiastical censures in whatever manner they have been incurred, and then from all thy sins, transgressions, and excesses, how enormous soever they may be, even from such as are reserved for the cognisance of the holy see; and as far as the keys of the holy church extend, I remit to you all punishment which you deserve in purgatory on their account; and I restore you to the holy sacraments of the church, to the unity of the faithful, and to that innocence and purity which you possessed at baptism; so that when you die, the gates of punishment shall be shut, and the gates of the paradise of delight shall be opened; and if you shall not die at present, this grace shall remain in full force when you are at the point of death. In the name of the Father, and of the Son, and of the Holy Ghost." Seckend. Comment. lib. i. p. 14.

The terms in which Tetzel and his associates described the benefits of indulgences, and the necessity of purchasing them, are so extravagant, that they appear to be almost incredible. If any man (said they) purchase letters of indulgence, his soul may rest secure with respect to its salvation. The souls confined in purgatory for whose redemption indulgences are purchased, as soon as the money tinkles in the chest, instantly escape from that place of torment and ascend into heaven. That the efficacy of indulgences was so great, that the most heinous sins, even if one should violate (which was impossible) the mother of God, would be remitted and expiated by them, and the person be freed both from punishment and guilt: that this was the unspeakable gift of God, in order to reconcile men to himself: that the cross erected by the preachers of indulgences was as efficacious as the cross of Christ itself. Lo! the heavens are open; if you enter not now, when will you enter? For twelve pence you may redeem the soul of your father out of purgatory; and are you so ungrateful, that you will not rescue your parent from torment? If you had but one coat you ought to strip yourself instantly, and sell it in order to purchase such benefits, &c. These, and many such extravagant expressions, are selected out of Luther's works by Chemnitius, in his Examen Concilii Tridentini, apud Herm. Vonder Hardt. Hist. Liter. Reform. pars iv. p. 6. The same author has published several of Tetzel's discourses, which prove that these expressions were neither singular nor exaggerated. Ibid p. 14.

ology which were then in vogue by very able masters, and wanted not penetration to comprehend all the niccties and distinctions with which they abound; but his understanding, naturally sound, and superior to every thing frivolous, soon became disgusted with those subtile and uninstructive sciences, and sought for some more solid foundation of knowledge and of piety in the Holy Scriptures. Having found a copy of the Bible which lay neglected in the library of his monastery, he abandoned all other pursuits, and devoted himself to the study of it with such eagerness and assiduity as astonished the monks, who were little accustomed to derive their theological notions from that source. The great progress which he made in this uncommon course of study augmented so much the fame both of his sanctity and of his learning, that Frederic, elector of Saxony, having founded an university at Wittemberg on the Elbe, the place of his residence, Luther was chosen first to teach philosophy and afterwards theology there, and discharged both offices in such a manner that he was deemed the chief ornament of that society.

He opposes the sale of indulgences.

While Luther was at the height of his reputation and authority, Tetzel began to publish indulgences in the neighbourhood of Wittemberg, and to ascribe to them the same imaginary virtues which had in other places imposed on the credulity of the people. As Saxony was not more enlightened than the other provinces of Germany, Tetzel met with prodigious success there. It was with the utmost concern that Luther beheld the artifices of those who sold and the simplicity of those who bought indulgences. The opinions of Thomas Aquinas and the other schoolmen, on which the doctrine of indulgences was founded, had already lost much of their authority with him; and the Scriptures, which he began to consider as the great standard of theological truth, afforded no countenance to a practice equally subversive of faith and of morals. His warm and impetuous temper did not suffer him long to conceal such important discoveries, or to continue a silent spectator of the delusion of his countrymen. From the pulpit, in the great church of Wittemberg, he inveighed bitterly against the irregularities and vices of the monks who published indulgences; he ventured to examine the doctrines which they taught, and pointed out to the people the danger of relying for salvation upon any other means than those appointed by God in his word. The boldness and novelty of these opinions drew great attention, and being recommended by the authority of Luther's personal character, and delivered with a popular and persuasive eloquence, they made a deep impression on his hearers. Encouraged by the favourable reception of his doctrines among the people, he wrote to Albert, elector of Metz and archbishop of Magdeburg, to whose jurisdiction that part of Saxony was subject, and remonstrated warmly against the false opinions as well as wicked lives of the preachers of indulgences; but he found that prelate too deeply interested in their success to correct their abuses. His next attempt was to gain the suffrage of men of learning. For this purpose he published ninety-five theses, containing his sentiments with regard to indulgences. These he proposed not as points fully established, or of undoubted certainty, but as subjects of inquiry and disputation; he appointed a day on which the learned were invited to impugn them, either in person or by writing; to the whole he subjoined solemn protestations of his high respect for the apostolic see, and of his implicit submission to its authority. No opponent appeared at the time prefixed; the theses spread over Germany with astonishing rapidity; they were read with the greatest eagerness; and all admired the boldness of the man who had ventured not only to call in question the plenitude of papal power, but to attack the Dominicans, armed with all the terrors of inquisitorial authority.[1]

He publishes his theses against them.

The friars of St. Augustin, Luther's own order, though addicted with no less obsequiousness than the other monastic fraternities to the papal see, gave no check to the publication of these uncommon opinions. Luther had, by his piety and learning, acquired extraordinary authority among his brethren; he professed the highest regard for the authority of the pope; his professions were at that time sincere; and as a secret enmity, excited by interest or emulation, subsists among all the monastic orders in the Romish church, the Augustinians were highly pleased with his invectives against the Dominicans, and hoped to see them exposed to the hatred and scorn of the people. Nor was his sovereign, the elector of Saxony, the wisest prince at that time in Germany, dissatisfied with this obstruction which Luther threw in the way of the publication of indulgences. He secretly encouraged the attempt, and flattered himself that this dispute among the ecclesiastics themselves might give some check to the exactions of the court of Rome, which the secular princes had long, though without success, been endeavouring to oppose.

Supported by his own order.

Many zealous champions immediately arose to defend opinions on which the wealth and power of the church were founded, against Luther's attacks. In opposition to his theses, Tetzel published counter-theses at Francfort on the Oder; Eccius, a celebrated divine of Augsburg, endeavoured to refute Luther's notions; and Prierias, a Dominican friar, master of the sacred palace and Inquisitor-general, wrote against him with all the virulence of a scholastic disputant. But the manner in which they conducted the controversy did little service to their cause. Luther attempted to combat indulgences by arguments founded in reason or derived from Scripture; they

Many endeavour to confute him.

[1] Lutheri Opera, Jenæ, 1612. vol. i. præfat. 3. p. 2. 66. Hist. of Counc. of Trent, by F. Paul, p. 4. Seckend. Com. Apol. p. 16.

produced nothing in support of them but the sentiments of schoolmen, the conclusions of the canon law, and the decrees of popes.[m] The decision of judges so partial and interested did not satisfy the people, who began to call in question the authority even of these venerable guides, when they found them standing in direct opposition to the dictates of reason and the determinations of the divine law.[n o]

The court of Rome at first disregarded Luther.

Meanwhile, these novelties in Luther's doctrines which interested all Germany, excited little attention and no alarm in the court of Rome. Leo, fond of elegant and refined pleasures, intent upon great schemes of policy, a stranger to theological controversies, and apt to despise them, regarded with the utmost indifference the operations of an obscure friar, who, in the heart of Germany, carried on a scholastic disputation in a barbarous style. Little did he apprehend, or Luther himself dream, that the effects of this quarrel would be so fatal to the papal see. Leo imputed the whole to monastic enmity and emulation, and seemed inclined not to interpose in the contest, but to allow the Augustinians and Dominicans to wrangle about the matter with their usual animosity.

The progress of Luther's opinions.

The solicitations, however, of Luther's adversaries, who were exasperated to an high degree by the boldness and severity with which he animadverted on their writings, together with the surprising progress which his opinions made in different parts of Germany, roused at last the attention of the court of Rome, and obliged Leo to take measures for the security of the church against an attack that now appeared too serious to be despised.

He is summoned to appear at Rome, July, 1518.

For this end he summoned Luther to appear at Rome within sixty days, before the auditor of the chamber, and the inquisitor-general Prierias, who had written against him, whom he empowered jointly to examine his doctrines, and to decide concerning them. He wrote, at the same time, to the elector of Saxony, beseeching him not to protect a man whose heretical and profane tenets were so shocking to pious ears; and enjoined the provincial of the Augustinians to check, by his authority, the rashness of an arrogant monk, which brought disgrace upon the order of St. Augustin, and gave offence and disturbance to the whole church.

The pope empowers his legate to try him in Germany.

From the strain of these letters, as well as from the nomination of a judge so prejudiced and partial as Prierias, Luther easily saw what sentence he might expect at Rome. He discovered, for that reason, the utmost solicitude to have his cause tried in Germany, and before a less suspected tribunal. The professors in the university of Wittemberg, anxious for the safety of a man who did so much honour to their society, wrote to the pope; and after employing several pretexts to excuse Luther from appearing at Rome, entreated Leo to commit the examination of his doctrines to some persons of learning and authority in Germany. The elector requested the same thing of the pope's legate at the diet of Augsburg; and as Luther himself, who at that time was so far from having any intention to disclaim the papal authority, that he did not even entertain the smallest suspicion concerning its divine original, had written to Leo a most submissive letter, promising an unreserved compliance with his will, the pope gratified them so far as to empower his legate in Germany, cardinal Cajetan, a Dominican eminent for scholastic learning, and passionately devoted to the Roman see, to hear and determine the cause.

Luther appears before the legate.

Luther, though he had good reason to decline a judge chosen among his avowed adversaries, did not hesitate about appearing before Cajetan; and having obtained the emperor's safe conduct, immediately repaired to Augsburg. The cardinal received him with decent respect, and endeavoured at first to gain upon him by gentle treatment. The cardinal, relying on the superiority of his own talents as a theologian, entered into a formal dispute with Luther concerning the doctrines contained in his theses.[p] But the weapons which they employed were so different, Cajetan appealing to papal decrees and the opinions of schoolmen, and Luther resting entirely on the authority of Scripture, that the contest was altogether fruitless. The cardinal relinquished the character of a disputant, and assuming that of

m F. Paul. p. 6. Seckend. p. 40. Palavic. p. 8.

n Seckend p. 30.

o Guicciardini has asserted two things with regard to the first promulgation of indulgences; 1. That Leo bestowed a gift of the profits arising from the sale of indulgences in Saxony, and the adjacent provinces of Germany, upon his sister Magdalen, the wife of Francescetto Cibo. Guic. lib. xiii. 168. 2. That Arcemboldo, a Genoese ecclesiastic, who had been bred a merchant, and still retained all the activity and address of that profession, was appointed by her to collect the money which should be raised. F. Paul has followed him in both these particulars, and adds, that the Augustinians in Saxony had been immemorially employed in preaching indulgences; but that Arcemboldo and his deputies, hoping to gain more by committing this trust to the Dominicans, had made their bargain with Tetzel, and that Luther was prompted at first to oppose Tetzel and his associates, by a desire of taking revenge for this injury offered to his order. F. Paul, p. 5. Almost all historians since their time, popish as well as protestant, have, without examination, admitted these assertions to be true upon their authority. But notwithstanding the concurring testimony of two authors so eminent both for exactness and veracity, we may observe,

1. That Felix Contolori, who searched the pontifical archives for the purpose, could not find this pretended grant to Leo's sister in any of those registers where it must necessarily have been recorded. Palav. p. 5.—2. That the profits arising from indulgences in Saxony and the adjacent countries, had been granted not to Magdalen, but to Albert, archbishop of Mentz, who had the right of nominating those who published them. Seck. p. 12. Luth. Oper. i. pref. p. i. Palav. p. 6.—3. That Arcemboldo never had concern in the publication of indulgences in Saxony; his district was Flanders and the Upper and Lower Rhine. Seck. p. 14. Palav. p. 6.—4. That Luther and his adherents never mentioned this grant of Leo's to his sister, though a circumstance of which they could hardly have been ignorant, and which they would have been careful not to suppress.—5. The publication of indulgences in Germany was not usually committed to the Augustinians. The promulgation of them at three different periods under Julius II. was granted to the Franciscans; the Dominicans had been employed in the same office a short time before the present period. Palav. p. 46.—6. The promulgation of those indulgences which first excited Luther's indignation was intrusted to the archbishop of Mentz, in conjunction with the guardian of the Franciscans; but the latter having declined accepting of that trust, the sole right became vested in the archbishop. Palav. 6. Seck. 16, 17.—7. Luther was not instigated by his superiors among the Augustinians to attack the Dominicans their rivals, or to depreciate indulgences because they were promulgated by them; his opposition to their opinions and vices proceeded from more laudable motives. Seck. p. 15, 32. Lutheri Opera, i. p. 64. 6. 8. A diploma of indulgences is published by Herm. Vonder Hardt, from which it appears that the name of the guardian of the Franciscans it retained, together with that of the archbishop, although the former did not act. The limits of the country to which their commissions extended, viz. the diocese of Mentz, Magdeburg, Halberstadt, and the territories of the marquis of Brandenburg, are mentioned in that diploma. Hist. Literaria Reformat. pars iv. p. 14.

p In the former editions I asserted, upon the authority of Father Paul, that Cajetan thought it beneath his dignity to enter into any dispute with Luther; but M. Beausobre, in his Histoire de la Reformation, vol. i. p. 121, &c. has satisfied me that I was mistaken. See also Seck. lib. i. p. 46,&c.

judge, enjoined Luther, by virtue of the apostolic powers with which he was clothed, to retract the errors which he had uttered with regard to indulgences and the nature of faith, and to abstain for the future from the publication of new and dangerous opinions. Luther, fully persuaded of the truth of his own tenets, and confirmed in the belief of them by the approbation which they had met with among persons conspicuous both for learning and piety, was surprised at this abrupt mention of a recantation before any endeavours were used to convince him that he was mistaken. He had flattered himself, that in a conference concerning the points in dispute with a prelate of such distinguished abilities, he should be able to remove many of those imputations with which the ignorance or malice of his antagonists had loaded him; but the high tone of authority that the cardinal assumed extinguished at once all hopes of this kind, and cut off every prospect of advantage from the interview. His native intrepidity of mind, however, did not desert him. He declared with the utmost firmness that he could not with a safe conscience renounce opinions which he believed to be true; nor should any consideration ever induce him to do what would be so base in itself, and so offensive to God. At the same time he continued to express no less reverence than formerly for the authority of the apostolic see;[q] he signified his willingness to submit the whole controversy to certain universities which he named, and promised neither to write nor to preach concerning indulgences for the future, provided his adversaries were likewise enjoined to be silent with respect to them.[r] All these offers Cajetan disregarded or rejected, and still insisted peremptorily on a simple recantation, threatening him with ecclesiastical censures, and forbidding him to appear again in his presence, unless he resolved instantly to comply with what he had required. This haughty and violent manner of proceeding, as well as other circumstances, gave Luther's friends such strong reasons to suspect that even the imperial safe-conduct would not be able to protect him from the legate's power and resentment, that they prevailed on him to withdraw secretly from Augsburg, and to return to his own country. But before his departure, according to a form of which there had been some examples, he prepared a solemn appeal from the pope ill-informed at that time concerning his cause, to the pope when he should receive more full information with respect to it.[s]

His intrepid behaviour.

His appeal, Oct. 18.

He is supported by the elector of Saxony.

Cajetan, enraged at Luther's abrupt retreat, and at the publication of his appeal, wrote to the elector of Saxony complaining of both, and requiring him, as he regarded the peace of the church or the authority of its head, either to send that seditious monk a prisoner to Rome, or to banish him out of his territories. It was not from theological considerations that Frederic had hitherto countenanced Luther; he seems to have been much a stranger to controversies of that kind, and to have been little interested in them. His protection flowed almost entirely, as hath been already observed, from political motives, and was afforded with great secrecy and caution. He had neither heard any of Luther's discourses nor read any of his books; and though all Germany resounded with his fame, he had never once admitted him into his presence.[t] But upon this demand which the cardinal made, it became necessary to throw off somewhat of his former reserve. He had been at great expense, and had bestowed much attention on founding a new university, an object of considerable importance to every German prince; and foreseeing how fatal a blow the removal of Luther would be to its reputation,[u] he, under various pretexts, and with many professions of esteem for the cardinal as well as of reverence for the pope, not only declined complying with either of his requests, but openly discovered great concern for Luther's safety.[x]

Motives of the legate's conduct.

The inflexible rigour with which Cajetan insisted on a simple recantation, gave great offence to Luther's followers in that age, and hath since been censured as imprudent by several popish writers. But it was impossible for the legate to act another part. The judges before whom Luther had been required to appear at Rome, were so eager to display their zeal against his errors, that, without waiting for the expiration of sixty days allowed him in the citation, they had already condemned him as an heretic.[y] Leo had, in several of his briefs and letters, stigmatized him as a child of iniquity, and a man given up to a reprobate sense. Nothing less, therefore, than a recantation could save the honour of the church, whose maxim it is never to abandon the smallest point that it has established, and which is even precluded, by its pretensions to infallibility, from having it in its power to do so.

Luther's perilous situation.

Luther's situation, at this time, was such as would have filled any other person with the most disquieting apprehensions. He could not expect that a prince so prudent and cautious as Frederic would, on his account, set at defiance the thunders of the church, and brave the papal power, which had crushed some of the most powerful of the German emperors. He knew what veneration was paid in that age to ecclesiastical decisions, what terrors ecclesiastical censures carried along with them, and how easily these might intimidate and shake a prince who was rather his protector from policy than his disciple from conviction. If he should be obliged to quit Saxony, he had no prospect of any other asylum, and must stand exposed to whatever punishment the rage or bigotry of his enemies could inflict. Though sensible of his danger, he discovered no symptoms of timidity

q Luth. Oper. vol. i. p. 164. r Ibid. p. 160.
s Sleid. Hist. of Reform. p. 7. Seckend. p. 45. Luth. Oper. i. 164.
t Seckend. p. 27. Sleid. Hist. p. 12. u Seckend. p. 59.
x Sleid. Hist. p. 10. Luth. Oper. i. 172. y Luther. Oper. i. 161.

or remissness, but continued to vindicate his own conduct and opinions, and to inveigh against those of his adversaries, with more vehemence than ever.[z]

He appeals to a general council.

But as every step taken by the court of Rome, particularly the irregular sentence by which he had been so precipitately declared a heretic, convinced Luther that Leo would soon proceed to the most violent measures against him, he had recourse to the only expedient in his power in order to prevent the effect of the papal censures. He appealed to a general council, which he affirmed to be the representative of the catholic church, and superior in power to the pope, who being a fallible man might err, as St. Peter, the most perfect of his predecessors, had erred.[a]

A new bull in favour of indulgences.

It soon appeared that Luther had not formed rash conjectures concerning the intentions of the Romish church. A bull of a date prior to his appeal was issued by the pope, in which he magnifies the virtue and efficacy of indulgences in terms as extravagant as any of his predecessors had ventured to use in the darkest ages; and without applying such palliatives or mentioning such concessions as a more enlightened period, and the disposition in the minds of many men at that juncture, seemed to call for, he required all christians to assent to what he delivered as the doctrine of the catholic church, and subjected those who should hold or teach any contrary opinion to the heaviest ecclesiastical censures.

Maximilian's death of advantage to Luther.

Among Luther's followers, this bull, which they considered as an unjustifiable effort of the pope in order to preserve that rich branch of his revenue which arose from indulgences, produced little effect. But among the rest of his countrymen, such a clear decision of the sovereign pontiff against him, and enforced by such dreadful penalties, must have been attended with consequences very fatal to his cause,

Jan. 17, 1519.

if these had not been prevented in a great measure by the death of the emperor Maximilian, whom both his principles and his interest prompted to support the authority of the holy see. In consequence of this event, the vicariat of that part of Germany which is governed by the Saxon laws, devolved to the elector of Saxony; and under the shelter of his friendly administration, Luther not only enjoyed tranquillity, but his opinions were suffered, during the interregnum which preceded Charles's election, to take root in different places, and to grow up to some degree of strength and firmness. At the same time, as the election of an emperor was a point more interesting to Leo than a theological controversy which he did not understand, and of which he could not foresee the consequences, he was so extremely solicitous not to irritate a prince of such considerable influence in the electoral college as Frederic, that he discovered a great unwillingness to pronounce the sentence of excommunication against Luther, which his adversaries continually demanded with the most clamorous importunity.

Suspension of proceedings against Luther.

To these political views of the pope, as well as to his natural aversion from severe measures, was owing the suspension of any further proceedings against Luther for eighteen months. Perpetual negociations, however, in order to bring the matter to some amicable issue, were carried on during that space. The manner in which these were conducted having given Luther many opportunities of observing the corruption of the court of Rome, its obstinacy in adhering to established errors, and its indifference about truth, however clearly proposed, or strongly proved, he began to utter some doubts with regard to the divine original of the papal authority. A public disputation was held upon this important question at Leipsic, between Luther and Eccius, one of his most learned and formidable antagonists; but it was as fruitless and indecisive as such scholastic combats usually prove. Both parties boasted of having obtained the victory; both were confirmed in their own opinions; and no progress was made towards deciding the point in controversy.[b]

He begins to call in question the papal authority.

Reformation in Switzerland.

Nor did this spirit of opposition to the doctrines and usurpations of the Romish church break out in Saxony alone; an attack no less violent, and occasioned by the same causes, was made upon them about this time in Switzerland. The Franciscans being intrusted with the promulgation of indulgences in that country, executed their commission with the same indiscretion and rapaciousness which had rendered the Dominicans so odious in Germany. They proceeded, nevertheless, with uninterrupted success till they arrived at Zurich. There Zuinglius, a man not inferior to Luther himself in zeal and intrepidity, ventured to oppose them; and being animated with a republican boldness, and free from those restraints which subjection to the will of a prince imposed on the German reformer, he advanced with more daring and rapid steps to overturn the whole fabric of the established religion.[c] The appearance of such a vigorous auxiliary, and the progress which he made, was, at first, matter of great joy to Luther. On the other hand, the decrees of the universities of Cologne and Louvain, which pronounced his opinions to be erroneous, afforded great cause of triumph to his adversaries.

Luther's boldness and progress.

But the undaunted spirit of Luther acquired additional fortitude from every instance of opposition, and pushing on his inquiries and attacks from one doctrine to another, he began to shake the firmest foundations on which the wealth or power of the church was established. Leo came at last to be convinced that all hopes of reclaiming him by forbearance were vain; several prelates of great wisdom exclaimed no less than Luther's personal adversaries against the pope's

z Seckend. p. 59. a Sleid. Hist. 12. Luth. Oper. i. 179. b Luth. Oper. i. 199 c Sleid. Hist. 22. Seckend. 59.

unprecedented lenity in permitting an incorrigible heretic, who during three years had been endeavouring to subvert every thing sacred and venerable, still to remain within the bosom of the church; the dignity of the papal see rendered the most vigorous proceedings necessary; the new emperor, it was hoped, would support its authority; nor did it seem probable that the elector of Saxony would so far forget his usual caution as to set himself in opposition to their united power. The college of cardinals was often assembled, in order to prepare the sentence with due deliberation, and the ablest canonists were consulted how it might be expressed with unexceptionable formality. At last, on the fifteenth of June, one thousand five hundred and twenty, the bull so fatal to the church of Rome was issued. Forty-one propositions extracted out of Luther's works are therein condemned as heretical, scandalous, and offensive to pious ears; all persons are forbidden to read his writings upon pain of excommunication; such as had any of them in their custody were commanded to commit them to the flames; he himself, if he did not, within sixty days, publicly recant his errors, and burn his books, is pronounced an obstinate heretic; is excommunicated, and delivered unto Satan for the destruction of his flesh; and all secular princes are required, under pain of incurring the same censure, to seize his person, that he might be punished as his crimes deserved.[d]

Bull of excommunication published against him.

The publication of this bull in Germany excited various passions in different places. Luther's adversaries exulted as if his party and opinions had been crushed at once by such a decisive blow. His followers, whose reverence for the papal authority daily diminished, read Leo's anathemas with more indignation than terror. In some cities the people violently obstructed the promulgation of the bull; in others, the persons who attempted to publish it were insulted, and the bull itself was torn in pieces and trodden under foot.[e]

The effects of this in Germany,

This sentence, which he had for some time expected, did not disconcert or intimidate Luther. After renewing his appeal to the general council, he published remarks upon the bull of excommunication; and being now persuaded that Leo had been guilty both of impiety and injustice in his proceedings against him, he boldly declared the pope to be that man of sin, or Antichrist, whose appearance is foretold in the New Testament; he declaimed against his tyranny and usurpations with greater violence than ever; he exhorted all Christian princes to shake off such an ignominious yoke; and boasted of his own happiness in being marked out as the object of ecclesiastical indignation, because he had ventured to assert the liberty of mankind. Nor did he confine his expressions of contempt for the papal power to words alone:

and upon Luther, Nov. 17.

Leo having, in execution of the bull, appointed Luther's books to be burnt at Rome, he, by way of retaliation, assembled all the professors and students in the university of Wittemberg, and with great pomp, in presence of a vast multitude of spectators, cast the volumes of the canon law, together with the bull of excommunication, into the flames; and his example was imitated in several cities of Germany. The manner in which he justified this action was still more offensive than the action itself. Having collected from the canon law some of the most extravagant propositions with regard to the plenitude and omnipotence of the papal power, as well as the subordination of all secular jurisdiction to the authority of the holy see, he published these with a commentary pointing out the impiety of such tenets, and their evident tendency to subvert all civil government.[f]

State of the Reformation when Charles arrived in Germany.

Such was the progress which Luther had made, and such the state of his party, when Charles arrived in Germany. No secular prince had hitherto embraced Luther's opinions; no change in the established forms of worship had been introduced; and no encroachments had been made upon the possessions or jurisdiction of the clergy: neither party had yet proceeded to action; and the controversy, though conducted with great heat and passion on both sides, was still carried on with its proper weapons, with theses, disputations, and replies. A deep impression, however, was made upon the minds of the people; their reverence for ancient institutions and doctrines was shaken; and the materials were already scattered which kindled into the combustion that soon spread over all Germany. Students crowded from every province of the empire to Wittemberg; and under Luther himself, Melancthon, Carlostadius, and other masters then reckoned eminent, imbibed opinions, which, on their return, they propagated among their countrymen, who listened to them with that fond attention which truth, when accompanied with novelty, naturally commands.[g]

Reflections upon the conduct of Rome:

During the course of these transactions, the court of Rome, though under the direction of one of its ablest pontiffs, neither formed its schemes with that profound sagacity, nor executed them with that steady perseverance, which had long rendered it the most perfect model of political wisdom to the rest of Europe. When Luther began to declaim against indulgences, two different methods of treating him lay before the pope; by adopting one of which, the attempt, it is probable, might have been crushed, and by the other it might have been rendered innocent. If Luther's first departure from the doctrines of the church had instantly drawn upon him the weight of its censures, the dread of these might have restrained the elector of Saxony from protecting him, might have deterred the people from listening to his discourses, or even might have overawed Luther himself; and

d Palavic. 27. Luth. Oper. i. 423.

e Seckend. p. 116.

f Luth. Oper. ii. 316.

g Seckend. 59.

his name, like that of many good men before his time, would now have been known to the world only for his honest but ill-timed effort to correct the corruptions of the Romish church. On the other hand, if the pope had early testified some displeasure with the vices and excesses of the friars who had been employed in publishing indulgences; if he had forbidden the mentioning of controverted points in discourses addressed to the people; if he had enjoined the disputants on both sides to be silent; if he had been careful not to risk the credit of the church by defining articles which had hitherto been left undetermined,—Luther would, probably, have stopt short at his first discoveries; he would not have been forced, in self-defence, to venture upon new ground, and the whole controversy might possibly have died away insensibly; or being confined entirely to the schools, might have been carried on with as little detriment to the peace and unity of the Romish church as that which the Franciscans maintained with the Dominicans concerning the immaculate conception, or that between the Jansenists and Jesuits concerning the operations of grace. But Leo, by fluctuating between these opposite systems, and by embracing them alternately, defeated the effects of both. By an improper exertion of authority, Luther was exasperated but not restrained. By a mistaken exercise of lenity, time was given for his opinions to spread, but no progress was made towards reconciling him to the church; and even the sentence of excommunication, which at another juncture might have been decisive, was delayed so long, that it became at last scarcely an object of terror.

and upon the conduct of Luther.

Such a series of errors in the measures of a court seldom chargeable with mistaking its own true interest, is not more astonishing than the wisdom which appeared in Luther's conduct. Though a perfect stranger to the maxims of worldly wisdom, and incapable, from the impetuosity of his temper, of observing them, he was led naturally, by the method in which he made his discoveries, to carry on his operations in a manner which contributed more to their success than if every step he took had been prescribed by the most artful policy. At the time when he set himself to oppose Tetzel, he was far from intending that reformation which he afterwards effected; and would have trembled with horror at the thoughts of what at last he gloried in accomplishing. The knowledge of truth was not poured into his mind all at once by any special revelation; he acquired it by industry and meditation, and his progress, of consequence, was gradual. The doctrines of popery are so closely connected, that the exposing of one error conducted him naturally to the detection of others; and all the parts of that artificial fabric were so united together, that the pulling down of one loosened the foundation of the rest, and rendered it more easy to overturn them. In confuting the extravagant tenets concerning indulgences, he was obliged to inquire into the true cause of our justification and acceptance with God. The knowledge of that discovered to him, by degrees, the inutility of pilgrimages and penances; the vanity of relying on the intercession of saints; the impiety of worshipping them; the abuses of auricular confession; and the imaginary existence of purgatory. The detection of so many errors led him, of course, to consider the character of the clergy who taught them: and their exorbitant wealth, the severe injunction of celibacy, together with the intolerable rigour of monastic vows, appeared to him the great sources of their corruption. From thence it was but one step to call in question the divine original of the papal power, which authorized and supported such a system of errors. As the unavoidable result of the whole, he disclaimed the infallibility of the pope, the decisions of schoolmen, or any other human authority, and appealed to the word of God as the only standard of theological truth. To this gradual progress Luther owed his success. His hearers were not shocked at first by any proposition too repugnant to their ancient prejudices, or too remote from established opinions. They were conducted insensibly from one doctrine to another. Their faith and conviction were able to keep pace with his discoveries. To the same cause was owing the inattention, and even indifference, with which Leo viewed Luther's first proceedings. A direct or violent attack upon the authority of the church would at once have drawn upon Luther the whole weight of its vengeance; but as this was far from his thoughts, as he continued long to profess great respect for the pope, and made repeated offers of submission to his decisions, there seemed to be no reason for apprehending that he would prove the author of any desperate revolt; and he was suffered to proceed step by step in undermining the constitution of the church, until the remedy applied at last came too late to produce any effect.

An inquiry into the causes which contributed to the progress of the reformation.

But whatever advantages Luther's cause derived either from the mistakes of his adversaries or from his own good conduct, the sudden progress and firm establishment of his doctrines must not be ascribed to these alone. The same corruptions in the church of Rome which he condemned, had been attacked long before his time. The same opinions which he now propagated, had been published in different places, and were supported by the same arguments. Waldus in the twelfth century, Wickliff in the fourteenth, and Huss in the fifteenth, had inveighed against the errors of popery with great boldness, and confuted them with more ingenuity and learning than could have been expected in those illiterate ages in which they flourished. But all these premature attempts towards a reformation proved abortive. Such feeble lights, incapable of dispelling the darkness which then covered the church, were soon extinguished; and though the doctrines of these pious men produced some effects, and left some traces in the countries where they

taught, they were neither extensive nor considerable. Many powerful causes contributed to facilitate Luther's progress, which either did not exist or did not operate with full force in their days; and at that critical and mature juncture when he appeared, circumstances of every kind concurred in rendering each step that he took successful.

The long schism in the fourteenth century.

The long and scandalous schism which divided the church during the latter part of the fourteenth and the beginning of the fifteenth centuries, had a great effect in diminishing the veneration with which the world had been accustomed to view the papal dignity. Two or three contending pontiffs roaming about Europe at a time; fawning on the princes whom they wanted to gain; extorting large sums of money from the countries which acknowledged their authority; excommunicating their rivals, and cursing those who adhered to them, discredited their pretensions to infallibility, and exposed both their persons and their office to contempt. The laity, to whom all parties appealed, came to learn that some right of private judgment belonged to them, and acquired the exercise of it so far as to choose, among these infallible guides, whom they would please to follow. The proceedings of the councils of Constance and Basil spread this disrespect for the Romish see still wider, and by their bold exertion of authority in deposing and electing popes, taught men that there was in the church a jurisdiction superior even to the papal power, which they had long believed to be supreme.

The pontificates of Alexander VI. and of Julius II.

The wound given on that occasion to the papal authority was scarcely healed up when the pontificates of Alexander VI. and Julius II., both able princes, but detestable ecclesiastics, raised new scandal in Christendom. The profligate morals of the former in private life; the fraud, the injustice, and cruelty of his public administration, place him on a level with those tyrants whose deeds are the greatest reproach to human nature. The latter, though a stranger to the odious passions which prompted his predecessor to commit so many unnatural crimes, was under the dominion of a restless and ungovernable ambition, that scorned all considerations of gratitude, of decency, or of justice, when they obstructed the execution of his schemes. It was hardly possible to be firmly persuaded, that the infallible knowledge of a religion, whose chief precepts are purity and humility, was deposited in the breast of the profligate Alexander or the overbearing Julius. The opinion of those who exalted the authority of a council above that of the pope, spread wonderfully under their pontificates; and as the emperor and French kings, who were alternately engaged in hostilities with those active pontiffs, permitted and even encouraged their subjects to expose their vices with all the violence of invective and all the petulance of ridicule, men's ears being accustomed to these, were not shocked with the bold or ludicrous discourses of Luther and his followers concerning the papal dignity.

The immoral lives of the clergy.

Nor were such excesses confined to the head of the church alone. Many of the dignified clergy, secular as well as regular, being the younger sons of noble families, who had assumed the ecclesiastical character for no other reason but that they found in the church stations of great dignity and affluence, were accustomed totally to neglect the duties of their office, and indulged themselves without reserve in all the vices to which great wealth and idleness naturally give birth. Though the inferior clergy were prevented by their poverty from imitating the expensive luxury of their superiors, yet gross ignorance and low debauchery rendered them as contemptible as the others were odious.[h] The severe and unnatural law of celibacy, to which both were equally subject, occasioned such irregularities, that in several parts of Europe the concubinage of priests was not only permitted but enjoined. The employing of a remedy so contrary to the precepts of the christian religion, is the strongest proof that the crimes it was intended to prevent were both numerous and flagrant. Long before the sixteenth century, many authors of great name and authority give such descriptions of the dissolute morals of the clergy as seem almost incredible in the present age.[i] The voluptuous lives of ecclesiastics occasioned great scandal, not only because their manners were inconsistent with their sacred character, but the laity being accustomed to see several of them raised from the lowest stations to the greatest affluence, did not show the same indulgence to their excesses as to those of persons possessed of hereditary wealth or grandeur; and viewing their condition with more envy, they censured their crimes with greater severity. Nothing, therefore, could be more acceptable to Luther's hearers than the violence with which he exclaimed against the immoralities of churchmen, and every person in his audience could, from his own observation, confirm the truth of his invectives.

h The corrupt state of the church prior to the Reformation is acknowledged by an author who was both abundantly able to judge concerning this matter, and who was not over-forward to confess it. "For some years (says Bellarmine) before the Lutheran and Calvinistic heresies were published, there was not (as contemporary authors testify) any severity in ecclesiastical judicatories, any discipline with regard to morals, any knowledge of sacred literature, any reverence for divine things; there was almost not any religion remaining." Bellarminus Concio xxviii. Oper. tom. vi. col. 296. edit. Colon. 1617, apud Gerdesii Hist. Evan. Renovati, vol. i. p. 25.

i Centum Gravamina Nation. German. in Fasciculo, Rer. expetend. et fugiendarum, per Ortuinum Gratium, vol. i. 361. See innumerable passages to the same purpose in the appendix or second volume, published by Edw. Brown. See also Herm. Vonder Hardt. Hist. Lit. Reform. pars iii. and the vast collections of Walchius in his four volumes of Monumenta Medii Ævi. Gotting. 1757.

The authors I have quoted enumerate the vices of the clergy. When they ventured upon actions manifestly criminal, we may conclude that they would be less scrupulous with respect to the decorum of behaviour. Accordingly their neglect of the decent conduct suitable to their profession seems to have given great offence. In order to illustrate this, I shall transcribe one passage, because it is not taken from any author whose professed purpose it was to describe the improper conduct of the clergy, and who, from prejudice or artifice, may be supposed to aggravate the charge against them. The emperor Charles IV., in a letter to the archbishop of Mentz, A. D. 1359, exhorting him to reform the disorders of the clergy, thus expresses himself: "De Christi patrimonio, ludos, hastiludia et torneamenta exercent; habitum militarem cum prætextis aureis et argenteis gestant, et calceos militares; comam et barbam nutriunt et nihil quod ad vitam et ordinem ecclesiasticum spectat, ostendunt. Militaribus se duntaxat et secularibus actibus, vita et moribus, in suæ salutis dispendium, et generale populi scandalum, immiscent." Codex Diplomaticus Anecdotorum, per Val. Ferd. Gudenum, 4to. vol. iii. p. 438.

The facility with which these immoralities were pardoned.

The scandal of these crimes was greatly increased by the facility with which such as committed them obtained pardon. In all the European kingdoms, the importance of the civil magistrate, under forms of government extremely irregular and turbulent, made it necessary to relax the rigour of justice, and upon payment of a certain fine or composition prescribed by law, judges were accustomed to remit further punishment even of the most atrocious crimes. The court of Rome, always attentive to the means of augmenting its revenues, imitated this practice; and by a preposterous accommodation of it to religious concerns, granted its pardons to such transgressors as gave a sum of money in order to purchase them. As the idea of a composition for crimes was then familiar, this strange traffic was so far from shocking mankind, that it soon became general; and in order to prevent any imposition in carrying it on, the officers of the Roman chancery published a book containing the precise sum to be exacted for the pardon of every particular sin. A deacon guilty of murder was absolved for twenty crowns: a bishop or abbot might assassinate for three hundred livres: any ecclesiastic might violate his vows of chastity, even with the most aggravating circumstances, for the third part of that sum. Even such shocking crimes as occur seldom in human life, and perhaps exist only in the impure imagination of a casuist, were taxed at a very moderate rate. When a more regular and perfect mode of dispensing justice came to be introduced into civil courts, the practice of paying a composition for crimes went gradually into disuse; and mankind having acquired more accurate notions concerning religion and morality, the conditions on which the court of Rome bestowed its pardons appeared impious, and were considered as one great source of ecclesiastical corruption.[k]

The exorbitant wealth of the church,

This degeneracy of manners among the clergy might have been tolerated, perhaps, with greater indulgence, if their exorbitant riches and power had not enabled them, at the same time, to encroach on the rights of every other order of men. It is the genius of superstition, fond of whatever is pompous or grand, to set no bounds to its liberality towards persons whom it esteems sacred, and to think its expressions of regard defective, unless it hath raised them to the height of wealth and authority. Hence flowed the extensive revenues and jurisdiction possessed by the church in every country in Europe, and which were become intolerable to the laity, from whose undiscerning bounty they were at first derived.

particularly in Germany,

The burthen, however, of ecclesiastical oppression had fallen with such peculiar weight on the Germans, as rendered them, though naturally exempt from levity, and tenacious of their ancient customs, more inclinable than any people in Europe to listen to those who called on them to assert their liberty. During the long contests between the popes and emperors concerning the right of investiture, and the wars which these occasioned, most of the considerable German ecclesiastics joined the papal faction; and while engaged in rebellion against the head of the empire, they seized the imperial domains and revenues, and usurped the imperial jurisdiction within their own dioceses. Upon the re-establishment of tranquillity, they still retained these usurpations, as if by the length of an unjust possession they had acquired a legal right to them. The emperors, too feeble to wrest them out of their hands, were obliged to grant the clergy fiefs of those ample territories, and they enjoyed all the immunities as well as honours which belonged to feudal barons. By means of these, many bishops and abbots in Germany were not only ecclesiastics but princes, and their character and manners partook more of the licence too frequent among the latter than of the sanctity which became the former.[l]

where the clerg usurped a great part of the property.

The unsettled state of government in Germany, and the frequent wars to which that country was exposed, contributed in another manner towards aggrandizing ecclesiastics. The only property, during those times of anarchy, which enjoyed security from the oppression of the great or the ravages of war, was that which belonged to the church. This was owing not only to the great reverence for the sacred character prevalent in those ages, but to a superstitious dread of the sentence of excommunication, which the clergy were ready to denounce against all who invaded their possessions. Many, observing this, made a surrender of their lands to ecclesiastics, and consenting to hold them in fee of the church, obtained as its vassals a degree of safety which without this device they were unable to procure. By such an increase of the number of their vassals, the power of ecclesiastics received a real and permanent augmentation; and as lands held in fee by the limited tenures common in those ages often returned to the persons on whom the fief depended, considerable additions were made in this way to the property of the clergy.[m]

The great personal immunities of ecclesiastics.

The solicitude of the clergy in providing for the safety of their own persons, was still greater than that which they displayed in securing their possessions; and their efforts to attain it were still more successful. As they were consecrated to the priestly office with much outward solemnity; were distinguished from the rest of mankind by a peculiar garb and manner of life; and arrogated to their order many privileges which do not belong to other christians, they naturally became the objects of excessive veneration. As a superstitious spirit spread, they were regarded as beings of a superior species to the profane laity,

k Fascicul. Rer. expet. et fug. i. 355. J. G. Schelhornii Amœnit. Literar. Francof. 1725, vol. ii. 369. Diction. de Bayle, Artic. Banck et Tuppius. Taxa Cancellar. Romanæ, edit. Francof. 1651, passim.

l F. Paul, History of Ecclesiast. Benefices, p. 107.
m F. Paul, Hist. of Eccles. Benef. p. 66. Boulainvillers Etat de France, tom. i. 169. Lond. 1737.

whom it would be impious to try by the same laws or to subject to the same punishments. This exemption from civil jurisdiction, granted at first to ecclesiastics as a mark of respect, they soon claimed as a point of right. This valuable immunity of the priesthood is asserted not only in the decrees of popes and councils, but was confirmed in the most ample form by many of the greatest emperors.[n] As long as the clerical character remained, the person of an ecclesiastic was in some degree sacred; and unless he were degraded from his office, the unhallowed hand of the civil judge durst not touch him. But as the power of degradation was lodged in the spiritual courts, the difficulty and expense of obtaining such a sentence too often secured absolute impunity to offenders. Many assumed the clerical character for no other reason than that it might screen them from the punishment which their actions deserved.[o] The German nobles complained loudly that these anointed malefactors, as they called them,[p] seldom suffered capitally, even for the most atrocious crimes; and their independence of the civil magistrate is often mentioned in the remonstrances of the diets as a privilege equally pernicious to society and to the morals of the clergy.

Their encroachments on the jurisdiction of the laity.

While the clergy asserted the privileges of their own order with so much zeal, they made continual encroachments upon those of the laity. All causes relative to matrimony, to testaments, to usury, to legitimacy of birth, as well as those which concerned ecclesiastical revenues, were thought to be so connected with religion, that they could be tried only in the spiritual courts. Not satisfied with this ample jurisdiction, which extended to one half of the subjects that give rise to litigation among men, the clergy, with wonderful industry, and by a thousand inventions, endeavoured to draw all other causes into their own courts.[q] As they had engrossed almost the whole learning known in the dark ages, the spiritual judges were commonly so far superior in knowledge and abilities to those employed in the secular courts, that the people at first favoured any stretch that was made to bring their affairs under the cognizance of a judicature, on the decisions of which they could rely with more perfect confidence than on those of the civil courts. Thus the interest of the church and the inclination of the people concurring to elude the jurisdiction of the lay-magistrate, soon reduced it almost to nothing.[r] By means of this, vast power accrued to ecclesiastics, and no inconsiderable addition was made to their revenue by the sums paid in those ages to the persons who administered justice.

The dreadful effects of spiritual censures.

The penalty by which the spiritual courts enforced their sentences added great weight and terror to their jurisdiction. The censure of excommunication was instituted originally for preserving the purity of the church, that obstinate offenders, whose impious tenets or profane lives were a reproach to christianity, might be cut off from the society of the faithful; this ecclesiastics did not scruple to convert into an engine for promoting their own power, and they inflicted it on the most frivolous occasions. Whoever despised any of their decisions, even concerning civil matters, immediately incurred this dreadful censure, which not only excluded them from the privileges of a christian, but deprived them of their rights as men and citizens;[s] and the dread of this rendered even the most fierce and turbulent spirits obsequious to the authority of the church.

The devices of ecclesiastics to secure their usurpations.

Nor did the clergy neglect the proper methods of preserving the wealth and power which they had acquired with such industry and address. The possessions of the church being consecrated to God, were declared to be unalienable; so that the funds of a society which was daily gaining, and could never lose, grew to be immense. In Germany it was computed that the ecclesiastics had got into their hands more than one-half the national property.[t] In other countries the proportion varied; but the share belonging to the church was everywhere prodigious. These vast possessions were not subject to the burdens imposed on the lands of the laity. The German clergy were exempted by law from all taxes;[u] and if, on any extraordinary emergency, ecclesiastics were pleased to grant some aid towards supplying the public exigences, this was considered as a free gift flowing from their own generosity, which the civil magistrate had no title to demand, far less to exact. In consequence of this strange solecism in government, the laity in Germany had the mortification to find themselves loaded with excessive impositions, because such as possessed the greatest property were freed from any obligation to support or to defend the state.

The German ecclesiastics mostly foreigners.

Grievous, however, as the exorbitant wealth and numerous privileges of the clerical order were to the other members of the Germanic body, they would have reckoned it some mitigation of the evil if these had been possessed only by ecclesiastics residing among themselves, who would have been less apt to make an improper use of their riches, or to exercise their rights with unbecoming rigour. But the bishops of Rome having early put in a claim, the boldest that ever human ambition suggested, of being supreme and infallible heads of the christian church; they, by their profound policy and unwearied perseverance, by their address in availing themselves of every circumstance which occurred, by taking advantage of the superstition of some princes, of the

n Goldasti Constitut. Imperial. Francof. 1673, vol. ii. 92, 107.
o Rymer's Fœdera, vol. xiii. 532.
p Centum Gravam. § 31.
q Giannoné Hist. of Naples, book xix. § 3.
r Centum Gravam. § 9, 56, 64.
s Ibid. § 34.
t Ibid. § 28.
u Centum Gravam. § 28. Goldasti Const. Imper. ii. 79, 168. Pfeffel Hist. du Droit Publ. 350, 374.

necessities of others, and of the credulity of the people, at length established their pretensions in opposition both to the interest and common sense of mankind. Germany was the country which these ecclesiastical sovereigns governed with most absolute authority. They excommunicated and deposed some of its most illustrious emperors, and excited their subjects, their ministers, and even their children, to take arms against them. Amidst these contests the popes continually extended their own immunities, spoiling the secular princes gradually of their most valuable prerogatives, and the German church felt all the rigour of that oppression which flows from subjection to foreign dominion and foreign exactions.

Nominated by the pope.

The right of conferring benefices, which the popes usurped during that period of confusion, was an acquisition of great importance, and exalted the ecclesiastical power upon the ruins of the temporal. The emperors and other princes of Germany had long been in possession of this right, which served to increase both their authority and their revenue. But by wresting it out of their hands, the popes were enabled to fill the empire with their own creatures; they accustomed a great body of every prince's subjects to depend not upon him but upon the Roman see; they bestowed upon strangers the richest benefices in every country, and drained their wealth to supply the luxury of a foreign court. Even the patience of the most superstitious ages could no longer bear such oppression; and so loud and frequent were the complaints and murmurs of the Germans, that the popes, afraid of irritating them too far, consented, contrary to their usual practice, to abate somewhat of their pretensions, and to rest satisfied with the right of nomination to such benefices as happened to fall vacant during six months in the year, leaving the disposal of the remainder to the princes and other legal patrons.[x]

The expedients for restraining this power of the popes ineffectual.

But the court of Rome easily found expedients for eluding an agreement which put such restraints on its power. The practice of reserving certain benefices in every country to the pope's immediate nomination, which had been long known and often complained of, was extended far beyond its ancient bounds. All the benefices possessed by cardinals or any of the numerous officers in the Roman court; those held by persons who happened to die at Rome, or within forty miles of that city on their journey to or from it; such as became vacant by translation, with many others, were included in the number of *reserved* benefices: Julius II. and Leo X. stretching the matter to the utmost, often collated to benefices where the right of reservation had not been declared, on pretence of having mentally reserved this privilege to themselves. The right of reservation, however, even with this extension, had certain limits, as it could be exercised only where the benefice was actually vacant; and therefore, in order to render the exertion of papal power unbounded, *expectative graces*, or mandates nominating a person to succeed to a benefice upon the first vacancy that should happen, were brought into use. By means of these Germany was filled with persons who were servilely dependent on the court of Rome, from which they had received such reversionary grants; princes were defrauded, in a great degree, of their prerogatives; the rights of lay-patrons were preoccupied, and rendered almost entirely vain.[y]

Venality of the court of Rome.

The manner in which these extraordinary powers were exercised rendered them still more odious and intolerable. The avarice and extortion of the court of Rome were become excessive almost to a proverb. The practice of selling benefices was so notorious, that no pains were taken to conceal or to disguise it. Companies of merchants openly purchased the benefices of different districts in Germany from the pope's ministers, and retailed them at an advanced price.[z] Pious men beheld with deep regret these simoniacal transactions, so unworthy the ministers of a christian church; while politicians complained of the loss sustained by the exportation of so much wealth in that irreligious traffic.

It drained other countries of their wealth.

The sums, indeed, which the court of Rome drew by its stated and legal impositions from all the countries acknowledging its authority, were so considerable, that it is not strange that princes as well as their subjects murmured at the smallest addition made to them by unnecessary or illicit means. Every ecclesiastical person, upon his admission to his benefice, paid *annats*, or one year's produce of his living, to the pope; and as that tax was exacted with great rigour, its amount was very great. To this must be added the frequent demands made by the popes of free gifts from the clergy, together with the extraordinary levies of tenths upon ecclesiastical benefices, on pretence of expeditions against the Turks, seldom intended or carried into execution; and from the whole, the vast proportion of the revenues of the church which flowed continually to Rome may be estimated.

The united effect of all these causes.

Such were the dissolute manners, the exorbitant wealth, the enormous power and privileges of the clergy, before the reformation; such the oppressive rigour of that dominion which the popes had established over the christian world; and such the sentiments concerning them that prevailed in Germany at the beginning of the sixteenth century. Nor has this sketch been copied from the controversial writers of that age, who, in the heat of disputation, may be suspected of having exaggerated the errors or of having misrepresented the conduct of that church which they laboured to overturn; it is formed upon more

x F. Paul Hist. of Eccles. Benef. 204. Gold. Constit. Imper. i. 408.
y Centum Gravam. § 21. Fascic. Rer. expet. &c. 334. Gold. Const. Imperial. i. 391, 404, 405. F. Paul History of Eccles. Benef. 107, 199.
z Fascic. Rer. expet. i. 359.

authentic evidence, upon the memorials and remonstrances of the imperial diets, enumerating the grievances under which the empire groaned, in order to obtain the redress of them. Dissatisfaction must have arisen to a great height among the people, when these grave assemblies expressed themselves with that degree of acrimony which abounds in their remonstrances; and if they demanded the abolition of these enormities with so much vehemence, the people, we may be assured, uttered their sentiments and desires in bolder and more virulent language.

Men prepared to embrace Luther's opinions,

To men thus prepared for shaking off the yoke, Luther addressed himself with certainty of success. As they had long felt its weight, and had borne it with impatience, they listened with joy to the first offer of procuring them deliverance. Hence proceeded the fond and eager reception that his doctrines met with, and the rapidity with which they spread over all the provinces of Germany. Even the impetuosity and fierceness of Luther's spirit, his confidence in asserting his own opinions, and the arrogance as well as contempt wherewith he treated all who differed from him, which, in ages of greater moderation and refinement, have been reckoned defects in the character of that reformer, did not appear excessive to his contemporaries, whose minds were strongly agitated by those interesting controversies which he carried on, and who had themselves endured the rigour of papal tyranny, and seen the corruptions in the church against which he exclaimed.

and to tolerate his defects.

Nor were they offended at that gross scurrility with which his polemical writings are filled, or at the low buffoonery which he sometimes introduces into his gravest discourses. No dispute was managed in those rude times without a large portion of the former; and the latter was common even on the most solemn occasions, and in treating the most sacred subjects. So far were either of these from doing hurt to his cause, that invective and ridicule had some effect, as well as more laudable arguments, in exposing the errors of popery, and in determining mankind to abandon them.

The effect of the invention of printing on the progress of the Reformation:

Besides all these causes of Luther's rapid progress, arising from the nature of his enterprise, and the juncture at which he undertook it, he reaped advantage from some foreign and adventitious circumstances, the beneficial influence of which none of his forerunners in the same course had enjoyed. Among these may be reckoned the invention of the art of printing, about half a century before his time. By this fortunate discovery the facility of acquiring and of propagating knowledge was wonderfully increased, and Luther's books, which must otherwise have made their way slowly and with uncertainty into distant countries, spread at once all over Europe. Nor were they read only by the rich and the learned, who alone had access to books before that invention; they got into the hands of the people, who, upon this appeal to them as judges, ventured to examine and to reject many doctrines which they had formerly been required to believe, without being taught to understand them.

and of the revival of learning.

The revival of learning at the same period was a circumstance extremely friendly to the Reformation. The study of the ancient Greek and Roman authors, by enlightening the human mind with liberal and sound knowledge, roused it from that profound lethargy in which it had been sunk during several centuries. Mankind seem at that period to have recovered the powers of inquiring and of thinking for themselves, faculties of which they had long lost the use; and fond of the acquisition, they exercised them with great boldness upon all subjects. They were not now afraid of entering an uncommon path or of embracing a new opinion. Novelty appears rather to have been a recommendation of a doctrine; and instead of being startled when the daring hand of Luther drew aside or tore the veil which covered and established errors, the genius of the age applauded and aided the attempt. Luther, though a stranger to elegance in taste or composition, zealously promoted the cultivation of ancient literature; and sensible of its being necessary to the right understanding of the Scriptures, he himself had acquired considerable knowledge both in the Hebrew and Greek tongues. Melancthon and some other of his disciples were eminent proficients in the polite arts; and as the same ignorant monks who opposed the introduction of learning into Germany set themselves with equal fierceness against Luther's opinions, and declared the good reception of the latter to be the effect of the progress which the former had made, the cause of learning and of the Reformation came to be considered as closely connected with each other, and, in every country, had the same friends and the same enemies. This enabled the reformers to carry on the contest at first with great superiority. Erudition, industry, accuracy of sentiment, purity of composition, even wit and raillery, were almost wholly on their side, and triumphed with ease over illiterate monks, whose rude arguments, expressed in a perplexed and barbarous style, were found insufficient for the defence of a system, the errors of which all the art and ingenuity of its later and more learned advocates have not been able to palliate.

Luther aided by persons who did not wish his success;

That bold spirit of inquiry which the revival of learning excited in Europe, was so favourable to the Reformation, that Luther was aided in his progress, and mankind were prepared to embrace his doctrines, by persons who did not wish success to his undertaking. The greater part of the ingenious men who applied to the study of ancient literature towards the close of the fifteenth century and the beginning of the sixteenth, though they had no intention, and perhaps no wish, to overturn the esta-

blished system of religion, had discovered the absurdity of many tenets and practices authorized by the church, and perceived the futility of those arguments by which illiterate monks endeavoured to defend them. Their contempt of these advocates for the received errors led them frequently to expose the opinions which they supported, and to ridicule their ignorance with great freedom and severity. By this men were prepared for the more serious attacks made upon them by Luther, and their reverence both for the doctrines and persons against whom he inveighed was considerably abated. This was particularly the case in Germany. When the first attempts were made to revive a taste for ancient learning in that country, the ecclesiastics there, who were still more ignorant than their brethren on the other side of the Alps, set themselves to oppose its progress with more active zeal; and the patrons of the new studies in return attacked them with greater violence. In the writings of Reuchlin, Hutten, and the other revivers of learning in Germany, the corruptions of the church of Rome are censured with an acrimony of style little inferior to that of Luther himself.[a]

particularly Erasmus.

From the same cause proceeded the frequent strictures of Erasmus upon the errors of the church, as well as upon the ignorance and vices of the clergy. His reputation and authority were so high in Europe at the beginning of the sixteenth century, and his works were read with such universal admiration, that the effect of these deserves to be mentioned as one of the circumstances which contributed considerably towards Luther's success. Erasmus having been destined for the church, and trained up in the knowledge of ecclesiastical literature, applied himself more to theological inquiries than any of the revivers of learning in that age. His acute judgment and extensive erudition enabled him to discover many errors both in the doctrine and worship of the Romish church. Some of these he confuted with great solidity of reasoning and force of eloquence. Others he treated as objects of ridicule, and turned against them that irresistible torrent of popular and satirical wit of which he had the command. There was hardly any opinion or practice of the Romish church which Luther endeavoured to reform, but what had been previously animadverted upon by Erasmus, and had afforded him subject either of censure or of raillery. Accordingly, when Luther first began his attack upon the church, Erasmus seemed to applaud his conduct; he courted the friendship of several of his disciples and patrons, and condemned the behaviour and spirit of his adversaries.[b] He concurred openly with him in inveighing against the school divines as the teachers of a system equally unedifying and obscure. He joined him in endeavouring to turn the attention of men to the study of the Holy Scriptures, as the only standard of religious truth.[c]

Various circumstances, however, prevented Erasmus from holding the same course with Luther. The natural timidity of his temper; his want of that strength of mind which alone can prompt a man to assume the character of a reformer;[d] his excessive deference for persons in high station; his dread of losing the pensions and other emoluments which their liberality had conferred upon him; his extreme love of peace, and hopes of reforming abuses gradually and by gentle methods, all concurred in determining him not only to repress and to moderate the zeal with which he had once been animated against the errors of the church,[e] but to assume the character of a mediator between Luther and his opponents. But though Erasmus soon began to censure Luther as too daring and impetuous, and was at last prevailed upon to write against him, he must nevertheless be considered as his forerunner and auxiliary in this war upon the church. He first scattered the seeds which Luther cherished and brought to maturity. His raillery and oblique censures prepared the way for Luther's invectives and more direct attacks. In this light Erasmus appeared to the zealous defenders of the Romish church in his own times:[f] in this light he must be considered by every person conversant in the history of that period.

In this long enumeration of the circumstances which combined in favouring the progress of Luther's opinions, or in weakening the resistance of his adversaries, I have avoided entering into any discussion of the theological doctrines of popery, and have not attempted to show how repugnant they are to the spirit of christianity, and how destitute of any foundation in reason, in the word of God, or in the practice of the primitive church, leaving those topics entirely to ecclesiastical historians, to whose province they peculiarly belong. But when we add the effect of these religious considerations to the influence of political causes, it is obvious that the united operation of both on the human mind must have been sudden and irresistible. Though to Luther's contemporaries, who were too near perhaps to the scene, or too deeply interested in it, to trace causes with accuracy or to examine them with coolness, the rapidity with which his opinions spread appeared to be so unaccountable, that some of them imputed it to a certain uncommon and malignant position of the stars, which scattered the spirit of giddiness and innovation over the world;[g] it is evident that the success of the Reformation was the natural effect of many powerful causes prepared by peculiar providence, and happily conspiring to

a Gerdesius Hist. Evang. Renov. vol. i. p. 141, 157. Seckend. lib. i. p. 103. Vonder Hardt Hist. Literar. Reform. pars ii.

b Seckend. lib. i. p. 40, 96.

c Vonder Hardt, Histor. Literar. Reform. pars i. Gerdes. Hist. Evang. Renov. i. 147.

d Erasmus himself is candid enough to acknowledge this: "Luther," says he, "has given us many a wholesome doctrine and many a good counsel. I wish he had not defeated the effect of them by intolerable faults. But if he had written every thing in the most unexceptionable manner, I had no inclination to die for the sake of truth. Every man hath not the courage requisite to make a martyr; and I am afraid that if I were put to the trial, I should imitate St. Peter." Epist. Erasmi, in Jortin's Life of Erasm. vol. i. p. 273.

e Jortin's Life of Erasmus, vol. i. p. 258.

f Vonder Hardt, Hist. Literar. Reform. pars i. p. 2.

g Jovii Historia, Lut. 1553, fol. p. 134.

that end. This attempt to investigate these causes, and to throw light on an event so singular and important, will not, perhaps, be deemed an unnecessary digression.——I return from it to the course of the history.

Proceedings of the diet at Worms. 1521.

The diet at Worms conducted its deliberations with that slow formality peculiar to such assemblies. Much time was spent in establishing some regulations with regard to the police of the empire. The jurisdiction of the imperial chamber was confirmed, and the forms of its proceeding rendered more fixed and regular. A council of regency was appointed to assist Ferdinand in the government of the empire during any occasional absence of the emperor; which, from the extent of the emperor's dominions, as well as the multiplicity of his affairs, was an event that might be frequently expected.[h] The state of religion was then taken into consideration. There

The emperor's views with regard to Luther.

were not wanting some plausible reasons which might have induced Charles to have declared himself the protector of Luther's cause, or at least to have connived at its progress. If he had possessed no other dominions but those which belonged to him in Germany, and no other crown besides the imperial, he might have been disposed, perhaps, to favour a man who asserted so boldly the privileges and immunities for which the empire had struggled so long with the popes. But the vast and dangerous schemes which Francis I. was forming against Charles, made it necessary for him to regulate his conduct by views more extensive than those which would have suited a German prince; and it being of the utmost importance to secure the pope's friendship, this determined him to treat Luther with great severity, as the most effectual method of soothing Leo into a concurrence with his measures. His eagerness to accomplish this rendered him not unwilling to gratify the papal legates in Germany, who insisted that, without any delay or formal deliberation, the diet ought to condemn a man whom the pope had already excommunicated as an incorrigible heretic.

He is summoned to appear.

Such an abrupt manner of proceeding, however, being deemed unprecedented and unjust by the members of the diet, they made a point of Luther's appearing in person, and declaring whether he adhered or not to those opinions which had drawn upon him the censures of the church.[i] Not only the emperor, but all the princes through whose territories he had to pass, granted him a safe-conduct; and Charles wrote to him at the same time, requiring his immediate attendance on the diet, and renewing his promises of protection from any injury or violence.[k] Luther did not hesitate one moment about yielding obedience, and set out for Worms, attended by the herald who had brought the emperor's letter and safe-conduct. While on his journey, many of his friends, whom the fate of Huss under similar circumstances, and notwithstanding the same security of an imperial safe-conduct, filled with solicitude, advised and entreated him not to rush wantonly into the midst of danger. But Luther, superior to such terrors, silenced them with this reply: "I am lawfully called," said he, "to appear in that city, and thither will I go in the name of the Lord, though as many devils as there are tiles on the houses were there combined against me."[l]

His undaunted spirit.

The reception which he met with at Worms was such as he might have reckoned a full reward of all his labours, if vanity and the love of applause had been the principles by which he was influenced. Greater crowds assembled to behold him than had appeared at the emperor's public entry; his apartments were daily filled with princes and personages of the highest rank,[m] and he was treated with all the respect paid to those who possess the power of directing the understanding and sentiments of other men; an homage more sincere as well as more flattering than any which pre-eminence in birth or condition can command. At his appearance before the diet he behaved with great decency and with equal firmness. He readily acknowledged an excess of vehemence and acrimony in his controversial writings, but refused to retract his opinions unless he were convinced of their falsehood, or to consent to their being tried by any other rule than the word of God. When neither threats nor entreaties could prevail on him to depart from this resolution, some of the ecclesiastics proposed to imitate the example of the council of Constance, and by punishing the author of this pestilent heresy, who was now in their power, to deliver the church at once from such an evil. But the members of the diet refusing to expose the German integrity to fresh reproach by a second violation of public faith, and Charles being no less unwilling to bring a stain upon the beginning of his administration by such an ignominious action, Luther was permitted to depart in safety.[n] A few days after he left the city, a severe edict was published in the emperor's name, and by authority of the diet, depriving him, as an obstinate and excommunicated criminal, of all the privileges which he enjoyed as a subject of the empire, forbidding any prince to harbour or protect him, and requiring all to concur in seizing his person as soon as the term specified in his safe-conduct was expired.[o]

His reception at Worms.

The manner of his appearance.

April 26. Edict against him.

March 6.

But this rigorous decree had no considerable effect, the execution of it being prevented partly by the multiplicity of occupations which the commotions in Spain, together with the wars in Italy and the Low Countries, created to the emperor, and partly by a prudent precaution employed by the elector of

He is seized and concealed at Wartburg.

h Pont. Heuter. Rer. Austr. lib. viii. cap. 11. p. 195. Pfeffel Abregé Chronol. p. 598.
i P. Mart. Ep. 722. k Luth. Oper. ii. 411. l Ibid. 412.
m Seckend. 151. Luth. Oper. ii. 414.
n Paul Hist. of Counc. p. 13. Seckend. 160.
o Gold. Const. Imperial. ii. 401.

Saxony, Luther's faithful and discerning patron. As Luther, on his return from Worms, was passing near Altenstein in Thuringia, a number of horsemen in masks rushed suddenly out of a wood, where the elector had appointed them to lie in wait for him, and surrounding his company, carried him, after dismissing all his attendants, to Wartburg, a strong castle not far distant. There the elector ordered him to be supplied with every thing necessary or agreeable; but the place of his retreat was carefully concealed, until the fury of the present storm against him began to abate, upon a change in the political situation of Europe. In this solitude, where he remained nine months, and which he frequently called his Patmos, after the name of that island to which the apostle John was banished, he exerted his usual vigour and industry in defence of his doctrines or in confutation of his adversaries, publishing several treatises, which revived the spirit of his followers, astonished to a great degree, and disheartened, at the sudden disappearance of their leader.

Progress of his opinions.

During his confinement, his opinions continued to gain ground, acquiring the ascendant in almost every city in Saxony. At this time the Augustinians of Wittemberg, with the approbation of the university and the connivance of the elector, ventured upon the first step towards an alteration in the established forms of public worship, by abolishing the celebration of private masses, and by giving the cup as well as the bread to the laity, in administering the sacrament of the Lord's Supper.

Decree of the university of Paris condemning them.

Whatever consolation the courage and success of his disciples, or the progress of his doctrines in his own country, afforded Luther in his retreat, he there received information of two events which considerably damped his joy, as they seemed to lay insuperable obstacles in the way of propagating his principles in the two most powerful kingdoms of Europe. One was a solemn decree condemning his opinions, published by the university of Paris, the most ancient, and, at that time, the most respectable of the learned societies in Europe. The other was the answer written to his book concerning the Babylonish captivity by Henry VIII. of England. That monarch having been educated under the eye of a suspicious father, who, in order to prevent his attending to business, kept him occupied in the study of literature, still retained a greater love of learning, and stronger habits of application to it, than are common among princes of so active a disposition and such violent passions. Being ambitious of acquiring glory of every kind, as well as zealously attached to the Romish church, and highly exasperated against Luther, who had treated Thomas Aquinas, his favourite author, with great contempt, Henry did not think it enough to exert his royal authority in opposing the opinions of the reformer,

Henry VIII. writes against them.

but resolved likewise to combat them with scholastic weapons. With this view he published his treatise on the seven sacraments, which, though forgotten at present, as books of controversy always are when the occasion that produced them is past, is not destitute of polemical ingenuity and acuteness, and was represented by the flattery of his courtiers to be a work of such wonderful science and learning, as exalted him no less above other authors in merit than he was distinguished among them by his rank. The pope, to whom it was presented with the greatest formality in full consistory, spoke of it in such terms as if it had been dictated by immediate inspiration; and, as a testimony of the gratitude of the church for his extraordinary zeal, conferred on him the title of *Defender of the Faith*, an appellation which Henry soon forfeited in the opinion of those from whom he derived it, and which is still retained by his successors, though the avowed enemies of those opinions by contending for which he merited that honourable distinction.

Luther's reply to both.

Luther, who was not overawed either by the authority of the university or the dignity of the monarch, soon published his animadversions on both, in a style no less vehement and severe than he would have used in confuting his meanest antagonist. This indecent boldness, instead of shocking his contemporaries, was considered by them as a new proof of his undaunted spirit. A controversy managed by disputants so illustrious drew universal attention; and such was the contagion of the spirit of innovation diffused through Europe in that age, and so powerful the evidence which accompanied the doctrines of the reformers on their first publication, that in spite both of the civil and ecclesiastical powers combined against them, they daily gained converts both in France and in England.

State of affairs between Charles and Francis.

How desirous soever the emperor might be to put a stop to Luther's progress, he was often obliged, during the diet at Worms, to turn his thoughts to matters still more interesting, and which demanded more immediate attention. A war was ready to break out between him and the French king in Navarre, in the Low Countries, and in Italy; and it required either great address to avert the danger, or timely and wise precautions to resist it. Every circumstance, at that juncture, inclined Charles to prefer the former measure. Spain was torn with intestine commotions. In Italy he had not hitherto secured the assistance of any one ally. In the Low Countries his subjects trembled at the thoughts of a rupture with France, the fatal effects of which on their commerce they had often experienced. From these considerations, as well as from the solicitude of Chievres, during his whole administration, to maintain peace between the two monarchs, proceeded the emperor's backwardness to commence hostilities. But Francis and his ministers did not breathe the same pacific spirit. He easily foresaw that

concord could not long subsist where interest, emulation, and ambition conspired to dissolve it; and he possessed several advantages which flattered him with the hopes of surprising his rival, and of overpowering him before he could put himself in a posture of defence. The French king's dominions, from their compact situation, from their subjection to the royal authority, from the genius of the people, fond of war, and attached to their sovereign by every tie of duty and affection, were more capable of a great or sudden effort than the larger but disunited territories of the emperor, in one part of which the people were in arms against his ministers, and in all his prerogative was more limited than that of his rival.

Henry VIII. favours the emperor.

The only princes in whose power it was to have kept down or to have extinguished this flame on its first appearance, either neglected to exert themselves, or were active in kindling and spreading it. Henry VIII., though he affected to assume the name of mediator, and both parties made frequent appeals to him, had laid aside the impartiality which suited that character. Wolsey, by his artifices, had estranged him so entirely from the French king, that he secretly fomented the discord which he ought to have composed, and waited only for some decent pretext to join his arms to those of the emperor.[p]

Leo hesitates between the rivals.

Leo's endeavours to excite discord between the emperor and Francis were more avowed and had greater influence. Not only his duty as the common father of Christendom, but his interest as an Italian potentate, called upon the pope to act as the guardian of the public tranquillity, and to avoid any measure that might overturn the system which, after much bloodshed and many negociations, was now established in Italy. Accordingly Leo, who instantly discerned the propriety of this conduct, had formed a scheme, upon Charles's promotion to the imperial dignity, of rendering himself the umpire between the rivals, by soothing them alternately, while he entered into no close confederacy with either; and a pontiff less ambitious and enterprising might have saved Europe from many calamities by adhering to this plan. But this high-spirited prelate, who was still in the prime of life, longed passionately to distinguish his pontificate by some splendid action. He was impatient to wash away the infamy of having lost Parma and Placentia, the acquisition of which reflected so much lustre on the administration of his predecessor Julius. He beheld with the indignation natural to Italians in that age, the dominion which the Transalpine, or, as they in imitation of the Roman arrogance denominated them, the barbarous nations, had attained in Italy. He flattered himself that, after assisting the one monarch to strip the other of his possessions in that country, he might find means of driving out the victor in his turn, and acquire the glory of restoring Italy to the liberty and happiness which it had enjoyed before the invasion of Charles VIII., when every state was governed by its native princes or its own laws, and unacquainted with a foreign yoke. Extravagant and chimerical as this project may seem, it was the favourite object of almost every Italian eminent for genius or enterprise during great part of the sixteenth century. They vainly hoped that, by superior skill in the artifices and refinements of negociation, they should be able to baffle the efforts of nations less polished indeed than themselves, but much more powerful and warlike. So alluring was the prospect of this to Leo, that notwithstanding the gentleness of his disposition, and his fondness for the pleasures of a refined and luxurious ease, he hastened to disturb the peace of Europe, and to plunge himself into a dangerous war, with an impetuosity scarcely inferior to that of the turbulent and martial Julius.[q]

It was in Leo's power, however, to choose which of the monarchs he would take for his confederate against the other. Both of them courted his friendship: he wavered for some time between them, and at first concluded an alliance with Francis. The object of this treaty was the conquest of Naples, which the confederates agreed to divide between them. The pope, it is probable, flattered himself that the brisk and active spirit of Francis, seconded by the same qualities in his subjects, would get the start of the slow and wary councils of the emperor, and that they might overrun with ease this detached portion of his dominions, ill provided for defence, and always the prey of every invader. But whether the French king, by discovering too openly his suspicion of Leo's sincerity, disappointed these hopes; whether the treaty was only an artifice of the pope's to cover the more serious negociations which he was carrying on with Charles; whether he was enticed by the prospect of reaping greater advantages from a union with that prince; or whether he was soothed by the zeal which Charles had manifested for the honour of the church in condemning Luther, certain it is that he soon deserted his new ally, and made overtures of friendship, though with great secrecy, to the emperor.[r] Don John Manuel, the same man who had been the favourite of Philip, and whose address had disconcerted all Ferdinand's schemes, having been delivered, upon the death of that monarch, from the prison to which he had been confined, was now the imperial ambassador at Rome, and fully capable of improving this favourable disposition in the pope to his master's advantage. To him the conduct of this negociation was entirely committed; and being carefully concealed from Chievres, whose aversion to a war with France would have prompted him to retard or to defeat it, an alliance between the pope

Concludes a treaty with Charles.

p Herbert. Fiddes's Life of Wolsey, 258. q Guic. lib. xiv. p. 173.
r Guic. lib. xiv. p. 175. Mem. de Bellay, Par. 1573, p. 21.

s Jovii Vita Leonis, lib. iv. p. 89.

May 8. and emperor was quickly concluded.[t] The chief articles in this treaty, which proved the foundation of Charles's grandeur in Italy, were, that the pope and emperor should join their forces to expel the French out of the Milanese, the possession of which should be granted to Francis Sforza, a son of Ludovico the Moor, who had resided at Trent since the time that his brother Maximilian had been dispossessed of his dominions by the French king; that Parma and Placentia should be restored to the church; that the emperor should assist the pope in conquering Ferrara; that the annual tribute paid by the kingdom of Naples to the holy see should be increased; that the emperor should take the family of Medici under his protection; that he should grant to the cardinal of that name a pension of ten thousand ducats upon the archbishopric of Toledo; and should settle lands in the kingdom of Naples to the same value upon Alexander the natural son of Lorenzo de Medici.

Death of Chievres, the emperor's favourite and minister.

The transacting an affair of such moment without his participation, appeared to Chievres so decisive a proof of his having lost the ascendant which he had hitherto maintained over the mind of his pupil, that his chagrin on this account, added to the melancholy with which he was overwhelmed on taking a view of the many and unavoidable calamities attending a war against France, is said to have shortened his days.[u] But though this, perhaps, may be only the conjecture of historians, fond of attributing every thing that befalls illustrious personages to extraordinary causes, and of ascribing even their diseases and death to the effect of political passions, which are more apt to disturb the enjoyment than to abridge the period of life, it is certain that his death, at this critical juncture, extinguished all hopes of avoiding a rupture with France.[x] This event, too, delivered Charles from a minister to whose authority he had been accustomed from his infancy to submit with such implicit deference as checked and depressed his genius, and retained him in a state of pupilage unbecoming his years as well as his rank. But this restraint being removed, the native powers of his mind were permitted to unfold themselves, and he began to display such great talents, both in council and in action, as exceeded the hopes of his contemporaries,[y] and command the admiration of posterity.

Commencement of hostilities in Navarre.

While the pope and emperor were preparing, in consequence of their secret alliance, to attack Milan, hostilities commenced in another quarter. The children of John d'Albert, king of Navarre, having often demanded the restitution of their hereditary dominions, in terms of the treaty of Noyon, and Charles having as often eluded their requests upon very frivolous pretexts, Francis thought himself authorized by that treaty to assist the exiled family. The juncture appeared extremely favourable for such an enterprise. Charles was at a distance from that part of his dominions; the troops usually stationed there had been called away to quell the commotions in Spain; the Spanish malcontents warmly solicited him to invade Navarre,[z] in which a considerable faction was ready to declare for the decendants of their ancient monarchs. But in order to avoid, as much as possible, giving offence to the emperor or king of England, Francis directed forces to be levied, and the war to be carried on, not in his own name, but in that of Henry d'Albert. The conduct of these troops was committed to Andrew de Foix de l'Esparre, a young nobleman, whom his near alliance to the unfortunate king whose battles he was to fight, and what was still more powerful, the interest of his sister, Madame de Chateaubriand, Francis's favourite mistress, recommended to that important trust, for which he had neither talents nor experience. Progress of the French. But as there was no army in the field to oppose him, he became master in a few days of the whole kingdom of Navarre, without meeting with any obstruction but from the citadel of Pampeluna. The additional works to this fortress, begun by Ximenes, were still unfinished; nor would its slight resistance have deserved notice, if Ignatio Loyola, a Biscayan gentleman, had not been dangerously wounded in its defence. During the progress of a lingering cure, Loyola happened to have no other amusement than what he found in reading the lives of the saints; the effect of this on his mind, naturally enthusiastic, but ambitious and daring, was to inspire him with such a desire of emulating the glory of these fabulous worthies of the Roman church, as led him into the wildest and most extravagant adventures, which terminated at last in instituting the society of Jesuits, the most political and best regulated of all the monastic orders, and from which mankind have derived more advantages, and received greater injury, than from any other of those religious fraternities.

They enter Castile.

If, upon the reduction of Pampeluna, L'Esparre had been satisfied with taking proper precautions for securing his conquest, the kingdom of Navarre might still have remained annexed to the crown of France, in reality as well as in title. But, pushed on by youthful ardour, and encouraged by Francis, who was too apt to be dazzled with success, he ventured to pass the confines of Navarre, and to lay siege to Logrogno, a small town in Castile. This roused the Castilians, who had hitherto beheld the rapid progress of his arms with great unconcern, and the dissensions in that kingdom (of which a full account shall be given) being almost composed, both parties exerted themselves with emulation in defence of their country; the one, that it might efface the memory of

t Guic. l. xiv. 181. Mem. de Bellay, p. 24. Du Mont. Corp. Diplom. tom. iv. suppl. p. 96.
u Belcarii Comment. de Reb. Gallic. 483.
x P. Heuter. Rer. Austr. lib. viii. c. 11. p. 197.
y P. Mart. Ep. 735.
z Ibid. 721.

past misconduct by its present zeal; the other, that it might add to the merit of having subdued the emperor's rebellious subjects, that of repulsing his foreign enemies. The sudden advance of their troops, together with the gallant defence made by the inhabitants of Logrogno, obliged the French general to abandon his rash enterprise. The Spanish army, which increased every day, harassing him during his retreat, he, instead of taking shelter under the cannon of Pampeluna, or waiting the arrival of some troops which were marching to join him, attacked the Spaniards, though far superior to him in number, with great impetuosity, but with so little conduct, that his forces were totally routed, he himself, together with his principal officers, was taken prisoner, and Spain recovered possession of Navarre in still shorter time than the French had spent in the conquest of it.[b]

They are defeated and driven out of Navarre.

While Francis endeavoured to justify his invasion of Navarre, by carrying it on in the name of Henry d'Albert, he had recourse to an artifice much of the same kind, in attacking another part of the emperor's territories. Robert de la Mark, lord of the small but independent territory of Bouillon, situated on the frontiers of Luxembourg and Champagne, having abandoned Charles's service on account of an encroachment which the Aulic council had made on his jurisdiction, and having thrown himself upon France for protection, was easily persuaded, in the heat of his resentment, to send a herald to Worms, and to declare war against the emperor in form. Such extravagant insolence in a petty prince surprised Charles, and appeared to him a certain proof of his having received promises of powerful support from the French king. The justness of this conclusion soon became evident. Robert entered the duchy of Luxembourg with troops levied in France by the king's connivance, though seemingly in contradiction to his orders, and, after ravaging the open country, laid siege to Vireton. Of this Charles complained loudly, as a direct violation of the peace subsisting between the two crowns; and summoned Henry VIII., in terms of the treaty concluded at London in the year one thousand five hundred and eighteen, to turn his arms against Francis as the first aggressor. Francis pretended that he was not answerable for Robert's conduct, whose army fought under his own standards and in his own quarrel; and affirmed that, contrary to an express prohibition, he had seduced some subjects of France into his service; but Henry paid so little regard to this evasion, that the French king, rather than irritate a prince whom he still hoped to gain, commanded De la Mark to disband his troops.[c]

Hostilities begun in the Low Countries.

The emperor, meanwhile, was assembling an army to chastise Robert's insolence. Twenty thousand men, under the count of Nassau, invaded his little territories, and in a few days became masters of every place in them but Sedan. After making him feel so sensibly the weight of his master's indignation, Nassau advanced towards the frontiers of France, and Charles, knowing that he might presume so far on Henry's partiality in his favour as not to be overawed by the same fears which had restrained Francis, ordered his general to besiege Mouson. The cowardice of the garrison having obliged the governor to surrender almost without resistance, Nassau invested Mezieres, a place at that time of no considerable strength, but so advantageously situated, that by getting possession of it the imperial army might have penetrated into the heart of Champagne, in which there was hardly any other town capable of obstructing its progress. Happily for France, its monarch, sensible of the importance of this fortress, and of the danger to which it was exposed, committed the defence of it to the chevalier Bayard, distinguished among his contemporaries by the appellation of *The knight without fear and without reproach*.[d] This man, whose prowess in combat, whose punctilious honour and formal gallantry, bear a nearer resemblance than any thing recorded in history to the character ascribed to the heroes of chivalry, possessed all the talents which form a great general. These he had many occasions of exerting in the defence of Mezieres; partly by his valour, partly by his conduct, he protracted the siege to a great length, and in the end obliged the imperialists to raise it with disgrace and loss.[e] Francis, at the head of a numerous army, soon retook Mouson, and entering the Low Countries, made several conquests of small importance. In the neighbourhood of Valenciennes, through an excess of caution, an error with which he cannot be often charged, he lost an opportunity of cutting off the whole imperial army;[f] and what was still more unfortunate, he disgusted Charles, duke of Bourbon, high constable of France, by giving the command of the van to the duke d'Alençon, though this post of honour belonged to Bourbon, as a prerogative of his office.

Siege of Mezieres by the imperialists:

raised.

During these operations in the field, a congress was held at Calais under the mediation of Henry VIII., in order to bring all differences to an amicable issue; and if the intentions of the mediator had corresponded in any degree to his professions, it could hardly have failed of producing some good effect. But Henry committed the sole management of the negociation, with unlimited powers, to Wolsey; and this choice alone was sufficient to have rendered it abortive. That prelate, bent on attaining the papal crown, the great object of his ambition, and ready to sacrifice every thing in order to gain the emperor's interest, was so little

August. Congress at Calais under the mediation of England.

b Mem. de Bellay, p. 21. P. Mart. Ep. 726.
c Mem. de Bellay, p. 22, &c. Mem. de Fleuranges, p. 335, &c.
d Œuvres de Brantome, tom. vi. 114. e Mem. de Bellay, p. 25, &c.
f P. Mart. Ep. 747. Mem. de Bellay, 35.

able to conceal his partiality, that if Francis had not been well acquainted with his haughty and vindictive temper, he would have declined his mediation. Much time was spent in inquiring who had begun hostilities, which Wolsey affected to represent as the principal point; and by throwing the blame of that on Francis, he hoped to justify, by the treaty of London, any alliance into which his master should enter with Charles. The conditions on which hostilities might be terminated came next to be considered; but with regard to these the emperor's proposals were such as discovered either that he was utterly averse to peace, or that he knew Wolsey would approve of whatever terms should be offered in his name. He demanded the restitution of the duchy of Burgundy, a province the possession of which would have given him access into the heart of France; and required to be released from the homage due to the crown of France for the counties of Flanders and Artois, which none of his ancestors had ever refused, and which he had bound himself by the treaty of Noyon to renew. These terms, to which an high-spirited prince would scarcely have listened, after the disasters of an unfortunate war Francis rejected with great disdain; and Charles showing no inclination to comply with the more equal and moderate propositions of the French monarch, that he should restore Navarre to its lawful prince, and withdraw his troops from the siege of Tournay, the congress broke up without any other effect than that which attends unsuccessful negociations, the exasperating of the parties whom it was intended to reconcile.[g]

without any effect.

League against France between the emperor and Henry VIII.

During the continuance of the congress, Wolsey, on pretence that the emperor himself would be more willing to make more reasonable concessions than his ministers, made an excursion to Bruges, to meet that monarch. He was received by Charles, who knew his vanity, with as much respect and magnificence as if he had been king of England. But instead of advancing the treaty of peace by this interview, Wolsey, in his master's name, concluded a league with the emperor against Francis; in which it was stipulated, that Charles should invade France on the side of Spain, and Henry in Picardy, each with an army of forty thousand men; and that, in order to strengthen their union, Charles should espouse the princess Mary, Henry's only child, and the apparent heir of his dominions.[h] Henry produced no better reasons for this measure, equally unjust and impolitic, than the article in the treaty of London, by which he pretended that he was bound to take arms against the French king as the first aggressor; and the injury which he alleged Francis had done him, in permitting the duke of Albany, the head of a faction in Scotland which opposed the interest of England, to return into that kingdom. He was influenced, however, by other considerations. The advantages which accrued to his subjects from maintaining an exact neutrality, or the honour that resulted to himself from acting as the arbiter between the contending princes, appeared to his youthful imagination so inconsiderable when compared with the glory which might be reaped from leading armies or conquering provinces, that he determined to remain no longer in a state of inactivity. Having once taken this resolution, his inducements to prefer an alliance with Charles were obvious. He had no claim upon any part of that prince's dominions, most of which were so situated that he could not attack them without great difficulty and disadvantage; whereas several maritime provinces of France had been long in the hands of the English monarchs, whose pretensions even to the crown of that kingdom were not as yet altogether forgotten; and the possession of Calais not only gave him easy access into some of those provinces, but, in case of any disaster, afforded him a secure retreat. While Charles attacked France on one frontier, Henry flattered himself that he should find little resistance on the other, and that the glory of reannexing to the crown of England the ancient inheritance of its monarchs on the continent was reserved for his reign. Wolsey artfully encouraged these vain hopes, which led his master into such measures as were most subservient to his own secret schemes; and the English, whose hereditary animosity against the French was apt to rekindle on every occasion, did not disapprove of the martial spirit of their sovereign.

Hostilities in Italy.

Meanwhile the league between the pope and the emperor produced great effects in Italy, and rendered Lombardy the chief theatre of war. There was at that time such contrariety between the character of the French and the Italians, that the latter submitted to the government of the former with greater impatience than they expressed under the dominion of other foreigners. The phlegm of the Germans and gravity of the Spaniards suited their jealous temper and ceremonious manners better than the French gaiety, too prone to gallantry, and too little attentive to decorum. Lewis XII., however, by the equity and gentleness of his administration, and by granting the Milanese more extensive privileges than those they had enjoyed under their native princes, had overcome, in a great measure, their prejudices, and reconciled them to the French government. Francis, on recovering that duchy, did not imitate the example of his predecessor. Though too generous himself to oppress his people, his boundless confidence in his favourites, and his negligence in examining into the conduct of those whom he intrusted with power, imboldened them to venture upon any acts of oppression. The government of Milan was committed by him to Odet de Foix, Mareschal de Lautrec, another brother of Madame de Chateaubriand, an officer of great experience and reputation, but haughty, imperious,

g P. Mart. Ep. 739. Herbert.

h Rymer Fœder. xiii. Herbert.

rapacious, and incapable either of listening to advice or of bearing contradiction. His insolence and exactions totally alienated the affections of the Milanese from France, drove many of the considerable citizens into banishment, and forced others to retire for their own safety. Among the last was Jerome Moroné, vice-chancellor of Milan, a man whose genius for intrigue and enterprise distinguished him in an age and country where violent factions as well as frequent revolutions affording great scope for such talents, produced or called them forth in great abundance. He repaired to Francis Sforza, whose brother Maximilian he had betrayed; and suspecting the pope's intention of attacking the Milanese, although his treaty with the emperor was not yet made public, he proposed to Leo, in the name of Sforza, a scheme for surprising several places in that duchy by means of the exiles, who, from hatred to the French, and from attachment to their former masters, were ready for any desperate enterprise. Leo not only encouraged the attempt, but advanced a considerable sum towards the execution of it; and when, through unforeseen accidents, it failed of success in every part, he allowed the exiles, who had assembled in a body, to retire to Reggio, which belonged at that time to the church. The Mareschal de Foix, who commanded at Milan in absence of his brother Lautrec, who was then in France, tempted with the hopes of catching at once, as in a snare, all the avowed enemies of his master's government in that country, ventured to march into the ecclesiastical territories, and to invest Reggio. But the vigilance and good conduct of Guicciardini the historian, governor of that place, obliged the French general to abandon the enterprise with disgrace.[i] Leo, on receiving this intelligence, with which he was highly pleased, as it furnished him a decent pretence for a rupture with France, immediately assembled the consistory of cardinals. After complaining bitterly of the hostile intentions of the French king, and magnifying the emperor's zeal for the church, of which he had given a recent proof by his proceedings against Luther, he declared that he was constrained in self-defence, and as the only expedient for the security of the ecclesiastical state, to join his arms to those of that prince. For this purpose he now pretended to conclude a treaty with Don John Manuel, although it had really been signed some months before this time; and he publicly excommunicated de Foix, as an impious invader of St. Peter's patrimony.

The Milanese disgusted with the French government.

June 24.

The pope declares against Francis.

War in the Milanese.

Leo had already begun preparations for war by taking into pay a considerable body of Swiss; but the imperial troops advanced so slowly from Naples and Germany, that it was the middle of autumn before the army took the field under the command of Prosper Colonna, the most eminent of the Italian generals, whose extreme caution, the effect of long experience in the art of war, was opposed with great propriety to the impetuosity of the French. In the mean time De Foix despatched courier after courier to inform the king of the danger which was approaching. Francis, whose forces were either employed in the Low Countries or assembling on the frontiers of Spain, and who did not expect so sudden an attack in that quarter, sent ambassadors to his allies the Swiss, to procure from them the immediate levy of an additional body of troops; and commanded Lautrec to repair forthwith to his government. That general, who was well acquainted with the great neglect of economy in the administration of the king's finances, and who knew how much the troops in the Milanese had already suffered from the want of their pay, refused to set out unless the sum of three hundred thousand crowns was immediately put into his hands. But the king, Louise of Savoy his mother, and Semblancy the superintendant of finances, having promised, even with an oath, that on his arrival at Milan he should find remittances for the sum which he demanded, upon the faith of this he departed. Unhappily for France, Louise, a woman deceitful, vindictive, rapacious, and capable of sacrificing any thing to the gratification of her passions, but who had acquired an absolute ascendant over her son by her maternal tenderness, her care of his education, and her great abilities, was resolved not to perform this promise. Lautrec having incurred her displeasure by his haughtiness in neglecting to pay court to her, and by the freedom with which he had talked concerning some of her adventures in gallantry, she, in order to deprive him of the honour which he might have gained by a successful defence of the Milanese, seized the three hundred thousand crowns destined for that service, and detained them for her own use.

Progress of the imperialists.

Lautrec, notwithstanding this cruel disappointment, found means to assemble a considerable army, though far inferior in number to that of the confederates. He adopted the plan of defence most suitable to his situation, avoiding a pitched battle with the greatest care, while he harassed the enemy continually with his light troops, beat up their quarters, intercepted their convoys, and covered or relieved every place which they attempted to attack. By this prudent conduct he not only retarded their progress, but would have soon wearied out the pope, who had hitherto defrayed almost the whole expense of the war, as the emperor, whose revenues in Spain were dissipated during the commotions in that country, and who was obliged to support a numerous army in the Netherlands, could not make any considerable remittances into Italy. But an unforeseen accident disconcerted all his measures, and occasioned a fatal reverse in the French affairs. A body of twelve thousand Swiss served in Lautrec's army under the banners of the republic, with which France

i Guic. lib. xiv. 183. Mem. de Bellay, p. 38, &c.

was in alliance. In consequence of a law, no less political than humane, established among the cantons, their troops were never hired out by public authority to both the contending parties in any war. This law, however, the love of gain had sometimes eluded, and private persons had been allowed to enlist in what service they pleased, though not under the public banners, but under those of their particular officers. The cardinal of Sion, who still preserved his interest among his countrymen and his enmity to France, having prevailed on them to connive at a levy of this kind, twelve thousand Swiss, instigated by him, joined the army of the confederates. But the leaders in the cantons, when they saw so many of their countrymen marching under the hostile standards, and ready to turn their arms against each other, became so sensible of the infamy to which they would be exposed by permitting this, as well as the loss they might suffer, that they despatched couriers commanding their people to leave both armies, and to return forthwith into their own country. The cardinal of Sion, however, had the address, by corrupting the messengers appointed to carry this order, to prevent it from being delivered to the Swiss in the service of the confederates; but being intimated in due form to those in the French army, they, fatigued with the length of the campaign, and murmuring for want of pay, instantly yielded obedience in spite of Lautrec's remonstrances and entreaties.

After the desertion of a body which formed the strength of his army, Lautrec durst no longer face the confederates. He retired towards Milan, encamped on the banks of the Adda, and placed his chief hopes of safety in preventing the enemy from passing that river; an expedient for defending a country so precarious, that there are few instances of its being employed with success against any general of experience or abilities. Accordingly Colonna, notwithstanding Lautrec's vigilance and activity, passed the Adda with little loss, and obliged him to shut himself up within the walls of Milan, which the confederates were preparing to besiege, when an unknown person, who never afterwards appeared either to boast of this service or to claim a reward for it, came from the city, and acquainted Moroné, that if the army would advance that night, the Ghibelline or imperial faction would put them in possession of one of the gates. Colonna, though no friend to rash enterprises, allowed the marquis de Pescara to advance with the Spanish infantry, and he himself followed with the rest of his troops. About the beginning of night, Pescara arriving at the Roman gate in the suburbs, surprised the soldiers whom he found there; those posted in the fortifications adjoining to it immediately fled; the marquis, seizing the works which they abandoned, and pushing forward incessantly, though with no less caution than vigour, became master of the city with little bloodshed, and almost without resistance; the victors being as much astonished as the vanquished at the facility and success of the attempt. Lautrec retired precipitately towards the Venetian territories with the remains of his shattered army; the cities of the Milanese, following the fate of the capital, surrendered to the confederates; Parma and Placentia were united to the ecclesiastical state; and of all their conquests in Lombardy, only the town of Cremona, the castle of Milan, and a few inconsiderable forts, remained in the hands of the French.[k]

Become masters of Milan.

Leo received the accounts of this rapid succession of prosperous events with such transports of joy, as brought on (if we may believe the French historians) a slight fever, which being neglected, occasioned his death on the second of December, while he was still of a vigorous age and at the height of his glory. By this unexpected accident the spirit of the confederacy was broken and its operation suspended. The cardinals of Sion and Medici left the army that they might be present in the conclave; the Swiss were recalled by their superiors; some other mercenaries disbanded for want of pay; and only the Spaniards and a few Germans in the emperor's service remained to defend the Milanese. But Lautrec, destitute both of men and of money, was unable to improve this favourable opportunity in the manner which he would have wished. The vigilance of Moroné, and the good conduct of Colonna, disappointed his feeble attempts on the Milanese. Guicciardini, by his address and valour, repulsed a bolder and more dangerous attack which he made on Parma.[l]

Death of Leo X.

1522.

Great discord prevailed in the conclave which followed upon Leo's death, and all the arts natural to men grown old in intrigue, when contending for the highest prize an ecclesiastic can obtain, were practised. Wolsey's name, notwithstanding all the emperor's magnificent promises to favour his pretensions, of which that prelate did not fail to remind him, was hardly mentioned in the conclave. Julio, cardinal de Medici, Leo's nephew, who was more eminent than any other member of the sacred college for his abilities, his wealth, and his experience in transacting great affairs, had already secured fifteen voices, a number sufficient, according to the forms of the conclave, to exclude any other candidate, though not to carry his own election. As he was still in the prime of life, all the aged cardinals combined against him, without being united in favour of any other person. While these factions were endeavouring to gain, to corrupt, or to weary out each other, Medici and his adherents voted one morning at the scrutiny, which, according to form, was made every day, for cardinal Adrian of Utrecht, who at that time governed Spain in the emperor's

Adrian elected pope.

k Guic. l. xiv. 190, &c. Mem. de Bellay, 42, &c. Galeacii Capella, de reb. gest. pro restitut. Fran. Sforitæ Comment. ap. Scardium, vol. ii. 180, &c.

l Guic. l. xiv. 214.

name. This they did merely to protract time. But the adverse party instantly closing with them, to their own amazement and that of all Europe, a stranger to Italy, unknown to the persons who gave their suffrages in his favour, and unacquainted with the manners of the people or the interest of the state the government of which they conferred upon him, was unanimously raised to the papal throne, at a juncture so delicate and critical, as would have demanded all the sagacity and experience of one of the most able prelates in the sacred college. The cardinals themselves, unable to give a reason for this strange choice, on account of which, as they marched in procession from the conclave, they were loaded with insults and curses by the Roman people, ascribed it to an immediate impulse of the Holy Ghost. It may be imputed with greater certainty to the influence of Don John Manuel, the imperial ambassador, who by his address and intrigues facilitated the election of a person devoted to his master's service, from gratitude, from interest, and from inclination.[m]

January 9.

War renewed in the Milanese.

Beside the influence which Charles acquired by Adrian's promotion, it threw great lustre on his administration. To bestow on his preceptor such a noble recompence, and to place on the papal throne one whom he had raised from obscurity, were acts of uncommon magnificence and power. Francis observed, with the sensibility of a rival, the pre-eminence which the emperor was gaining, and resolved to exert himself with fresh vigour, in order to wrest from him his late conquests in Italy. The Swiss, that they might make some reparation to the French king for having withdrawn their troops from his army so unseasonably as to occasion the loss of the Milanese, permitted him to levy ten thousand men in the republic. Together with this reinforcement, Lautrec received from the king a small sum of money, which enabled him once more to take the field; and, after seizing by surprise or force several places in the Milanese, to advance within a few miles of the capital. The confederate army was in no condition to obstruct his progress; for though the inhabitants of Milan, by the artifices of Moroné, and by the popular declamations of a monk whom he employed, were inflamed with such enthusiastic zeal against the French government that they consented to raise extraordinary contributions, Colonna must soon have abandoned the advantageous camp which he had chosen at Bicocca, and have dismissed his troops for want of pay, if the Swiss in the French service had not once more extricated him out of his difficulties.

The French defeated in the battle of Bicocca:

The insolence or caprice of those mercenaries was often no less fatal to their friends, than their valour and discipline were formidable to their enemies. Having now served some months without pay, of which they complained loudly, a sum destined for their use was sent from France under a convoy of horse; but Moroné, whose vigilant eye nothing escaped, posted a body of troops in their way, so that the party which escorted the money durst not advance. On receiving intelligence of this, the Swiss lost all patience, and officers as well as soldiers crowding around Lautrec, threatened with one voice instantly to retire, if he did not either advance the pay which was due, or promise to lead them next morning to battle. In vain did Lautrec remonstrate against these demands, representing to them the impossibility of the former and the rashness of the latter, which must be attended with certain destruction, as the enemy occupied a camp naturally of great strength, and which by art they had rendered almost inaccessible. The Swiss, deaf to reason, and persuaded that their valour was capable of surmounting every obstacle, renewed their demand with great fierceness, offering themselves to form the vanguard and to begin the attack. Lautrec, unable to overcome their obstinacy, complied with their request, hoping, perhaps, that some of those unforeseen accidents which so often determine the fate of battles might crown this rash enterprise with undeserved success, and convinced that the effects of a defeat could not be more fatal than those which would certainly follow upon the retreat of a body which composed one-half of his army.

May.

Next morning the Swiss were early in the field, and marched with the greatest intrepidity against an enemy deeply intrenched on every side, surrounded with artillery, and prepared to receive them. As they advanced they sustained a furious canonnade with great firmness; and, without waiting for their own artillery, rushed impetuously upon the intrenchments. But after incredible efforts of valour, which were seconded with great spirit by the French, having lost their bravest officers and best soldiers, and finding that they could make no impression on the enemy's works, they sounded a retreat; leaving the field of battle, however, like men repulsed but not vanquished, in close array, and without receiving any molestation from the enemy.

driven out of the Milanese:

Next day such as survived set out for their own country; and Lautrec, despairing of being able to make any further resistance, retired into France, after throwing garrisons into Cremona and a few other places; all which, except the citadel of Cremona, Colonna soon obliged to surrender.

lose Genoa.

Genoa, however, and its territories, remaining subject to France, still gave Francis considerable footing in Italy, and made it easy for him to execute any scheme for the recovery of the Milanese. But Colonna, rendered enterprising by continual success, and excited by the solicitations of the faction of the Adorni, the hereditary enemies of the Fregosi, who, under the protection of France, possessed the chief authority in Genoa,

m Germ. Moringi Vita Hadriani, ap. Casp. Burman. in Analect. de Hadr. p. 52. Conclave Hadr. Ibid. p. 144, &c.

determined to attempt the reduction of that state; and accomplished it with amazing facility. He became master of Genoa by an accident as unexpected as that which had given him possession of Milan; and, almost without opposition or bloodshed, the power of the Adorni, and the authority of the emperor, were established in Genoa.[n]

Henry VIII. declares war against France, May 29.

Such a cruel succession of misfortunes affected Francis with deep concern, which was not a little augmented by the unexpected arrival of an English herald, who, in the name of his sovereign, declared war in form against France. This step was taken in consequence of the treaty which Wolsey had concluded with the emperor at Bruges, and which had hitherto been kept secret. Francis, though he had reason to be surprised with this denunciation, after having been at such pains to soothe Henry and to gain his minister, received the herald with great composure and dignity;[o] and, without abandoning any of the schemes which he was forming against the emperor, began vigorous preparations for resisting this new enemy. His treasury, however, being exhausted by the efforts which he had already made, as well as by the sums he expended on his pleasures, he had recourse to extraordinary expedients for supplying it. Several new offices were created and exposed to sale; the royal demesnes were alienated; unusual taxes were imposed; and the tomb of St. Martin was stripped of a rail of massive silver, with which Louis XI., in one of his fits of devotion, had encircled it. By means of these expedients he was enabled to levy a considerable army, and to put the frontier towns in a good posture of defence.

Charles visits England.

The emperor, meanwhile, was no less solicitous to draw as much advantage as possible from the accession of such a powerful ally; and the prosperous situation of his affairs at this time permitting him to set out for Spain, where his presence was extremely necessary, he visited the court of England in his way to that country. He proposed by this interview not only to strengthen the bonds of friendship which united him with Henry, and to excite him to push the war against France with vigour, but hoped to remove any disgust or resentment that Wolsey might have conceived on account of the mortifying disappointment which he had met with in the late conclave. His success exceeded his most sanguine expectations; and, by his artful address, during a residence of six weeks in England, he gained not only the king and the minister, but the nation itself. Henry, whose vanity was sensibly flattered by such a visit, as well as by the studied respect with which the emperor treated him on every occasion, entered warmly into all his schemes. The cardinal foreseeing, from Adrian's age and infirmities, a sudden vacancy in the papal see, dissembled or forgot his resentment; and as Charles, besides augmenting the pensions which he had already settled on him, renewed his promise of favouring his pretensions to the papacy with all his interest, he endeavoured to merit the former, and to secure the accomplishment of the latter by fresh services. The nation, sharing in the glory of its monarch, and pleased with the confidence which the emperor placed in the English by creating the earl of Surrey his high-admiral, discovered no less inclination to commence hostilities than Henry himself.

The English invade France with little success.

In order to give Charles, before he left England, a proof of this general ardour, Surrey sailed with such forces as were ready, and ravaged the coasts of Normandy. He then made a descent on Bretagne, where he plundered and burnt Morlaix, and some other places of less consequence. After these slight excursions, attended with greater dishonour than damage to France, he repaired to Calais, and took the command of the principal army, consisting of sixteen thousand men; with which, having joined the Flemish troops under the count de Buren, he advanced into Picardy. The army which Francis had assembled was far inferior in number to these united bodies. But during the long wars between the two nations, the French had discovered the proper method of defending their country against the English. They had been taught by their misfortunes to avoid a pitched battle with the utmost care, and to endeavour, by throwing garrisons into every place capable of resistance, by watching all the enemy's motions, by intercepting their convoys, attacking their advanced posts, and harassing them continually with their numerous cavalry, to ruin them with the length of the war, or to beat them by piece-meal. This plan the duke of Vendôme, the French general in Picardy, pursued with no less prudence than success; and not only prevented Surrey from taking any town of importance, but obliged him to retire with his army greatly reduced by fatigue, by want of provisions, and by the loss which it had sustained in several unsuccessful skirmishes.

Thus ended the second campaign, in a war the most general that had hitherto been kindled in Europe; and though Francis, by his mother's ill-timed resentment, by the disgusting insolence of his general, and the caprice of the mercenary troops which he employed, had lost his conquests in Italy, yet all the powers combined against him had not been able to make any impression on his hereditary dominions; and wherever they either intended or attempted an attack, he was well prepared to receive them.

Solyman's conquest of Rhodes.

While the christian princes were thus wasting each other's strength, Solyman the magnificent entered Hungary with a numerous army, and investing Belgrade, which was deemed the chief barrier of that kingdom against the Turkish arms, soon forced it to surrender. Encouraged by this success, he turned his victorious arms against the island of Rhodes, the seat, at that

n Jovii Vita Ferdin. Davali, p. 344. Guic. l. xiv. 233.

o Journal de Louise de Savoie, p. 119.

time, of the knights of St. John of Jerusalem. This small state he attacked with such a numerous army as the lords of Asia have been accustomed, in every age, to bring into the field. Two hundred thousand men, and a fleet of four hundred sail, appeared against a town defended by a garrison consisting of five thousand soldiers and six hundred knights, under the command of Villiers de L'Isle Adam, the grand master, whose wisdom and valour rendered him worthy of that station at such a dangerous juncture. No sooner did he begin to suspect the destination of Solyman's vast armaments, than he despatched messengers to all the christian courts, imploring their aid against the common enemy. But though every prince, in that age, acknowledged Rhodes to be the great bulwark of Christendom in the east, and trusted to the gallantry of its knights as the best security against the progress of the Ottoman arms; though Adrian, with a zeal which became the head and father of the church, exhorted the contending powers to forget their private quarrels, and, by uniting their arms, to prevent the infidels from destroying a society which did honour to the christian name; yet so violent and implacable was the animosity of both parties, that, regardless of the danger to which they exposed all Europe, and unmoved by the entreaties of the grand master, or the admonitions of the pope, they suffered Solyman to carry on his operations against Rhodes without disturbance. The grand master, after incredible efforts of courage, of patience, and of military conduct, during a siege of six months; after sustaining many assaults, and disputing every post with amazing obstinacy, was obliged at last to yield to numbers; and having obtained an honourable capitulation from the sultan, who admired and respected his virtue, he surrendered the town, which was reduced to a heap of rubbish, and destitute of every resource.[p] Charles and Francis, ashamed of having occasioned such a loss to Christendom by their ambitious contests, endeavoured to throw the blame of it on each other, while all Europe, with greater justice, imputed it equally to both. The emperor, by way of reparation, granted the knights of St. John the small island of Malta, in which they fixed their residence, retaining, though with less power and splendour, their ancient spirit, and implacable enmity to the infidels.

BOOK III.

Civil war in Castile.

CHARLES having had the satisfaction of seeing hostilities begun between France and England, took leave of Henry, and arrived in Spain on the seventeenth of June. He found that country just beginning to recover order and strength after the miseries of a civil war, to which it had been exposed during his absence; an account of the rise and progress of which, as it was but little connected with other events which happened in Europe, hath been reserved to this place.

Insurrection of Toledo; May, 1520.

No sooner was it known that the Cortes assembled in Galicia had voted the emperor a *free gift*, without obtaining the redress of any one grievance, than it excited universal indignation. The citizens of Toledo, who considered themselves, on account of the great privileges which they enjoyed, as guardians of the liberties of the Castilian commons, finding that no regard was paid to the remonstrances of their deputies against that unconstitutional grant, took arms with tumultuary violence, and seizing the gates of the city, which were fortified, attacked the Al-cazar, or castle, which they soon obliged the governor to surrender. Imboldened by this success, they deprived of all authority every person whom they suspected of any attachment to the court, established a popular form of government, composed of deputies from the several parishes in the city, and levied troops in their own defence. The chief leader of the people, in these insurrections, was Don John de Padilla, the eldest son of the commendator of Castile, a young nobleman of a generous temper, of undaunted courage, and possessed of the talents, as well as of the ambition, which, in times of civil discord, raise men to power and eminence.[a]

of Segovia.

The resentment of the citizens of Segovia produced effects still more fatal. Tordesillas, one of their representatives in the late Cortes, had voted for the donative, and being a bold and haughty man, ventured, upon his return, to call together his fellow-citizens in the great church, that he might give them, according to custom, an account of his conduct in that assembly. But the multitude, unable to bear his insolence in attempting to justify what they thought inexcusable, burst open the gates of the church with the utmost fury, and seizing the unhappy Tordesillas, dragged him through the streets, with a thousand curses and insults, towards the place of public execution. In vain did the dean and canons come forth in procession with the holy sacrament in order to appease their rage. In vain did the monks of those monasteries by which they passed conjure them on their knees to spare his life, or at least to allow him time to confess, and to receive absolution of his sins. Without listening to the dictates either of humanity or religion, they cried out, "That the hangman alone could absolve such a traitor to his country;" they then hurried him along with greater violence; and perceiving that he had expired under their hands, they hung him up, with his head downwards, on the common gibbet.[b] The same spirit seized the inhabitants of Burgos, Zamora, and several other cities; and though their representatives, taking warning from the fate of Tordesillas, had been so

p Fontanus de Bello Rhodio, ap. Scard. Script. Rer. German. vol. ii. p. 88. P. Barre Hist. d'Allem. tom. viii. 57.

a Sandov. p. 77.

b P. Martyr. Ep. 671.

wise as to save themselves by a timely flight, they were burnt in effigy, their houses razed to the ground, and their effects consumed with fire; and such was the horror which the people had conceived against them as betrayers of the public liberty, that not one in those licentious multitudes would touch any thing, however valuable, which had belonged to them.[c]

Measures of Adrian in order to punish them: June 5, 1520.

Adrian, at that time regent of Spain, had scarcely fixed the seat of his government at Valladolid, when he was alarmed with an account of these insurrections. He immediately assembled the privy council to deliberate concerning the proper method of suppressing them. The counsellors differed in opinion; some insisting that it was necessary to check this audacious spirit in its infancy by a severe execution of justice; others advising to treat with lenity a people who had some reason to be incensed, and not to drive them beyond all the bounds of duty by an ill-timed rigour. The sentiments of the former, being warmly supported by the archbishop of Grenada, president of the council, a person of great authority, but choleric and impetuous, were approved by Adrian, whose zeal to support his master's authority hurried him into a measure to which, from his natural caution and timidity, he would otherwise have been averse. He commanded Ronquillo, one of the king's judges, to repair instantly to Segovia, which had set the first example of mutiny, and to proceed against the delinquents according to law; and lest the people should be so outrageous as to resist his authority, a considerable body of troops was appointed to attend him. The Segovians, foreseeing what they might expect from a judge so well known for his austere and unforgiving temper, took arms with one consent, and having mustered twelve thousand men, shut their gates against him. Ronquillo, enraged at this insult, denounced them rebels and outlaws, and his troops seizing all the avenues to the town, hoped that it would soon be obliged to surrender for want of provisions. The inhabitants, however, defended themselves with vigour, and having received a considerable reinforcement from Toledo, under the command of Padilla, attacked Ronquillo, and forced him to retire with the loss of his baggage and military chest.[d]

His troops repulsed to Segovia,

and at Medina del Campo.

Upon this, Adrian ordered Antonio de Fonseca, whom the emperor had appointed commander-in-chief of the forces in Castile, to assemble an army, and to besiege Segovia in form. But the inhabitants of Medina del Campo, where cardinal Ximenes had established a vast magazine of military stores, would not suffer him to draw from it a train of battering cannon, or to destroy their countrymen with those arms which had been prepared against the enemies of the kingdom. Fonseca, who could not execute his orders without artillery, determined to seize the magazine by force; and the citizens standing on their defence, he assaulted the town with great briskness; but his troops were so warmly received, that, despairing of carrying the place, he set fire to some of the houses, in hopes that the citizens would abandon the walls, in order to save their families and effects. Instead of that, the expedient to which he had recourse served only to increase their fury, and he was repulsed with great disgrace, while the flames, spreading from street to street, reduced to ashes almost the whole town, one of the most considerable at that time in Spain, and the great mart for the manufactories of Segovia and several other cities. As the warehouses were then filled with goods for the approaching fair, the loss was immense, and was felt universally. This, added to the impression which such a cruel action made on a people long unaccustomed to the horrors of civil war, enraged the Castilians almost to madness. Fonseca became the object of general hatred, and was branded with the name of incendiary and enemy to his country. Even the citizens of Valladolid, whom the presence of the cardinal had hitherto restrained, declared that they could no longer remain inactive spectators of the sufferings of their countrymen. Taking arms with no less fury than the other cities, they burnt Fonseca's house to the ground, elected new magistrates, raised soldiers, appointed officers to command them, and guarded their walls with as much diligence as if an enemy had been ready to attack them.

Aug. 21.

Adrian disbands his troops.

The cardinal, though virtuous and disinterested, and capable of governing the kingdom with honour in times of tranquillity, possessed neither the courage nor the sagacity necessary at such a dangerous juncture. Finding himself unable to check these outrages committed under his own eye, he attempted to appease the people, by protesting that Fonseca had exceeded his orders, and had by his rash conduct offended him as much as he had injured them. This condescension, the effect of irresolution and timidity, rendered the malcontents bolder and more insolent; and the cardinal having soon after recalled Fonseca, and dismissed his troops, which he could no longer afford to pay, as the treasury, drained by the rapaciousness of the Flemish ministers, had received no supply from the great cities, which were all in arms, the people were left at full liberty to act without control, and scarcely any shadow of power remained in his hands.

The views and pretensions of the commons of Castile.

Nor were the proceedings of the commons the effect merely of popular and tumultuary rage; they aimed at obtaining redress of their political grievances, and an establishment of public liberty on a secure basis, objects worthy of all the zeal which they discovered in contending for them. The feudal government in Spain was at that time in a state more favourable to liberty than in any other of the great European kingdoms. This was owing chiefly to the number

c Sandov. 103. P. Mart. Ep. 674.

d Sandov. 112. P. Mart. Ep. 679. Miniana, Contin. p. 15.

of great cities in that country, a circumstance I have already taken notice of, and which contributes more than any other to mitigate the rigour of the feudal institutions, and to introduce a more liberal and equal form of government. The inhabitants of every city formed a great corporation, with valuable immunities and privileges; they were delivered from a state of subjection and vassalage; they were admitted to a considerable share in the legislature; they had acquired the arts of industry, without which cities cannot subsist; they had accumulated wealth by engaging in commerce; and being free and independent themselves, were ever ready to act as the guardians of the public freedom and independence. The genius of the internal government established among the inhabitants of cities, which, even in countries where despotic power prevails most, is democratical and republican, rendered the idea of liberty familiar and dear to them. Their representatives in the Cortes were accustomed, with equal spirit, to check the encroachments of the king and the oppression of the nobles. They endeavoured to extend the privileges of their own order; they laboured to shake off the remaining encumbrances with which the spirit of feudal policy, favourable only to the nobles, had burdened them; and conscious of being one of the most considerable orders in the state, were ambitious of becoming the most powerful.

Their confederacy by the name of the Holy Junta.

The present juncture appeared favourable for pushing any new claim. Their sovereign was absent from his dominions; by the ill conduct of his ministers he had lost the esteem and affection of his subjects; the people, exasperated by many injuries, had taken arms, though without concert, almost by general consent; they were animated with rage capable of carrying them to the most violent extremes; the royal treasury was exhausted; the kingdom destitute of troops; and the government committed to a stranger, of great virtue indeed, but of abilities unequal to such a trust. The first care of Padilla and the other popular leaders, who observed and determined to improve these circumstances, was to establish some form of union or association among the malcontents, that they might act with greater regularity, and pursue one common end; and as the different cities had been prompted to take arms by the same motives, and were accustomed to consider themselves a distinct body from the rest of the subjects, they did not find this difficult. A general convention was appointed to be held at Avila. Deputies appeared there in name of almost all the cities entitled to have representatives in the Cortes. They all bound themselves by solemn oath to live and die in the service of the king, and in defence of the privileges of their order; and assuming the name of the Holy *Junta*, or Association, proceeded to deliberate concerning the state of the nation, and the proper method of redressing its grievances. The first that naturally presented itself was the nomination of a foreigner to be regent; this they declared with one voice to be a violation of the fundamental laws of the kingdom, and resolved to send a deputation of their members to Adrian, requiring him in their name to lay aside all the ensigns of his office, and to abstain for the future from the exercise of a jurisdiction which they had pronounced illegal.[e]

They disclaim Adrian's authority;

While they were preparing to execute this bold resolution, Padilla accomplished an enterprise of the greatest advantage to the cause. After relieving Segovia, he marched suddenly to Tordesillas, the place where the unhappy queen Joanna had resided since the death of her husband, and being favoured by the inhabitants, was admitted into the town, and became master of her person, for the security of which Adrian had neglected to take proper precautions.[f] Padilla waited immediately upon the queen, and accosting her with that profound respect which she exacted from the few persons whom she deigned to admit into her presence, acquainted her at large with the miserable condition of her Castilian subjects under the government of her son, who being destitute of experience himself, permitted his foreign ministers to treat them with such rigour as had obliged them to take arms in defence of the liberties of their country. The queen, as if she had been awakened out of a lethargy, expressed great astonishment at what he said, and told him, that as she had never heard, until that moment, of the death of her father, or known the sufferings of her people, no blame could be imputed to her, but that now she would take care to provide a sufficient remedy; and in the mean time, added she, let it be your concern to do what is necessary for the public welfare. Padilla, too eager in forming a conclusion agreeable to his wishes, mistook this lucid interval of reason for a perfect return of that faculty; and acquainting the Junta with what had happened, advised them to remove to Tordesillas, and to hold their meetings in that place. This was instantly done; but though Joanna received very graciously an address of the Junta, beseeching her to take upon herself the government of the kingdom, and, in token of her compliance, admitted all the deputies to kiss her hand; though she was present at a tournament held on that occasion, and seemed highly satisfied with both these ceremonies, which were conducted with great magnificence in order to please her, she soon relapsed into her former melancholy and sullenness, and could never be brought, by any arguments or entreaties, to sign any one paper necessary for the despatch of business.[g]

Get possession of queen Joanna; Aug. 29.

The Junta, concealing as much as possible this last circumstance, carried on all their deliberations in the name

carry on government in her name;

e P. Mart. Ep. 691. f Vita dell' Imper. Carl. V. dell' Alf. Ulloa. Ven. 1539, p. 67. Miniana, Contin. p. 17.

g Sandov. 164. P. Mart. Ep. 685, 686.

of Joanna; and as the Castilians, who idolized the memory of Isabella, retained a wonderful attachment to her daughter, no sooner was it known that she had consented to assume the reins of government than the people expressed the most universal and immodcrate joy; and believing her recovery to be completc, ascribed it to a miraculous interposition of Heaven, in order to rescue their country from the oppression of foreigners. The Junta, conscious of the reputation and power which they had acquired by seeming to act under the royal authority, were no longer satisfied with requiring Adrian to resign the office of regent; they detached Padilla to Valladolid with a considerable body of troops, ordering him to seize such membcrs of the council as were still in that city, to conduct them to Tordesillas, and to bring away the seals of the kingdom, the public archivcs and treasury books. Padilla, who was received by the citizens as the deliverer of his country, executed his commission with great exactness; permitting Adrian, howcver, still to reside in Valladolid, though only as a private person, and without any shadow of power.[h]

and deprive Adrian of all power.

The emperor, to whom frequent accounts of these transactions were transmitted while he was still in Flanders, was sensible of his own imprudence and that of his ministers, in having despised too long the murmurs and remonstrances of the Castilians. He beheld with deep concern a kingdom, the most valuable of any he possessed, and in which lay the strength and sinews of his power, just ready to disown his authority, and on the point of being plunged in all the miseries of civil war. But though his presence might have averted this calamity, he could not, at that time, visit Spain without endangering the imperial crown, and allowing the French king full leisure to execute his ambitious schemes. The only point now to be deliberated upon was, whether he should attempt to gain the malcontents by indulgencc and concessions, or prepare directly to suppress them by force; and he resolved to make trial of the former, while, at the same time, if that should fail of success, he prepared for the latter. For this purpose he issued circular letters to all the cities of Castile, exhorting them in most gentle terms, and with assurances of full pardon, to lay down thcir arms; he promised such cities as had continued faithful, not to exact from them the subsidy granted in the late Cortes; and offered the same favour to such as returned to their duty; he engaged that no office should be conferred for the future upon any but native Castilians. On the other hand, he wrote to the nobles, exciting them to appear with vigour in defence of their own rights, and those of the crown, against the exorbitant claims of the commons; he appointed the high admiral, Don Fadrique Enriquez, and the high constable of Castile, Don Inigo de Valasco, two noblemen of great abilities as well as influence, regents of the kingdom in conjunction with Adrian; and he gave them full power and instructions, if the obstinacy of the malcontents should render it necessary, to vindicate the royal authority by force of arms.[i]

The emperor alarmed.

His measures with respect to the malcontents.

These concessions, which, at the time of his leaving Spain, would have fully satisfied the people, came now too late to produce any effect. The Junta, relying on the unanimity with which the nation submitted to their authority, elated with the success which hitherto had accompanied all their undertakings, and sceing no military force collected to defeat or obstruct their designs, aimed at a more thorough reformation of political abuses. They had been employed for some time in preparing a remonstrance containing a large enumeration, not only of the grievances of which they craved redress, but of such new regulations as they thought necessary for the security of their liberties. This remonstrance, which is divided into many articles, relating to all the different members of which the constitution was composed, as well as the various departments in the administration of government, furnishes us with more authentic evidence concerning the intentions of the Junta than can bc drawn from the testimony of the later Spanish historians, who lived in times when it became fashionable, and even necessary, to represent the conduct of the malcontents in the worst light, and as flowing from the worst motives. After a long preamble concerning the various calamities under which the nation groaned, and the errors and corruption in government to which these were to be imputed, they take notice of the exemplary paticnce wherewith the people had endured them, until self-preservation, and the duty which they owed to their country, had obliged them to assemble, in order to provide in a legal manner for their own safety and that of the constitution: for this purpose thcy demanded that the king would be pleased to return to his Spanish dominions and reside there, as all their former monarchs had done; that hc would not marry but with consent of the Cortes; that if he should be obliged at any time to leave the kingdom, it shall not be lawful to appoint any foreigner to be regent; that the present nomination of cardinal Adrian to that office shall instantly bc declarcd void; that he would not at his return bring along with him any Flemings or other strangers; that no foreign troops shall, on any pretence whatever, be introduced into the kingdom; that none but natives shall be capable of holding any office or benefice either in church or state; that no foreigner shall be naturalized; that free quarters shall not be granted to soldiers, nor to the members of the king's household, for any longer time than six days, and that only when the court is in a progress; that all the taxes shall be reduced to the same state they were in at the death of queen Isabella; that

The large remonstrance of the Junta concerning their grievances.

h Sandov. 174. P. Mart. Ep. 791.

i P. Heuter. Rer, Austr. lib. viii. c. 6. p. 188

all alienations of the royal demesnes or revenues since the queen's death shall be resumed; that all new offices created since that period shall be abolished; that the subsidy granted by the late Cortes in Galicia shall not be exacted; that in all future Cortes each city shall send one representative of the clergy, one of the gentry, and one of the commons, each to be elected by his own order; that the crown shall not influence or direct any city with regard to the choice of its representatives; that no member of the Cortes shall receive an office or pension from the king, either for himself or for any of his family, under pain of death and confiscation of his goods; that each city or community shall pay a competent salary to its representative for his maintenance during his attendance on the Cortes; that the Cortes shall assemble once in three years at least, whether summoned by the king or not, and shall then inquire into the observation of the articles now agreed upon, and deliberate concerning public affairs; that the rewards which have been given or promised to any of the members of the Cortes held in Galicia, shall be revoked; that it shall be declared a capital crime to send gold, silver, or jewels out of the kingdom; that judges shall have fixed salaries assigned them, and shall not receive any share of the fines and forfeitures of persons condemned by them; that no grant of the goods of persons accused shall be valid, if given before sentence was pronounced against them; that all privileges which the nobles have at any time obtained to the prejudice of the commons, shall be revoked; that the government of cities or towns shall not be put into the hands of noblemen; that the possessions of the nobility shall be subject to all public taxes in the same manner as those of the commons; that an inquiry be made into the conduct of such as have been intrusted with the management of the royal patrimony since the accession of Ferdinand, and if the king do not, within thirty days, appoint persons properly qualified for that service, it shall be lawful for the Cortes to nominate them; that indulgences shall not be preached or dispersed in the kingdom until the cause of publishing them be examined and approved of by the Cortes; that all the money arising from the sale of indulgences shall be faithfully employed in carrying on war against the infidels; that such prelates as do not reside in their dioceses six months in the year, shall forfeit their revenues during the time they are absent; that the ecclesiastical judges and their officers shall not exact greater fees than those which are paid in the secular courts; that the present archbishop of Toledo, being a foreigner, be compelled to resign that dignity, which shall be conferred upon a Castilian; that the king shall ratify and hold, as good service done to him and to the kingdom, all the proceedings of the Junta, and pardon any irregularities which the cities may have committed from an excess of zeal in a good cause: that he shall promise and swear in the most solemn manner to observe all these articles, and on no occasion attempt either to elude or to repeal them; and that he shall never solicit the pope or any other prelate to grant him a dispensation or absolution from this oath and promise.[k]

The spirit of liberty which it breathed,

Such were the chief articles presented by the Junta to their sovereign. As the feudal institutions in the several kingdoms of Europe were originally the same, the genius of those governments which arose from them bore a strong resemblance to each other, and the regulations which the Castilians attempted to establish on this occasion differ little from those which other nations have laboured to procure in their struggles with their monarchs for liberty. The grievances complained of and the remedies proposed by the English commons in their contests with the princes of the house of Stuart, particularly resemble those upon which the Junta now insisted. But the principles of liberty seem to have been better understood, at this period, by the Castilians, than by any other people in Europe; they had acquired more liberal ideas with respect to their own rights and privileges; they had formed more bold and generous sentiments concerning government; and discovered an extent of political knowledge to which the English themselves did not attain until more than a century afterwards.

It is not improbable, however, that the spirit of reformation among the Castilians, hitherto unrestrained by authority, and imboldened by success, became too impetuous, and prompted the Junta to propose innovations which, by alarming the other members of the constitution, proved fatal to their cause. The nobles, who instead of obstructing had favoured or connived at their proceedings, while they confined their demands of redress to such grievances as had been occasioned by the king's want of experience, and by the imprudence and rapaciousness of his foreign ministers, were filled with indignation when the Junta began to touch the privileges of the order, and plainly saw that the measures of the commons tended no less to break the power of the aristocracy than to limit the prerogatives of the crown. The resentment which they had conceived on account of Adrian's promotion to the regency abated considerably upon the emperor's raising the constable and admiral to joint power with him in that office; and as their pride and dignity were less hurt by suffering the prince to possess an extensive prerogative than by admitting the high pretensions of the people, they determined to give their sovereign the assistance which he had demanded of them, and began to assemble their vassals for that purpose.

irritates the nobles.

The Junta, meanwhile, expected with impatience the emperor's answer to their remonstrance, which they had appointed some of their number to present. The members intrusted with this commission

The deputies of the Junta dare not present their remonstrances. Oct. 20.

k Sandov. 206. P. Mart. Ep. 686.

set out immediately for Germany; but having received at different places certain intelligence from court, that they could not venture to appear there without endangering their lives, they stopped short in their journey, and acquainted the Junta of the information which had been given them.[l] This excited such violent passions as transported the whole party beyond all bounds of prudence or of moderation. That a king of Castile should deny his subjects access into his presence, or refuse to listen to their humble petitions, was represented as an act of tyranny so unprecedented and intolerable, that nothing now remained but with arms in their hands to drive away that ravenous band of foreigners which encompassed the throne, who, after having devoured the wealth of the kingdom, found it necessary to prevent the cries of an injured people from reaching the ears of their sovereign. Many insisted warmly on approving a motion which had formerly been made, for depriving Charles, during the life of his mother, of the regal titles and authority, which had been too rashly conferred upon him, from a false supposition of her total inability for government. Some proposed to provide a proper person to assist her in the administration of public affairs, by marrying the queen to the prince of Calabria, the heir of the Aragonese kings of Naples, who had been detained in prison since the time that Ferdinand had dispossessed his ancestors of their crown. All agreed, that as the hopes of obtaining redress and security, merely by presenting their requests to their sovereign, had kept them too long in a state of inaction, and prevented them from taking advantage of the unanimity with which the nation declared in their favour, it was now necessary to collect their whole force, and to exert themselves with vigour in opposing this fatal combination of the king and the nobility against their liberties.[m]

Violent propositions of the Junta.

They take the field.

They soon took the field with twenty thousand men. Violent disputes arose concerning the command of this army. Padilla, the darling of the people and soldiers, was the only person whom they thought worthy of this honour. But Don Pedro de Giron, the eldest son of the condè de Uruena, a young nobleman of the first order, having lately joined the commons out of private resentment against the emperor, the respect due to his birth, together with a secret desire of disappointing Padilla, of whose popularity many members of the Junta had become jealous, procured him the office of general; though he soon gave them a fatal proof that he possessed neither the experience, the abilities, nor the steadiness which that important station required.

Nov. 23.

The regents and nobles arm.

The regents, meanwhile, appointed Rioseco as the place of rendezvous for their troops, which, though far inferior to those of the commons in number, excelled them greatly in discipline and in valour. They had drawn a considerable body of regular and veteran infantry out of Navarre. Their cavalry, which formed the chief strength of their army, consisted mostly of gentlemen accustomed to the military life, and animated with the martial spirit peculiar to their order in that age. The infantry of the Junta was formed almost entirely of citizens and mechanics, little acquainted with the use of arms. The small body of cavalry which they had been able to raise was composed of persons of ignoble birth, and perfect strangers to the service into which they entered. The character of the generals differed no less than that of their troops. The royalists were commanded by the condè de Haro, the constable's eldest son, an officer of great experience and of distinguished abilities.

Imprudence and ill success of the general of the Junta.

Giron marched with his army directly to Rioseco, and seizing the villages and passes around it hoped that the royalists would be obliged either to surrender for want of provisions, or to fight with disadvantage before all their troops were assembled. But he had not the abilities, nor his troops the patience and discipline necessary, for the execution of such a scheme. The condè de Haro found little difficulty in conducting a considerable reinforcement through all his posts into the town; and Giron, despairing of being able to reduce it, advanced suddenly to Villapanda, a place belonging to the constable, in which the enemy had their chief magazine of provisions. By this ill-judged motion he left Tordesillas open to the royalists, whom the condè de Haro led thither in the night with the utmost secrecy and despatch; and attacking the town, in which Giron had left no other garrison than a regiment of priests, raised by the bishop of Zamora, he, by break of day, forced his way into it after a desperate resistance, became master of the queen's person, took prisoners many members of the Junta, and recovered the great seal, with the other ensigns of government.

December 5.

By this fatal blow the Junta lost all the reputation and authority which they had derived from seeming to act by the queen's commands; such of the nobles as had hitherto been wavering or undetermined in their choice, now joined the regents with all their forces; and an universal consternation seized the partisans of the commons. This was much increased by the suspicions they began to entertain of Giron, whom they loudly accused of having betrayed Tordesillas to the enemy; and though that charge seems to have been destitute of foundation, the success of the royalists being owing to Giron's ill conduct rather than to his treachery, he so entirely lost his credit with his party, that he resigned his commission and retired to one of his castles.[n]

The Junta adhere to their system.

Such members of the Junta as had escaped the enemies' hands at Tordesillas, fled to Valladolid; and as it would have required a long time to supply the places of those who were prisoners by a new election, they made

Sandov. 143.

m P. Mart. Ep. 688.

n Miscellaneous Tracts by Dr. Mich. Geddes, vol. ..p. 278.

choice among themselves of a small number of persons, to whom they committed the supreme direction of affairs. Their army, which grew stronger every day by the arrival of troops from different parts of the kingdom, marched likewise to Valladolid; and Padilla being appointed commander in chief, the spirits of the soldiery revived, and the whole party, forgetting the late misfortune, continued to express the same ardent zeal for the liberties of their country, and the same implacable animosity against their oppressors.

Their expedients for raising money.

What they stood most in need of was money to pay their troops. A great part of the current coin had been carried out of the kingdom by the Flemings; the stated taxes levied in times of peace were inconsiderable; commerce of every kind being interrupted by the war, the sum which it yielded decreased daily: and the junta were afraid of disgusting the people by burdening them with new impositions, to which, in that age, they were little accustomed. But from this difficulty they were extricated by Donna Maria Pacheco, Padilla's wife, a woman of noble birth, of great abilities, of boundless ambition, and animated with the most ardent zeal in support of the cause of the Junta. She, with a boldness superior to those superstitious fears which often influence her sex, proposed to seize all the rich and magnificent ornaments in the cathedral of Toledo; but lest that action, by its appearance of impiety, might offend the people, she and her retinue marched to the church in solemn procession in mourning habits, with tears in their eyes, beating their breasts, and falling on their knees, implored the pardon of the saints whose shrines she was about to violate. By this artifice, which screened her from the imputation of sacrilege, and persuaded the people that necessity and zeal for a good cause had constrained her, though with reluctance, to venture upon this action, she stripped the cathedral of whatever was valuable, and procured a considerable sum of money for the Junta.[o] The regents, no less at a loss how to maintain their troops, the revenues of the crown having either been dissipated by the Flemings or seized by the commons, were obliged to take the queen's jewels, together with the plate belonging to the nobility, and apply them to that purpose; and when those failed, they obtained a small sum by way of loan from the king of Portugal.[p]

Lose time in negociations with the nobility.

The nobility discovered great unwillingness to proceed to extremities with the Junta. They were animated with no less hatred than the commons against the Flemings; they approved much of several articles in the remonstrance; they thought the juncture favourable not only for redressing past grievances, but for rendering the constitution more perfect and secure by new regulations; they were afraid, that while the two orders of which the legislature was composed wasted each other's strength by mutual hostilities, the crown would rise to power on the ruin or weakness of both, and encroach no less on the independence of the nobles than on the privileges of the commons. To this disposition were owing the frequent overtures of peace which the regents made to the Junta, and the continual negociations they carried on during the progress of their military operations. Nor were the terms which they offered unreasonable; for, on condition that the Junta would pass from a few articles most subversive of the royal authority, or inconsistent with the rights of the nobility, they engaged to procure the emperor's consent to their other demands, which if he, through the influence of evil counsellors, should refuse, several of the nobles promised to join with the commons in their endeavours to extort it.[q] Such divisions, however, prevailed among the members of the Junta, as prevented their deliberating calmly, or judging with prudence. Some of the cities which had entered into the confederacy were filled with that mean jealousy and distrust of each other which rivalship in commerce or in grandeur is apt to inspire; the constable, by his influence and promises, had prevailed on the inhabitants of Burgos to abandon the Junta, and other noblemen had shaken the fidelity of some of the lesser cities; no person had arisen among the commons of such superior abilities or elevation of mind as to acquire the direction of their affairs; Padilla, their general, was a man of popular qualities, but distrusted for that reason by those of highest rank who adhered to the Junta; the conduct of Giron led the people to view with suspicion every person of noble birth who joined their party; so that the strongest marks of irresolution, mutual distrust, and mediocrity of genius, appeared in all their proceedings at this time. After many consultations held concerning the terms proposed by the regents, they suffered themselves to be so carried away by resentment against the nobility, that, rejecting all thoughts of accommodation, they threatened to strip them of the crown lands, which they or their ancestors had usurped, and to reannex these to the royal domain. Upon this preposterous scheme, which would at once have annihilated all the liberties for which they had been struggling, by rendering the kings of Castile absolute and independent on their subjects, they were so intent, that they now exclaimed with less vehemence against the exactions of the foreign ministers than against the exorbitant power and wealth of the nobles, and seemed to hope that they might make peace with Charles by offering to enrich him with their spoils.

Elated with their success in some small rencounters.

The success which Padilla had met with in several small rencounters, and in reducing some inconsiderable towns, helped to precipitate the members of the Junta into this measure, filling them with such confidence in the valour of their troops, that they hoped for an

o Sandov. 308. Dict. de Bayle, art. Padilla. p P. Mart. Ep. 718.

q P. Mart. Ep. 695, 713. Geddes's Tracts, i. 261.

easy victory over the royalists. Padilla, that his army might not remain inactive while flushed with good fortune, laid siege to Torrelobaton, a place of greater strength and importance than any that he had hitherto ventured to attack, and which was defended by a sufficient garrison; and though the besieged made a desperate resistance, and the admiral attempted to relieve them, he took the town by storm, and gave it up to be plundered by his soldiers. If he had marched instantly with his victorious army to Tordesillas, the head-quarters of the royalists, he could hardly have failed of making an effectual impression on their troops, whom he would have found in astonishment at the briskness of his operations, and far from being of sufficient strength to give him battle. But the fickleness and imprudence of the Junta prevented his taking this step. Incapable, like all popular associations, either of carrying on war or of making peace, they listened again to overtures of accommodation, and even agreed to a short suspension of arms. This negociation terminated in nothing; but while it was carrying on, many of Padilla's soldiers, unacquainted with the restraints of discipline, went off with the booty which they had got at Torrelobaton; and others, wearied out by the unusual length of the campaign, deserted.[r] The constable, too, had leisure to assemble his forces at Burgos, and to prepare every thing for taking the field; and as soon as the truce expired, he effected a junction with the condè de Haro, in spite of all Padilla's efforts to prevent it. They advanced immediately towards Torrelobaton; and Padilla, finding the number of his troops so diminished that he durst not risk a battle, attempted to retreat to Toro, which, if he could have accomplished, the invasion of Navarre at that juncture by the French, and the necessity which the regents must have been under of detaching men to that kingdom, might have saved him from danger. But Haro, sensible how fatal the consequences would be of suffering him to escape, marched with such rapidity at the head of his cavalry, that he came up with him near Villalar, and, without waiting for his infantry, advanced to the attack. Padilla's army, fatigued and disheartened by their precipitant retreat, which they could not distinguish from a flight, happened at that time to be passing over a ploughed field, on which such a violent rain had fallen, that the soldiers sunk almost to the knees at every step, and remained exposed to the fire of some field-pieces which the royalists had brought along with them. All these circumstances so disconcerted and intimidated raw soldiers, that without facing the enemy, or making any resistance, they fled in the utmost confusion. Padilla exerted himself with extraordinary courage and activity in order to rally them, though in vain; fear rendering them deaf both to his threats and entreaties: upon which, finding matters irretrievable, and resolving not to survive the disgrace of that day and the ruin of his party, he rushed into the thickest of the enemy; but being wounded and dismounted, he was taken prisoner. His principal officers shared the same fate; the common soldiers were allowed to depart unhurt, the nobles being too generous to kill men who threw down their arms.[s]

March 1. 1531.

Imprudence of their conduct.

The nobles attack the army of the Junta; April 23.

and defeat it.

The resentment of his enemies did not suffer Padilla to linger long in expectation of what should befall him. Next day he was condemned to lose his head, though without any regular trial, the notoriety of the crime being supposed sufficient to supersede the formality of a legal process. He was led instantly to execution, together with Don John Bravo and Don Francis Maldonada, the former commander of the Segovians, and the latter of the troops of Salamanca. Padilla viewed the approach of death with calm but undaunted fortitude; and when Bravo, his fellow-sufferer, expressed some indignation at hearing himself proclaimed a traitor, he checked him, by observing, "That yesterday was the time to have displayed the spirit of gentlemen, this day to die with the meekness of christians." Being permitted to write to his wife and to the community of Toledo, the place of his nativity, he addressed the former with a manly and virtuous tenderness, and the latter with the exultation natural to one who considered himself as a martyr for the liberties of his country.[t] After this he submitted quietly to his fate. Most of the Spanish historians, accustomed to ideas of government and of regal power very different from

Padilla, their general, put to death.

r Sandov. 336.

s Sandov. 345, &c. P. Mart. Ep. 720. Miniana, Contin. p. 26. Epitome de la Vide y Hechos del Emper. Carlos V. por D. Juan Anton. de Vera y Zuniga. 4to Madr. 1627. p. 19.

t The strain of these letters is so eloquent and high-spirited, that I have translated them for the entertainment of my readers:

The letter of Don John Padilla to his wife.

"SENORA,

"IF your grief did not afflict me more than my own death, I should deem myself perfectly happy. For the end of life being certain to all men, the Almighty confers a mark of distinguishing favour upon that person for whom he appoints a death such as mine, which, though lamented by many, is nevertheless acceptable unto him. It would require more time than I now have to write any thing that could afford you consolation. That my enemies will not grant me, nor do I wish to delay the reception of that crown which I hope to enjoy. You may bewail your own loss, but not my death, which, being so honourable, ought not to be lamented by any. My soul, for nothing else is left to me, I bequeath to you. You will receive it as the thing in this world which you value most. I do not write to my father Pero Lopez, because I dare not; for though I have shewn myself to be his son in daring to lose my life, I have not been the heir of his good fortune. I will not attempt to say any thing more, that I may not tire the executioner, who waits for me; and that I may not excite a suspicion, that, in order to prolong my life, I lengthen out my letter. My servant Sosia, an eye-witness, and to whom I have communicated my most secret thoughts, will inform you of what I cannot now write; and thus I rest, expecting the instrument of your grief and of my deliverance."

His letter to the city of Toledo.

"To thee, the crown of Spain, and the light of the whole world, free from the time of the mighty Goths: to thee, who by shedding the blood of strangers as well as thy own blood, hast recovered liberty for thyself and thy neighbouring cities, thy legitimate son, Juan de Padilla, gives information how by the blood of his body thy ancient victories are to be refreshed. If fate hath not permitted my actions to be placed among your successful and celebrated exploits, the fault hath been in my ill fortune, not in my good will. This I request of thee as of a mother to accept, since God hath given me nothing more to lose for thy sake than that which I am now to relinquish. I am more solicitous about thy good opinion than about my own life. The shiftings of fortune, which never stands still, are many. But these I see with infinite consolation, that I, the least of thy children, suffer death for thee; and that thou hast nursed at thy breasts such as may take vengeance for my wrongs. Many tongues will relate the manner of my death, of which I am still ignorant, though I know it to be near. My end will testify what was my desire. My soul I recommend to thee as to the patroness of christianity. Of my body I say nothing, for it is not mine. I can write nothing more, for at this very moment I feel the knife at my throat, with greater dread of thy displeasure than apprehension of my own pain." Sandov. Hist. vol. i. p. 478.

those upon which he acted, have been so eager to testify their disapprobation of the cause in which he was engaged, that they have neglected or have been afraid to do justice to his virtues; and by blackening his memory, have endeavoured to deprive him of that pity which is seldom denied to illustrious sufferers.

Ruin of the party.

The victory at Villalar proved as decisive as it was complete. Valladolid, the most zealous of all the associated cities, opened its gates immediately to the conquerors, and being treated with great clemency by the regents, Medina del Campo, Segovia, and many other towns, followed its example. This sudden dissolution of a confederacy formed not upon slight disgusts or upon trifling motives, into which the whole body of the people had entered, and which had been allowed time to acquire a considerable degree of order and consistence by establishing a regular plan of government, is the strongest proof either of the inability of its leaders, or of some secret discord reigning among its members. Though part of that army by which they had been subdued was obliged, a few days after the battle, to march towards Navarre, in order to check the progress of the French in that kingdom, nothing could prevail on the dejected commons of Castile to take arms again, and to embrace such a favourable opportunity of acquiring those rights and privileges for which they appeared so zealous. The city of Toledo alone, animated by Donna Maria Pacheco, Padilla's widow, who, instead of bewailing her husband with a womanish sorrow, prepared to revenge his death, and to prosecute that cause in defence of which he had suffered, must be excepted. Respect for her sex, or admiration for her courage and abilities, as well as sympathy with her misfortunes and veneration for the memory of her husband, secured her the same ascendant over the people which he had possessed. The prudence and vigour with which she acted, justified that confidence they placed in her. She wrote to the French general in Navarre, encouraging him to invade Castile by the offer of powerful assistance: she endeavoured by her letters and emissaries to revive the spirit and hopes of the other cities: she raised soldiers, and exacted a great sum from the clergy belonging to the cathedral, in order to defray the expense of keeping them on foot.[u] She employed every artifice that could interest or inflame the populace. For this purpose she ordered crucifixes to be used by her troops instead of colours, as if they had been at war with the infidels and enemies of religion; she marched through the streets of Toledo with her son, a young child, clad in deep mourning, seated on a mule, having a standard carried before him representing the manner of his father's execution.[x] By all these means she kept the minds of the people in such perpetual agitation as prevented their passions from

Padilla's wife defends Toledo with great spirit.

subsiding, and rendered them insensible of the dangers to which they were exposed by standing alone in opposition to the royal authority. While the army was employed in Navarre, the regents were unable to attempt the reduction of Toledo by force; and all their endeavours, either to diminish Donna Maria's credit with the people, or to gain her by large promises and the solicitations of her brother the Marquis de Mondeiar, proved ineffectual. Upon the expulsion of the French out of Navarre, part of the army returned into Castile, and invested Toledo. Even this made no impression on the intrepid and obstinate courage of Donna Maria. She defended the town with vigour, her troops in several sallies beat the royalists, and no progress was made towards reducing the place, until the clergy, whom she had highly offended by invading their property, ceased to support her. As soon as they received information of the death of William de Croy, archbishop of Toledo, whose possession of that see was their chief grievance, and that the emperor had named a Castilian to succeed him, they openly turned against her, and persuaded the people that she had acquired such influence over them by the force of enchantments, that she was assisted by a familiar demon, which attended her in the form of a negro-maid, and that by its suggestions she regulated every part of her conduct.[y] The credulous multitude, whom their impatience of a long blockade, and despair of obtaining succours either from the cities formerly in confederacy with them, or from the French, rendered desirous of peace, took arms against her, and driving her out of the city, surrendered it to the royalists. She retired to the citadel, which she defended with amazing fortitude four months longer; and when reduced to the last extremities, she made her escape in disguise, and fled to Portugal, where she had many relations.[z]

Oct. 26.

Feb. 10.

Fatal effects of the civil war.

Upon her flight the citadel surrendered. Tranquillity was re-established in Castile; and this bold attempt of the commons, like all unsuccessful insurrections, contributed to confirm and extend the power of the crown, which it was intended to moderate and abridge. The Cortes still continued to make a part of the Castilian constitution, and was summoned to meet whenever the king stood in need of money; but instead of adhering to their ancient and cautious form of examining and redressing public grievances before they proceeded to grant any supply, the more courtly custom of voting a donative in the first place was introduced, and the sovereign having obtained all that he wanted, never allowed them to enter into any inquiry or to attempt any reformation injurious to his authority. The privileges which the cities had enjoyed were gradually circumscribed or abolished; their commerce began from this period

u P. Mart. Ep. 727.

x Sandov. 375.

y P. Mart. Ep. 727.

z Sandov. 375. P. Mart. Ep. 754. Ferrer. viii. 563.

to decline; and becoming less wealthy and less populous, they lost that power and influence which they had acquired in the Cortes.

The progress of the insurrections in Valencia.

While Castile was exposed to the calamities of civil war, the kingdom of Valencia was torn by intestine commotions still more violent. The association which had been formed in the city of Valencia in the year one thousand five hundred and twenty, and which was distinguished by the name of the Germanada, continued to subsist after the emperor's departure from Spain. The members of it, upon pretext of defending the coasts against the descents of the corsairs of Barbary, and under sanction of that permission which Charles had rashly granted them, refused to lay down their arms. But as the grievances which the Valencians aimed at redressing proceeded from the arrogance and exactions of the nobility rather than from any unwarrantable exercise of the royal prerogative, their resentment turned chiefly against the former. As soon as they were allowed the use of arms, and became conscious of their own strength, they grew impatient to take vengeance of their oppressors. They drove the nobles out of most of the cities, plundered their houses, wasted their lands, and assaulted their castles. They then proceeded to elect thirteen persons, one from each company of tradesmen established at Valencia, and committed the administration of government to them, under pretext that they would reform the laws, establish one uniform mode of dispensing justice, without partiality or regard to the distinction of ranks, and thus restore men to some degree of their original equality.

The nobles were obliged to take arms in self-defence. Hostilities began, and were carried on with all the rancour with which resentment at oppression inspired the one party, and the idea of insulted dignity animated the other. As no person of honourable birth or of liberal education joined the Germanada, the councils as well as troops of the confederacy were conducted by low mechanics, who acquired the confidence of an enraged multitude chiefly by the fierceness of their zeal and the extravagance of their proceedings. Among such men, the laws introduced in civilized nations in order to restrain or moderate the violence of war, were unknown or despised; and they ran into the wildest excesses of cruelty and outrage.

The emperor, occupied with suppressing the insurrection in Castile, which more immediately threatened the subversion of his power and prerogative, was unable to give much attention to the tumults of Valencia, and left the nobility of that kingdom to fight their own battles. His viceroy, the condè de Melito, had the supreme command of the forces which the nobles raised among the vassals. The Germanada carried on the war during the years one thousand five hundred and twenty and twenty-one, with a more persevering courage than could have been expected from a body so tumultuary, under the conduct of such leaders. They defeated the nobility in several actions, which, though not considerable, were extremely sharp. They repulsed them in their attempts to reduce different towns. But the nobles, by their superior skill in war, and at the head of troops more accustomed to service, gained the advantage in most of the rencounters. At length they were joined by a body of Castilian cavalry, which the regents despatched towards Valencia soon after their victory over Padilla at Villalar, and by their assistance the Valencian nobles acquired such superiority that they entirely broke and ruined the Germanada. The leaders of the party were put to death, almost without any formality of legal trial, and suffered such cruel punishments as the sense of recent injuries prompted their adversaries to inflict. The government of Valencia was re-established in its ancient form.[a]

Appearances of disaffection in Aragon.

In Aragon, violent symptoms of the same spirit of disaffection and sedition which reigned in the other kingdoms of Spain began to appear; but by the prudent conduct of the viceroy, Don John de Lanusa, they were so far composed as to prevent their breaking out into any open insurrection. But

Formidable insurrection in Majorca.

in the island of Majorca, annexed to the crown of Aragon, the same causes which had excited the commotions in Valencia produced effects no less violent. The people, impatient of the hardships which they had endured under the rigid jurisdiction of the nobility, took arms in a tumultuary manner; deposed their viceroy; drove him out of the

March 19, 1521.

island: and massacred every gentleman who was so unfortunate as to fall into their hands. The obstinacy with which the people of Majorca persisted in their rebellion, was equal to the rage with which they began it. Many and vigorous efforts were requisite in order to reduce them to obedience; and tranquillity was re-established in every part of Spain, before the Majorcans could be brought to submit to their sovereign.[b]

Causes which prevented the union of the malcontents.

While the spirit of disaffection was so general among the Spaniards, and so many causes concurred in precipitating them into such violent measures in order to obtain the redress of their grievances, it may appear strange that the malcontents in the different kingdoms should have carried on their operations without any mutual concert, or even any intercourse with each other. By uniting their councils and arms, they might have acted both with greater force and with more effect. The appearance of a national confederacy would have rendered it no less respectable among the people than formidable to the crown; and the emperor, unable to resist such

a Argensola Annales de Aragon, cap. 75, 90, 99, 118. Sayas Annales de Aragon, cap. 5, 12, &c. P. Mart. Ep. lib. xxxiii. & xxxiv. passim. Ferrer. Hist. d'Espagne, viii. 542, 564, &c.

b Argensola Annales de Aragon, c. 113. Ferrer. Hist. viii. 542. Sayas Annales de Aragon, cap. 7, 11, 14, 76, 81. Ferreras, Hist. d'Espagne, viii. 579, &c. 609.

a combination, must have complied with any terms which the members of it should have thought fit to prescribe. Many things, however, prevented the Spaniards from forming themselves into one body, and pursuing common measures. The people of the different kingdoms in Spain, though they were become the subjects of the same sovereign, retained in full force their national antipathy to each other. The remembrance of their ancient rivalship and hostilities was still lively, and the sense of reciprocal injuries so strong as to prevent them from acting with confidence and concert. Each nation chose rather to depend on its own efforts, and to maintain the struggle alone, than to implore the aid of neighbours whom they distrusted and hated. At the same time, the forms of government in the several kingdoms of Spain were so different, and the grievances of which they complained, as well as the alterations and amendments in policy which they attempted to introduce, so various, that it was not easy to bring them to unite in any common plan. To this disunion Charles was indebted for the preservation of the Spanish crowns; and while each of the kingdoms followed separate measures, they were all obliged at last to conform to the will of their sovereign.

The emperor's prudent and generous behaviour towards the malcontents.

The arrival of the emperor in Spain filled his subjects who had been in arms against him with deep apprehensions, from which he soon delivered them by an act of clemency no less prudent than generous. After a rebellion so general, scarcely twenty persons, among so many criminals obnoxious to the law, had been punished capitally in Castile. Though strongly solicited by his council, Charles refused to shed any more blood by the hands of the executioner; and published a general pardon, extending to all crimes committed since the commencement of the insurrections, from which only fourscore persons were excepted. Even these he seems to have named rather with an intention to intimidate others than from any inclination to scize them; for when an officious courtier offered to inform him where one of the most considerable among them was concealed, he avoided it by a good-natured pleasantry:—"Go," says he, "I have now no reason to be afraid of that man, but he has some cause to keep at a distance from me, and you would be better employed in telling him that I am here, than in acquainting me with the place of his retreat."[c] By this appearance of magnanimity, as well as by his care to avoid every thing which had disgusted the Castilians during his former residence among them; by his address in assuming their manners, in speaking their language, and in complying with all their humours and customs, he acquired an ascendant over them which hardly any of their native monarchs had ever attained, and brought them to support him in all his enterprises with a zeal and valour to which he owed much of his success and grandeur.[d]

Oct. 28.

Adrian sets out for Rome, and his ill reception there.

About the time that Charles landed in Spain, Adrian set out for Italy to take possession of his new dignity. But though the Roman people longed extremely for his arrival, they could not on his first appearance conceal their surprise and disappointment. After being accustomed to the princely magnificence of Julius and the elegant splendour of Leo, they beheld with contempt an old man of an humble deportment, of austere manners, an enemy to pomp, destitute of taste in the arts, and unadorned with any of the external accomplishments which the vulgar expect in those raised to eminent stations.[e] Nor did his political views and maxims seem less strange and astonishing to the pontifical ministers. He acknowledged and bewailed the corruptions which abounded in the church as well as in the court of Rome, and prepared to reform both; he discovered no intention of aggrandizing his family; he even scrupled at retaining such territories as some of his predecessors had acquired by violence or fraud rather than by any legal title; and for that reason he invested Francesco Maria de Roverè anew in the duchy of Urbino, of which Leo had stripped him, and surrendered to the duke of Ferrara several places wrested from him by the church.[f] To men little habituated to see princes regulate their conduct by the maxims of morality and the principles of justice, these actions of the new pope appeared incontestable proofs of his weakness or inexperience. Adrian, who was a perfect stranger to the complex and intricate system of Italian politics, and who could place no confidence in persons whose subtle refinements in business suited so ill with the natural simplicity and candour of his own character, being often embarrassed and irresolute in his deliberations, the opinion of his incapacity daily increased, until both his person and government became objects of ridicule among his subjects.[g]

He endeavours to restore peace in Europe.

Adrian, though devoted to the emperor, endeavoured to assume the impartiality which became the common father of Christendom, and laboured to reconcile the contending princes, in order that they might unite in a league against Solyman, whose conquest of Rhodes rendered him more formidable than ever to Europe.[h] But this was an undertaking far beyond his abilities. To examine such a variety of pretensions, to adjust such a number of interfering interests, to extinguish the passions which ambition, emulation, and mutual injuries had kindled, to bring so many hostile powers to pursue the same scheme with unanimity and vigour, required not only uprightness of intention, but great superiority both of understanding and address.

c Sandov. 377, &c. Vida del Emper. Carlos, por Don Juan Anton. de Vera y Zuniga, p. 30. d Ulloa Vita de Carlo V. p. 85.
e Guic. l. xv. 238. Jovii Vita Adriani, 117. Bellefor. Epitr. des Princ. 84.
f Guic. lib. xv. 240.
g Jov. Vita Adr. 118. P. Mart. Ep. 774. Ruscelli Lettres de Princ. vol. i. 87, 96, 101.
h Bellefor. Epitr. p. 86.

The Italian States were no less desirous of peace than the pope. The imperial army under Colonna was still kept on foot; but as the emperor's revenues in Spain, in Naples, and in the Low Countries, were either exhausted or applied to some other purpose, it depended entirely for pay and subsistence on the Italians. A great part of it was quartered in the ecclesiastical state, and monthly contributions were levied upon the Florentines, the Milanese, the Genoese, and Lucchese, by the viceroy of Naples; and though all exclaimed against such oppression, and were impatient to be delivered from it, the dread of worse consequences from the rage of the army or the resentment of the emperor, obliged them to submit.[i]

1523. A new league against the French king.

So much regard, however, was paid to the pope's exhortations, and to a bull which he issued requiring all christian princes to consent to a truce for three years, that the imperial, the French, and English ambassadors at Rome were empowered by their respective courts to treat of that matter; but while they wasted their time in fruitless negociation, their masters continued their preparations for war. The Venetians, who had hitherto adhered with great firmness to their alliance with Francis, being now convinced that his affairs in Italy were in a desperate situation, entered into a league against him with the emperor; to which Adrian, at the instigation of his countryman and friend Charles de Lannoy, viceroy of Naples, who persuaded him that the only obstacles to peace arose from the ambition of the French king, soon after acceded. The other Italian States followed their example; and Francis was left without a single ally to resist the efforts of so many enemies, whose armies threatened and whose territories encompassed his dominions on every side.[k]

June 28.

Francis's vigorous measures in opposition to it.

The dread of this powerful confederacy, it was thought, would have obliged Francis to keep wholly on the defensive, or at least have prevented his entertaining any thoughts of marching into Italy. But it was the character of that prince, too apt to become remiss and even negligent on ordinary occasions, to rouse at the approach of danger, and not only to encounter it with spirit and intrepidity, qualities which never forsook him, but to provide against it with diligence and industry. Before his enemies were ready to execute any of their schemes, Francis had assembled a numerous army. His authority over his own subjects was far greater than that which Charles or Henry possessed over theirs. They depended on their diets, their cortes, and their parliaments for money, which was usually granted them in small sums, very slowly, and with much reluctance. The taxes he could impose were more considerable, and levied with greater despatch; so that on this as well as on other occasions, he brought his armies into the field while they were only devising ways and means for raising theirs. Sensible of this advantage, Francis hoped to disconcert all the emperor's schemes by marching in person into the Milanese; and this bold measure, the more formidable because unexpected, could scarcely have failed of producing that effect. But when the vanguard of his army had already reached Lyons, and he himself was hastening after it with a second division of his troops, the discovery of a domestic conspiracy which threatened the ruin of the kingdom, obliged him to stop short, and to alter his measures.

Suspended upon the discovery of the constable Bourbon's conspiracy.

The author of this dangerous plot was Charles, duke of Bourbon, lord high constable, whose noble birth, vast fortune, and high office, raised him to be the most powerful subject in France, as his great talents, equally suited to the field or the council, and his signal services to the crown, rendered him the most illustrious and deserving. The near resemblance between the king and him in many of their qualities, both being fond of war and ambitious to excel in manly exercises, as well as their equality in age and their proximity of blood, ought naturally to have secured to him a considerable share in that monarch's favour. But unhappily Louise, the king's mother, had contracted a violent aversion to the house of Bourbon, for no better reason than because Anne of Bretagne, the queen of Louis the twelfth, with whom she lived in perpetual enmity, had discovered a peculiar attachment to that branch of the royal family; and had taught her son, who was too susceptible of any impression which his mother gave him, to view all the constable's actions with a mean and unbecoming jealousy. His distinguished merit at the battle of Marignano had not been sufficiently rewarded; he had been recalled from the government of Milan upon very frivolous pretences, and had met with a cold reception, which his prudent conduct in that difficult station did not deserve; the payment of his pensions had been suspended without any good cause; and during the campaign of one thousand five hundred and twenty-one, the king, as has already been related, had affronted him in presence of the whole army, by giving the command of the van to the duke of Alençon. The constable at first bore these indignities with greater moderation than could have been expected from a high-spirited prince, conscious of what was due to his rank and to his services. Such a multiplicity of injuries, however, exhausted his patience; and inspiring him with thoughts of revenge, he retired from court, and began to hold a secret correspondence with some of the emperor's ministers.

His character.

The causes of his disaffection.

About that time the duchess of Bourbon happened to die without leaving any children. Louise, of a disposition no less amorous than vindictive, and still susceptible of the tender passions at the age

i Guic. l. xv. 238.

k Guic. l. xv. 241, 248.

of forty-six, began to view the constable, a prince as amiable as he was accomplished, with other eyes; and notwithstanding the great disparity of their years, she formed the scheme of marrying him. Bourbon, who might have expected every thing to which an ambitious mind can aspire, from the doting fondness of a woman who governed her son and the kingdom, being incapable either of imitating the queen in her sudden transition from hatred to love, or of dissembling so meanly as to pretend affection for one who had persecuted him so long with unprovoked malice, not only rejected the match, but imbittered his refusal by some severe raillery on Louise's person and character. She finding herself not only contemned but insulted, her disappointed love turned into hatred, and since she could not marry she resolved to ruin Bourbon.

For this purpose she consulted with the chancellor Du Prat, a man who, by a base prostitution of great talents and of superior skill in his profession, had risen to that high office. By his advice a lawsuit was commenced against the constable, for the whole estate belonging to the house of Bourbon. Part of it was claimed in the king's name, as having fallen to the crown; part in that of Louise, as the nearest heir in blood of the deceased duchess. Both these claims were equally destitute of any foundation in justice; but Louise, by her solicitations and authority, and Du Prat, by employing all the artifices and chicanery of law, prevailed on the judges to order the estate to be sequestered. This unjust decision drove the constable to despair, and to measures which despair alone could have dictated. He renewed his intrigues in the imperial court, and flattering himself that the injuries which he had suffered would justify his having recourse to any means in order to obtain revenge, he offered to transfer his allegiance from his natural sovereign to the emperor, and to assist him in the conquest of France. Charles, as well as the king of England, to whom the secret was communicated,[l] expecting prodigious advantages from his revolt, were ready to receive him with open arms, and spared neither promises nor allurements which might help to confirm him in his resolution. The emperor offered him in marriage his sister Eleanor, the widow of the king of Portugal, with an ample portion. He was included as a principal in the treaty between Charles and Henry. The counties of Provence and Dauphiné were to be settled on him, with the title of king. The emperor engaged to enter France by the Pyrenees, and Henry, supported by the Flemings, to invade Picardy; while twelve thousand Germans, levied at their common charge, were to penetrate into Burgundy, and to act in concert with Bourbon, who undertook to raise six thousand men among his friends and vassals in the heart of the kingdom. The execution of this deep-laid and dangerous plot was suspended until the king should cross the Alps with the only army capable of defending his dominions: and as he was far advanced in his march for that purpose, France was on the brink of destruction.[m]

His secret negociations with the emperor

Happily for that kingdom, a negociation which had now been carrying on for several months, though conducted with the most profound secrecy, and communicated only to a few chosen confidants, could not altogether escape the observation of the rest of the constable's numerous retainers, rendered more inquisitive by finding that they were distrusted. Two of these gave the king some intimation of a mysterious correspondence between their master and the count de Roeux, a Flemish nobleman of great confidence with the emperor. Francis, who could not bring himself to suspect that the first prince of the blood would be so base as to betray the kingdom to its enemies, immediately repaired to Moulins, where the constable was in bed, feigning indisposition, that he might not be obliged to accompany the king into Italy, and acquainted him of the intelligence which he had received. Bourbon with great solemnity, and the most imposing affectation of ingenuity and candour, asserted his own innocence; and as his health, he said, was now more confirmed, he promised to join the army within a few days. Francis, open and candid himself, and too apt to be deceived by the appearance of those virtues in others, gave such credit to what he said, that he refused to arrest him, although advised to take that precaution by his wisest counsellors; and as if the danger had been over, he continued his march towards Lyons. The constable set out soon after, seemingly with an intention to follow him; but turning suddenly to the left he crossed the Rhone, and after infinite fatigue and peril escaped all the parties which the king, who became sensible too late of his own credulity, sent out to intercept him, and reached Italy in safety.[n]

discovered.

Sept.

Flies to Italy.

Francis took every possible precaution to prevent the bad effects of the irreparable error which he had committed. He put garrisons in all the places of strength in the constable's territories. He seized all the gentlemen whom he could suspect of being his associates; and as he had not hitherto discovered the whole extent of the conspirator's schemes, nor knew how far the infection had spread among his subjects, he was afraid that his absence might encourage them to make some desperate attempt, and for that reason relinquished his intention of leading his army in person into Italy.

He did not, however, abandon his design on the Milanese; but appointed Admiral Bonnivet to take the supreme command in his stead, and to march into that country with an army thirty thousand strong. Bonnivet did not owe this preferment to his abilities as a general;

French invade the Milanese.

l Rymer's Fœder. xiii. 794.
m Thuani Hist. lib. i. c. 10. Heuter. Rer. Austr. lib. viii. c. 18. p. 207.
n Mem. de Bellay, p. 64, &c. Pasquier Recherches de la France, p. 481.

for of all the talents requisite to form a great commander, he possessed only personal courage, the lowest and the most common. But he was the most accomplished gentleman in the French court, of agreeable manners and insinuating address, and a sprightly conversation; and Francis, who lived in great familiarity with his courtiers, was so charmed with these qualities, that he honoured him on all occasions with the most partial and distinguished marks of his favour. He was, besides, the implacable enemy of Bourbon; and as the king hardly knew whom to trust at that juncture, he thought the chief command could be lodged no where so safely as in his hands.

Their ill conduct.

Colonna, who was intrusted with the defence of the Milanese, his own conquest, was in no condition to resist such a formidable army. He was destitute of money sufficient to pay his troops, which were reduced to a small number by sickness or desertion, and had for that reason been obliged to neglect every precaution necessary for the security of the country. The only plan which he formed was to defend the passage of the river Tessino against the French; and as if he had forgotten how easily he himself had disconcerted a similar scheme formed by Lautrec, he promised with great confidence on its being effectual. But in spite of all his caution, it succeeded no better with him than with Lautrec. Bonnivet passed the river without loss, at a ford which had been neglected, and the imperialists retired to Milan, preparing to abandon the town, as soon as the French should appear before it. By an unaccountable negligence, which Guicciardini imputes to infatuation,[o] Bonnivet did not advance for three or four days, and lost the opportunity with which his good fortune presented him. The citizens recovered from their consternation; Colonna, still active at the age of fourscore, and Moroné, whose enmity to France rendered him indefatigable, were employed night and day in repairing the fortifications, in amassing provisions, in collecting troops from every quarter; and by the time the French approached, had put the city in a condition to stand a siege. Bonnivet, after some fruitless attempts on the town, which harassed his own troops more than the enemy, was obliged, by the inclemency of the season, to retire into winter-quarters.

Death of Adrian VI.

During these transactions pope Adrian died; an event so much to the satisfaction of the Roman people, whose hatred or contempt of him augmented every day, that the night after his decease they adorned the door of his chief physician's house with garlands, adding this inscription: TO THE DELIVERER OF HIS COUNTRY.[p] The cardinal de Medici instantly renewed his pretensions to the papal dignity, and entered the conclave with high expectations on his own part, and a general opinion of the people, that they would be successful. But though supported by the imperial faction, possessed of great personal interest, and capable of all the artifices, refinements, and corruption which reign in those assemblies, the obstinacy and intrigues of his rivals protracted the conclave to the unusual length of fifty days. The address and perseverance of the cardinal at last surmounted every obstacle. He was raised to the head of the church, and resumed the government of it by the name of Clement VII. The choice was universally approved of. High expectations were conceived of a pope whose great talents and long experience in business seemed to qualify him no less for defending the spiritual interests of the church, exposed to imminent danger by the progress of Luther's opinions, than for conducting its political operations with the prudence requisite at such a difficult juncture; and who, besides these advantages, rendered the ecclesiastical state more respectable, by having in his hands the government of Florence, together with the wealth of the family of Medici.[q]

Election of Clement VII. Nov. 28.

Wolsey disappointed, and filled with resentment.

Cardinal Wolsey, not disheartened by the disappointment of his ambitious views at the former election, had entertained more sanguine hopes of success on this occasion. Henry wrote to the emperor, reminding him of his engagements to second the pretensions of his minister. Wolsey bestirred himself with activity suitable to the importance of the prize for which he contended, and instructed his agents at Rome to spare neither promises nor bribes in order to gain his end. But Charles had either amused him with vain hopes which he never intended to gratify, or he judged it impolitic to oppose a candidate who had such a prospect of succeeding as Medici; or perhaps the cardinals durst not venture to provoke the people of Rome, while their indignation against Adrian's memory was still fresh, by placing another *Ultra-montane* on the papal throne. Wolsey, after all his expectations and endeavours, had the mortification to see a pope elected of such an age, and of so vigorous a constitution, that he could not derive much comfort to himself from the chance of surviving him. This second proof fully convinced Wolsey of the emperor's insincerity, and it excited in him all the resentment which a haughty mind feels on being at once disappointed and deceived; and though Clement endeavoured to soothe his vindictive nature by granting him a commission to be legate in England during life, with such ample powers as vested in him almost the whole papal jurisdiction in that kingdom, the injury he had now received made such an impression as entirely dissolved the tie which had united him to Charles, and from that moment he meditated revenge. It was necessary, however, to conceal his intention from his master, and to suspend the execution of it until, by a dexterous improvement of the incidents which might occur, he should be able gradually to alien-

o Guic. lib. xv. 254.

p Jovii Vit. Adr. 127.

q Guic. l. xv. 263.

ate the king's affections from the emperor. For this reason he was so far from expressing any uneasiness on account of the repulse which he had met with, that he abounded on every occasion, private as well as public, in declarations of his high satisfaction with Clement's promotion.[r]

Henry's operations in France,

Henry had during the campaign fulfilled, with great sincerity, whatever he was bound to perform by the league against France, though more slowly than he could have wished. His thoughtless profusion, and total neglect of economy, reduced him often to great straits for money. The operations of war were now carried on in Europe in a manner very different from that which had long prevailed. Instead of armies suddenly assembled, which under distinct chieftains followed their prince into the field for a short space and served at their own cost, troops were now levied at great charge, and received regularly considerable pay. Instead of impatience on both sides to bring every quarrel to the issue of a battle, which commonly decided the fate of open countries, and allowed the barons, together with their vassals, to return to their ordinary occupations, towns were fortified with great art and defended with much obstinacy; war from a very simple became a very intricate science; and campaigns grew of course to be more tedious and less decisive. The expense which these alterations in the military system necessarily created, appeared intolerable to nations hitherto unaccustomed to the burden of heavy taxes. Hence proceeded the frugal and even parsimonious spirit of the English parliaments in that age, which Henry, with all his authority, was seldom able to overcome. The commons having refused at this time to grant him the supplies which he demanded, he had recourse to the ample and almost unlimited prerogative which the kings of England then possessed, and by a violent and unusual exertion of it,

Sept. 20.

raised the money he wanted. This, however, wasted so much time, that it was late in the season before his army, under the duke of Suffolk, could take the field. Being joined by a considerable body of Flemings, Suffolk marched into Picardy; and Francis, from his extravagant eagerness to recover the Milanese, having left that frontier almost unguarded, he penetrated as far as the banks of the river Oyse, within eleven leagues of Paris, filling that capital with consternation. But the arrival of some troops detached by the king, who was still at Lyons; the active gallantry of the French officers, who allowed the allies no respite night or day; the rigour of a most unnatural season, together with scarcity of provisions, compelled

November.

Suffolk to retire; and La Tramouille, who commanded in those parts, had the glory not only of having checked the progress of a formidable army with an handful of men, but of driving them with ignominy out of the French territories.[s]

r Fiddes's Life of Wolsey, 294, &c. Herbert.

The emperor's attempts upon Burgundy and Guienne were not more fortunate, though in both these provinces Francis was equally ill prepared to resist them. The conduct and valour of his generals supplied his want of foresight; the Germans, who had made an irruption into one of these provinces, and the Spaniards, who attacked the other, were repulsed with great disgrace.

and those of the Germans and Spaniards.

Thus ended the year 1523, during which Francis's good fortune and success had been such as gave all Europe an high idea of his power and resources. He had discovered and disconcerted a dangerous conspiracy, the author of which he had driven into exile almost without an attendant; he had rendered abortive all the schemes of the powerful confederacy formed against him; he had protected his dominions when attacked on three different sides; and though his army in the Milanese had not made such progress as might have been expected from its superiority to the enemy in number, he had recovered, and still kept possession of, one-half of that duchy.

End of the campaign.

1524.

The ensuing year opened with events more disastrous to France. Fontarabia was lost by the cowardice or treachery of its governor. In Italy the allies resolved on an early and vigorous effort in order to dispossess Bonnivet of that part of the Milanese which lies beyond the Tessino. Clement, who under the pontificates Leo and Adrian had discovered an implacable enmity to France, began now to view the power which the emperor was daily acquiring in Italy with so much jealousy, that he refused to accede, as his predecessors had done, to the league against Francis, and, forgetting private passions and animosities, laboured with the zeal which became his character, to bring about a reconciliation among the contending parties. But all his endeavours were ineffectual; a numerous army, to which each of the allies furnished their contingent of troops, was assembled at Milan by the beginning of March. Lannoy, viceroy of Naples, took the command of it upon Colonna's death, though the chief direction of military operations was committed to Bourbon and the marquis de Pescara,—the latter the ablest and most enterprising of the imperial generals; the former inspired by his resentment with new activity and invention, and acquainted so thoroughly with the characters of the French commanders, the genius of their troops, and the strength as well as weakness of their armies, as to be of infinite service to the party which he had joined. But all these advantages were nearly lost through the emperor's inability to raise money sufficient for executing the various and extensive plans which he had formed. When his troops were commanded to march, they mutinied against their leaders, demanding

Sentiments of the new pope, Feb. 27.

Imperial army ready to take the field early.

retarded by a mutiny of the troops.

s Herbert. Mem. de Bellay, 73, &c.

the pay which was due to them for some months; and disregarding both the menaces and entreaties of their officers, threatened to pillage the city of Milan, if they did not instantly receive satisfaction. Out of this difficulty the generals of the allies were extricated by Moroné, who prevailing on his countrymen, over whom his influence was prodigious, to advance the sum that was requisite, the army took the field.[t]

The French obliged to abandon the Milanese.

Bonnivet was destitute of troops to oppose this army, and still more of the talents which could render him an equal match for its leaders. After various movements and encounters, described with great accuracy by the contemporary historians, a detail of which would now be equally uninteresting and uninstructive, he was forced to abandon the strong camp in which he had entrenched himself at Biagrassa. Soon after, partly by his own misconduct, partly by the activity of the enemy, who harassed and ruined his army by continual skirmishes, while they carefully declined a battle, which he often offered them; and partly by the caprice of 6000 Swiss, who refused to join his army, though within a day's march of it, he was reduced to the necessity of attempting a retreat into France through the valley of Aost. Just as he arrived on the banks of the Sessia, and began to pass that river, Bourbon and Pescara appeared with the vanguard of the allies, and attacked his rear with great fury. At the beginning of the charge, Bonnivet, while exerting himself with much valour, was wounded so dangerously that he was obliged to quit the field; and the conduct of the rear was committed to the chevalier Bayard, who, though so much a stranger to the arts of a court that he never rose to the chief command, was always called in times of real danger to the post of greatest difficulty and importance. He put himself at the head of the men at arms, and animating them by his presence and example to sustain the whole shock of the enemy's troops, he gained time for the rest of his countrymen to make good their retreat. But in this service he received a wound which he immediately perceived to be mortal, and being unable to continue any longer on horseback, he ordered one of his attendants to place him under a tree, with his face towards the enemy; then fixing his eyes on the guard of his sword, which he held up instead of a cross, he addressed his prayers to God, and in this posture, which became his character both as a soldier and as a christian, he calmly awaited the approach of death. Bourbon, who led the foremost of the enemy's troops, found him in this situation, and expressed regret and pity at the sight. "Pity not me," cried the high-spirited chevalier, "I die as a man of honour ought, in the discharge of my duty: they, indeed, are objects of pity who fight against their king, their country, and their oath."

Death of the chevalier Bayard, and ruin of the French army.

The marquis de Peseara, passing soon after, manifested his admiration of Bayard's virtues, as well as his sorrow for his fate, with the generosity of a gallant enemy; and finding that he could not be removed with safety from that spot, ordered a tent to be pitched there, and appointed proper persons to attend him. He died, notwithstanding their care, as his ancestors for several generations had done, in the field of battle. Pescara ordered his body to be embalmed and sent to his relations; and such was the respect paid to military merit in that age, that the duke of Savoy commanded it to be received with royal honours in all the cities of his dominions; in Dauphiné, Bayard's native country, the people of all ranks came out in a solemn procession to meet it.[u]

Bonnivet led back the shattered remains of his army into France; and in one short campaign Francis was stripped of all he had possessed in Italy, and left without one ally in that country.

Progress of the Reformation in Germany.

While the war kindled by the emulation of Charles and Francis spread over so many countries of Europe, Germany enjoyed a profound tranquillity, extremely favourable to the Reformation, which continued to make progress daily. During Luther's confinement in his retreat at Wartburg, Carlostadius, one of his disciples, animated with the same zeal, but possessed of less prudence and moderation than his master, began to propagate wild and dangerous opinions, chiefly among the lower people. Encouraged by his exhortations, they rose in several villages of Saxony, broke into the churches with tumultuary violence, and threw down and destroyed the images with which they were adorned. Those irregular and outrageous proceedings were so repugnant to all the elector's cautious maxims, that if they had not received a timely check, they could hardly have failed of alienating from the reformers a prince no less jealous of his own authority than afraid of giving offence to the emperor and other patrons of the ancient opinions. Luther, sensible of the danger, immediately quitted his retreat without waiting for Frederic's permission, and returned to Wittemberg. Happily for the Reformation, the veneration for his person and authority was still so great, that his appearance alone suppressed that spirit of extravagance which began to seize his party. Carlostadius and his fanatical followers, struck dumb by his rebukes, submitted at once, and declared that they heard the voice of an angel, not of a man.[x]

March 6, 1522.

Luther translates the Bible.

Before Luther left his retreat he had begun to translate the Bible into the German tongue, an undertaking of no less difficulty than importance, of which he was extremely fond, and for which he was well qualified. He had a competent knowledge of the original languages; a thorough acquaintance with the style and senti-

t Guic. l. xv. 267. Capella, 190.
u Bellifor. Epitr. p. 73. M. de Bellay, 75. Œuv. de Brant. tom. vi. 108, &c. Pasquier Recherches, p. 526.

x Sleid. Hist. 51. Seckend. 195.

ments of the inspired writers; and though his compositions in Latin were rude and barbarous, he was reckoned a great master of the purity of his mother tongue, and could express himself with all the elegance of which it is capable. By his own assiduous application, together with the assistance of Melancthon and several other of his disciples, he finished part of the New Testament in the year 1522; and the publication of it proved more fatal to the church of Rome than that of all his own works. It was read with wonderful avidity and attention by persons of every rank. They were astonished at discovering how contrary the precepts of the Author of our religion are to the inventions of those priests who pretended to be his vicegerents; and having now in their hand the rule of faith, they thought themselves qualified, by applying it, to judge of the established opinions, and to pronounce when they were conformable to the standard or when they departed from it. The great advantages arising from Luther's translation of the Bible encouraged the advocates for reformation in the other countries of Europe to imitate his example, and to publish versions of the Scriptures in their respective languages.

Several cities abolish the rites of the popish church.

About this time Nuremberg, Francfort, Hamburgh, and several other free cities in Germany, of the first rank, openly embraced the reformed religion, and by the authority of their magistrates abolished the mass and the other superstitious rites of popery.[y] The elector of Brandenburgh, the dukes of Brunswick and Lunenburgh, and prince of Anhalt, became avowed patrons of Luther's opinions, and countenanced the preaching of them among their subjects.

Measures employed by Adrian in order to check the progress of the Reformation.

The court of Rome beheld this growing defection with great concern; and Adrian's first care, after his arrival in Italy, had been to deliberate with the cardinals concerning the proper means of putting a stop to it. He was profoundly skilled in scholastic theology, and having been early celebrated on that account, he still retained such an excessive admiration of the science to which he was first indebted for his reputation and success in life, that he considered Luther's invectives against the schoolmen, particularly Thomas Aquinas, as little less than blasphemy. All the tenets of that doctor appeared to him so clear and irrefragable, that he supposed every person who called in question or contradicted them, to be either blinded by ignorance, or to be acting in opposition to the conviction of his own mind: of course no pope was ever more bigoted or inflexible with regard to points of doctrine than Adrian; he not only maintained them, as Leo had done, because they were ancient, or because it was dangerous to allow of innovations, but he adhered to them with the zeal of a theologian and with the tenaciousness of a disputant. At the same time his own manners being extremely simple, and uninfected with any of the vices which reigned in the court of Rome, he was as sensible of its corruptions as the reformers themselves, and viewed them with no less indignation. The brief which he addressed to the diet of the empire assembled at Nuremberg, and the instructions which he gave Cheregato, the nuncio whom he sent thither, were framed agreeably to these views. On the one hand, he condemned Luther's opinions with more asperity and rancour of expression than Leo had ever used; he severely censured the princes of Germany for suffering him to spread his pernicious tenets, by their neglecting to execute the edict of the diet at Worms; and required them, if Luther did not instantly retract his errors, to destroy him with fire as a gangrened and incurable member, in like manner as Dathan and Abiram had been cut off by Moses, Ananias and Sapphira by the apostles, and John Huss and Jerome of Prague by their ancestors.[z] On the other hand he, with great candour, and in the most explicit terms, acknowledged the corruptions of the Roman court to be the source from which had flowed most of the evils that the church now felt or dreaded; he promised to exert all his authority towards reforming these abuses, with as much despatch as the nature and inveteracy of the disorders would admit; and he requested of them to give him their advice with regard to the most effectual means of suppressing that new heresy which had sprung up among them.[a]

Nov. 1522.

Diet of Nuremberg propose a general council as the proper remedy.

The members of the diet, after praising the pope's pious and laudable intentions, excused themselves for not executing the edict of Worms, by alleging that the prodigious increase of Luther's followers, as well as the aversion to the court of Rome among their other subjects on account of its innumerable exactions, rendered such an attempt not only dangerous but impossible. They affirmed that the grievances of Germany, which did not arise from imaginary injuries, but from impositions no less real than intolerable, as his holiness would learn from a catalogue of them which they intended to lay before him, called now for some new and efficacious remedy; and in their opinion, the only remedy adequate to the disease, or which afforded them any hopes of seeing the church restored to soundness and vigour, was a general council. Such a council, therefore, they advised him, after obtaining the emperor's consent, to assemble, without delay, in one of the great cities of Germany, that all who had right to be present might deliberate with freedom, and propose their opinions with such boldness as the dangerous situation of religion at this juncture required.[b]

Artifices of the nuncio to elude it.

The nuncio, more artful than his master, and better acquainted with the political views and interests of the

y Seckend. 241. Chytræi Contin. Krantzii, 203.
z Fascic. Rer. expet. et fugiend. 342.
a Ibid. p. 345.
b Fascic. Rer. expet. et fugiend. p. 346.

Roman court, was startled at the proposition of a council, and easily foresaw how dangerous such an assembly might prove, at a time when many openly denied the papal authority, and the reverence and submission yielded to it visibly declined among all. For that reason he employed his utmost address in order to prevail on the members of the diet to proceed themselves with greater severity against the Lutheran heresy, and to relinquish their proposal concerning a general council to be held in Germany. They, perceiving the nuncio to be more solicitous about the interests of the Roman court than the tranquillity of the empire or purity of the church, remained inflexible, and continued to prepare the catalogue of their grievances to be presented to the pope.[c] The nuncio, that he might not be the bearer of a remonstrance so disagreeable to his court, left Nuremberg abruptly, without taking leave of the diet.[d]

The diet present a list of a hundred grievances to the pope.

The secular princes accordingly, (for the ecclesiastics, although they gave no opposition, did not think it decent to join with them,) drew up the list (so famous in the German annals) of a hundred grievances which the empire imputed to the iniquitous dominion of the papal see. This list contained grievances much of the same nature with that prepared under the reign of Maximilian. It would be tedious to enumerate each of them: they complained of the sums exacted for dispensations, absolutions, and indulgences; of the expense arising from the law-suits carried by appeal to Rome; of the innumerable abuses occasioned by reservations, commendams, and annates; of the exemption from civil jurisdiction which the clergy had obtained; of the arts by which they brought all secular causes under the cognizance of the ecclesiastical judges; of the indecent and profligate lives which not a few of the clergy led; and of various other particulars, many of which have already been mentioned among the circumstances that contributed to the favourable reception or to the quick progress of Luther's doctrines. In the end they concluded, that if the holy see did not speedily deliver them from those intolerable burdens, they had determined to endure them no longer, and would employ the power and authority with which God had intrusted them, in order to procure relief.[e]

The recess of the diet, March 6, 1523.

Instead of such severities against Luther and his followers as the nuncio had recommended, the *recess* or edict of the diet contained only a general injunction to all ranks of men to wait with patience for the determinations of the council which was to be assembled, and in the mean time not to publish any new opinions contrary to the established doctrines of the church; together with an admonition to all preachers to abstain from matters of controversy in their discourses to the people, and to confine themselves to the plain and instructive truths of religion.[f]

The reformers derived great advantage from the transactions of this diet, as they afforded them the fullest and most authentic evidence that gross corruptions prevailed in the court of Rome, and that the empire was loaded by the clergy with insupportable burdens. With regard to the former, they had now the testimony of the pope himself that their invectives and accusations were not malicious or ill-founded. As to the latter, the representatives of the Germanic body, in an assembly where the patrons of the new opinions were far from being the most numerous or powerful, had pointed out as the chief grievances of the empire, those very practices of the Romish church against which Luther and his disciples were accustomed to declaim. Accordingly, in all their controversial writings after this period, they often appealed to Adrian's declaration, and to the hundred grievances, in confirmation of whatever they advanced concerning the dissolute manners or insatiable ambition and rapaciousness of the papal court.

This diet of great benefit to the Reformation.

At Rome Adrian's conduct was considered as a proof of the most childish simplicity and imprudence. Men trained up amidst the artifices and corruptions of the papal court, and accustomed to judge of actions not by what was just but by what was useful, were astonished at a pontiff who, departing from the wise maxims of his predecessors, acknowledged disorders which he ought to have concealed; and forgetting his own dignity, asked advice of those to whom he was entitled to prescribe. By such an excess of impolitic sincerity, they were afraid that instead of reclaiming the enemies of the church, he would render them more presumptuous, and instead of extinguishing heresy, would weaken the foundations of the papal power, or stop the chief sources from which wealth flowed into the church.[g] For this reason the cardinals and other ecclesiastics of greatest eminence in the papal court industriously opposed all his schemes of reformation, and by throwing objections and difficulties in his way, endeavoured to retard or to defeat the execution of them. Adrian, amazed, on the one hand, at the obstinacy of the Lutherans, disgusted, on the other, with the manners and maxims of the Italians, and finding himself unable to correct either the one or the other, often lamented his own situation, and often looked back with pleasure on that period of his life when he was only dean of Louvain, a more humble but happier station, in which little was expected from him, and there was nothing to frustrate his good intentions.[h]

Adrian's conduct censured at Rome.

Clement VII., his successor, excelled Adrian as much in the arts of government as he was inferior to him in purity of life or uprightness of intention. He was animated not only with the aversion which all popes naturally bear to a council, but

Clement's measures against Luther, and his dread of a general council.

c Fascic. Rer. expet. et fugiend. 349. d Ibid. 376.
e Ibid. 354. f Ibid. 348.
g F. Paul, Hist. of Counc. p. 28. Pallavic. Hist. 58.
h Jovii Vit. Adr. p. 118.

having gained his own election by means very uncanonical, he was afraid of an assembly that might subject it to a scrutiny which it could not stand. He determined, therefore, by every possible means to elude the demands of the Germans, both with respect to the calling of a council, and reforming abuses in the papal court, which the rashness and incapacity of his predecessor had brought upon him. For this purpose he made choice of cardinal Campeggio, an artful man, often intrusted by his predecessors with negociations of importance, as his nuncio to the diet of the empire assembled again at Nuremberg.

February. The negociations of his nuncio in a second diet at Nuremberg,

Campeggio, without taking any notice of what had passed in the last meeting, exhorted the diet, in a long discourse, to execute the edict of Worms with vigour, as the only effectual means of suppressing Luther's doctrines. The diet in return desired to know the pope's intentions concerning the council, and the redress of the hundred grievances. The former the nuncio endeavoured to elude by general and unmeaning declarations of the pope's resolution to pursue such measures as would be for the greatest good of the church. With regard to the latter, as Adrian was dead before the catalogue of grievances reached Rome, and of consequence it had not been regularly laid before the present pope, Campeggio took advantage of this circumstance to decline making any definitive answer to them in Clement's name; though at the same time he observed, that their catalogue of grievances contained many particulars extremely indecent and undutiful, and that the publishing it by their own authority was highly disrespectful to the Roman see. In the end he renewed his demand of their proceeding with vigour against Luther and his adherents. But though an ambassador from the emperor, who was at that time very solicitous to gain the pope, warmly seconded the nuncio, with many professions of his master's zeal for the honour and dignity of the papal see, the *recess* of the diet was conceived in terms of almost the same import with the former, without enjoining any additional severity against Luther and his party.[i]

attended with little effect.

Before he left Germany, Campeggio, in order to amuse and soothe the people, published certain articles for the amendment of some disorders and abuses which prevailed among the inferior clergy; but this partial reformation, which fell so far short of the expectations of the Lutherans and of the demands of the diet, gave no satisfaction, and produced little effect. The nuncio, with a cautious hand, tenderly lopped a few branches; the Germans aimed a deeper blow, and by striking at the root wished to exterminate the evil.[k]

i Seckend. 286. Sleid. Hist. 66.

BOOK IV.

Views of the Italian states with respect to Charles and Francis.

THE expulsion of the French both out of the Milanese and the republic of Genoa, was considered by the Italians as the termination of the war between Charles and Francis; and as they began immediately to be apprehensive of the emperor, when they saw no power remaining in Italy capable either to control or oppose him, they longed ardently for the re-establishment of peace. Having procured the restoration of Sforza to his paternal dominions, which had been their chief motive for entering into confederacy with Charles, they plainly discovered their intention to contribute no longer towards increasing the emperor's superiority over his rival, which was already become the object of their jealousy. The pope especially, whose natural timidity increased his suspicions of Charles's designs, endeavoured by his remonstrances to inspire him with moderation and incline him to peace.

Charles resolves to invade France.

But the emperor, intoxicated with success, and urged on by his own ambition no less than by Bourbon's desire of revenge, contemned Clement's admonitions, and declared his resolution of ordering his army to pass the Alps and to invade Provence, a part of his rival's dominions where, as he least dreaded an attack, he was least prepared to resist it. His most experienced ministers dissuaded him from undertaking such an enterprise with a feeble army and an exhausted treasury; but he relied so much on having obtained the concurrence of the king of England, and on the hopes which Bourbon, with the confidence and credulity natural to exiles, entertained of being joined by a numerous body of his partisans as soon as the imperial troops should enter France, that he persisted obstinately in the measure. Henry undertook to furnish a hundred thousand ducats towards defraying the expense of the expedition during the first month, and had it in his choice either to continue the payment of that sum monthly, or to invade Picardy before the end of July with an army capable of acting with vigour. The emperor engaged to attack Guienne at the same time with a considerable body of men; and if these enterprises proved successful, they agreed that Bourbon, besides the territories which he had lost, should be put in possession of Provence, with the title of king, and should do homage to Henry, as the lawful king of France, for his new dominions. Of all the parts of this extensive but extravagant project, the invasion of Provence was the only one which was executed. For although Bourbon, with a scrupulous delicacy altogether unexpected after the part which he had acted, positively refused to acknowledge Henry's title to the crown of France, and thereby absolved him from any obligation to promote the enterprise,

k Seckend. 292.

Charles's eagerness to carry his own plan into execution did not in any degree abate. The army which he employed for that purpose amounted only to eighteen thousand men, the command of which was given to the marquis de Pescara, with instructions to pay the greatest deference to Bourbon's advice in all his operations. Pescara passed the Alps without opposition, and entering Provence, laid siege to Marseilles. Bourbon had advised him rather to march towards Lyons, in the neighbourhood of which city his territories were situated, and where of course his influence was most extensive; but the emperor was so desirous to get possession of a port which would at all times secure him an easy entrance into France, that by his authority he overruled the constable's opinion, and directed Pescara to make the reduction of Marseilles his chief object.[a]

The imperialists enter Provence, Aug. 19.

Prudent measures of Francis.

Francis, who foresaw but was unable to prevent this attempt, took the most proper precautions to defeat it. He laid waste the adjacent country, in order to render it more difficult for the enemy to subsist their army; he raised the suburbs of the city, strengthened its fortifications, and threw into it a numerous garrison under the command of brave and experienced officers. To these, nine thousand of the citizens, whom their dread of the Spanish yoke inspired with contempt of danger, joined themselves; by their united courage and industry, all the efforts of Pescara's military skill, and of Bourbon's activity and revenge, were rendered abortive. Francis, meanwhile, had leisure to assemble a powerful army under the walls of Avignon, and no sooner began to advance towards Marseilles than the imperial troops, exhausted by the fatigues of a siege which had lasted forty days, weakened by diseases, and almost destitute of provisions, retired with precipitation towards Italy.[b]

Imperialists forced to retreat, Sept. 19.

If, during these operations of the army in Provence, either Charles or Henry had attacked France in the manner which they had projected, that kingdom must have been exposed to the most imminent danger. But on this as well as on many other occasions, the emperor found that the extent of his revenues was not adequate to the greatness of his schemes or the ardour of his ambition, and the want of money obliged him, though with much reluctance, to circumscribe his plan, and to leave part of it unexecuted. Henry, disgusted at Bourbon's refusing to recognise his right to the crown of France; alarmed at the motions of the Scots, whom the solicitations of the French king had persuaded to march towards the borders of England; and no longer incited by his minister, who was become extremely cool with regard to all the emperor's interests, took no measures to support an enterprise of which, as of all new undertakings, he had been at first excessively fond.[c]

Francis elated with his success,

If the king of France had been satisfied with having delivered his subjects from this formidable invasion, if he had thought it enough to show all Europe the facility with which the internal strength of his dominions enabled him to resist the invasion of a foreign enemy, even when seconded by the abilities and powerful efforts of a rebellious subject, the campaign, notwithstanding the loss of the Milanese, would have been far from ending ingloriously. But Francis, animated with courage more becoming a soldier than a general; pushed on by ambition; enterprising rather than considerate; and too apt to be elated with success; was fond of every undertaking that seemed bold and adventurous. Such an undertaking the situation of his affairs at that juncture naturally presented to his view. He had under his command one of the most powerful and best appointed armies France had ever brought into the field, which he could not think of disbanding without having employed it in any active service. The imperial troops had been obliged to retire, almost ruined by hard duty, and disheartened with ill success; the Milanese had been left altogether without defence; it was not impossible to reach that country before Pescara. with his shattered forces, could arrive there; or if fear should add speed to their retreat, they were in no condition to make head against his fresh and numerous troops; and Milan would now, as in former instances, submit without resistance to a bold invader. These considerations, which were not destitute of plausibility, appeared to his sanguine temper to be of the utmost weight. In vain did his wisest ministers and generals represent to him the danger of taking the field at a season so far advanced, with an army composed chiefly of Swiss and Germans, to whose caprices he would be subject in all his operations, and on whose fidelity his safety must absolutely depend. In vain did Louise of Savoy advance by hasty journeys towards Provence, that she might exert all her authority in dissuading her son from such a rash enterprise. Francis disregarded the remonstrances of his subjects; and that he might save himself the pain of an interview with his mother, whose counsels he had determined to reject, he began his march before her arrival; appointing her, however, by way of atonement for that neglect, to be regent of the kingdom during his absence. Bonnivet, by his persuasions, contributed not a little to confirm Francis in this resolution. That favourite, who strongly resembled his master in all the defective parts of his character, was led, by his natural impetuosity, warmly to approve of such an enterprise; and being prompted, besides, by his impatience to revisit a Milanese lady, of whom he had been deeply enamoured during his late expedition, he is said, by his flattering descrip-

resolves to invade the Milanese.

Appoints his mother regent during his absence.

a Guic. l. xv. 273, &c. Mem. de Bellay, p. 80.
b Guic. l. xv. 277. Ulloa Vita dell' Carlo V. p. 93.
c Fiddes's Life of Wolsey, Append. Nos. 70, 71, 72.

tions of her beauty and accomplishments, to have inspired Francis, who was extremely susceptible of such passions, with an equal desire of seeing her.[d]

Operations in the Milanese.

The French passed the Alps at mount Cenis; and as their success depended on despatch, they advanced with the greatest diligence. Pescara, who had been obliged to take a longer and more difficult route by Monaco and Final, was soon informed of their intention; and being sensible that nothing but the presence of his troops could save the Milanese, marched with such rapidity, that he reached Alva on the same day that the French army arrived at Vercelli. Francis, instructed by Bonnivet's error in the former campaign, advanced directly towards Milan, where the unexpected approach of an enemy so powerful occasioned such consternation and disorder, that although Pescara entered the city with some of his best troops, he found that the defence of it could not be undertaken with any probability of success; and having thrown a garrison into the citadel, retired through one gate, while the French were admitted at another.[e]

Embarrassing state of the imperialists.

These brisk motions of the French monarch disconcerted all the schemes of defence which the imperialists had formed. Never, indeed, did generals attempt to oppose a formidable invasion under such circumstances of disadvantage. Though Charles possessed dominions more extensive than any other prince in Europe, and had, at this time, no other army but that which was employed in Lombardy, which did not amount to sixteen thousand men, his prerogative in all his different states was so limited, and his subjects, without whose consent he could raise no taxes, discovered such unwillingness to burden themselves with new or extraordinary impositions, that even this small body of troops was in want of pay, of ammunition, of provisions, and of clothing. In such a situation it required all the wisdom of Lannoy, the intrepidity of Pescara, and the implacable resentment of Bourbon, to preserve them from sinking under despair, and to inspire them with resolution to attempt or sagacity to discover what was essential to their safety. To the efforts of their genius, and the activity of their zeal, the emperor was more indebted for the preservation of his Italian dominions than to his own power. Lannoy, by mortgaging the revenues of Naples, procured some money, which was immediately applied towards providing the army with whatever was most necessary.[f] Pescara, who was beloved and almost adored by the Spanish troops, exhorted them to show the world, by their engaging to serve the emperor in that dangerous exigency without making any immediate demand of pay, that they were animated with sentiments of honour very different from those of mercenary soldiers; to which proposition that gallant body of men, with an unexampled generosity, gave their consent.[g] Bourbon, having raised a considerable sum by pawning his jewels, set out for Germany, where his influence was great, that by his presence he might hasten the levying of troops for the imperial service.[h]

Francis besieges Pavia.

Francis, by a fatal error, allowed the emperor's generals time to derive advantage from all these operations. Instead of pursuing the enemy, who retired to Lodi on the Adda, an untenable post, which Pescara had resolved to abandon on the approach of the French, he, in compliance with the opinion of Bonnivet, though contrary to that of his other generals, laid siege to Pavia on the Tessino; Oct. 28. a town, indeed, of great importance, the possession of which would have opened to him all the fertile country lying on the banks of that river. But the fortifications of the place were strong; it was dangerous to undertake a difficult siege at so late a season; and the imperial generals, sensible of its consequence, had thrown into the town a garrison composed of six thousand veterans, under the command of Antonio de Leyva, an officer of high rank; of great experience; of a patient but enterprising courage; fertile in resources; ambitious of distinguishing himself; and capable, for that reason, as well as from his having been long accustomed both to obey and to command, of suffering or performing any thing in order to procure success.

His vigorous efforts.

Francis prosecuted the siege with obstinacy equal to the rashness with which he had undertaken it. During three months, every thing known to the engineers of that age, or that could be effected by the valour of his troops, was attempted, in order to reduce the place; while Lannoy and Pescara, unable to obstruct his operations, were obliged to remain in such an ignominious state of inaction, that a pasquinade was published at Rome, offering a reward to any person who could find the imperial army, lost in the month of October in the mountains between France and Lombardy, and which had not been heard of since that time.[i]

The town gallantly defended.

Leyva, well acquainted with the difficulties under which his countrymen laboured, and the impossibility of their facing, in the field, such a powerful army as formed the siege of Pavia, placed his only hopes of safety in his own vigilance and valour. The efforts of both were extraordinary, and in proportion to the importance of the place with the defence of which he was intrusted. He interrupted the approaches of the French by frequent and furious sallies. Behind the breaches made by their artillery he erected new works, which appeared to be scarcely inferior in strength to the original fortifications. He repulsed the besiegers in all their assaults; and by his own

d Œuv. de Brant. tom. vi. 253.
e Mem. de Bellay, p. 81. Guic. l. xv. 278.
f Guic. l. xv. 280.
g Jovii Vit. Davali, lib. xv. p. 386. Sandov. vol. i. 621. Ulloa Vita dell' Carlo V. p. 94, &c. Vita dell' Emperor Carlo V. per Vera y Zuniga, p. 36.
h Mem. de Bellay, p. 83.
i Sandov. i. 608.

example brought not only the garrison, but the inhabitants, to bear the most severe fatigues and to encounter the greatest dangers without murmuring. The rigour of the season conspired with his endeavours in retarding the progress of the French. Francis attempting to become master of the town by diverting the course of the Tesino, which is its chief defence on one side, a sudden inundation of the river destroyed, in one day, the labour of many weeks, and swept away all the mounds which his army had raised with infinite toil, as well as at great expense.[k]

The pope concludes a treaty of of neutrality.

Notwithstanding the slow progress of the besiegers, and the glory which Leyva acquired by his gallant defence, it was not doubted but that the town would at last be obliged to surrender. The pope, who already considered the French arms as superior in Italy, became impatient to disengage himself from his connexions with the emperor, of whose designs he was extremely jealous, and to enter into terms of friendship with Francis. As Clement's timid and cautious temper rendered him incapable of following the bold plan which Leo had formed, of delivering Italy from the yoke of both the rivals, he returned to the more obvious and practicable scheme of employing the power of the one to balance and to restrain that of the other. For this reason he did not dissemble his satisfaction at seeing the French king recover Milan, as he hoped that the dread of such a neighbour would be some check upon the emperor's ambition, which no power in Italy was now able to control. He laboured hard to bring about a peace that would secure Francis in the possession of his new conquests; and as Charles, who was always inflexible in the prosecution of his schemes, rejected the proposition with disdain, and with bitter exclamations against the pope, by whose persuasions, while cardinal de Medici, he had been induced to invade the Milanese, Clement immediately concluded a treaty of neutrality with the king of France, in which the republic of Florence was included.[l]

Francis invades Naples.

Francis having by this transaction deprived the emperor of his two most powerful allies, and at the same time having secured a passage for his own troops through their territories, formed a scheme of attacking the kingdom of Naples, hoping either to overrun that country, which was left altogether without defence, or that at least such an unexpected invasion would oblige the viceroy to recall part of the imperial army out of the Milanese. For this purpose he ordered six thousand men to march under the command of John Stuart, duke of Albany. But Pescara, foreseeing that the effect of this diversion would depend entirely upon the operations of the armies in the Milanese, persuaded Lannoy to disregard Albany's motions,[m] and to bend his whole force against the king himself; so that Francis not only weakened his army very unseasonably by this great detachment, but incurred the reproach of engaging too rashly in chimerical and extravagant projects.

Efforts of Pescara and Bourbon.

By this time the garrison of Pavia was reduced to extremity; their ammunition and provisions began to fail; the Germans, of whom it was chiefly composed, having received no pay for seven months,[n] threatened to deliver the town into the enemy's hands, and could hardly be restrained from mutiny by all Leyva's address and authority. The imperial generals, who were no strangers to his situation, saw the necessity of marching without loss of time to his relief. This they had now in their power: twelve thousand Germans, whom the zeal and activity of Bourbon taught to move with unusual rapidity, had entered Lombardy under his command, and rendered the imperial army nearly equal to that of the French, greatly diminished by the absence of the body under Albany, as well as by the fatigues of the siege and the rigour of the season. But the more their troops increased in number, the more sensibly did the imperialists feel the distress arising from want of money. Far from having funds for paying a powerful army, they had scarcely what was sufficient for defraying the charges of conducting their artillery and of carrying their ammunition and provisions. The abilities of the generals, however, supplied every defect. By their own example, as well as by magnificent promises in the name of the emperor, they prevailed on the troops of all the different nations which composed their army, to take the field without pay; they engaged to lead them directly towards the enemy; and flattered them with the certain prospect of victory, which would at once enrich them with such royal spoils as would be an ample reward for all their services. The soldiers, sensible that by quitting the army they would forfeit the great arrears due to them, and eager to get possession of the promised treasures, demanded a battle with all the impatience of adventurers who fight only for plunder.[o]

1525.

They march to attack the French, Feb. 3.

The imperial generals, without suffering the ardour of their troops to cool, advanced immediately towards the French camp. On the first intelligence of their approach, Francis called a council of war to deliberate what course he ought to take. All his officers of greatest experience were unanimous in advising him to retire, and to decline a battle with an enemy who courted it from despair. The imperialists, they observed, would either be obliged in a few weeks to disband an army which they were unable to pay, and which they kept together only by the hope of plunder; or the soldiers, enraged at the non-performance of the promises to which they had trusted, would rise in some furious mutiny, which would allow their generals to think of no-

k Guic. l. xv. 280. Ulloa Vita dell' Carlo V. p. 95.
l Guic. l. xv. 282. 285.
m Ibid. l. xv. 285.
n Gold. Polit. Imperial. 875.
o Eryci Peuteani Hist. Cisalpina, ap. Grævii Thes. Antiquit. Ital. ii. p. 1170, 1179.

thing but their own safety: that meanwhile he might encamp in some strong post; and waiting in safety the arrival of fresh troops from France and Switzerland, might before the end of spring take possession of all the Milanese without danger or bloodshed. But in opposition to them Bonnivet, whose destiny it was to give counsels fatal to France during the whole campaign, represented the ignominy that it would reflect on their sovereign if he should abandon a siege which he had prosecuted so long, or turn his back before an enemy to whom he was still superior in number; and insisted on the necessity of fighting the imperialists rather than relinquish an undertaking on the success of which the king's future fame depended. Unfortunately Francis's notions of honour were delicate to an excess that bordered on what was romantic. Having often said that he would take Pavia or perish in the attempt, he thought himself bound not to depart from that resolution; and rather than expose himself to the slightest imputation, he chose to forego all the advantages which were the certain consequences of a retreat, and determined to wait for the imperialists before the walls of Pavia.[p]

Battle of Pavia. Feb. 24.

The imperial generals found the French so strongly intrenched, that notwithstanding the powerful motives which urged them on, they hesitated long before they ventured to attack them; but at last the necessities of the besieged and the murmurs of their own soldiers obliged them to put every thing to hazard. Never did armies engage with greater ardour, or with an higher opinion of the importance of the battle which they were going to fight; never were troops more strongly animated with emulation, national antipathy, mutual resentment, and all the passions which inspire obstinate bravery. On the one hand a gallant young monarch, seconded by a generous nobility, and followed by subjects to whose natural impetuosity indignation at the opposition which they had encountered added new force, contended for victory and honour. On the other side, troops more completely disciplined, and conducted by generals of greater abilities, fought from necessity, with courage heightened by despair. The imperialists, however, were unable to resist the first efforts of the French valour, and their firmest battalions began to give way. But the fortune of the day was quickly changed. The Swiss in the service of France, unmindful of the reputation of their country for fidelity and martial glory, abandoned their post in a cowardly manner. Leyva, with his garrison, sallied out and attacked the rear of the French, during the heat of the action, with such fury as threw it into confusion; and Pescara falling on their cavalry with the imperial horse, among whom he had prudently intermingled a considerable number of Spanish foot, armed with the heavy muskets then in use, broke this formidable body by an unusual method of attack, against which they were wholly unprovided. The rout became universal; and resistance ceased in almost every part but where the king was in person, who fought now, not for fame or victory, but for safety. Though wounded in several places, and thrown from his horse, which was killed under him, Francis defended himself on foot with an heroic courage. Many of his bravest officers gathering round him, and endeavouring to save his life at the expense of their own, fell at his feet. Among these was Bonnivet, the author of this great calamity, who alone died unlamented. The king, exhausted with fatigue, and scarcely capable of further resistance, was left almost alone, exposed to the fury of some Spanish soldiers, strangers to his rank, and enraged at his obstinacy. At that moment came up Pomperant, a French gentleman, who had entered together with Bourbon into the emperor's service, and placing himself by the side of the monarch against whom he had rebelled, assisted in protecting him from the violence of the soldiers; at the same time beseeching him to surrender to Bourbon, who was not far distant. Imminent as the danger was which now surrounded Francis, he rejected with indignation the thoughts of an action which would have afforded such matter of triumph to his traitorous subject; and calling for Lannoy, who happened likewise to be near at hand, gave up his sword to him; which he, kneeling to kiss the king's hand, received with profound respect; and taking his own sword from his side, presented it to him, saying that it did not become so great a monarch to remain disarmed in the presence of one of the emperor's subjects.[q]

The French army routed.

Francis is taken prisoner.

Ten thousand men fell on this day, one of the most fatal France had ever seen. Among these were many noblemen of the highest distinction, who chose rather to perish than to turn their backs with dishonour. Not a few were taken prisoners, of whom the most illustrious was Henry D'Albert, the unfortunate king of Navarre. A small body of the rear-guard made its escape under the command of the duke of Alençon; the feeble garrison of Milan, on the first news of the defeat, retired without being pursued, by another road; and in two weeks after the battle not a Frenchman remained in Italy.

Lannoy, though he treated Francis with all the outward marks of honour due to his rank and character, guarded him with the utmost attention. He was solicitous not only to prevent any possibility of his escaping, but afraid that his own troops might seize his person, and detain it as the best security for the payment of their arrears. In order to provide against both these dangers, he conducted Francis, the day after the battle, to the strong castle of Pizzichitoné, near Cremona, committing him

p Guic. l. xv. 291.
q Ibid. 292. Œuv. de Brant. vi. 355. Mem. de Bellay, p. 90. Sandov. Hist. i. 638, &c. P. Mart. Ep. 805, 810. Ruscelli Lettere de Principi, ii. p. 70. Ulloa Vita dell Carlo V. p. 98.

to the custody of Don Ferdinand Alarcon, general of the Spanish infantry, an officer of great bravery and of strict honour, but remarkable for that severe and scrupulous vigilance which such a trust required.

Francis, who formed a judgment of the emperor's disposition by his own, was extremely desirous that Charles should be informed of his situation, fondly hoping that from his generosity or sympathy he should obtain speedy relief. The imperial generals were no less impatient to give their sovereign an early account of the decisive victory which they had gained, and to receive his instructions with regard to their future conduct. As the most certain and expeditious method of conveying intelligence to Spain at that season of the year was by land, Francis gave the commendador Pennalosa, who was charged with Lannoy's despatches, a passport to travel through France.

Effects of this victory upon Charles. March 10.

Charles received the account of this signal and unexpected success that had crowned his arms, with a moderation which, if it had been real, would have done him more honour than the greatest victory. Without uttering one word expressive of exultation or of intemperate joy, he retired immediately into his chapel, and having spent an hour in offering up his thanksgivings to Heaven, returned to the presence-chamber, which by that time was filled with grandees and foreign ambassadors, assembled in order to congratulate him. He accepted of their compliments with a modest deportment; he lamented the misfortune of the captive king, as a striking example of the sad reverse of fortune to which the most powerful monarchs are subject; he forbad any public rejoicings, as indecent in a war carried on among christians, reserving them until he should obtain a victory equally illustrious over the infidels; and seemed to take pleasure in the advantage which he had gained, only as it would prove the occasion of restoring peace to Christendom.[r]

The schemes he begun to form.

Charles, however, had already begun to form schemes in his own mind which little suited such external appearances. Ambition, not generosity, was the ruling passion in his mind; and the victory at Pavia opened such new and unbounded prospects of gratifying it, as allured him with irresistible force: but it being no easy matter to execute the vast designs which he meditated, he thought it necessary, whilst proper measures were taking for that purpose, to affect the greatest moderation, hoping under that veil to conceal his real intentions from the other princes of Europe.

The general consternation in France.

Meanwhile France was filled with consternation. The king himself had early transmitted an account of the rout at Pavia, in a letter to his mother, delivered by Pennalosa, which contained only these words: —"Madam, all is lost except our honour." The officers who made their escape, when they arrived from Italy, brought such a melancholy detail of particulars as made all ranks of men sensibly feel the greatness and extent of the calamity. France, without its sovereign, without money in her treasury, without an army, without generals to command it, and encompassed on all sides by a victorious and active enemy, seemed to be on the very brink of destruction. But on that occasion the great abilities of Louise the regent saved the kingdom, which the violence of her passions had more than once exposed to the greatest danger. Instead of giving herself up to such lamentations as were natural to a woman so remarkable for her maternal tenderness, she discovered all the foresight and exerted all the activity of a consummate politician. She assembled the nobles at Lyons, and animated them by her example no less than by her words, with such zeal in defence of their country as its present situation required. She collected the remains of the army which had served in Italy, ransomed the prisoners, paid the arrears, and put them in a condition to take the field. She levied new troops, provided for the security of the frontiers, and raised sums sufficient for defraying these extraordinary expenses. Her chief care, however, was to appease the resentment or to gain the friendship of the king of England; and from that quarter the first ray of comfort broke in upon the French.

The prudent conduct of the regent.

Effects of the victory at Pavia on Henry VIII.

Though Henry, in entering into alliances with Charles or Francis, seldom followed any regular or concerted plan of policy, but was influenced chiefly by the caprice of temporary passions, such occurrences often happened as recalled his attention towards that equal balance of power which it was necessary to keep between the two contending potentates, the preservation of which he always boasted to be his peculiar office. He had expected that his union with the emperor might afford him an opportunity of recovering some part of those territories in France which had belonged to his ancestors, and for the sake of such an acquisition he did not scruple to give his assistance towards raising Charles to a considerable pre-eminence above Francis. He had never dreamt, however, of any event so decisive and so fatal as the victory at Pavia, which seemed not only to have broken but to have annihilated the power of one of the rivals; so that the prospect of the sudden and entire revolution which this would occasion in the political system, filled him with the most disquieting apprehensions. He saw all Europe in danger of being overrun by an ambitious prince, to whose power there now remained no counterpoise; and though he himself might at first be admitted, in quality of an ally, to some share in the spoils of the captive monarch, it was easy to discern, that with regard to the manner of making the partition, as well as his security for keeping possession of what should be allotted him, he must absolutely depend upon the will of a confederate, to whose forces

r Sandov. Hist. i. 641. Ulloa Vita dell Carlo V. p. 110.

his own bore no proportion. He was sensible that if Charles were permitted to add any considerable part of France to the vast dominions of which he was already master, his neighbourhood would be much more formidable to England than that of the ancient French kings; while at the same time, the proper balance on the continent, to which England owed both its safety and importance, would be entirely lost. Concern for the situation of the unhappy monarch co-operated with these political considerations; his gallant behaviour in the battle of Pavia had excited an high degree of admiration, which never fails of augmenting sympathy; and Henry, naturally susceptible of generous sentiments, was fond of appearing as the deliverer of a vanquished enemy from a state of captivity. The passions of the English minister seconded the inclinations of the monarch. Wolsey, who had not forgotten the disappointment of his hopes in two successive conclaves, which he imputed chiefly to the emperor, thought this a proper opportunity of taking revenge; and Louise, courting the friendship of England with such flattering submissions as were no less agreeable to the king than to the cardinal, Henry gave her secret assurances that he would not lend his aid towards oppressing France in its present helpless state, and obliged her to promise that she would not consent to dismember the kingdom even in order to procure her son's liberty.[s]

But as Henry's connexions with the emperor made it necessary to act in such a manner as to save appearances, he ordered public rejoicings to be made in his dominions for the success of the imperial arms; and as if he had been eager to seize the present opportunity of ruining the French monarchy, he sent ambassadors to Madrid to congratulate with Charles upon his victory; to put him in mind that he, as his ally, engaged in one common cause, was entitled to partake in the fruits of it; and to require that, in compliance with the terms of their confederacy, he would invade Guienne with a powerful army, in order to give him possession of that province. At the same time he offered to send the princess Mary into Spain or the Low Countries, that she might be educated under the emperor's direction, until the conclusion of the marriage agreed on between them; and in return for that mark of his confidence, he insisted that Francis should be delivered to him, in consequence of that article in the treaty of Bruges, whereby each of the contracting parties was bound to surrender all usurpers to him whose rights they had invaded. It was impossible that Henry could expect that the emperor would listen to these extravagant demands, which it was neither his interest nor in his power to grant. They appear evidently to have been made with no other intention than to furnish him with a decent pretext for entering into such engagements with France as the juncture required.[t]

s Mem. de Bellay, 94. Guic. l. xvi. 318. Herb. t Herb. p. 64.
u Guic. l. xvi. 300. Ruscelli Lettre de Princ. ii. 74, 76, &c. Thuani Hist. lib. i. c. 11.

On the Italian powers.

It was among the Italian states, however, that the victory at Pavia occasioned the greatest alarm and terror. That balance of power on which they relied for their security, and which it had been the constant object of all their negociations and refinements to maintain, was destroyed in a moment. They were exposed by their situation to feel the first effects of the uncontrolled authority which Charles had acquired. They observed many symptoms of a boundless ambition in that young prince, and were sensible that, as emperor or king of Naples, he might not only form dangerous pretensions upon each of their territories, but might invade them with great advantage. They deliberated, therefore, with much solicitude concerning the means of raising such a force as might obstruct his progress.[u] But their consultations, conducted with little union and executed with less vigour, had no effect. Clement, instead of pursuing the measures which he had concerted with the Venetians for securing the liberty of Italy, was so intimidated by Lannoy's threats, or overcome by his promises, that he entered into a separate treaty, binding himself to advance a considerable sum to the emperor, in return for certain emoluments which he was to receive from him. The money was instantly paid; but Charles afterwards refused to ratify the treaty; and the pope remained exposed at once to infamy and to ridicule: to the former, because he had deserted the public cause for his private interest; to the latter, because he had been a loser by that unworthy action.[x]

April 1.

Mutiny in the imperial army.

How dishonourable soever the artifice might be which was employed in order to defraud the pope of this sum, it came very seasonably into the viceroy's hands, and put it in his power to extricate himself out of an imminent danger. Soon after the defeat of the French army, the German troops, which had defended Pavia with such meritorious courage and perseverance, growing insolent upon the fame that they had acquired, and impatient of relying any longer on fruitless promises, with which they had been so often amused, rendered themselves masters of the town, with a resolution to keep possession of it as a security for the payment of their arrears; and the rest of the army discovered a much stronger inclination to assist than to punish the mutineers. By dividing among them the money exacted from the pope, Lannoy quieted the tumultuous Germans; but though this satisfied their present demands, he had so little prospect of being able to pay them or his other forces regularly for the future, and was under such continual apprehensions of their seizing the person of the captive king, that, not long after, he was obliged to dismiss all the Germans and Italians in the imperial service.[y] Thus, from a circumstance that now appears very singular, but arising naturally from the constitution of most European go-

x Guic. lib. xvi. 305. Mauroceni Histor. Venet. ap. Istorichi dell cose Venez. V. 131, 136.
y Guic. l. xvi. p. 302.

vernments in the sixteenth century, while Charles was suspected by all his neighbours of aiming at universal monarchy, and while he was really forming vast projects of this kind, his revenues were so limited, that he could not keep on foot his victorious army, though it did not exceed twenty-four thousand men.

The emperor's deliberations concerning the manner of improving his victory.

During these transactions, Charles, whose pretensions to moderation and disinterestedness were soon forgotten, deliberated, with the utmost solicitude, how he might derive the greatest advantages from the misfortunes of his adversary. Some of his counsellors advised him to treat Francis with the magnanimity that became a victorious prince, and, instead of taking advantage of his situation to impose rigorous conditions, to dismiss him on such equal terms as would bind him for ever to his interest by the ties of gratitude and affection, more forcible as well as more permanent than any which could be formed by extorted oaths and involuntary stipulations. Such an exertion of generosity is not perhaps to be expected in the conduct of political affairs, and it was far too refined for that prince to whom it was proposed. The more obvious but less splendid scheme of endeavouring to make the utmost of Francis's calamity, had a greater number in the council to recommend it, and suited better with the emperor's genius. But though Charles adopted this plan, he seems not to have executed it in the most proper manner. Instead of making one great effort to penetrate into France with all the forces of Spain and the Low Countries; instead of crushing the Italian states before they recovered from the consternation which the success of his arms had occasioned, he had recourse to the artifices of intrigue and negociation. This proceeded partly from necessity, partly from the natural disposition of his mind. The situation of his finances at that time rendered it extremely difficult to carry on any extraordinary armament; and he himself having never appeared at the head of his armies, the command of which he had hitherto committed to his generals, was averse to bold and martial counsels, and trusted more to the arts with which he was acquainted. He laid, besides, too much stress upon the victory of Pavia, as if by that event the strength of France had been annihilated, its resources exhausted, and the kingdom itself, no less than the person of its monarch, had been subjected to his power.

The rigorous terms he proposes to Francis.

Full of this opinion, he determined to set the highest price upon Francis's freedom; and having ordered the count de Roeux to visit the captive king in his name, he instructed him to propose the following articles as the conditions on which he would grant him his liberty: That he should restore Burgundy to the emperor, from whose ancestors it had been unjustly wrested; that he should surrender Provence and Dauphiné, that they might be erected into an independent kingdom for the constable Bourbon; that he should make full satisfaction to the king of England for all his claims, and finally renounce the pretensions of France to Naples, Milan, or any other territory in Italy. When Francis, who had hitherto flattered himself that he should be treated by the emperor with the generosity becoming one great prince towards another, heard these rigorous conditions, he was so transported with indignation, that drawing his dagger hastily, he cried out, "'Twere better that a king should die thus." Alarcon, alarmed at his vehemence, laid hold on his hand; but though he soon recovered greater composure, he still declared, in the most solemn manner, that he would rather remain a prisoner during life than purchase liberty by such ignominious concessions.[z]

Francis carried prisoner to Spain.

This mortifying discovery of the emperor's intentions greatly augmented Francis's chagrin and impatience under his confinement, and must have driven him to absolute despair, if he had not laid hold of the only thing which could still administer any comfort to him. He persuaded himself that the conditions which Roeux had proposed did not flow originally from Charles himself, but were dictated by the rigorous policy of his Spanish council; and that therefore he might hope, in one personal interview with him, to do more towards hastening his own deliverance than could be effected by long negociations passing through the subordinate hands of his ministers. Relying on this supposition, which proceeded from too favourable an opinion of the emperor's character, he offered to visit him in Spain, and was willing to be carried thither as a spectacle to that haughty nation. Lannoy employed all his address to confirm him in these sentiments, and concerted with him in secret the manner of executing this resolution. Francis was so eager on a scheme which seemed to open some prospect of liberty, that he furnished the galleys necessary for conveying him to Spain, Charles being at this time unable to fit out a squadron for that purpose. The viceroy, without communicating his intentions either to Bourbon or Pescara, conducted his prisoner towards Genoa, under pretence of transporting him by sea to Naples; though, soon after they set sail, he ordered the pilots to steer directly for Spain: but the wind happening to carry them near the French coast, the unfortunate monarch had a full prospect of his own dominions, towards which he cast many a sorrowful and desiring look. They landed, however, in a few days at Barcelona, and soon after Francis was lodged, by the emperor's command, in the Alcazar of Madrid, under the care of the vigilant Alarcon, who guarded him with as much circumspection as ever.[a] Aug. 24.

A few days after Francis's arrival at Madrid, and when he began to be sensible of his having relied

z Mem. de Bellay, 94. Ferreras Hist. ix. 43.

a Mem. de Bellay, 95. P. Mart. Ep. ult. Guic. lib. xvi. 323.

Hen. VIII. concludes a treaty with France, in order to procure his release.

without foundation on the emperor's generosity, Henry VIII. concluded a treaty with the regent of France, which afforded him some hope of liberty from another quarter. Henry's extravagant demands had been received at Madrid with that neglect which they deserved, and which he probably expected. Charles, intoxicated with prosperity, no longer courted him in that respectful and submissive manner which pleased his haughty temper. Wolsey, no less haughty than his master, was highly irritated at the emperor's discontinuing his wonted caresses and professions of friendship to himself. These slight offences, added to the weighty considerations formerly mentioned, induced Henry to enter into a defensive alliance with Louise, in which all the differences between him and her son were adjusted; at the same time he engaged that he would employ his best offices in order to procure the deliverance of his new ally from a state of captivity.[b]

Moronè's intrigues in order to overturn the emperor's power in Italy.

While the open defection of such a powerful confederate affected Charles with deep concern, a secret conspiracy was carrying on in Italy, which threatened him with consequences still more fatal. The restless and intriguing genius of Moronè, chancellor of Milan, gave rise to this. His revenge had been amply gratified by the expulsion of the French out of Italy, and his vanity no less soothed by the re-establishment of Sforza, to whose interest he had attached himself, in the duchy of Milan. The delays, however, and evasions of the imperial court in granting Sforza the investiture of his new-acquired territories, had long alarmed Moronè; these were repeated so often, and with such apparent artifice, as became a full proof to his suspicious mind that the emperor intended to strip his master of that rich country which he had conquered in his name. Though Charles, in order to quiet the pope and Venetians, no less jealous of his designs than Moronè, gave Sforza, at last, the investiture which had been so long desired, the charter was clogged with so many reservations, and subjected him to such grievous burdens, as rendered the duke of Milan a dependant on the emperor rather than a vassal of the empire, and afforded him hardly any other security for his possessions than the good pleasure of an ambitious superior. Such an accession of power as would have accrued from the addition of the Milanese to the kingdom of Naples, was considered by Moronè as fatal to the liberties of Italy, no less than to his own importance. Full of this idea, he began to revolve in his mind the possibility of rescuing Italy from the yoke of foreigners; the darling scheme, as has been already observed, of the Italian politicians in that age, and which it was the great object of their ambition to accomplish. If to the glory of having been the chief instrument of driving the French out of Milan, he could add that of delivering Naples from the dominion of the Spaniards, he thought that nothing would be wanting to complete his fame. His fertile genius soon suggested to him a project for that purpose; a difficult, indeed, and daring one, but for that very reason more agreeable to his bold and enterprising temper.

His negociations with Pescara.

Bourbon and Pescara were equally enraged at Lannoy's carrying the French king into Spain without their knowledge. The former being afraid that the two monarchs might, in his absence, conclude some treaty in which his interests would be entirely sacrificed, hastened to Madrid, in order to guard against that danger The latter, on whom the command of the army now devolved, was obliged to remain in Italy; but in every company he gave vent to his indignation against the viceroy, in expressions full of rancour and contempt; he accused him, in a letter to the emperor, of cowardice in the time of danger, and of insolence after a victory towards the obtaining of which he had contributed nothing either by his valour or his conduct; nor did he abstain from bitter complaints against the emperor himself, who had not discovered, as he imagined, a sufficient sense of his merit, nor bestowed any adequate reward on his services. It was on this disgust of Pescara that Moronè founded his whole system. He knew the boundless ambition of his nature, the great extent of his abilities in peace as well as war, and the intrepidity of his mind, capable alike of undertaking and of executing the most desperate designs. The cantonment of the Spanish troops on the frontier of the Milanese gave occasion to many interviews between him and Moronè, in which the latter took care frequently to turn the conversation to the transactions subsequent to the battle of Pavia, a subject upon which the marquis always entered willingly and with passion; and Moronè, observing his resentment to be uniformly violent, artfully pointed out and aggravated every circumstance that could increase its fury. He painted, in the strongest colours, the emperor's want of discernment as well as of gratitude, in preferring Lannoy to him, and in allowing that presumptuous Fleming to dispose of the captive king, without consulting the man to whose bravery and wisdom Charles was indebted for the glory of having a formidable rival in his power. Having warmed him by such discourses, he then began to insinuate that now was the time to be avenged for these insults, and to acquire immortal renown as the deliverer of his country from the oppression of strangers; that the States of Italy, weary of the ignominious and intolerable dominion of barbarians, were at last ready to combine in order to vindicate their own independence; that their eyes were fixed on him as the only leader whose genius and good fortune could insure the happy success of that noble enterprise; that the attempt was no less practicable than glorious, it being in his power so to disperse the Spanish in-

b Herbert. Fiddes's Life of Wolsey, 337.

fantry, the only body of the emperor's troops that remained in Italy, through the villages of the Milanese, that in one night they might be destroyed by the people, who, having suffered much from their exactions and insolence, would gladly undertake this service; that he might then, without opposition, take possession of the throne of Naples, the station destined for him, and a reward not unworthy the restorer of liberty to Italy; that the pope, of whom that kingdom held, and whose predecessors had disposed of it on many former occasions, would willingly grant him the right of investiture; that the Venetians, the Florentines, the duke of Milan, to whom he had communicated the scheme, together with the French, would be the guarantees of his right; that the Neapolitans would naturally prefer the government of one of their countrymen whom they loved and admired, to that odious dominion of strangers, to which they had been so long subjected; and that the emperor, astonished at a blow so unexpected, would find that he had neither troops nor money to resist such a powerful confederacy.[c]

Betrayed and taken prisoner by Pescara.

Pescara, amazed at the boldness of the scheme, listened attentively to Moroné, but with the countenance of a man lost in profound and anxious thought. On the one hand, the infamy of betraying his sovereign, under whom he bore such high command, deterred him from the attempt; on the other, the prospect of obtaining a crown allured him to venture upon it. After continuing a short space in suspense, the least commendable motives, as is usual after such deliberations, prevailed, and ambition triumphed over honour. In order, however, to throw a colour of decency on his conduct, he insisted that some learned casuists should give their opinion, "Whether it was lawful for a subject to take arms against his immediate sovereign, in obedience to the lord paramount of whom the kingdom itself was held?" Such a resolution of the case as he expected was soon obtained from the divines and civilians both of Rome and Milan; the negociation went forward; and measures seemed to be taking with great spirit for the speedy execution of the design.

During this interval, Pescara, either shocked at the treachery of the action that he was going to commit, or despairing of its success, began to entertain thoughts of abandoning the engagements which he had come under. The indisposition of Sforza, who happened at that time to be taken ill of a distemper which was thought mortal, confirmed his resolution, and determined him to make known the whole conspiracy to the emperor, deeming it more prudent to expect the duchy of Milan from him as the reward of this discovery, than to aim at a kingdom to be purchased by a series of crimes. This resolution, however, proved the source of actions hardly less criminal and ignominious. The emperor, who had already received full information concerning the conspiracy from other hands, seemed to be highly pleased with Pescara's fidelity, and commanded him to continue his intrigues for some time with the pope and Sforza, both that he might discover their intentions more fully, and be able to convict them of the crime with greater certainty. Pescara, conscious of guilt, as well as sensible how suspicious his long silence must have appeared at Madrid, durst not decline that dishonourable office; and was obliged to act the meanest and most disgraceful of all parts, that of seducing with a purpose to betray. Considering the abilities of the persons with whom he had to deal, the part was scarcely less difficult than base; but he acted it with such address as to deceive even the penetrating eye of Moronè, who relying with full confidence on his sincerity, visited him at Novara, in order to put the last hand to their machinations. Pescara received him in an apartment where Antonio de Leyva was placed behind the tapestry, that he might overhear and bear witness to their conversation; as Moronè was about to take leave, that officer suddenly appeared, and to his astonishment arrested him prisoner in the emperor's name. He was conducted to the castle of Pavia; and Pescara, who had so lately been his accomplice, had now the assurance to interrogate him as his judge. At the same time the emperor declared Sforza to have forfeited all right to the duchy of Milan by his engaging in a conspiracy against the sovereign of whom he held; Pescara, by his command, seized on every place in the Milanese except the castles of Cremona and Milan, which the unfortunate duke attempting to defend, were closely blockaded by the imperial troops.[d]

The rigorous treatment of Francis in Spain,

But though this unsuccessful conspiracy, instead of stripping the emperor of what he already possessed in Italy, contributed to extend his dominions in that country, it showed him the necessity of coming to some agreement with the French king, unless he chose to draw on himself a confederacy of all Europe, which the progress of his arms and his ambition, now as undisguised as it was boundless, filled with general alarm. He had not hitherto treated Francis with the generosity which that monarch expected, and hardly with the decency due to his station. Instead of displaying the sentiments becoming a great prince, Charles, by his mode of treating of Francis, seems to have acted with the mercenary art of a corsair, who, by the rigorous usage of his prisoners, endeavours to draw from them a higher price for their ransom. The captive king was confined in an old castle, under a keeper whose formal austerity of manners rendered his vigilance still more disgusting. He was allowed no exercise but that of riding on a mule, surrounded with armed guards on horseback. Charles, on pretence of its being necessary to attend the Cortes assembled in

c Guic. l. xv. 325. Jovii Vita Davali, p. 417. Œuv. de Brantome, iv. 171. Ruscelli Lettre de Princ. ii. 91. Thuani Hist. lib. i. c. 11. P. Heuter. Rer. Austr. lib. ix. c. 3. p. 207.

d Guic. l. xvi. 329. Jovii Hist. 319. Capella, lib. v. p. 200.

Toledo, had gone to reside in that city, and suffered several weeks to elapse without visiting Francis, though he solicited an interview with the most pressing and submissive importunity. So many indignities made a deep impression on a high-spirited prince; he began to lose all relish for his usual amusements; his natural gaiety of temper forsook him; and after languishing for some time he was seized with a dangerous fever, during the violence of which he complained constantly of the unexpected and unprincely rigour with which he had been treated, often exclaiming, that now the emperor would have the satisfaction of his dying a prisoner in his hands, without having once deigned to see his face. The physicians at last despaired of his life, and informed the emperor that they saw no hope of his recovery, unless he were gratified with regard to that point on which he seemed to be so strongly bent. Charles, solicitous to preserve a life with which all his prospects of further advantage from the victory of Pavia must have terminated, immediately consulted his ministers concerning the course to be taken. In vain did the chancellor Gattinara, the most able among them, represent to him the indecency of his visiting Francis, if he did not intend to set him at liberty immediately upon equal terms; in vain did he point out the infamy to which he would be exposed, if avarice or ambition should prevail on him to give the captive monarch this mark of attention and sympathy, for which humanity and generosity had pleaded so long without effect. The emperor, less delicate or less solicitous about reputation than his minister, set out for Madrid to visit his prisoner. The interview was short; Francis being too weak to bear a long conversation. Charles accosted him in terms full of affection and respect, and gave him such promises of speedy deliverance and princely treatment, as would have reflected the greatest honour upon him if they had flowed from another source. Francis grasped at them with the eagerness natural in his situation; and cheered with this gleam of hope, began to revive from that moment, recovering rapidly his wonted health.[e]

endangers his life.

Sept. 28, The emperor visits him.

He had soon the mortification to find that his confidence in the emperor was not better founded than formerly. Charles returned instantly to Toledo; all negociations were carried on by his ministers; and Francis was kept in as strict custody as ever. A new indignity, and that very galling, was added to all those he had already suffered. Bourbon arriving in Spain about this time, Charles, who had so long refused to visit the king of France, received his rebellious subject with the most studied respect. He met him without the gates of Toledo, embraced him with the greatest affection, and placing him on his left hand conducted him to his apartment. These marks of honour to him were so many insults to the unfortunate monarch, which he felt in a very sensible manner. It afforded him some consolation, however, to observe that the sentiments of the Spaniards differed widely from those of their sovereign. That generous people detested Bourbon's crime. Notwithstanding his great talents and important services, they shunned all intercourse with him, to such a degree, that Charles having desired the marquis de Villena to permit Bourbon to reside in his palace while the court remained at Toledo, he politely replied, "That he could not refuse gratifying his sovereign in that request;" but added, with a Castilian dignity of mind, that the emperor must not be surprised if, the moment the constable departed, he should burn to the ground a house which, having been polluted by the presence of a traitor, became an unfit habitation for a man of honour.[f]

The constable Bourbon arrives at Madrid.

Nov. 15.

Charles himself, nevertheless, seemed to have it much at heart to reward Bourbon's services in a signal manner. But as he insisted, in the first place, on the accomplishment of the emperor's promise of giving him in marriage his sister Eleanora, queen dowager of Portugal, the honour of which alliance had been one of his chief inducements to rebel against his lawful sovereign; as Francis, in order to prevent such a dangerous union, had offered, before he left Italy, to marry that princess; and as Eleanora herself discovered an inclination rather to match with a powerful monarch than with his exiled subject, all these interfering circumstances created great embarrassment to Charles, and left him hardly any hope of extricating himself with decency. But the death of Pescara, who, at the age of thirty-six, left behind him the reputation of being one of the greatest generals and ablest politicians of that century, happened opportunely at this juncture for his relief. By that event the command of the army in Italy became vacant, and Charles, always fertile in resources, persuaded Bourbon, who was in no condition to dispute his will, to accept the office of general in chief there, together with a grant of the duchy of Milan, forfeited by Sforza; and in return for these to relinquish all hopes of marrying the queen of Portugal.[g]

Appointed general of the imperial army in Italy.

December.

The chief obstacle that stood in the way of Francis's liberty, was the emperor's continuing to insist so peremptorily on the restitution of Burgundy as a preliminary to that event. Francis often declared that he would never consent to dismember his kingdom; and that, even if he should so far forget the duties of a monarch as to come to such a resolution, the fundamental laws of the nation would prevent its taking effect. On his part he was willing to make an absolute cession to the emperor of all his pretensions in Italy and the Low Countries; he promised to restore to Bourbon all his lands which had been confiscated; he renewed his proposal of marrying

Negociations for procuring Francis's liberty.

e Guic. l. xvi. 339. Sandov. Hist. i. 665.

f Guic. l. xvi. 335.

g Sandov. Hist. i. 676. Œuv. de Brant. iv. 249.

the emperor's sister, the queen dowager of Portugal; and engaged to pay a great sum by way of ransom for his own person. But all mutual esteem and confidence between the two monarchs were now entirely lost; there appeared, on the one hand, a rapacious ambition, labouring to avail itself of every favourable circumstance; on the other, suspicion and resentment, standing perpetually on their guard; so that the prospect of bringing their negociations to an issue seemed to be far distant. The duchess of Alençon, the French king's sister, whom Charles permitted to visit her brother in his confinement, employed all her address in order to procure his liberty on more reasonable terms. Henry of England interposed his good offices to the same purpose; but both with so little success, that Francis in despair took suddenly the resolution of resigning his crown, with all its rights and prerogatives, to his son the dauphin, determining rather to end his days in prison than to purchase his freedom by concessions unworthy of a king. The deed for this purpose he signed with legal formality in Madrid, empowering his sister to carry it into France, that it might be registered in all the parliaments of the kingdom; and at the same time intimating his intention to the emperor, he desired him to name the place of his confinement, and to assign him a proper number of attendants during the remainder of his days.[h]

Francis in despair resolves to resign his crown.

This resolution of the French king had great effect; Charles began to be sensible that by pushing rigour to excess he might defeat his own measures; and instead of the vast advantages which he hoped to draw from ransoming a powerful monarch, he might at last find in his hands a prince without dominions or revenues. About the same time, one of the king of Navarre's domestics happened, by an extraordinary exertion of fidelity, courage, and address, to procure his master an opportunity of escaping from the prison in which he had been confined ever since the battle of Pavia. This convinced the emperor that the most vigilant attention of his officers might be eluded by the ingenuity or boldness of Francis or his attendants, and one unlucky hour might deprive him of all the advantages which he had been so solicitous to obtain. By these considerations he was induced to abate somewhat of his former demands. On the other hand, Francis's impatience under confinement daily increased; and having received certain intelligence of a powerful league forming against his rival in Italy, he grew more compliant with regard to his concessions, trusting that, if he could once obtain his liberty, he would soon be in a condition to resume whatever he had yielded.

Charles alarmed.

1526. Treaty of Madrid.

Such being the views and sentiments of the two monarchs, the treaty which procured Francis his liberty was signed at Madrid, on the fourteenth of January, one thousand five hundred and twenty-six. The article with regard to Burgundy, which had hitherto created the greatest difficulty, was compromised, Francis engaging to restore that duchy with all its dependences in full sovereignty to the emperor, and Charles consenting that this restitution should not be made until the king was set at liberty: in order to secure the performance of this as well as the other conditions in the treaty, Francis agreed that, at the same instant when he himself should be released, he would deliver as hostages to the emperor his eldest son the dauphin, his second son the duke of Orleans, or, in lieu of the latter twelve of his principal nobility, to be named by Charles. The other articles swelled to a great number, and though not of such importance, were extremely rigorous. Among these the most remarkable were, that Francis should renounce all his pretensions in Italy; that he should disclaim any title which he had to the sovereignty of Flanders and Artois; that within six weeks after his release, he should restore to Bourbon and his adherents all their goods, movable and immovable, and make them full reparation for the damages which they had sustained by the confiscation of them; that he should use his interest with Henry D'Albert to relinquish his pretensions to the crown of Navarre, and should not for the future assist him in any attempt to recover it; that there should be established between the emperor and Francis a league of perpetual friendship and confederacy, with a promise of mutual assistance in every case of necessity; that in corroboration of this union, Francis should marry the emperor's sister, the queen dowager of Portugal; that Francis should cause all the articles of this treaty to be ratified by the states, and registered in the parliaments of his kingdom; that upon the emperor's receiving this ratification, the hostages should be set at liberty; but in their place the duke of Angouleme, the king's third son, should be delivered to Charles; that in order to manifest as well as to strengthen the amity between the two monarchs, he might be educated at the imperial court; and that if Francis did not within the time limited fulfil the stipulations in the treaty, he should promise upon his honour and oath to return to Spain, and to surrender himself again a prisoner to the emperor.[i]

Sentiments of that age with respect to it.

By this treaty Charles flattered himself that he had not only effectually humbled his rival, but that he had taken such precautions as would for ever prevent his re-attaining any formidable degree of power. The opinions which the wisest politicians formed concerning it was very different; they could not persuade themselves that Francis, after obtaining his liberty, would execute articles against which he had struggled so long, and to which, notwithstanding all that he felt during a long and rigorous confinement, he had consented with the utmost reluc-

h This paper is published in Memoires Historiques, &c. par M. l'Abbé Raynal, tom. ii. p. 151.

i Recueil des Trait. tom. ii. 112. Ulloa Vita del Carlo V. p. 102, &c.

tance. Ambition and resentment, they knew, would conspire in prompting him to violate the hard conditions to which he had been constrained to submit; nor would arguments and casuistry be wanting to represent that which was so manifestly advantageous, to be necessary and just. If one part of Francis's conduct had been known at that time, this opinion might have been founded not in conjecture but in certainty. A few hours before he signed the treaty, he assembled such of his counsellors as were then at Madrid, and having exacted from them a solemn oath of secrecy, he made a long enumeration, in their presence, of the dishonourable arts, as well as unprincely rigour, which the emperor had employed in order to insnare or intimidate him. For that reason he took a formal protest in the hands of notaries, that his consent to the treaty should be considered as an involuntary deed, and be deemed null and void.[k] By this disingenuous artifice, for which even the treatment that he had met with was no apology, Francis endeavoured to satisfy his honour and conscience in signing the treaty, and to provide, at the same time, a pretext on which to break it.

Francis secretly protests against the validity of it.

Great, meanwhile, were the outward demonstrations of love and confidence between the two monarchs; they appeared often together in public; they frequently had long conferences in private; they travelled in the same litter, and joined in the same amusements. But amidst these signs of peace and friendship, the emperor still harboured suspicion in his mind. Though the ceremonies of the marriage between Francis and the queen of Portugal were performed soon after the conclusion of the treaty, Charles would not permit him to consummate it until the return of the ratification from France. Even then Francis was not allowed to be at full liberty; his guards were still continued; though caressed as a brother-in-law, he was still watched like a prisoner; and it was obvious to attentive observers, that an union in the very beginning of which there might be discerned such symptoms of jealousy and distrust could not be cordial or of long continuance.

Ratified in France.

About a month after the signing of the treaty, the regent's ratification of it was brought from France; and that wise princess, preferring, on this occasion, the public good to domestic affection, informed her son, that instead of the twelve noblemen named in the treaty, she had sent the duke of Orleans, along with his brother the dauphin, to the frontier, as the kingdom could suffer nothing by the absence of a child, but must be left almost incapable of defence if deprived of its ablest statesmen and most experienced generals, whom Charles had artfully included in his nomination. At last Francis took leave of the emperor, whose suspicion of the king's sincerity increasing as the time of putting it to the proof approached, he endeavoured to bind him still faster by exacting new promises, which, after those he had already made, the French monarch was not slow to grant. He set out from Madrid, a place which the remembrance of many afflicting circumstances rendered peculiarly odious to him, with the joy natural on such an occasion, and began the long-wished-for journey towards his own dominions. He was escorted by a body of horse under the command of Alarcon, who, as the king drew near the frontiers of France, guarded him with more scrupulous exactness than ever. When he arrived at the river Andaye, which separates the two kingdoms, Lautrec appeared on the opposite bank with a guard of horse equal in number to Alarcon's. An empty bark was moored in the middle of the stream; the attendants drew up in order on the opposite banks; at the same instant Lannoy, with eight gentlemen, put off from the Spanish, and Lautrec with the same number from the French, side of the river; the former had the king in his boat; the latter, the dauphin and duke of Orleans; they met in the empty vessel; the exchange was made in a moment: Francis, after a short embrace of his children, leaped into Lautrec's boat and reached the French shore. He mounted at that instant a Turkish horse, waved his hand over his head, and with a joyful voice crying aloud several times, "I am yet a king," galloped full speed to St. John de Luz, and from thence to Bayonne. This event, no less impatiently desired by the French nation than by their monarch, happened on the eighteenth of March, a year and twenty-two days after the fatal battle of Pavia.[m]

Francis set at liberty.

Soon after the emperor had taken leave of Francis, and permitted him to begin his journey towards his own dominions, he set out for Seville, in order to solemnize his marriage with Isabella, the daughter of Emanuel the late king of Portugal, and the sister of John III. who had succeeded him in the throne of that kingdom. Isabella was a princess of uncommon beauty and accomplishments; and as the Cortes, both in Castile and Aragon, had warmly solicited their sovereign to marry, the choice of a wife so nearly allied to the royal blood of both kingdoms was extremely acceptable to his subjects. The Portuguese, fond of this new connexion with the first monarch in Christendom, granted him an extraordinary dowry with Isabella, amounting to nine hundred thousand crowns, a sum which, from the situation of his affairs at that juncture, was of no small consequence to the emperor. The marriage was celebrated with that splendour and gaiety which became a great and youthful prince. Charles lived with Isabella in perfect harmony, and treated her on all occasions with much distinction and regard.[n]

The emperor's marriage with Isabella of Portugal.

March 12.

k Recueil des Trait. tom. ii. p. 107. l Guic. l. xvi. 353.
m Sandov. Hist. i. 735. Guic. l. xvi. 355.

n Ulloa Vita di Carlo V. p 106. Belcarius Com. Rer. Gallic. p. 565. Spalatinus ap. Struv. Corp. Hist. Germ. ii. 1081.

Affairs of Germany.

During these transactions, Charles could hardly give any attention to the affairs of Germany, though it was torn in pieces by commotions which threatened the most dangerous consequences. By the feudal institutions, which still subsisted almost unimpaired in the empire, the property of lands was vested in the princes and free barons. Their vassals held of them by the strictest and most limited tenures; while the great body of the people was kept in a state but little removed from absolute servitude. In some places of Germany, people of the lowest class were so entirely in the power of their masters, as to be subject to personal and domestic slavery, the most rigorous form of that wretched state. In other provinces, particularly in Bohemia and Lusatia, the peasants were bound to remain on the lands to which they belonged, and making part of the estate, were transferred, like any other property, from one hand to another. Even in Suabia, and the countries on the banks of the Rhine, where their condition was most tolerable, the peasants not only paid the full rent of their farms to the landlord, but if they chose either to change the place of their abode or to follow a new profession, before they could accomplish what they desired, they were obliged to purchase this privilege at a certain price. Besides this, all grants of lands to peasants expired at their death, without descending to their posterity. Upon that event the landlord had a right to the best of their cattle as well as of their furniture; and their heirs, in order to obtain a renewal of the grant, were obliged to pay large sums by way of fine. These exactions, though grievous, were borne with patience, because they were customary and ancient; but when the progress of elegance and luxury, as well as the changes introduced into the art of war, came to increase the expense of government, and made it necessary for princes to levy occasional or stated taxes on their subjects, such impositions, being new, appeared intolerable; and in Germany, these duties being laid chiefly upon beer, wine, and other necessaries of life, affected the common people in the most sensible manner. The addition of such a load to their former burdens drove them to despair. It was to the valour inspired by resentment against impositions of this kind that the Swiss owed the acquisition of their liberty in the fourteenth century. The same cause had excited the peasants in several other provinces of Germany to rebel against their superiors towards the end of the fifteenth and beginning of the sixteenth centuries; and though these insurrections were not attended with like success, they could not, however, be quelled without much difficulty and bloodshed.[o]

Grievances of the peasants.

Their insurrection in Suabia,

By these checks the spirit of the peasants was overawed rather than subdued; and their grievances multiplying continually, they ran to arms, in the year one thousand five hundred and twenty-six, with the most frantic rage. Their first appearance was near Ulm in Suabia. The peasants in the adjacent country flocked to their standard with the ardour and impatience natural to men who, having groaned long under oppression, beheld at last some prospect of deliverance; and the contagion spreading from province to province, reached almost every part of Germany. Wherever they came they plundered the monasteries, wasted the lands of their superiors, rased their castles, and massacred without mercy all persons of noble birth who were so unhappy as to fall into their hands.[p] Having intimidated their oppressors, as they imagined, by the violence of these proceedings, they began to consider what would be the most proper and effectual method of securing themselves for the future from their tyrannical exactions. With this view they drew up and published a memorial containing all their demands, and declared, that while arms were in their hands they would either persuade or oblige the nobles to give them full satisfaction with regard to these. The chief articles were, that they might have liberty to choose their own pastors; that they might be freed from the payment of all tithes except those of corn; that they might no longer be considered as the slaves or bondmen of their superiors; that the liberty of hunting and fishing might be common; that the great forests might not be regarded as private property, but be open for the use of all; that they might be delivered from the unusual burden of taxes under which they laboured; that the administration of justice might be rendered less rigorous and more impartial; that the encroachments of the nobles upon meadows and commons might be restrained.[q]

quelled.

Many of these demands were extremely reasonable; and being urged by such formidable numbers, should have met with some redress. But those unwieldy bodies, assembled in different places, had neither union, nor conduct, nor vigour. Being led by persons of the lowest rank, without skill in war or knowledge of what was necessary for accomplishing their designs, all their exploits were distinguished only by a brutal and unmeaning fury. To oppose this the princes and nobles of Suabia and the Lower Rhine raised such of their vassals as still continued faithful, and attacking some of the mutineers with open force, and others by surprise, cut to pieces or dispersed all who infested those provinces; so that the peasants, after ruining the open country, and losing upwards of twenty thousand of their associates in the field, were obliged to return to their habitations with less hope than ever of relief from their grievances.[r]

Their insurrections in Thuringia,

These commotions happened at first in provinces of Germany where Luther's opinions had made little progress; and being excited wholly by political causes,

o Seckend. lib. ii. p. 2, 6.
p Petr. Crinitus de Bello Rusticano, ap. Freher. Script. Rer. Germ. Argent. 1717. vol iii. p. 243.
q Sleid. Hist. p. 90.
r Seckend. lib. ii. p. 10. Petr. Gnodalius de Rusticanorum Tumultu in Germania, ap. Scard. Script. vol. ii. p. 131, &c.

had no connexion with the disputed points in religion. But the phrensy reached at last those countries in which the Reformation was established, derived new strength from circumstances peculiar to them, and rose to a still greater pitch of extravagance. The Reformation, wherever it was received, increased that bold and innovating spirit to which it owed its birth. Men who had the courage to overturn a system supported by every thing which can command respect or reverence, were not to be overawed by any authority, how great or venerable soever. After having been accustomed to consider themselves as judges of the most important doctrines in religion, to examine these freely, and to reject, without scruple, what appeared to them erroneous, it was natural for them to turn the same daring and inquisitive eye towards government, and to think of rectifying whatever disorders or imperfections were discovered there. As religious abuses had been reformed in several places without the permission of the magistrate, it was an easy transition to attempt the redress of political grievances in the same manner.

more formidable.

No sooner, then, did the spirit of revolt break out in Thuringia, a province subject to the elector of Saxony, the inhabitants of which were mostly converts to Lutheranism, than it assumed a new and more dangerous form. Thomas Muncer, one of Luther's disciples, having established himself in that country, had acquired a wonderful ascendant over the minds of the people. He propagated among them the wildest and most enthusiastic notions, but such as tended manifestly to inspire them with boldness and lead them to sedition. "Luther," he told them, "had done more hurt than service to religion. He had, indeed, rescued the church from the yoke of popery, but his doctrines encouraged and his life set an example of the utmost licentiousness of manners. In order to avoid vice, (says he,) men must practise perpetual mortification. They must put on a grave countenance, speak little, wear a plain garb, and be serious in their whole deportment. Such as prepare their hearts in this manner may expect that the Supreme Being will direct all their steps, and by some visible sign discover his will to them; if that illumination be at any time withheld, we may expostulate with the Almighty, who deals with us so harshly, and remind him of his promises. This expostulation and anger will be highly acceptable to God, and will at last prevail on him to guide us with the same unerring hand which conducted the patriarchs of old. Let us beware, however, of offending him by our arrogance; but as all men are equal in his eye, let them return to that condition of equality in which he formed them, and having all things in common, let them live together like brethren, without any marks of subordination or pre-eminence."[s]

Their fanatical spirit.

Extravagant as these tenets were, they flattered so many passions in the human heart as to make a deep impression. To aim at nothing more than abridging the power of the nobility, was now considered as a trifling and partial reformation, not worth the contending for; it was proposed to level every distinction among mankind, and by abolishing property, to reduce them to their natural state of equality, in which all should receive their subsistence from one common stock. Muncer assured them that the design was approved of by Heaven, and that the Almighty had in a dream ascertained him of its success. The peasants set about the execution of it, not only with the rage which animated those of their order in other parts of Germany, but with the ardour which enthusiasm inspires. They deposed the magistrates in all the cities of which they were masters; seized the lands of the nobles, and obliged such of them as they got into their hands to put on the dress commonly worn by peasants, and instead of their former titles, to be satisfied with the appellation given to people in the lowest class of life. Great numbers engaged in this wild undertaking; but Muncer, their leader and their prophet, was destitute of the abilities necessary for conducting it. He had all the extravagance but not the courage which enthusiasts usually possess. It was with difficulty he could be persuaded to take the field; and though he soon drew together eight thousand men, he suffered himself to be surrounded by a body of cavalry under the command of the elector of Saxony, the landgrave of Hesse, and the duke of Brunswick. These princes, unwilling to shed the blood of their deluded subjects, sent a young nobleman to their camp, with the offer of a general pardon, if they would immediately lay down their arms and deliver up the authors of the sedition. Muncer, alarmed at this, began to harangue his followers with his usual vehemence, exhorting them not to trust these deceitful promises of their oppressors, nor to desert the cause of God and of christian liberty.

Peasants defeated.

But the sense of present danger making a deeper impression on the peasants than his eloquence, confusion and terror were visible in every face, when a rainbow, which was the emblem that the mutineers had painted on their colours, happening to appear in the clouds, Muncer, with admirable presence of mind, laid hold of that incident, and suddenly raising his eyes and hands towards heaven,—"Behold," cries he with an elevated voice, "the sign which God has given. There is the pledge of your safety, and a token that the wicked shall be destroyed." The fanatical multitude set up instantly a great shout, as if victory had been certain; and passing in a moment from one extreme to another, massacred the unfortunate nobleman who had come with the offer of pardon, and demanded to be led towards the enemy. The princes, enraged at this shocking violation of the

[s] Seckend. lib. ii. p. 13. Sleid. Hist. p. 83.

May 15. laws of war, advanced with no less impetuosity, and began the attack; but the behaviour of the peasants in the combat was not such as might have been expected either from their ferocity or confidence of success; an undisciplined rabble was no equal match for well-trained troops; about five thousand were slain in the field, almost without making resistance; the rest fled, and among the foremost Muncer their general. He was taken next day, and being condemned to such punishments as his crimes had deserved, he suffered them with a poor and dastardly spirit. His death put an end to the insurrections of the peasants, which had filled Germany with such terror;[t] but the enthusiastic notions which he had scattered were not extirpated, and produced, not long after, effects more memorable as well as more extravagant.

Luther's moderate and prudent conduct. During these commotions, Luther acted with exemplary prudence and moderation; like a common parent, solicitous about the welfare of both parties, without sparing the faults or errors of either. On the one hand, he addressed a monitory discourse to the nobles, exhorting them to treat their dependants with greater humanity and indulgence. On the other, he severely censured the seditious spirit of the peasants, advising them not to murmur at hardships inseparable from their condition, nor to seek for redress by any but legal means.[u]

His marriage. Luther's famous marriage with Catherine a Boria, a nun of a noble family, who, having thrown off the veil, had fled from the cloister, happened this year, and was far from meeting with the same approbation. Even his most devoted followers thought this step indecent at a time when his country was involved in so many calamities; while his enemies never mentioned it with any softer appellation than that of incestuous or profane. Luther himself was sensible of the impression which it had made to his disadvantage; but being satisfied with his own conduct, he bore the censure of his friends and the reproaches of his adversaries with his usual fortitude.[x]

May 5. This year the Reformation lost its first protector, Frederic, elector of Saxony; but the blow was the less sensibly felt, as he was succeeded by his brother John, a more avowed and zealous though less able patron of Luther and his doctrines.

Prussia wrested from the Teutonic order. Another event happened about the same time, which, as it occasioned a considerable change in the state of Germany, must be traced back to its source. While the phrensy of the Crusades possessed all Europe during the twelfth and thirteenth centuries, several orders of religious knighthood were founded in defence of the christian faith against heathens and infidels. Among these the Teutonic order in Germany was one of the most illustrious, the knights of which distinguished themselves greatly in all the enterprises carried on in the Holy Land. Being driven at last from their settlements in the east, they were obliged to return to their native country. Their zeal and valour were too impetuous to remain long inactive. They invaded, on very slight pretences, the province of Prussia, the inhabitants of which were still idolaters; and having completed the conquest of it about the middle of the thirteenth century, held it many years as a fief depending on the crown of Poland. Fierce contests arose, during this period, between the grand-masters of the order and the kings of Poland; the former struggling for independence, while the latter asserted their right of sovereignty with great firmness. Albert, a prince of the house of Brandenburg, who was elected grand-master in the year one thousand five hundred and eleven, engaging keenly in this quarrel, maintained a long war with Sigismund, king of Poland; but having become an early convert to Luther's doctrines, this gradually lessened his zeal for the interests of his fraternity, so that he took the opportunity of the confusions in the empire, and the absence of the emperor, to conclude a treaty with Sigismund, greatly to his own private emolument. By it that part of Prussia which belonged to the Teutonic order was erected into a secular and hereditary duchy, and the investiture of it granted to Albert, who, in return, bound himself to do homage for it to the kings of Poland as their vassal. Immediately after this, he made public profession of the reformed religion, and married a princess of Denmark. The Teutonic knights exclaimed so loudly against the treachery of their grand-master, that he was put under the ban of the empire; but he still kept possession of the province which he had usurped, and transmitted it to his posterity. In process of time this rich inheritance fell to the electoral branch of the family, all dependence on the crown of Poland was shaken off, and the margraves of Brandenburg, having assumed the title of kings of Prussia, have not only risen to an equality with the first princes in Germany, but take their rank among the great monarchs of Europe.[y]

First measures of the French king upon his return to France. Upon the return of the French king to his dominions, the eyes of all the powers in Europe were fixed upon him, that, by observing his first motions, they might form a judgment concerning his subsequent conduct. They were not long in suspense. Francis, as soon as he arrived at Bayonne, wrote to the king of England, thanking him for the zeal and affection wherewith he had interposed in his favour, to which he acknowledged that he owed the recovery of his liberty. Next day the emperor's ambassadors demanded audience, and, in their master's name, required him to issue such orders as were necessary for carrying the treaty of Madrid into immediate and full execution; he coldly answered, that though, for his own part, he

t Sleid. Hist. p. 84. Seckend. lib. ii. p. 12. Gnodalius Tumult. Rustican. 155.
u Sleid. Hist. p. 87.
x Seckend. lib. ii. p. 15.
y Sleid. Hist. p. 98. Pfeffel Abregé de l'Hist. de Droit. Public. p. 605, &c.

determined religiously to perform all that he had promised, the treaty contained so many articles relative not to himself alone, but affecting the interests of the French monarchy, that he could not take any further step without consulting the states of his kingdom, and that some time would be necessary in order to reconcile their minds to the hard conditions which he had consented to ratify.[z] This reply was considered as no obscure discovery of his being resolved to elude the treaty; and the compliment paid to Henry appeared a very proper step towards securing the assistance of that monarch in the war with the emperor to which such a resolution would certainly give rise. These circumstances, added to the explicit declarations which Francis made in secret to the ambassadors from several of the Italian powers, fully satisfied them that their conjectures with regard to his conduct had been just; and that instead of intending to execute an unreasonable treaty, he was eager to seize the first opportunity of revenging those injuries which had compelled him to feign an approbation of it. Even the doubts, and fears, and scruples, which used, on other occasions, to hold Clement in a state of uncertainty, were dissipated by Francis's seeming impatience to break through all his engagements with the emperor. The situation, indeed, of affairs in Italy at that time did not allow the pope to hesitate long. Sforza was still besieged by the imperialists in the castle of Milan. That feeble prince, deprived now of Moronè's advice, and unprovided with every thing necessary for defence, found means to inform Clement and the Venetians, that he must soon surrender if they did not come to his relief. The imperial troops, as they had received no pay since the battle of Pavia, lived at discretion in the Milanese, levying such exorbitant contributions in that duchy, as amounted, if we may rely on Guicciardini's calculation, to no less a sum than five thousand ducats a-day;[a] nor was it to be doubted but that the soldiers, as soon as the castle should submit, would choose to leave a ruined country which hardly afforded them subsistence, that they might take possession of more comfortable quarters in the fertile and untouched territories of the pope and Venetians. The assistance of the French king was the only thing which could either save Sforza or enable them to protect their own dominions from the insults of the imperial troops.

A league formed against the emperor.

For these reasons the pope, the Venetians, and duke of Milan, were equally impatient to come to an agreement with Francis, who, on his part, was no less desirous of acquiring such a considerable accession both of strength and reputation as such a confederacy would bring along with it. The chief objects of this alliance, which was concluded at Cognac on the twenty-second of May, though kept secret for some time, were to oblige the emperor to set at liberty the French king's sons, upon payment of a reasonable ransom, and to re-establish Sforza in the quiet possession of the Milanese. If Charles should refuse either of these, the contracting parties bound themselves to bring into the field an army of thirty-five thousand men, with which, after driving the Spaniards out of the Milanese, they would attack the kingdom of Naples. The king of England was declared protector of this league, which they dignified with the name of *Holy*, because the pope was at the head of it; and in order to allure Henry more effectually, a principality in the kingdom of Naples, of thirty thousand ducats yearly revenue, was to be settled on him, and lands to the value of ten thousand ducats on Wolsey his favourite.[b]

The pope absolves Francis from his oath to observe the treaty of Madrid.

No sooner was this league concluded, than Clement, by the plenitude of his papal power, absolved Francis from the oath which he had taken to observe the treaty of Madrid.[c] This right, how pernicious soever in its effects, and destructive of that integrity which is the basis of all transactions among men, was the natural consequence of the powers which the popes arrogated as the infallible vicegerents of Christ upon earth. But as, in virtue of this pretended prerogative, they had often dispensed with obligations which were held sacred, the interests of some men, and the credulity of others, led them to imagine that the decisions of a sovereign pontiff authorized or justified actions which would otherwise have been criminal and impious.

The emperor alarmed.

The discovery of Francis's intention to elude the treaty of Madrid, filled the emperor with a variety of disquieting thoughts. He had treated an unfortunate prince in the most ungenerous manner; he had displayed an insatiable ambition in all his negociations with his prisoner; he knew what censures the former had drawn upon him, and what apprehensions the latter had excited in every court of Europe; nor had he reaped from the measures which he pursued any of those advantages which politicians are apt to consider as an excuse for the most criminal conduct, and a compensation for the severest reproaches. Francis was now out of his hands, and not one of all the mighty consequences which he had expected from the treaty that set him at liberty was likely to take place. His rashness in relying so far on his own judgment as to trust to the sincerity of the French king, in opposition to the sentiments of his wisest ministers, was now apparent; and he easily conjectured, that the same confederacy the dread of which had induced him to set Francis at liberty, would now be formed against him with that gallant and incensed monarch at its head. Self-condemnation and shame on account of what was past, with anxious apprehensions concerning what might happen, were the necessary result of these reflections on his own conduct and

z Mem. de Bellay, p. 97.
b P. Heut. Rer. Austr. lib. ix. c. 3. p. 217. Recueil des Trait. ii. 124.
a Guic. l. xvii. 360.
c Goldast. Polit. Imperial. p. 1002. Palav. Hist. p. 70.

situation. Charles, however, was naturally firm and inflexible in all his measures. To have receded suddenly from any article in the treaty of Madrid, would have been a plain confession of imprudence and a palpable symptom of fear; he determined, therefore, that it was most suitable to his dignity to insist, whatever might be the consequences, on the strict execution of the treaty, and particularly not to accept of any thing which might be offered as an equivalent for the restitution of Burgundy.[d]

Requires Francis to perform what he had stipulated.

In consequence of this resolution, he appointed Lannoy and Alarcon to repair, as his ambassadors, to the court of France, and formally to summon the king, either to execute the treaty with the sincerity that became him, or to return, according to his oath, a prisoner to Madrid. Instead of giving them an immediate answer, Francis admitted the deputies of the States of Burgundy to an audience in their presence. They humbly represented to him, that he had exceeded the powers vested in a king of France when he consented to alienate their country from the crown, the domains of which he was bound by his coronation-oath to preserve entire and unimpaired. Francis, in return, thanked them for their attachment to his crown, and entreated them, though very faintly, to remember the obligations which he lay under to fulfil his engagements with the emperor. The deputies, assuming a higher tone, declared that they would not obey commands which they considered as illegal; and if he should abandon them to the enemies of France, they had resolved to defend themselves to the best of their power, with a firm purpose rather to perish than submit to a foreign dominion. Upon which Francis, turning towards the imperial ambassadors, represented to them the impossibility of performing what he had undertaken, and offered, in lieu of Burgundy, to pay the emperor two millions of crowns. The viceroy and Alarcon, who easily perceived that the scene to which they had been witnesses was concerted between the king and his subjects in order to impose upon them, signified to him their master's fixed resolution not to depart in the smallest point from the terms of the treaty, and withdrew.[e] Before they left the kingdom, they had the mortification to hear the holy league against the emperor published with great solemnity.

His answer.

June 11.

The emperor's preparation for war.

Charles no sooner received an account of this confederacy, than he exclaimed, in the most public manner, and in the harshest terms, against Francis, as a prince void of faith and of honour. He complained no less of Clement, whom he solicited in vain to abandon his new allies; he accused him of ingratitude; he taxed him with an ambition unbecoming his character; he threatened him not only with all the vengeance which the power of an emperor can inflict, but, by appealing to a general council, called up before his eyes all the terrors arising from the authority of those assemblies, so formidable to the papal see. It was necessary, however, to oppose something else than reproaches and threats to the powerful combination formed against him; and the emperor, prompted by so many passions, did not fail to exert himself with unusual vigour in order to send supplies, not only of men, but of money, which was still more needed, into Italy.

Feeble operations of the confederates.

On the other hand, the efforts of the confederates bore no proportion to that animosity against the emperor with which they seemed to enter into the holy league. Francis, it was thought, would have infused spirit and vigour into the whole body. He had his lost honour to repair, many injuries to revenge, and the station among the princes of Europe from which he had fallen to recover. From all these powerful incitements, added to the natural impetuosity of his temper, a war more fierce and bloody than any that he had hitherto made upon his rival was expected. But Francis had gone through such a scene of distress, and the impression it had made was still so fresh in his memory, that he was become diffident of himself, distrustful of fortune, and desirous of tranquillity. To procure the release of his sons, and to avoid the restitution of Burgundy by paying some reasonable equivalent, were his chief objects; and for the sake of these he would willingly have sacrificed Sforza, and the liberties of Italy, to the emperor. He flattered himself, that the dread of the confederacy which he had formed would of himself induce Charles to listen to what was equitable; and was afraid of employing any considerable force for the relief of the Milanese, lest his allies, whom he had often found to be more attentive to their own interest than punctual in fulfilling their engagements, should abandon him as soon as the imperialists were driven out of that country, and deprive his negociations with the emperor of that weight which they derived from his being at the head of a powerful league. In the mean time the castle of Milan was pressed more closely than ever, and Sforza was now reduced to the last extremity. The pope and Venetians, trusting to Francis's concurrence, commanded their troops to take the field in order to relieve him; and an army more than sufficient for that service was soon formed. The Milanese, passionately attached to their unfortunate duke, and no less exasperated against the imperialists, who had oppressed them so cruelly, were ready to aid the confederates in all their enterprises. But the duke d'Urbino their general, naturally slow and indecisive, and restrained, besides, by his ancient enmity to the family of Medici, from taking any step that might aggrandize or add reputation to the pope,[f] lost some opportunities of attacking the imperialists and rais-

d Guic. l. xvii. 366.
e Belcar. Comment. de Reb. Gal. 573. Mem. de Bellay p. 97.

f Guic. l. xvii. 382.

ing the siege, and refused to improve others. These delays gave Bourbon time to bring up a reinforcement of fresh troops, and a supply of money. He immediately took the command of the army, and pushed on the siege with such vigour as quickly obliged Sforza to surrender, who retiring to Lodi, which the confederates had surprised, left Bourbon in full possession of the rest of the duchy, the investiture of which the emperor had promised to grant him.[g]

July 24.

Disquietude of the Italian powers.

The Italians began now to perceive the game which Francis had played, and to be sensible, that notwithstanding all their address and refinements in negociation, which they boasted of as talents peculiarly their own, they had for once been overreached in those very arts by a *tramontane* prince. He had hitherto thrown almost the whole burden of the war upon them, taking advantage of their efforts in order to enforce the proposals which he often renewed at the court of Madrid for obtaining the liberty of his sons. The pope and Venetians expostulated and complained;[h] but as they were not able to rouse Francis from his inactivity, their own zeal and vigour gradually abated; and Clement, having already gone further than his timidity usually permitted him, began to accuse himself of rashness, and to relapse into his natural state of doubt and uncertainty.

Measures of the imperialists.

All the emperor's motions, depending on himself alone, were more brisk and better concerted. The narrowness of his revenues, indeed, did not allow him to make any sudden or great effort in the field, but he abundantly supplied that defect by his intrigues and negociations. The family of Colonna, the most powerful of all the Roman barons, had adhered uniformly to the Ghibelline or imperial faction, during those fierce contentions between the popes and emperors which for several ages filled Italy and Germany with discord and bloodshed. Though the causes which at first gave birth to these destructive factions existed no longer, and the rage with which they had been animated was in a great measure spent, the Colonnas still retained their attachment to the imperial interest, and by placing themselves under the protection of the emperors, secured the quiet possession of their own territories and privileges. The cardinal Pompeo Colonna, a man of a turbulent and ambitious temper, at that time the head of the family, had long been Clement's rival, to whose influence in the last conclave he imputed the disappointment of all his schemes for attaining the papal dignity, of which, from his known connexion with the emperor, he thought himself secure. To an aspiring mind this was an injury too great to be forgiven; and though he had dissembled his resentment so far as to vote for Clement at his election, and to accept of great offices in his court, he waited with the utmost impatience for an opportunity of being revenged. Don Hugo de Moncada, the imperial ambassador at Rome, who was no stranger to these sentiments, easily persuaded him that now was the time, while all the papal troops were employed in Lombardy, to attempt something which would at once avenge his own wrongs and be of essential service to the emperor his patron. The pope, however, whose timidity rendered him quick-sighted, was so attentive to their operations, and began to be alarmed so early, that he might have drawn together troops sufficient to have disconcerted all Colonna's measures. But Moncada amused him so artfully with negociations, promises, and false intelligence, that he lulled asleep all his suspicions, and prevented his taking any of the precautions necessary for his safety; and to the disgrace of a prince possessed of great power, as well as renowned for political wisdom, Colonna, at the head of three thousand men, seized one of the gates of his capital, while he, imagining himself to be in perfect security, was altogether unprepared for resisting such a feeble enemy. The inhabitants of Rome permitted Colonna's troops, from whom they apprehended no injury, to advance without opposition; the pope's guards were dispersed in a moment; and Clement himself, terrified at the danger, ashamed of his own credulity, and deserted by almost every person, fled with precipitation into the castle of St. Angelo, which was immediately invested. The palace of the Vatican, the church of St. Peter, and the houses of the pope's ministers and servants, were plundered in the most licentious manner. The rest of the city was left unmolested. Clement, destitute of every thing necessary either for subsistence or defence, was soon obliged to demand a capitulation; and Moncada being admitted into the castle, prescribed to him, with all the haughtiness of a conqueror, conditions which it was not in his power to reject. The chief of these was, That Clement should not only grant a full pardon to the Colonnas, but receive them into favour, and immediately withdraw all the troops in his pay from the army of the confederates in Lombardy.[i]

Sept. 29. The Colonnas become masters of Rome.

Accommodation between the pope and emperor.

The Colonnas, who talked of nothing less than of deposing Clement, and of placing Pompeo, their kinsman, in the vacant chair of St. Peter, exclaimed loudly against a treaty which left them at the mercy of a pontiff justly incensed against them. But Moncada, attentive only to his master's interest, paid little regard to their complaints, and by this fortunate measure broke entirely the power of the confederates.

The imperial army reinforced.

While the army of the confederates suffered such a considerable diminution, the imperialists received two great reinforcements; one from Spain, under the command of Lannoy and Alarcon, which amounted to six thousand men; the other was raised in the empire by

g Guic. l. xvii. 376, &c.
h Ruscelli Lettre de Principi, ii. 157, &c. 159, 160—166.

i Jovii Vita Pomp. Colon. Guic. l. xvii. 407. Ruscelli Lettre de Principi, i. p. 104.

George Fronsperg, a German nobleman, who, having served in Italy with great reputation, had acquired such influence and popularity, that multitudes of his countrymen, fond on every occasion of engaging in military enterprises, and impatient at that juncture to escape from the oppression which they felt in religious as well as civil matters, crowded to his standard; so that, without any other gratuity than the payment of a crown to each man, fourteen thousand enlisted in his service. To these the archduke Ferdinand added two thousand horse, levied in the Austrian dominions. But although the emperor had raised troops, he could not remit the sums necessary for their support. His ordinary revenues were exhausted; the credit of princes, during the infancy of commerce, was not extensive; and the Cortes of Castile, though every art had been tried to gain them, and some innovations had been made in the constitution in order to secure their concurrence, peremptorily refused to grant Charles any extraordinary supply;[k] so that the more his army increased in number, the more were his generals embarrassed and distressed. Bourbon, in particular, was involved in such difficulties, that he stood in need of all his address and courage in order to extricate himself. Large sums were due to the Spanish troops already in the Milanese, when Fronsperg arrived with sixteen thousand hungry Germans destitute of every thing. Both made their demands with equal fiereeness; the former claiming their arrears, and the latter, the pay which had been promised them on their entering Lombardy. Bourbon was altogether incapable of giving satisfaction to either. In this situation he was constrained to commit acts of violence extremely shocking to his own nature, which was generous and humane. He seized the principal citizens of Milan, and by threats, and even by torture, forced from them a considerable sum; he rifled the churches of all their plate and ornaments; the inadequate supply which these afforded he distributed among the soldiers, with so many soothing expressions of his sympathy and affection, that though it fell far short of the sums due to them, it appeased their present murmurs.[l]

The emperor's finances deficient.

Among other expedients for raising money, Bourbon granted his life and liberty to Moronè, who, having been kept in prison since his intrigue with Pescara, had been condemned to die by the Spanish judges empowered to try him. For this remission he paid twenty thousand ducats; and such were his singular talents, and the wonderful ascendant which he always acquired over the minds of those to whom he had access, that in a few days from being Bourbon's prisoner he became his prime confidant, with whom he consulted in all affairs of importance. To his insinuations must be imputed the suspicions which Bourbon began to entertain, that the emperor had never intended to grant him the investiture of Milan, but had appointed Leyva and the other Spanish generals rather to be spies on his conduct than to co-operate heartily towards the execution of his schemes. To him likewise, as he still retained, at the age of fourscore, all the enterprising spirit of youth, may be attributed the bold and unexpected measure on which Bourbon soon after ventured.[m]

Bourbon sets Moronè at liberty.

His deliberations with respect to his motions.

Such, indeed, were the exigences of the imperial troops in the Milanese, that it became indispensably necessary to take some immediate step for their relief. The arrears of the soldiers increased daily; the emperor made no remittances to his generals; and the utmost rigour of military extortion could draw nothing more from a country entirely drained and ruined. In this situation there was no choice left, but either to disband the army or to march for subsistence into the enemy's country. The territories of the Venetians lay nearest at hand; but they, with their usual foresight and prudence, had taken such precautions as secured them from any insult. Nothing, therefore, remained but to invade the dominions of the church or of the Florentines; and Clement had of late acted such a part as merited the severest vengeance from the emperor. No sooner did the papal troops return to Rome after the insurrection of the Colonnas, than, without paying any regard to the treaty with Moncada, he degraded the cardinal Colonna, excommunicated the rest of the family, seized their places of strength, and wasted their lands with all the cruelty which the smart of a recent injury naturally excites. After this he turned his arms against Naples, and as his operations were seconded by the French fleet, he made some progress towards the conquest of that kingdom; the viceroy being no less destitute than the other imperial generals of the money requisite for a vigorous defence.[n]

1527. Marches to invade the pope's territories.

These proceedings of the pope justified, in appearance, the measures which Bourbon's situation rendered necessary; and he set about executing them under such disadvantages as furnish the strongest proof both of the despair to which he was reduced and of the greatness of his abilities, which were able to surmount so many obstacles. Having committed the government of Milan to Leyva, whom he was not unwilling to leave behind, he began his march in the depth of winter, at the head of twenty-five thousand men, composed of nations differing from each other in language and manners; without money, without magazines, without artillery, without carriages; in short, without any of those things which are necessary to the smallest party, and which seem essential to the existence and motions of a great army. His route lay through a country cut by rivers and mountains, in which the roads were almost impracticable; as an addition to his difficulties, the enemy's army, superior to his own in number, was at hand to watch all

Jan. 30.

k Sandov. i. 814

l Ripamond. Hist. Mediol. lib. ix. p. 717.

m Guic. l. xvii. 419.

n Jovii Vita Pomp. Colon. Guic. l. xviii. 424.

his motions, and to improve every advantage. But his troops, impatient of their present hardships, and allured by the hopes of immense booty, without considering how ill provided they were for a march, followed him with great cheerfulness. His first scheme was to have made himself master of Placentia, and to have gratified his soldiers by the plunder of that city; but the vigilance of the confederate generals rendered the design abortive; nor had he better success in his project for the reduction of Bologna, which was seasonably supplied with as many troops as secured it from the insults of an army which had neither artillery nor ammunition. Having failed in both these attempts to become master of some great city, he was under a necessity of advancing. But he had now been two months in the field; his troops had suffered every calamity that a long march, together with the uncommon rigour of the season, could bring upon men destitute of all necessary accommodations in an enemy's country; the magnificent promises to which they trusted, had hitherto proved altogether vain; they saw no prospect of relief; their patience, tried to the utmost, failed at last, and they broke out into open mutiny. Some officers who rashly attempted to restrain them, fell victims to their fury; Bourbon himself, not daring to appear during the first transports of their rage, was obliged to fly secretly from his quarters.[o] But this sudden ebullition of wrath began at last to subside; when Bourbon, who possessed, in a wonderful degree, the art of governing the minds of soldiers, renewed his promises with more confidence than formerly, and assured them that they would be soon accomplished. He endeavoured to render their hardships more tolerable, by partaking of them himself; he fared no better than the meanest sentinel; he marched along with them on foot; he joined them in singing their camp ballads, in which, with high praises of his valour, they mingled many strokes of military raillery on his poverty; and wherever they came, he allowed them, as a foretaste of what he had promised, to plunder the adjacent villages at discretion. Encouraged by all these soothing arts, they entirely forgot their sufferings and complaints, and followed him with the same implicit confidence as formerly.[p]

Mutiny of his troops.

Bourbon, meanwhile, carefully concealed his intentions. Rome and Florence, not knowing on which the blow would fall, were held in the most disquieting state of suspense. Clement, equally solicitous for the safety of both, fluctuated in more than his usual uncertainty; and while the rapid approach of danger called for prompt and decisive measures, he spent the time in deliberations which came to no issue, or in taking resolutions which next day his restless mind, more sagacious in discerning than in obviating difficulties, overturned, without being able to fix on what should be substituted in their place. At one time he determined to unite himself more closely than ever with his allies, and to push on the war with vigour; at another, he inclined to bring all differences to a final accommodation by a treaty with Lannoy, who, knowing his passion for negociation, solicited him incessantly with proposals for that purpose. His timidity at length prevailed, and led him to conclude an agreement with Lannoy, of which the following were the chief articles: That a suspension of arms should take place between the pontifical and imperial troops for eight months: that Clement should advance sixty thousand crowns towards satisfying the demands of the imperial army: that the Colonnas should be absolved from censure, and their former dignities and possessions be restored to them: that the viceroy should come to Rome, and prevent Bourbon from approaching nearer to that city or to Florence.[q] On this hasty treaty, which deprived him of all hopes of assistance from his allies, without affording him any solid foundation of security, Clement relied so firmly, that, like a man extricated at once out of all difficulties, he was at perfect ease, and in the fulness of his confidence disbanded all his troops except as many as were sufficient to guard his own person. This amazing confidence of Clement, who, on every other occasion, was fearful and suspicious to excess, appeared so unaccountable to Guicciardini, who being at that time the pontifical commissary-general and resident in the confederate army, had great opportunities, as well as great abilities, for observing how chimerical all his hopes were, that he imputes the pope's conduct at this juncture wholly to infatuation, which those who are doomed to ruin cannot avoid.[r]

March 15. Concludes a treaty with the Viceroy of Naples;

The pope's irresolution and imprudence.

Lannoy, it would seem, intended to have executed the treaty with great sincerity; and having detached Clement from the confederacy, wished to turn Bourbon's arms against the Venetians, who, of all the powers at war with the emperor, had exerted the greatest vigour. With this view he despatched a courier to Bourbon, informing him of the suspension of arms which, in the name of their common master, he had concluded with the pope. Bourbon had other schemes, and he had prosecuted them now too far to think of retreating. To have mentioned a retreat to his soldiers would have been dangerous; his command was independent of Lannoy; he was fond of mortifying a man whom he had many reasons to hate for these reasons, without paying the least regard to the message, he continued to ravage the ecclesiastical territories, and to advance towards Florence. Upon this, all Clement's terror and anxiety returning with new force, he had recourse to Lannoy, and entreated and conjured him to put a stop to Bourbon's progress. Lannoy accordingly set out

which Bourbon disregards.

o Guic. l. xviii. 434. Jovii Vit. Colon. 163.
p Œuvres de Brant. vol. iv p. 246, &c.
q Guic. l. xvii. 436.
r Id. Ibid. 446.

for his camp, but durst not approach it: Bourbon's soldiers having got notice of the truce, raged and threatened, demanding the accomplishment of the promises to which they had trusted; their general himself could hardly restrain them; every person in Rome perceived that nothing remained but to prepare for resisting a storm which it was now impossible to dispel. Clement alone, relying on some ambiguous and deceitful professions which Bourbon made of his inclination towards peace, sunk back into his former security.[s]

Advances towards Rome.

Bourbon, on his part, was far from being free from solicitude. All his attempts on any place of importance had hitherto miscarried; and Florence, towards which he had been approaching for some time, was, by the arrival of the duke d'Urbino's army, put in a condition to set his power at defiance. As it now became necessary to change his route and to take instantly some new resolution, he fixed, without hesitation, on one which was no less daring in itself than it was impious according to the opinion of that age. This was to assault and plunder Rome. Many reasons, however, prompted him to it. He was fond of thwarting Lannoy, who had undertaken for the safety of that city; he imagined that the emperor would be highly pleased to see Clement, the chief author of the league against him, humbled; he flattered himself, that by gratifying the rapacity of his soldiers with such immense booty, he would attach them for ever to his interest; or (which is still more probable than any of these) he hoped that by means of the power and fame which he would acquire from the conquest of the first city in Christendom, he might lay the foundation of an independent power; and that, after shaking off all connexion with the emperor, he might take possession of Naples, or of some of the Italian states, in his own name.[t]

The pope's preparations for defence.

Whatever his motives were, he executed his resolution with a rapidity equal to the boldness with which he had formed it. His soldiers, now that they had their prey full in view, complained neither of fatigue, nor famine, nor want of pay. No sooner did they begin to move from Tuscany towards Rome, than the pope, sensible at last how fallacious the hopes had been on which he reposed, started from his security. But no time now remained, even for a bold and decisive pontiff, to have taken proper measures, or to have formed any effectual plan of defence. Under Clement's feeble conduct, all was consternation, disorder, and irresolution. He collected, however, such of his disbanded soldiers as still remained in the city; he armed the artificers of Rome, and the footmen and train-bearers of the cardinals; he repaired the breaches in the walls; he began to erect new works; he excommunicated Bourbon and all his troops, branding the Germans with the name of Lutherans, and the Spaniards with that of Moors.[u] Trusting to these ineffectual military preparations, or to his spiritual arms, which were still more despised by rapacious soldiers, he seems to have laid aside his natural timidity, and, contrary to the advice of all his counsellors, determined to wait the approach of an enemy whom he might easily have avoided by a timely retreat.

Assault of Rome.

Bourbon, who saw the necessity of despatch now that his intentions were known, advanced with such speed, that he gained several marches on the duke d'Urbino's army, and encamped in the plains of Rome on the evening of the fifth of May. From thence he showed his soldiers the palaces and churches of that city, into which, as the capital of the christian commonwealth, the riches of all Europe had flowed during many centuries, without having been once violated by any hostile hand; and commanding them to refresh themselves that night, as a preparation for the assault next day, promised them, in reward of their toils and valour, the possession of all the treasures accumulated there.

Early in the morning Bourbon, who had determined to distinguish that day either by his death or the success of the enterprise, appeared at the head of his troops clad in complete armour, above which he wore a vest of white tissue, that he might be more conspicuous both to his friends and to his enemies; and as all depended on one bold impression, he led them instantly to scale the walls. Three distinct bodies, one of Germans, another of Spaniards, and the last of Italians, the three different nations of whom the army was composed, were appointed to this service; a separate attack was assigned to each; and the whole army advanced to support them, as occasion should require. A thick mist concealed their approach until they reached almost the brink of the ditch which surrounded the suburbs: having planted their ladders in a moment, each brigade rushed to the assault with an impetuosity heightened by national emulation. They were received at first with fortitude equal to their own; the Swiss in the pope's guards, and the veteran soldiers who had been assembled, fought with a courage becoming men to whom the defence of the noblest city in the world was intrusted. Bourbon's troops, notwithstanding all their valour, gained no ground, and even began to give way: when their leader, perceiving that on this critical moment the fate of the day depended, leaped from his horse, pressed to the front, snatched a scaling-ladder from a soldier, planted it against the wall, and began to mount it, encouraging his men with his voice and hand to follow him. But at that very instant a musket-bullet from the ramparts pierced his groin with a wound which he immediately felt to be mortal; but he retained so much presence of mind as to desire those who were near him to cover his body with a cloak, that his death

Bourbon slain.

s Guic. l. xviii. 437, &c. Mem. de Bellay, p. 100.
t Brant. iv. 271. vi. 189. Belcarii Comment. 594.

u Seckend. lib. ii. 68.

might not dishearten his troops; and soon after he expired with a courage worthy of a better cause, and which would have entitled him to the highest praise, if he had thus fallen in defence of his country, and not at the head of its enemies.[x]

The city taken.

This fatal event could not be concealed from the army; the soldiers soon missed their general, whom they were accustomed to see in every time of danger; but instead of being disheartened by their loss, it animated them with new valour; the name of Bourbon resounded along the line, accompanied with the cry of *blood* and *revenge*. The veterans who defended the walls were soon overpowered by numbers; the untrained body of city-recruits fled at the sight of danger, and the enemy, with irresistible violence, rushed into the town.

During the combat, Clement was employed at the high altar of St. Peter's church in offering up to heaven unavailing prayers for victory. No sooner was he informed that his troops began to give way, than he fled with precipitation: and with an infatuation still more amazing than any thing already mentioned, instead of making his escape by the opposite gate, where there was no enemy to oppose it, he shut himself up, together with thirteen cardinals, the foreign ambassadors, and many persons of distinction, in the castle of St. Angelo, which, from his late misfortune, he might have known to be an insecure retreat. In his way from the Vatican to that fortress, he saw his troops flying before an enemy, who pursued without giving quarter; he heard the cries and lamentations of the Roman citizens, and beheld the beginning of those calamities which his own credulity and ill-conduct had brought upon his subjects.[y]

Plundered.

It is impossible to describe, or even to imagine, the misery and horror of that scene which followed. Whatever a city taken by storm can dread from military rage, unrestrained by discipline; whatever excesses the ferocity of the Germans, the avarice of the Spaniards, or the licentiousness of the Italians, could commit, these the wretched inhabitants were obliged to suffer. Churches, palaces, and the houses of private persons, were plundered without distinction. No age, or character, or sex, was exempt from injury. Cardinals, nobles, priests, matrons, virgins, were all the prey of soldiers, and at the mercy of men deaf to the voice of humanity. Nor did these outrages cease, as is usual in towns which are carried by assault, when the first fury of the storm was over; the imperialists kept possession of Rome several months; and during all that time, the insolence and brutality of the soldiers hardly abated. Their booty in ready money amounted to a million of ducats; what they raised by ransoms and exactions far exceeded that sum. Rome, though taken several different times by the northern nations, who overran the empire in the fifth and sixth centuries, was never treated with so much cruelty by the barbarous and heathen Huns, Vandals, or Goths, as now by the bigoted subjects of a catholic monarch.[z]

The pope besieged in the castle of St. Angelo.

After Bourbon's death, the command of the imperial army devolved on Philibert de Chalons, prince of Orange, who with difficulty prevailed on as many of his soldiers to desist from the pillage as were necessary to invest the castle of St. Angelo. Clement was immediately sensible of his error in having retired into that ill-provided and untenable fort. But as the imperialists, scorning discipline, and intent only on plunder, pushed the siege with little vigour, he did not despair of holding out until the duke D'Urbino could come to his relief. That general advanced at the head of an army composed of Venetians, Florentines, and Swiss, in the pay of France, of sufficient strength to have delivered Clement from the present danger. But D'Urbino, preferring the indulgence of his hatred against the family of Medici to the glory of delivering the capital of Christendom, and the head of the church, pronounced the enterprise to be too hazardous; and, from an exquisite refinement in revenge, having marched forward so far, that his army being seen from the ramparts of St. Angelo flattered the pope with the prospect of certain relief, he immediatcly wheeled about and retired.[a] Clement deprived of every resource, and reduced to such extremity of famine as to feed on asses' flesh,[b] was obliged to capitulate on such conditions as the conquerors were pleased to prescribe. He agreed

June 6. Surrenders himself a prisoner.

to pay four hundred thousand ducats to the army; to surrender to the emperor all the places of strength belonging to the church; and, besides giving hostages, to remain a prisoner himself until the chief articles were performed. He was committed to the care of Alarcon, who, by his severe vigilance in guarding Francis, had given full proof of his being qualified for that office; and thus, by a singular accident, the same man had the custody of the two most illustrious personages who had been made prisoners in Europe during several ages.

The emperor's behaviour at this juncture.

The account of this extraordinary and unexpected event was no less surprising than agreeable to the emperor. But in order to conceal his joy from his subjects, who were filled with horror at the success and crimes of their countrymen, and to lessen the indignation of the rest of Europe, he declared that Rome had been assaulted without any order from him. He wrote to all the princes with whom he was in alliance, disclaiming his having had any knowledge of Bourbon's intention.[c] He put himself and court into mourning; commanded the re-

x Mem. de Bellay, 101. Guic. l. xviii. p. 445, &c. Œuv. de Brant. iv. 257. &c.
y Jov. Vit. Colon. 165.
z Jov. Vit. Colon. 166. Guic. l. xviii. 440, &c. Comment de Capta Urbe Romæ, ap. Scardium, ii. 230. Ulloa Vita del Carlo V. p. 110, &c. Giannone Hist. of Nap. B. xxxi. c. 3. p. 507.
a Guic. l. xviii. 450. b Jov. Vit. Colon. 167.
c Ruscelli Lettre di Principi, ii. 231.

joicings which had been ordered for the birth of his son Philip to be stopped; and employing an artifice no less hypocritical than gross, he appointed prayers and processions throughout all Spain for the recovery of the pope's liberty, which, by an order to his generals, he could have immediately granted him.[d]

Solyman invades Hungary.

The good fortune of the house of Austria was no less conspicuous in another part of Europe. Solyman having invaded Hungary with an army of three hundred thousand men, Lewis II. king of that country and of Bohemia, a weak and inexperienced prince, advanced rashly to meet him with a body of men which did not amount to thirty thousand. With an imprudence still more unpardonable, he gave the command of these troops to Paul Tomorri, a Franciscan monk, archbishop of Golocza. This awkward general, in the dress of his order, girt with its cord, marched at the head of the troops; and, hurried on by his own presumption, as well as by the impetuosity of nobles who despised danger, but were impatient of long service, he fought the fatal battle of Mohacz, in which the king, the flower of the Hungarian nobility, and upwards of twenty thousand men, fell the victims of his folly and ill-conduct. Solyman, after his victory, seized and kept possession of several towns of the greatest strength in the southern provinces of Hungary, and, overrunning the rest of the country, carried near two hundred thousand persons into captivity. As Lewis was the last male of the royal family of Jagellon, the archduke Ferdinand claimed both his crowns. This claim was founded on a double title; the one derived from the ancient pretensions of the house of Austria to both kingdoms; the other from the right of his wife, the only sister of the deceased monarch. The feudal institutions, however, subsisted both in Hungary and Bohemia in such vigour, and the nobles possessed such extensive power, that the crowns were still elective, and Ferdinand's rights, if they had not been powerfully supported, would have met with little regard. But his own personal merit; the respect due to the brother of the greatest monarch in Christendom; the necessity of choosing a prince able to afford his subjects some additional protection against the Turkish arms, which, as they had recently felt their power, they greatly dreaded; together with the intrigues of his sister, who had been married to the late king; overcame the prejudices which the Hungarians had conceived against the archduke as a foreigner; and though a considerable party voted for the Vaywode of Transylvania, at length secured Ferdinand the throne of that kingdom. The states of Bohemia imitated the example of their neighbour kingdom; but in order to ascertain and secure their own privileges, they obliged Ferdinand, before his coronation, to subscribe a deed which they term a *Reverse*, declaring that he held that crown not by any previous right, but by their gratuitous and voluntary election. By such a vast accession of territories, the hereditary possession of which they secured in process of time to their family, the princes of the house of Austria attained that pre-eminence in power which hath rendered them so formidable to the rest of Germany.[e]

Aug. 29, 1526. Defeat of the Hungarians, and death of their king.

Ferdinand elected king.

The dissensions between the pope and emperor proved extremely favourable to the progress of Lutheranism. Charles, exasperated by Clement's conduct, and fully employed in opposing the league which he had formed against him, had little inclination, and less leisure, to take any measures for suppressing the new opinions in Germany. In a diet of the empire held at Spires, the state of religion came to be considered, and all that the emperor required of the princes was, that they would wait patiently, and without encouraging innovations, for the meeting of a general council which he had demanded of the pope. They, in return, acknowledged the convocation of a council to be the proper and regular step towards reforming abuses in the church; but contended, that a national council held in Germany would be more effectual for that purpose than what he had proposed. To his advice concerning the discouragement of innovations, they paid so little regard, that even during the meeting of the diet at Spires, the divines who attended the elector of Saxony and landgrave of Hesse-Cassel thither, preached publicly and administered the sacraments according to the rites of the reformed church.[f] The emperor's own example imboldened the Germans to treat the papal authority with little reverence. During the heat of his resentment against Clement, he had published a long reply to an angry brief which the pope had intended as an apology for his own conduct. In this manifesto, the emperor, after having enumerated many instances of that pontiff's ingratitude, deceit, and ambition, all which he painted in the strongest and most aggravated colours, appealed from him to a general council. At the same time he wrote to the college of cardinals, complaining of Clement's partiality and injustice; and requiring them, if he refused or delayed to call a council, to show their concern for the peace of the christian church, so shamefully neglected by its chief pastor, by summoning that assembly in their own name.[g] This manifesto, little inferior in virulence to the invectives of Luther himself, was dispersed over Germany with great industry, and being eagerly read by persons of every rank, did much more than counterbalance the effect of all Charles's declarations against the new opinions.

Progress of the Reformation.

June 25, 1526.

d Sleid. 109. Sandov. i. 822. Mauroc. Hist. Veneta, lib. iii. 220.
e Steph. Broderick Procancelarii Hungar. Clades in Campo Mohacz, ap. Scardium, ii. 218. P. Barre Hist. d'Allemagne, tom. viii. part i. p. 198.
f Sleid. 103.
g Goldhast. Polit. Imper. p. 981.

BOOK V.

General indignation excited against the emperor.

THE account of the eruel manner in which the pope had been treated, filled all Europe with astonishment or horror. To see a christian emperor, who, by possessing that dignity, ought to have been the protector and advocate of the holy see, lay violent hands on him who represented Christ on earth, and detain his sacred person in a rigorous captivity, was considered as an inipiety that merited the severest vengeanee, and which called for the immediate interposition of every dutiful son of the church. Francis and Henry, alarmed at the progress of the imperial arms in Italy, had, even before the taking of Rome, entered into a closer alliance; and in order to give some eheck to the emperor's ambition, had agreed to make a vigorous diversion in the Low Countries. The force of every motive which had influenced them at that time was now increased; and to these was added the desire of reseuing the pope out of the emperor's hands, a measure no less politic than it appeared to be pious. This, however, rendered it necessary to abandon their hostile intentions against the Low Countries, and to make Italy the seat of war, as it was by vigorous operations there they might contribute most effectually towards delivering Rome and setting Clement at liberty. Francis being now sensible that, in his system with regard to the affairs of Italy, the spirit of refinement had carried him too far; and that, by an excess of remissness, he had allowed Charles to attain advantages which he might easily have prevented, was eager to make reparation for an error of which he was not often guilty, by an activity more suitable to his temper. Henry thought his interposition necessary in order to hinder the emperor from beeoming master of all Italy, and acquiring by that means such superiority of power as would enable him, for the future, to dictate without control to the other princes of Europe. Wolsey, whom Francis had taken care to secure by flattery and presents, the certain methods of gaining his favour, neglected nothing that could incense his master against the emperor. Besides all these public considerations, Henry was influenced by one of a more private nature: having begun, about this time, to form his great scheme of divorcing Catharine of Aragon, towards the execution of which he knew that the sanction of papal authority would be necessary, he was desirous to acquire as much merit as possible with Clement, by appearing to be the chief instrument of his deliveranee.

Confederacy against him. July 11.

The negociation between prinees thus disposed was not tedious. Wolsey himself conducted it, on the part of his sovereign, with unbounded powers. Francis treated with him in person at Amiens, where the cardinal appeared and was received with royal magnificence. A marriage between the duke of Orleans and the princess Mary was agreed to as the basis of the eonfederaey; it was resolved that Italy should be the theatre of war; the strength of the army whieh should take the field, as well as the eontingent of troops or of money whieh each prince should furnish, were settled; and if the emperor did not aecept of the proposals whieh they were jointly to make him, they bound themselves immediately to deelare war and to begin hostilities. Henry, who took every resolution with impetuosity, entered so eagerly into this new allianee, that in order to give Franeis the strongest proof of his friendship and respeet, he formally renounced the aneient claim of the English monarchs to the crown of Franee, which had long been the pride and ruin of the nation; as a full eompensation for whieh he aecepted a pension of fifty thousand crowns, to be paid annually to himself and his successors.[a]

Aug. 18.

The Florentines recover their freedom

The pope being unable to fulfil the conditions of his capitulation, still remained a prisoner under the severe custody of Alareon. The Florentines no sooner heard of what had happened at Rome, than they ran to arms in a tumultuous manner, expelled the cardinal di Cortona, who governed their city in the pope's name; defaced the arms of the Medici; broke in pieces the statues of Leo and Clement; and declaring themselves a free state, re-established their ancient popular government. The Venetians, taking advantage of the calamity of their ally the pope, seized Ravenna and other places belonging to the church, under pretext of keeping them in deposit. The dukes of Urbino and Ferrara laid hold likewise on part of the spoils of the unfortunate pontiff, whom they considered as irretrievably ruined.[b]

The imperial troops inactive.

Lannoy, on the other hand, laboured to derive some solid benefit from that unforeseen event which gave such splendour and superiority to his master's arms. For this purpose he marched to Rome, together with Moncada and the marquis del Guasto, at the head of all the troops which they could assemble in the kingdom of Naples. The arrival of this reinforeement brought new calamities on the unhappy citizens of Rome; for the soldiers, envying the wealth of their companions, imitated their licence, and with the utmost rapacity gathered the gleanings which had escaped the avarice of the Spaniards and Germans. There was not now any army in Italy eapable of making head against the imperialists; and nothing more was requisite to reduce Bologna, and the other towns in the ecclesiastical state, than to have appeared before them. But the soldiers having been so long accustomed, under Bourbon, to an entire relaxation of discipline, and having tasted the sweets of living at discretion in a great city, almost without the eontrol of a superior, were become so impatient of military

a Herbert, 83, &c. Rym. Fœd. xiv. 203.

b Guic. l. xviii. 453.

subordination, and so averse to service, that they refused to leave Rome unless all arrears were paid; a condition which they knew to be impossible. At the same time they declared that they would not obey any other person than the prince of Orange, whom the army had chosen general. Lannoy, finding that it was no longer safe for him to remain among licentious troops who despised his dignity and hated his person, returned to Naples; soon after the marquis del Guasto and Moncada thought it prudent to quit Rome for the same reason. The prince of Orange, a general only in name, and by the most precarious of all tenures, the good-will of soldiers whom success and licence had rendered capricious, was obliged to pay more attention to their humours than they did to his commands. Thus the emperor, instead of reaping any of the advantages which he might have expected from the reduction of Rome, had the mortification to see the most formidable body of troops that he had ever brought into the field continue in a state of inactivity from which it was impossible to rouse them.[c]

The French army marches into Italy.

This gave the king of France and the Venetians leisure to form new schemes and to enter into new engagements for delivering the pope and preserving the liberties of Italy. The newly-restored republic of Florence very imprudently joined with them, and Lautrec, of whose abilities the Italians entertained a much more favourable opinion than his own master, was, in order to gratify them, appointed generalissimo of the league. It was with the utmost reluctance he undertook that office, being unwilling to expose himself a second time to the difficulties and disgraces which the negligence of the king or the malice of his favourites might bring upon him. The best troops in France marched under his command; and the king of England, though he had not yet declared war against the emperor, advanced a considerable sum towards carrying on the expedition. Lautrec's first operations were prudent, vigorous, and successful. By the assistance of Andrew Doria, the ablest sea-officer of that age, he rendered himself master of Genoa, and re-established in that republic the faction of the Fregosi, together with the dominion of France. He obliged Alexandria to surrender after a short siege, and reduced all the country on that side of the Tesino. He took Pavia, which had so long resisted the arms of his sovereign, by assault, and plundered it with that cruelty which the memory of the fatal disaster that had befallen the French nation before its walls naturally inspired. All the Milanese, which Antonio de Leyva defended with a small body of troops kept together and supported by his own address and industry, must have soon submitted to his power, if he had continued to bend the force of his arms against that country. But Lautrec durst not complete a conquest which would have been so honourable to himself and of such advantage to the league. Francis knew his confederates to be more desirous of circumscribing the imperial power in Italy than of acquiring new territories for him; and was afraid that if Sforza were once re-established in Milan, they would second but coldly the attack which he intended to make on the kingdom of Naples. For this reason he instructed Lautrec not to push his operations with too much vigour in Lombardy; and happily the importunities of the pope and the solicitations of the Florentines, the one for relief and the other for protection, were so urgent as to furnish him with a decent pretext for marching forward, without yielding to the entreatics of the Venetians and Sforza, who insisted on his laying siege to Milan.[d]

His operations.

While Lautrec advanced slowly towards Rome, the emperor had time to deliberate concerning the disposal of the pope's person, who still remained a prisoner in the castle of St. Angelo. Notwithstanding the specious veil of religion with which he usually endeavoured to cover his actions, Charles in many instances appears to have been but little under the influence of religious considerations, and had frequently on this occasion expressed an inclination to transport the pope into Spain, that he might indulge his ambition with the spectacle of the two most illustrious personages in Europe successively prisoners in his court. But the fear of giving new offence to all Christendom, and of filling his own subjects with horror, obliged him to forego that satisfaction.[e] The progress of the confederates made it now necessary either to set the pope at liberty, or to remove him to some place of confinement more secure than the castle of St. Angelo. Many considerations induced him to prefer the former, particularly his want of the money requisite as well for recruiting his army as for paying off the vast arrears due to it. In order to obtain this, he had assembled the Cortes of Castile at Valladolid about the beginning of the year, and having laid before them the state of his affairs, and represented the necessity of making great preparations to resist the enemies whom envy at the success which had crowned his arms would unite against him, he demanded a large supply in the most pressing terms; but the Cortes, as the nation was already exhausted by extraordinary donatives, refused to load it with any new burden, and in spite of all his endeavours to gain or to intimidate the members, persisted in this resolution.[f] No resource therefore remained but the extorting from Clement, by way of ransom, a sum sufficient for discharging what was due to his troops, without which it was vain to mention to them their leaving Rome.

The emperor sets the pope at liberty.

Feb. 11.

Nor was the pope inactive on his part, or his intrigues unsuccessful towards hastening such a treaty. By flattery and the appearance of unbound-

c Guic. l. xviii. 451.
d Guic. l. xviii. 461. Bellay, 107, &c. Mauroc. Hist. Venet. lib. iii. 238.
e Guic. l. xviii. 457.
f Sandov. i. p. 814.

ed confidence, he disarmed the resentment of cardinal Colonna, and wrought upon his vanity, which made him desirous of showing the world, that as his power had at first depressed the pope, it could now raise him to his former dignity. By favours and promises he gained Moronè, who, by one of those whimsical revolutions which occur so often in his life, and which so strongly display his character, had now recovered his credit and authority with the imperialists. The address and influence of two such men easily removed all the obstacles which retarded an accommodation, and brought the treaty for Clement's liberty to a conclusion, upon conditions hard indeed, but not more severe than a prince in his situation had reason to expect. He was obliged to advance in ready money an hundred thousand crowns for the use of the army; to pay the same sum at the distance of a fortnight; and at the end of three months an hundred and fifty thousand more. He engaged not to take part in the war against Charles either in Lombardy or in Naples; he granted him a bull of crusado, and the tenth of ecclesiastical revenues in Spain; and he not only gave hostages, but put the emperor in possession of several towns, as a security for the performance of these articles.[g] Having raised the first moiety by a sale of ecclesiastical dignities and benefices, and other expedients equally uncanonical, a day was fixed for delivering him from imprisonment. But Clement, impatient to be free after a tedious confinement of six months, as well as full of the suspicion and distrust natural to the unfortunate, was so much afraid that the imperialists might still throw in obstacles to put off his deliverance, that he disguised himself, on the night preceding the day when he was to be set free, in the habit of a merchant, and Alarcon having remitted somewhat of his vigilance upon the conclusion of the treaty, he made his escape undiscovered. He arrived before next morning at Orvietto, without any attendants but a single officer; and from thence wrote a letter of thanks to Lautrec, as the chief instrument of procuring him liberty.[h]

Dec. 6.

Overtures of the emperor to Francis and Henry.

During these transactions the ambassadors of France and England repaired to Spain, in consequence of the treaty which Wolsey had concluded with the French king. The emperor, unwilling to draw on himself the united forces of the two monarchs, discovered an inclination to relax somewhat the rigour of the treaty of Madrid, to which, hitherto, he had adhered inflexibly. He offered to accept of the two millions of crowns which Francis had proposed to pay as an equivalent for the duchy of Burgundy, and to set his sons at liberty, on condition that he would recall his army out of Italy, and restore Genoa, together with the other conquests which he had made in that country. With regard to Sforza, he insisted that his fate should be determined by the judges appointed to inquire into his crimes. These propositions being made to Henry, he transmitted them to his ally the French king, whom it more nearly concerned to examine and to answer them; and if Francis had been sincerely solicitous either to conclude peace or preserve consistency in his own conduct, he ought instantly to have closed with overtures which differed but little from the propositions which he himself had formerly made.[i] But his views were now much changed; his alliance with Henry, Lautrec's progress in Italy, and the superiority of his army there above that of the emperor, hardly left him room to doubt of the success of his enterprise against Naples. Full of those sanguine hopes, he was at no loss to find pretexts for rejecting or evading what the emperor had proposed. Under the appearance of sympathy with Sforza, for whose interests he had not hitherto discovered much solicitude, he again demanded the full and unconditional re-establishment of that unfortunate prince in his dominions. Under colour of its being imprudent to rely on the emperor's sincerity, he insisted that his sons should be set at liberty before the French troops left Italy or surrendered Genoa. The unreasonableness of these demands, as well as the reproachful insinuation with which they were accompanied, irritated Charles to such a degree, that he could hardly listen to them with patience; and repenting of his moderation, which had made so little impression on his enemies, declared that he would not depart in the smallest article from the conditions which he had now offered. Upon this the French and English ambassadors (for Henry had been drawn unaccountably to concur with Francis in these strange propositions) demanded and obtained their audience of leave.[k]

1528. Jan. 22.

Next day two heralds, who had accompanied the ambassadors on purpose, though they had hitherto concealed their character, having assumed the ensigns of their office, appeared in the emperor's court, and being admitted into his presence, they, in the name of their respective masters, and with all the solemnities customary on such occasions, denounced war against him. Charles received both with a dignity suitable to his own rank, but spoke to each in a tone adapted to the sentiments which he entertained of their sovereigns. He accepted the defiance of the English monarch with a firmness tempered by some degree of decency and respect. His reply to the French king abounded with that acrimony of expression which personal rivalship, exasperated by the memory of many injuries inflicted as well as suffered, naturally suggests. He desired the French herald to acquaint his sovereign that he would henceforth consider him not only as a base violator of public faith, but as a stranger to the honour and integrity becoming a gentleman. Francis, too high-spirited to bear

They declare war against the emperor.

g Guic. l. xviii. 467, &c.
h Guic. l. xviii. 467, &c. Jov. Vit. Colon. 169. Mauroc. Hist. Venet. lib. iii. 252.
i Recueil des Traitéz, ii. 249.
k Rym. xiv. 200. Herbert, 85. Guic. l. xviii. 471.

such an imputation, had recourse to an uncommon expedient in order to vindicate his character. He instantly sent back the herald with a *cartel* of defiance, in which he gave the emperor the lie in form, challenged him to single combat, requiring him to name the time and place of the encounter, and the weapons with which he chose to fight. Charles, as he was not inferior to his rival in spirit or bravery, readily accepted the challenge; but after several messages concerning the arrangement of all the circumstances relative to the combat, accompanied with mutual reproaches bordering on the most indecent scurrility, all thoughts of this duel, more becoming the heroes of romance than the two greatest monarchs of their age, were entirely laid aside.[l]

Francis challenges the emperor to single combat.

The example of two personages so illustrious drew such general attention, and carried with it so much authority, that it had considerable influence in producing an important change in manners all over Europe. Duels, as has already been observed, had long been permitted by the laws of all the European nations, and forming a part of their jurisprudence, were authorized by the magistrate on many occasions as the most proper method of terminating questions with regard to property, or of deciding those which respected crimes. But single combats being considered as solemn appeals to the omniscience and justice of the Supreme Being, they were allowed only in public causes, according to the prescription of law, and carried on in a judicial form. Men accustomed to this manner of decisions in courts of justice, were naturally led to apply it to personal and private quarrels. Duels, which at first could be appointed by the civil judge alone, were fought without the interposition of his authority, and in cases to which the laws did not extend. The transaction between Charles and Francis strongly countenanced this practice. Upon every affront or injury which seemed to touch his honour, a gentleman thought himself entitled to draw his sword, and to call on his adversary to give him satisfaction. Such an opinion becoming prevalent among men of fierce courage, of high spirit, and of rude manners, when offence was often given and revenge was always prompt, produced most fatal consequences. Much of the best blood in Christendom was shed; many useful lives were sacrificed; and, at some periods, war itself hath hardly been more destructive than these private contests of honour. So powerful, however, is the dominion of fashion, that neither the terror of penal laws nor reverence for religion have been able entirely to abolish a practice unknown among the ancients, and not justifiable by any principle of reason; though at the same time it must be admitted, that to this absurd custom we must ascribe, in some degree, the extraordinary gentleness and complaisance of modern manners, and that respectful attention of one man to another, which at present render the social intercourses of life far more agreeable and decent than among the most civilized nations of antiquity.

The effect of this in promoting the custom of dueling.

While the two monarchs seemed so eager to terminate their quarrel by a personal combat, Lautrec continued his operations, which promised to be more decisive. His army, which was now increased to thirty-five thousand men, advanced by great marches towards Naples. The terror of their approach, as well as the remonstrances and the entreaties of the prince of Orange, prevailed at last on the imperial troops, though with difficulty, to quit Rome, of which they had kept possession during ten months. But of that flourishing army which had entered the city, scarcely one-half remained; the rest, cut off by the plague or wasted by disease, the effects of their inactivity, intemperance, and debauchery, fell victims to their own crimes.[m] Lautrec made the greatest efforts to attack them in their retreat towards the Neapolitan territories, which would have finished the war at one blow. But the prudence of their leaders disappointed all his measures, and conducted them with little loss to Naples. The people of that kingdom, extremely impatient to shake off the Spanish yoke, received the French with open arms wherever they appeared to take possession; and, Gaeta and Naples excepted, hardly any place of importance remained in the hands of the imperialists. The preservation of the former was owing to the strength of its fortifications, that of the latter to the presence of the imperial army. Lautrec, however, sat down before Naples; but finding it vain to think of reducing a city by force while defended by a whole army, he was obliged to employ the slower but less dangerous method of blockade; and having taken measures which appeared to him effectual, he confidently assured his master, that famine would soon compel the besieged to capitulate. These hopes were strongly confirmed by the defeat of a vigorous attempt made by the enemy in order to recover the command of the sea. The galleys of Andrew Doria under the command of his nephew Philippino, guarded the mouth of the harbour. Moncada, who had succeeded Lannoy in the viceroyalty, rigged out a number of galleys superior to Doria's, manned them with a chosen body of Spanish veterans, and going on board himself, together with the marquis del Guasto, attacked Philippino before the arrival of the Venetian and French fleets. But the Genoese admiral, by his superior skill in naval operations, easily triumphed over the valour and number of the Spaniards. The viceroy was killed, most of his fleet destroyed, and Guasto, with many officers of distinction, being taken prisoners, were put on board the captive galleys, and sent by Philippino as trophies of his victory to his uncle.[n]

Retreat of the imperialists from Rome. February.

French besiege Naples.

l Recueil des Traitéz, 2. Mem. de Bellay, 103, &c. Sandov. Hist. i. 837.

m Guic. l. xviii. 478.
n Guic. l. xix. 487. P. Heuter. lib. x. c. 2. p. 231.

Circumstances which retard the progress of it.

Notwithstanding this flattering prospect of success, many circumstances concurred to frustrate Lautrec's expectations. Clement, though he always acknowledged his being indebted to Francis for the recovery of his liberty, and often complained of the cruel treatment which he had met with from the emperor, was not influenced at this juncture by principles of gratitude, nor, which is more extraordinary, was he swayed by the desire of revenge. His past misfortunes rendered him more cautious than ever, and his recollection of the errors which he had committed, increased the natural irresolution of his mind. While he amused Francis with promises, he secretly negociated with Charles; and being solicitous, above all things, to re-establish his family in Florence with their ancient authority, which he could not expect from Francis, who had entered into strict alliance with the new republic, he leaned rather to the side of his enemy than to that of his benefactor, and gave Lautrec no assistance towards carrying on his operations. The Venetians, viewing with jealousy the progress of the French arms, were intent only upon recovering such maritime towns in the Neapolitan dominions as were to be possessed by their republic, while they were altogether careless about the reduction of Naples, on which the success of the common cause depended.[o] The king of England, instead of being able, as had been projected, to embarrass the emperor by attacking his territories in the Low Countries, found his subjects so averse to an unnecessary war, which would have ruined the trade of the nation, that in order to silence their clamours, and put a stop to the insurrections ready to break out among them, he was compelled to conclude a truce for eight months with the governess of the Netherlands.[p] Francis himself, with the same unpardonable inattention of which he had formerly been guilty, and for which he had suffered so severely, neglected to make proper remittances to Lautrec for the support of his army.[q]

Revolt of Andrew Doria from France.

These unexpected events retarded the progress of the French, discouraging both the general and his troops; but the revolt of Andrew Doria proved a fatal blow to all their measures. That gallant officer, the citizen of a republic, and trained up from his infancy in the sea service, retained the spirit of independence natural to the former, together with the plain liberal manners peculiar to the latter. A stranger to the arts of submission or flattery necessary in courts, but conscious at the same time of his own merit and importance, he always offered his advice with freedom, and often preferred his complaints and remonstrances with boldness. The French ministers, unaccustomed to such liberties, determined to ruin a man who treated them with so little deference; and though Francis himself had a just sense of Doria's services, as well as an high esteem for his character, the courtiers, by continually representing him as a man haughty, intractable, and more solicitous to aggrandize himself than to promote the interest of France, gradually undermined the foundations of his credit, and filled the king's mind with suspicion and distrust. From thence proceeded several affronts and indignities put upon Doria. His appointments were not regularly paid; his advice, even in naval affairs, was often slighted; an attempt was made to seize the prisoners taken by his nephew in the sea-fight off Naples: all which he bore with abundance of ill-humour. But an injury offered to his country transported him beyond all bounds of patience. The French began to fortify Savona, to clear its harbour, and removing thither some branches of trade carried on at Genoa, plainly showed that they intended to render that town, which had been long the object of jealousy and hatred to the Genoese, their rival in wealth and commerce. Doria, animated with a patriotic zeal for the honour and interest of his country, remonstrated against this in the highest tone, not without threats, if the measure were not instantly abandoned. This bold action, aggravated by the malice of the courtiers, and placed in the most odious light, irritated Francis to such a degree, that he commanded Barbesieux, whom he appointed admiral of the Levant, to sail directly to Genoa with the French fleet, to arrest Doria, and to seize his galleys. This rash order, the execution of which could have been secured only by the most profound secrecy, was concealed with so little care, that Doria got timely intelligence of it, and retired with all his galleys to a place of safety. Guasto, his prisoner, who had long observed and fomented his growing discontent, and had often allured him by magnificent promises to enter into the emperor's service, laid hold on this favourable opportunity. While his indignation and resentment were at their height, he prevailed on him to despatch one of his officers to the imperial court with his overtures and demands. The negociation was not long: Charles, fully sensible of the importance of such an acquisition, granted him whatever terms he required. Doria sent back his commission, together with the collar of St. Michael, to Francis, and hoisting the imperial colours, sailed with all his galleys towards Naples, not to block up the harbour of that unhappy city, as he had formerly engaged, but to bring them protection and deliverance.

Wretched situation of the French army before Naples.

His arrival opened the communication with the sea, and restored plenty in Naples, which was now reduced to the last extremity; and the French, having lost their superiority at sea, were soon reduced to great straits for want of provisions. The prince of Orange, who succeeded the viceroy in the command of the imperial army, showed himself by his prudent conduct worthy of that honour which his good fortune

o Guic. l. xix. 491. p Herbert, 90. Rymer, 14, 258. q Guic. l. xviii. 478.

and the death of his generals had twiee aequired him. Beloved by the troops, who remembering the prosperity whieh they had enjoyed under his command served him with the utmost alacrity, he let slip no opportunity of harassing the enemy, and by eontinual alarms or sallies fatigued and weakened them.[r] As an addition to all these misfortunes, the diseases common in that country during the sultry months began to break out among the French troops. The prisoners eommunicated to them the pestilence which the imperial army had brought to Naples from Rome, and it raged with sueh violence, that few, either officers or soldiers, escaped the infeetion. Of the whole army, not four thousand men, a number hardly sufficient to defend the camp, were capable of doing duty;[s] and being now besieged in their turn, they suffered all the miseries from which the imperialists were delivered. Lautrec, after struggling long with so many disappointments and calamities, which preyed on his mind at the same time that the pestilence wasted his body, died, lamenting the negligenee of his sovereign and the infidelity of his allies, to which so many brave men had fallen victims.[t] By his death, and the indisposition of the other generals, the command devolved on the marquis de Saluees, an officer altogether unequal to such a trust. He, with troops no less dispirited than reduced, retreated in disorder to Aversa; which town being invested by the prince of Orange, Saluces was under the necessity of eonsenting that he himself should remain a prisoner of war, that his troops should lay down their arms and colours, give up their baggage, and march under a guard to the frontiers of Franee. By this ignominious eapitulation the wretched remains of the Freneh army were saved; and the emperor, by his own perseverance, and the good conduct of his generals, acquired once more the superiority in Italy.[u]

Aug. 15.

Raises the siege.

Genoa recovers its liberty.

The loss of Genoa followed immediately upon the ruin of the army in Naples. To deliver his country from the dominion of foreigners was Doria's highest ambition, and had been his principal inducement to quit the serviee of France and enter into that of the emperor. A most favourable opportunity for executing this honourable enterprise now presented itself. The city of Genoa, afflieted by the pestilence, was almost deserted by its inhabitants; the French garrison, being neither regularly paid nor recruited, was reduced to an inconsiderable number; Doria's emissaries found that such of the eitizens as remained, being weary alike of the French and imperial yoke, the rigour of which they had alternately felt, were ready to welcome him as their deliverer, and to second all his measures. Things wearing this promising aspeet, he sailed towards the eoast of Genoa; on his approach the French galleys retired; a small body of men whieh he landed, surprised one of the gates of Genoa in the night-time; Trivulci, the Freneh governor, with his feeble garrison, shut himself up in the eitadel, and Doria took possession of the town without bloodshed or resistance. Want of provisions quickly obliged Trivulci to capitulate; the people, eager to abolish such an odious monument of their servitude, ran together with a tumultuous violence, and levelled the citadel with the ground.

Sept. 12.

It was now in Doria's power to have rendered himself the sovereign of his country, which he had so happily deliverecd from oppression. The fame of his former actions, the success of his present attempt, the attachment of his friends, the gratitude of his eountrymen, together with the support of the emperor, all conspired to faeilitate his attaining the supreme authority, and invited him to lay hold of it. But with a magnanimity of whieh there are few examples, he sacrifieed all thoughts of aggrandizing himself to the virtuous satisfaction of establishing liberty in his country, the highest object at which ambition can aim. Having assembled the whole body of the people in the court bcfore his palace, he assured them that the happiness of seeing them once more in possession of freedom was to him a full reward for all his services; that, more delighted with the name of citizen than of sovereign, he claimed no pre-eminence or power above his equals; but remitted entirely to them the right of settling what form of government they would now choose to be established among them. The people listened to him with tears of admiration and of joy. Twelve persons were eleeted to new-model the constitution of the republic. The influence of Doria's virtue and example communicated itself to his countrymen; the factions which had long torn and ruined the state seemed to be forgotten; prudent precautions were taken to prevent their reviving; and the same form of government which has subsisted with little variation since that time in Genoa, was established with universal applause. Doria lived to a great age, beloved, respected, and honoured by his countrymen; and adhering uniformly to his professions of moderation, without arrogating any thing unbecoming a private citizen, he preserved a great ascendant over the councils of the republic, which owed its being to his generosity. The authority whieh he possessed was more flattering, as well as more satisfaetory, than that derived from sovereignty; a dominion founded in love and in gratitude, and upheld by veneration for his virtues, not by the dread of his power. His memory is still reverenced by the Genoese, and he is distinguished in their publie monuments, and celebrated in the works of their historians, by the most honourable of all appellations, THE FATHER OF HIS COUNTRY, AND THE RESTORER OF ITS LIBERTY.[x]

Disinterested conduct of Doria.

r Jovii Hist. lib. xxxvi. p. 31, &c. Sigonii Vita Doriæ, p. 1139. Bellay, 114, &c.
t P. Heuter. Rerum Austr. lib. x. c. 2. p. 231.
s Bellay, 117, &c.
u Bellay, 117, &c. Jovii Hist. lib. xxv. xxvi.
x Guic. l. xix. p. 498. Sigonii Vita Doriæ, p. 1146 Jovii Hist. lib. xxvi. p. 36, &c.

1529. Operations in the Milanese.

Francis, in order to recover the reputation of his arms, discredited by so many losses, made new efforts in the Milanese. But the count of St. Pol, a rash and unexperienced officer, to whom he gave the command, was no match for Antonio de Leyva, the ablest of the imperial generals. He, by his superior skill in war, checked with a handful of men the brisk but ill-concerted motions of the French; and though so infirm himself that he was carried constantly in a litter, he surpassed them, when occasion required, no less in activity than in prudence. By an unexpected march he surprised, defeated, and took prisoner the count of St. Pol, ruining the French army in the Milanese as entirely as the prince of Orange had ruined that which besieged Naples.[y]

Negociations between Charles and Francis.

Amidst these vigorous operations in the field, each party discovered an impatient desire of peace, and continual negociations were carried on for that purpose. The French king, discouraged and almost exhausted by so many unsuccessful enterprises, was reduced now to think of obtaining the release of his sons by concessions, not by the terror of his arms. The pope hoped to recover by a treaty whatever he had lost in the war. The emperor, notwithstanding the advantages which he had gained, had many reasons to make him wish for an accommodation. Solyman, having overrun Hungary, was ready to break in upon the Austrian territories with the whole force of the east. The Reformation gaining ground daily in Germany, the princes who favoured it had entered into a confederacy which Charles thought dangerous to the tranquillity of the empire. The Spaniards murmured at a war of such unusual length, the weight of which rested chiefly on them. The variety and extent of the emperor's operations far exceeded what his revenues could support: his success hitherto had been owing chiefly to his own good fortune and to the abilities of his generals; nor could he flatter himself that they, with troops destitute of every thing necessary, would always triumph over enemies still in a condition to renew their attacks. All parties, however, were at equal pains to conceal or to dissemble their real sentiments. The emperor, that his inability to carry on the war might not be suspected, insisted on high terms in the tone of a conqueror. The pope, solicitous not to lose his present allies before he came to any agreement with Charles, continued to make a thousand protestations of fidelity to the former, while he privately negociated with the latter. Francis, afraid that his confederates might prevent him by treating for themselves with the emperor, had recourse to many dishonourable artifices in order to turn their attention from the measures which he was taking to adjust all differences with his rival.

In this situation of affairs, when all the contending powers wished for peace, but durst not venture too hastily on the steps necessary for attaining it, two ladies undertook to procure this blessing so much desired by all Europe. May. These were Margaret of Austria, duchess dowager of Savoy, the emperor's aunt, and Louise, Francis's mother. They agreed on an interview at Cambray; and being lodged in two adjoining houses between which a communication was opened, met together without ceremony or observation, and held daily conferences, to which no person whatever was admitted. As both were profoundly skilled in business, thoroughly acquainted with the secrets of their respective courts, and possessed with perfect confidence in each other, they soon made great progress towards a final accommodation; and the ambassadors of all the confederates waited in anxious suspense to know their fate, the determination of which was entirely in the hands of those illustrious negociators.[z]

Separate treaty between the pope and Charles. June 20.

But whatever diligence they used to hasten forward a general peace, the pope had the address and industry to get the start of his allies, by concluding at Barcelona a particular treaty for himself. The emperor, impatient to visit Italy in his way to Germany, and desirous of re-establishing tranquillity in the one country before he attempted to compose the disorders which abounded in the other, found it necessary to secure at least one alliance among the Italian states, on which he might depend. That with Clement, who courted it with unwearied importunity, seemed more proper than any other. Charles being extremely solicitous to make some reparation for the insults which he had offered to the sacred character of the pope, and to redeem past offences by new merit, granted Clement, notwithstanding all his misfortunes, terms more favourable than he could have expected after a continued series of success. Among other articles he engaged to restore all the territories belonging to the ecclesiastical state; to re-establish the dominion of the Medici in Florence; to give his natural daughter in marriage to Alexander the head of that family; and to put it in the pope's power to decide concerning the fate of Sforza and the possession of the Milanese. In return for these ample concessions, Clement gave the emperor the investiture of Naples, without the reserve of any tribute but the present of a white steed, in acknowledgment of his sovereignty; absolved all who had been concerned in assaulting and plundering Rome, and permitted Charles and his brother Ferdinand to levy the fourth of the ecclesiastical revenues throughout their dominions.[a]

August 5. Peace of Cambray between Charles and Francis:

The account of this transaction quickened the negociations at Cambray, and brought Margaret and Louise to an immediate agreement. The treaty of Madrid served as the basis of that

y Guic. l. xix. 520. P. Heuter. Rer. Austr. lib x. c. 3. p. 233. Mem. de Bellay, p. 121.

z P. Heuter. Rer. Austr. lib. x. c. 3. p. 133. Mem. de Bellay. p. 122.
a Guic. l. xix. p. 522.

which they concluded, the latter being intended to mitigate the rigour of the former. The chief articles were, That the emperor should not, for the present, demand the restitution of Burgundy, reserving however, in full force, his rights and pretensions to that duchy: That Francis should pay two millions of crowns as the ransom of his sons, and before they were set at liberty, should restore such towns as he still held in the Milanese: That he should resign his pretensions to the sovereignty of Flanders and Artois: That he should renounce all his pretensions to Naples, Milan, Genoa, and every other place beyond the Alps: That he should immediately consummate the marriage concluded between him and the emperor's sister Eleanora.[b]

advantageous for the emperor;

Thus Francis, chiefly from his impatience to procure liberty to his sons, sacrificed every thing which had at first prompted him to take arms, or which had induced him, by continuing hostilities during nine successive campaigns, to protract the war to a length hardly known in Europe before the establishment of standing armies and the imposition of exorbitant taxes became universal. The emperor, by this treaty, was rendered sole arbiter of the fate of Italy; he delivered his territories in the Netherlands from an unpleasant badge of subjection; and after having baffled his rival in the field, he prescribed to him the conditions of peace. The different conduct and spirit with which the two monarchs carried on the operations of war, led naturally to such an issue of it. Charles, inclined by temper, as well as obliged by his situation, concerted all his schemes with caution, pursued them with perseverance, and observing circumstances and events with attention, let none escape that could be improved to advantage. Francis, more enterprising than steady, undertook great designs with warmth, but often executed them with remissness; and diverted by his pleasures, or deceived by his favourites, he lost on several occasions the most promising opportunities of success. Nor had the character of the two rivals themselves greater influence on the operations of war, than the opposite qualities of the generals whom they employed. Among the imperialists, valour tempered with prudence; fertility of invention aided by experience; discernment to penetrate the designs of their enemies; a provident sagacity in conducting their own measures; in a word, all the talents which form great commanders and ensure victory, were conspicuous. Among the French, these qualities were either wanting, or the very reverse of them abounded; nor could they boast of any one man (unless we except Lautrec, who was always unfortunate) that equalled the merit of Pescara, Leyva, Guasto, the prince of Orange, and other leaders whom Charles had to set in opposition to them. Bourbon, Moronè, Doria, who by their abilities and conduct might have been capable of balancing the superiority which the imperialists had acquired, were induced to abandon the service of France, by the carelessness of the king and the malice or injustice of his counsellors; and the most fatal blows given to France during the progress of the war, proceeded from the despair and resentment of these three persons.

dishonourable to Francis.

The hard conditions to which Francis was obliged to submit were not the most afflicting circumstances to him in the treaty of Cambray. He lost his reputation and the confidence of all Europe, by abandoning his allies to his rival. Unwilling to enter into the details necessary for adjusting their interests, or afraid that whatever he claimed for them must have been purchased by further concessions on his own part, he gave them up in a body; and without the least provision in their behalf, left the Venetians, the Florentines, the duke of Ferrara, together with such of the Neapolitan barons as had joined his army, to the mercy of the emperor. They exclaimed loudly against this base and perfidious action, of which Francis himself was so much ashamed, that in order to avoid the pain of hearing from their ambassadors the reproaches which he justly merited, it was some time before he would consent to allow them an audience. Charles, on the other hand, was attentive to the interest of every person who had adhered to him: the rights of some of his Flemish subjects who had estates or pretensions in France were secured; one article was inserted, obliging Francis to restore the blood and memory of the constable Bourbon, and to grant his heirs the possession of his lands which had been forfeited; another, by which indemnification was stipulated for those French gentlemen who had accompanied Bourbon in his exile.[c] This conduct, laudable in itself, and placed in the most striking light by a comparison with that of Francis, gained Charles as much esteem as the success of his arms had acquired him glory.

Henry acquiesces in it.

Francis did not treat the king of England with the same neglect as his other allies. He communicated to him all the steps of his negociation at Cambray, and luckily found that monarch in a situation which left him no choice but to approve implicitly of his measures, and to concur with them. Henry had been soliciting the pope for some time, in order to obtain a divorce from Catherine of Aragon his queen. Several motives combined in prompting the king to urge his suit. As he was powerfully influenced at some seasons by religious considerations, he entertained many scruples concerning the legitimacy of his marriage with his brother's widow; his affections had long been estranged from the queen, who was older than himself, and had lost all the charms which she possessed in the earlier part of her life; he was passionately desirous of having male issue; Wolsey artfully

His scheme of being divorced from his queen.

b P. Heuter. Rer. Austr. lib. x. c. 3. p. 231. Sandov. Hist. del Emper. Car. V. ii. 28.

c Guic. l. xix. p. 525. P. Heuter. Rer. Austr. lib. x. c. 4. p. 235.

fortified his scruples, and encouraged his hopes, that he might widen the breach between him and the emperor, Catherine's nephew; and what was more forcible perhaps in its operation than all these united, the king had conceived a violent love for the celebrated Anne Boleyn, a young lady of great beauty and of greater accomplishments, whom, as he found it impossible to gain her on other terms, he determined to raise to the throne. The papal authority had often been interposed to grant divorces for reasons less specious than those which Henry produced. When the matter was first proposed to Clement, during his imprisonment in the castle of St. Angelo, as his hopes of recovering liberty depended entirely on the king of England and his ally of France, he expressed the warmest inclination to gratify him. But no sooner was he set free than he discovered other sentiments. Charles, who espoused the protection of his aunt with zeal inflamed by resentment, alarmed the pope on the one hand with threats which made a deep impression on his timid mind; and allured him on the other with those promises in favour of his family which he afterwards accomplished. Upon the prospect of these, Clement not only forgot all his obligations to Henry, but ventured to endanger the interest of the Romish religion in England, and to run the risk of alienating the kingdom for ever from the obedience of the papal see. After amusing Henry, during two years, with all the subtilties and chicane which the court of Rome can so dexterously employ to protract or defeat any cause; after displaying the whole extent of his ambiguous and deceitful policy, the intricacies of which the English historians, to whom it properly belongs, have found it no easy matter to trace and unravel; he, at last, recalled the powers of the delegates whom he had appointed to judge in the point, avocated the cause to Rome, leaving the king no other hope of obtaining a divorce, but from the personal decision of the pope himself. As Clement was now in strict alliance with the emperor, who had purchased his friendship by the exorbitant concessions which have been mentioned, Henry despaired of procuring any sentence from the former but what was dictated by the latter. His honour, however, and passions concurred in preventing him from relinquishing his scheme of a divorce, which he determined to accomplish by other means, and at any rate; and the continuance of Francis's friendship being necessary to counterbalance the emperor's power, he, in order to secure that, not only offered no remonstrances against the total neglect of their allies in the treaty of Cambray, but made Francis the present of a large sum, as a brotherly contribution towards the payment of the ransom for his sons.[d]

Aug. 12. The emperor visits Italy.

Soon after the treaty of peace was concluded, the emperor landed in Italy with a numerous train of the Spanish nobility, and a considerable body of troops. He left the government of Spain, during his absence, to the empress Isabella. By his long residence in that country he had acquired such thorough knowledge of the character of the people, that he could perfectly accommodate the maxims of his government to their genius. He could even assume, upon some occasions, such popular manners as gained wonderfully upon the Spaniards. A striking instance of his disposition to gratify them had occurred a few days before he embarked for Italy; he was to make his public entry into the city of Barcelona; and some doubts having arisen among the inhabitants, whether they should receive him as emperor or as count of Barcelona, Charles instantly decided in favour of the latter, declaring that he was more proud of that ancient title than of his imperial crown. Soothed with this flattering expression of his regard, the citizens welcomed him with acclamations of joy, and the states of the province swore allegiance to his son Philip, as heir of the county of Barcelona. A similar oath had been taken in all the kingdoms of Spain with equal satisfaction.[e]

The emperor appeared in Italy with the pomp and power of a conqueror. Ambassadors from all the princes and states of that country attended his court, waiting to receive his decision with regard to their fate. At Genoa, where he first landed, he was received with the acclamations due to the protector of their liberties. Having honoured Doria with many marks of distinction, and bestowed on the republic several new privileges, he proceeded to Bologna, the place fixed upon for his interview with the pope. He affected to unite, in his public entry into that city, the state and majesty that suited an emperor with the humility becoming an obedient son of the church; and while at the head of twenty thousand veteran soldiers able to give law to all Italy, he kneeled down to kiss the feet of that very pope whom he had so lately detained a prisoner. The Italians, after suffering so much from the ferocity and licentiousness of his armies, and after having been long accustomed to form in their imagination a picture of Charles which bore some resemblance to that of the barbarous monarchs of the Goths or Huns, who had formerly afflicted their country with like calamities, were surprised to see a prince of a graceful appearance, affable and courteous in his deportment, of regular manners, and of exemplary attention to all the offices of religion.[f] They were still more astonished when he settled all the concerns of the princes and states which now depended on him, with a degree of moderation and equity much beyond what they had expected.

Nov. 5.

His moderation, and the motives of it.

Charles himself, when he set out from Spain, far from intending to give any such extraordinary proof of his self-denial, seems to have been resolved to avail

d Herbert. Mem. de Bellay, 122. e Sandov. ii. p. 50. Ferrer. ix. 116.

f Sandov. Hist. del Emp. Carl. V. ii. 50, 53, &c.

himself to the utmost of the superiority which he had acquired in Italy. But various circumstances concurred in pointing out the necessity of pursuing a very different course. The progress of the Turkish sultan, who, after overrunning Hungary, had penetrated into Austria and laid siege to Vienna, with an army of an hundred and fifty thousand men, loudly called upon him to collect his whole force to oppose that torrent; and though the valour of the Germans, the prudent conduct of Ferdinand, together with the treachery of the vizier, soon obliged Solyman to abandon that enterprise with disgrace and loss, the religious disorders still growing in Germany rendered the presence of the emperor highly necessary there.[g] The Florentines, instead of giving their consent to the re-establishment of the Medici, which, by the treaty of Barcelona, the emperor had bound himself to procure, were preparing to defend their liberty by force of arms; the preparations for his journey had involved him in unusual expenses; and on this as well as many other occasions, the multiplicity of his affairs, together with the narrowness of his revenues, obliged him to contract the schemes which his boundless ambition was apt to form, and to forego present and certain advantages, that he might guard against more remote but unavoidable dangers. Charles, from all these considerations, finding it necessary to assume an air of moderation, acted his part with a good grace. He admitted Sforza into his presence, and not only gave him a full pardon of all past offences, but granted him the investiture of the duchy, together with his niece, the king of Denmark's daughter, in marriage. He allowed the duke of Ferrara to keep possession of all his dominions, adjusting the points in dispute between him and the pope with an impartiality not very agreeable to the latter. He came to a final accommodation with the Venetians, upon the reasonable condition of their restoring whatever they had usurped during the late war, either in the Neapolitan or papal territories. In return for so many concessions, he exacted considerable sums from each of the powers with whom he treated, which they paid without reluctance, and which afforded him the means of proceeding on his journey towards Germany with a magnificence suitable to his dignity.[h]

Sept. 13.

Oct. 16.

1530. Re-establishes the authority of the Medici in Florence.

These treaties, which restored tranquillity to Italy after a tedious war, the calamities of which had chiefly affected that country, were published at Bologna with great solemnity, on the first day of the year one thousand five hundred and thirty, amidst the universal acclamations of the people, applauding the emperor, to whose moderation and generosity they ascribed the blessings of peace, which they had so long desired. The Florentines alone did not partake of this general joy. Animated with a zeal for liberty more laudable than prudent, they determined to oppose the restoration of the Medici. The imperial army had already entered their territories, and formed the siege of their capital. But though deserted by all their allies, and left without any hope of succour, they defended themselves many months with an obstinate valour worthy of better success; and even when they surrendered, they obtained a capitulation which gave them hopes of securing some remains of their liberty. But the emperor, from his desire to gratify the pope, frustrated all their expectations, and abolishing their ancient form of government, raised Alexander di Medici to the same absolute dominion over that state which his family have retained to the present times. Philibert de Chalons, prince of Orange, the imperial general, was killed during this siege. His estate and titles descended to his sister Claude de Chalons, who was married to René, count of Nassau, and she transmitted to her posterity of the house of Nassau the title of princess of Orange, which, by their superior talents and valour, they have rendered so illustrious.[i]

State of affairs, civil and religious, in Germany: Feb. 22. and 24.

After the publication of the peace at Bologna, and the ceremony of his coronation as king of Lombardy and emperor of the Romans, which the pope performed with the accustomed formalities, nothing detained Charles in Italy,[k] and he began to prepare for his journey to Germany. His presence became every day more necessary in that country, and was solicited with equal importunity by the catholics and by the favourers of the new doctrines. During that long interval of tranquillity which the absence of the emperor, the contests between him and the pope, and his attention to the war with France, afforded them, the latter gained much ground. Most of the princes who had embraced Luther's opinions, had not only established in their territories that form of worship which he approved, but had entirely suppressed the rites of the Romish church. Many of the free cities had imitated their conduct. Almost one half the Germanic body had revolted from the papal see, and its authority, even in those provinces which had not hitherto shaken off the yoke, was considerably weakened, partly by the example of revolt in the neighbouring states, partly by the secret progress of the reformed doctrine even in those countries where it was not openly embraced. Whatever satisfaction the emperor, while he was at open enmity with the see of Rome, might have felt in those events which tended to mortify and embarrass the pope, he could not help perceiving now, that the religious divisions in Germany would, in the end, prove extremely hurtful to the imperial authority. The weakness of former emperors had suffered the great vassals of the empire to make such successful encroachments upon their power and prerogative, that during the whole course of a war which had often required the exer-

g Sleidan, 121. Guic. l. xx. 550.
h Sandov. ii. 55, &c.
i Guic. l. xx. p. 341, &c. P. Heuter. Rer. Austr. lib. ii. c. 4. p. 236.
k H. Cornel. Agrippa de duplici coronatione Car. V. ap. Scard. ii. 266.

tion of his utmost strength, Charles hardly drew any effectual aid from Germany, and found that magnificent titles or obsolete pretensions were almost the only advantages which he had gained by swaying the imperial sceptre. He became fully sensible, that if he did not recover in some degree the prerogatives which his predecessors had lost, and acquire the authority as well as possess the name of head of the empire, his high dignity would contribute more to obstruct than to promote his ambitious schemes. Nothing, he saw, was more essential towards attaining this, than to suppress opinions which might form new bonds of confederacy among the princes of the empire, and unite them by ties stronger and more sacred than any political connexion. Nothing seemed to lead more certainly to the accomplishment of his design, than to employ zeal for the established religion, of which he was the natural protector, as the instrument of extending his civil authority.

Proceedings of the Diet at Spires, March 15, 1529.

Accordingly, a prospect no sooner opened of coming to an accommodation with the pope, than, by the emperor's appointment, a diet of the empire was held at Spires, in order to take into consideration the state of religion. The decree of the diet assembled there in the year one thousand five hundred and twenty-six, which was almost equivalent to a toleration of Luther's opinions, had given great offence to the rest of Christendom. The greatest delicacy of address, however, was requisite in proceeding to any decision more rigorous. The minds of men, kept in perpetual agitation by a controversy carried on, during twelve years, without intermission of debate or abatement of zeal, were now inflamed to a high degree. They were accustomed to innovations, and saw the boldest of them successful. Having not only abolished old rites, but substituted new forms in their place, they were influenced as much by attachment to the system which they had embraced, as by aversion to that which they had abandoned. Luther himself, of a spirit not to be worn out by the length and obstinacy of the combat, or to become remiss upon success, continued the attack with as much vigour as he had begun it. His disciples, of whom many equalled him in zeal, and some surpassed him in learning, were no less capable than their master to conduct the controversy in the properest manner. Many of the laity, some even of the princes, trained up amidst these incessant disputations, and in the habit of listening to the arguments of the contending parties, who alternately appealed to them as judges, came to be profoundly skilled in all the questions which were agitated, and, upon occasion, could show themselves not inexpert in any of the arts with which these theological encounters were managed. It was obvious from all these circumstances, that any violent decision of the diet must have immediately precipitated matters into confusion, and have kindled in Germany the flames of a religious war. All, therefore, that the archduke, and the other commissioners appointed by the emperor, demanded of the diet, was, to enjoin those states of the empire which had hitherto obeyed the decree issued against Luther at Worms, in the year one thousand five hundred and twenty-four, to persevere in the observation of it, and to prohibit the other states from attempting any further innovation in religion, particularly from abolishing the mass, before the meeting of a general council. After much dispute, a decree to that effect was approved of by a majority of voices.[l]

The followers of Luther protest against them, April 19.

The elector of Saxony, the marquis of Brandenburg, the landgrave of Hesse, the dukes of Lunenburg, the prince of Anhalt, together with the deputies of fourteen imperial or free cities,[m] entered a solemn protest against this decree, as unjust and impious. On that account they were distinguished by the name of PROTESTANTS,[n] an appellation which hath since become better known, and more honourable, by its being applied indiscriminately to all the sects, of whatever denomination, which have revolted from the Roman see. Not satisfied with this declaration of their dissent from the decree of the diet, the protestants sent ambassadors into Italy to lay their grievances before the emperor, from whom they met with the most discouraging reception. Charles was at that time in close union with the pope, and solicitous to attach him inviolably to his interest. During their long residence at Bologna, they held many consultations concerning the most effectual means of extirpating the heresies which had sprung up in Germany. Clement, whose cautious and timid mind the proposal of a general council filled with horror, even beyond what popes, the constant enemies of such assemblies, usually feel, employed every argument to dissuade the emperor from consenting to that measure. He represented general councils as factious, ungovernable, presumptuous, formidable to civil authority, and too slow in their operations to remedy disorders which required an immediate cure. Experience, he said, had now taught both the emperor and himself, that forbearance and lenity, instead of soothing the spirit of innovation, had rendered it more enterprising and presumptuous; it was necessary, therefore, to have recourse to the rigorous methods which such a desperate case required: Leo's sentence of excommunication, together with the decree of the diet at Worms, should be carried into execution, and it was incumbent on the emperor to employ his whole power in order to overawe those on whom the reverence due either to ecclesiastical or civil authority had no longer any influence. Charles, whose views were very different from the pope's, and who became daily more sensible how obstinate and deep-rooted

Deliberations of the pope and emperor.

1 Sleid. Hist. 117.

m The fourteen cities were, Strasburg, Nuremburg, Ulm, Constance, Reutlingen, Windsheim, Meinengen, Lindaw, Kempten, Hailbron, Isna, Weissemburg, Nordlingen, and St. Gal.

n Sleid. Hist. 119. F. Paul. Hist. p. 45. Seckend. ii. 127.

the evil was, thought of reconciling the protestants by means less violent, and considered the convocation of a council as no improper expedient for that purpose; but promised, if gentler arts failed of success, that then he would exert himself with rigour to reduce to the obedience of the holy see those stubborn enemies of the catholic faith.[o]

Emperor present at the diet of Augsburg, March 22, 1530.

Such were the sentiments with which the emperor set out for Germany, having already appointed a diet of the empire to be held at Augsburg. In his journey towards that city, he had many opportunities of observing the disposition of the Germans with regard to the points in controversy, and found their minds every where so much irritated and inflamed, as convinced him that nothing tending to severity or rigour ought to be attempted until all other measures proved ineffectual. He made his public entry into Augsburg with extraordinary pomp; and found there such a full assembly of the members of the diet, as was suitable both to the importance of the affairs which were to come under their consideration, and to the honour of an emperor, who, after a long absence, returned to them crowned with reputation and success. His presence seems to have communicated to all parties an unusual spirit of moderation and desire of peace. The elector of Saxony would not permit Luther to accompany him to the diet, lest he should offend the emperor by bringing into his presence a person excommunicated by the pope, and who had been the author of all those dissensions which it now appeared so difficult to compose. At the emperor's desire, all the protestant princes forbade the divines who accompanied them to preach in public during their residence at Augsburg. For the same reason they employed Melancthon, the man of the greatest learning, as well as of the most pacific and gentle spirit among the reformers, to draw up a confession of their faith, expressed in terms as little offensive to the Roman catholics as a regard for truth would permit. Melancthon, who seldom suffered the rancour of controversy to envenom his style, even in writings purely polemical, executed a task so agreeable to his natural disposition with great moderation and address. The Creed which he composed, known by the name of the *Confession of Augsburg*, from the place where it was presented, was read publicly in the diet. Some popish divines were appointed to examine it; they brought in their animadversions; a dispute ensued between them and Melancthon, seconded by some of his brethren: but though Melancthon softened some articles, made concessions with regard to others, and put the least exceptionable sense upon all; though the emperor himself laboured with great earnestness to reconcile the contending parties,—so many marks of distinction were now established, and such insuperable barriers placed between the two churches, that all hopes of bringing about a coalition seemed utterly desperate.[p]

June 15.

The confession of Augsburg.

From the divines, among whom his endeavours had been so unsuccessful, Charles turned to the princes their patrons. Nor did he find them, how desirous soever of accommodation, or willing to oblige the emperor, more disposed than the former to renounce their opinions. At that time zeal for religion took possession of the minds of men to a degree which can scarcely be conceived by those who live in an age when the passions excited by the first manifestation of truth and the first recovery of liberty have in a great measure ceased to operate. This zeal was then of such strength as to overcome attachment to their political interests, which is commonly the predominant motive among princes. The elector of Saxony, the landgrave of Hesse, and other chiefs of the protestants, though solicited separately by the emperor, and allured by the promise or prospect of those advantages which it was known they were more solicitous to attain, refused, with a fortitude highly worthy of imitation, to abandon what they deemed the cause of God, for the sake of any earthly acquisition.[q]

Severe decree against the protestants.

Every scheme in order to gain or disunite the protestant party proving abortive, nothing now remained for the emperor but to take some vigorous measures towards asserting the doctrines and authority of the established church. These Campeggio, the papal nuncio, had always recommended as the only proper and effectual course of dealing with such obstinate heretics. In compliance with his opinions and remonstrances, the diet issued a decree condemning most of the peculiar tenets held by the protestants; forbidding any person to protect or tolerate such as taught them; enjoining a strict observance of the established rites; and prohibiting any further innovation under severe penalties. All orders of men were required to assist with their persons and fortunes in carrying this decree into execution; and such as refused to obey it were declared incapable of acting as judges or of appearing as parties in the imperial chamber, the supreme court of judicature in the empire. To all which was subjoined a promise, that an application should be made to the pope, requiring him to call a general council within six months, in order to terminate all controversies by its sovereign decisions.[r]

Nov. 19.

They enter into a league at Smalkalde.

The severity of this decree, which was considered as a prelude to the most violent persecution, alarmed the protestants, and convinced them that the emperor was resolved on their destruction. The dread of those calamities which were ready to fall on the church oppressed the feeble spirit of Melancthon; and, as if the cause had already been desperate, he gave himself up to melancholy and lamentation. But Luther, who during the meeting of the diet had

o F. Paul, xlvii. Seck. l. ii. 142. Hist. de Confess. d'Auxburg, par D. Chytreus, 4to. Antw. 1572, p. 6.

p Seckend. lib. ii. 159, &c. Abr. Sculteti Annales Evangelici ap. Herm. Vonder Hard. Hist. Liter. Reform. Lips. 1717, fol. p. 159.

q Sleid. 132. Scultet. Annal. 158.

r Sleid. 139.

endeavoured to confirm and animate his party by several treatises which he addressed to them, was not disconcerted or dismayed at the prospect of this new danger. He comforted Melancthon and his other desponding disciples, and exhorted the princes not to abandon those truths which they had lately asserted with such laudable boldness.[s] His exhortations made the deeper impression upon them, as they were greatly alarmed at that time by the account of a combination among the popish princes of the empire for the maintenance of the established religion, to which Charles himself had acceded.[t] This convinced them that it was necessary to stand on their guard; and that their own safety, as well as the success of their cause, depended on union. Filled with this dread of the adverse party, and with these sentiments concerning the conduct proper for themselves, they assembled at Smalkalde. There they concluded a league of mutual defence against all aggressors,[u] by which they formed the protestant states of the empire into one regular body, and beginning already to consider themselves as such, they resolved to apply to the kings of France and England, and to implore them to patronize and assist their new confederacy.

Dec. 22.

The emperor proposes to have his brother elected king of the Romans.

An affair not connected with religion furnished them with a pretence for courting the aid of foreign princes. Charles, whose ambitious views enlarged in proportion to the increase of his power and grandeur, had formed a scheme of continuing the imperial crown in his family, by procuring his brother Ferdinand to be elected king of the Romans. The present juncture was favourable for the execution of that design. The emperor's arms had been every where victorious; he had given law to all Europe at the late peace; no rival now remained in a condition to balance or to control him; and the electors, dazzled with the splendour of his success, or overawed by the greatness of his power, durst scarcely dispute the will of a prince whose solicitations carried with them the authority of commands. Nor did he want plausible reasons to enforce the measure. The affairs of his other kingdoms, he said, obliged him to be often absent from Germany; the growing disorders occasioned by the controversies about religion, as well as the formidable neighbourhood of the Turks, who continually threatened to break in with their desolating armies into the heart of the empire, required the constant presence of a prince endowed with prudence capable of composing the former, and with power as well as valour sufficient to repel the latter. His brother Ferdinand possessed these qualities in an eminent degree: by residing long in Germany, he had acquired a thorough knowledge of its constitution and manners; having been present almost from the first rise of the religious dissensions, he knew what remedies were most proper, what the Germans could bear, and how to apply them; as his own dominions lay on the Turkish frontier, he was the natural defender of Germany against the invasions of the infidels, being prompted by interest no less than he would be bound in duty to oppose them.

The protestants averse to it.

These arguments made little impression on the protestants. Experience taught them, that nothing had contributed more to the undisturbed progress of their opinions than the interregnum after Maximilian's death, the long absence of Charles, and the slackness of the reins of government which these occasioned. Conscious of the advantages which their cause had derived from this relaxation of government, they were unwilling to render it more vigorous by giving themselves a new and a fixed master. They perceived clearly the extent of Charles's ambition, that he aimed at rendering the imperial crown hereditary in his family, and would of course establish in the empire an absolute dominion, to which elective princes could not have aspired with equal facility. They determined therefore to oppose the election of Ferdinand with the utmost vigour, and to rouse their countrymen, by their example and exhortation, to withstand this encroachment on their liberties. The elector of Saxony, accordingly, not only refused to be present at the electoral college, which the emperor summoned to meet at Cologne, but instructed his eldest son to appear there, and to protest against the election as informal, illegal, contrary to the articles of the golden bull, and subversive of the liberties of the empire. But the other electors, whom Charles had been at great pains to gain, without regarding either his absence or protest, chose Ferdinand king of the Romans; who, a few days after, was crowned at Aix-la-Chapelle.[x]

1531. January 5.

He is chosen.

Negociations of the protestants with France;

When the protestants, who were assembled a second time at Smalkalde, received an account of this transaction, and heard, at the same time, that prosecutions were commenced, in the imperial chamber, against some of their number, on account of their religious principles, they thought it necessary not only to renew their former confederacy, but immediately to despatch their ambassadors into France and England. Francis had observed, with all the jealousy of a rival, the reputation which the emperor had acquired by his seeming disinterestedness and moderation in settling the affairs in Italy; and beheld with great concern the successful step which he had taken towards perpetuating and extending his authority in Germany by the election of a king of the Romans. Nothing, however, would have been more impolitic than to precipitate his kingdom into a new war, when exhausted by extraordinary efforts and dis-

Feb. 2.

s Seck. ii. 180. Sleid. 140.
t Seck. ii. 200. iii. 11.
u Sleid. Hist. 142.
x Sleid. 142. Seck. iii. 1. P. Heuter. Rer. Austr. lib. x. c. 6. p. 240.

couraged by ill success, before it had got time to recruit its strength or to forget past misfortunes. As no provocation had been given by the emperor, and hardly a pretext for a rupture had been afforded him, he could not violate a treaty of peace which he himself had so lately solicited, without forfeiting the esteem of all Europe, and being detested as a prince void of probity and honour. He observed with great joy powerful factions beginning to form in the empire; he listened with the utmost eagerness to the complaints of the protestant princes; and without seeming to countenance their religious opinions, determined secretly to cherish those sparks of political discord which might be afterwards kindled into a flame. For this purpose he sent William de Bellay, one of the ablest negociators in France, into Germany, who visiting the courts of the malcontent princes, and heightening their ill humour by various arts, concluded an alliance between them and his master,[y] which, though concealed at that time, and productive of no immediate effects, laid the foundation of an union fatal on many occasions to Charles's ambitious projects; and showed the discontented princes of Germany where for the future they might find a protector, no less able than willing to undertake their defence against the encroachments of the emperor.

with England.

The king of England, highly incensed against Charles, in complaisance to whom the pope had long retarded and now openly opposed his divorce, was no less disposed than Francis to strengthen a league which might be rendered so formidable to the emperor. But his favourite project of the divorce led him into such a labyrinth of schemes and negociations, and he was, at the same time, so intent on abolishing the papal jurisdiction in England, that he had no leisure for foreign affairs. This obliged him to rest satisfied with giving general promises, together with a small supply of money, to the confederates of Smalkalde.[z]

Charles courts the protestants.

Meanwhile, many circumstances convinced Charles that this was not a juncture when the extirpation of heresy was to be attempted by violence and rigour; that, in compliance with the pope's inclinations, he had already proceeded with imprudent precipitation; and that it was more his interest to consolidate Germany into one united and vigorous body, than to divide and enfeeble it by a civil war. The protestants, who were considerable as well by their numbers as by their zeal, had acquired additional weight and importance by their joining in that confederacy into which the rash steps taken at Augsburg had forced them. Having now discovered their own strength, they despised the decisions of the imperial chamber; and being secure of foreign protection, were ready to set the head of the empire at defiance. At the same time the peace with France was precarious; the friendship of an irresolute and interested pontiff was not to be relied on; and Solyman, in order to repair the discredit and loss which his arms had sustained in the former campaign, was preparing to enter Austria with more numerous forces. On all these accounts, especially the last, a speedy accommodation with the malcontent princes became necessary, not only for the accomplishment of his future schemes, but for insuring his present safety. Negociations were accordingly carried on by his direction with the elector of Saxony and his associates; after many delays, occasioned by their jealousy of the emperor and of each other; after innumerable difficulties arising from the inflexible nature of religious tenets, which cannot admit of being altered, modified, or relinquished in the same manner as points of political interest, terms of pacification were agreed upon at Nuremberg, and ratified solemnly in the diet at Ratisbon. In this treaty it was stipulated, That universal peace be established in Germany until the meeting of a general council, the convocation of which within six months the emperor shall endeavour to procure; that no person shall be molested on account of religion; that a stop shall be put to all processes begun by the imperial chamber against protestants, and the sentences already passed to their detriment shall be declared void. On their part the protestants engaged to assist the emperor with all their forces in resisting the invasion of the Turks.[a] Thus, by their firmness in adhering to their principles, by the unanimity with which they urged all their claims, and by their dexterity in availing themselves of the emperor's situation, the protestants obtained terms which amounted almost to a toleration of their religion; all the concessions were made by Charles, none by them; even the favourite point of their approving his brother's election was not mentioned; and the protestants of Germany, who had hitherto been viewed only as a religious sect, came henceforth to be considered as a political body of no small consequence.[b]

Grants them favourable terms. July 23. August 3.

1532. Campaign in Hungary.

The intelligence which Charles received of Solyman's having entered Hungary at the head of three hundred thousand men, brought the deliberations of the diet at Ratisbon to a period; the contingent both of troops and money which each prince was to furnish towards the defence of the empire having been already settled. The protestants, as a testimony of their gratitude to the emperor, exerted themselves with extraordinary zeal, and brought into the field forces which exceeded in number the quota imposed on them; the catholics imitating their example, one of the greatest and best-appointed armies that had ever been levied in Germany assembled near Vienna. Being joined by a body of Spanish and Italian veterans under the Marquis del Guasto; by some heavy-armed cavalry from the Low Countries; and by the troops which Ferdinand had raised in

y Bellay, 129, a; 130, b. Sec. iii. 14.
z Herbert, 152, 154.

a Du Mont Corps Diplomatique, tom. iv. part ii. 87, 89.
b Sleid. 149, &c. Seck. iii. 19.

Bohemia, Austria, and his other territories, it amounted in all to ninety thousand disciplined foot and thirty thousand horse, besides a prodigious swarm of irregulars. Of this vast army, worthy the first prince in Christendom, the emperor took the command in person; and mankind waited in suspense the issue of a decisive battle between the two greatest monarchs in the world. But each of them dreading the other's power and good fortune, they both conducted their operations with such excessive caution, that a campaign for which such immense preparations had been made, ended without any memorable event. Solyman finding it impossible to gain ground upon an enemy always attentive and on his guard, marched back to Constantinople towards the end of autumn.[c] It is remarkable, that in such a martial age, when every gentleman was a soldier and every prince a general, this was the first time that Charles, who had already carried on such extensive wars and gained so many victories, appeared at the head of his troops. In this first essay of his arms, to have opposed such a leader as Solyman was no small honour; to have obliged him to retreat, merited very considerable praise.

September and October.

About the beginning of this campaign the elector of Saxony died, and was succeeded by his son John Frederic. The Reformation rather gained than lost by that event; the new elector, no less attached than his predecessors to the opinions of Luther, occupied the station which they had held at the head of the protestant party, and defended, with the boldness and zeal of youth, that cause which they had fostered and reared with the caution of more advanced age.

August 16.

Immediately after the retreat of the Turks, Charles, impatient to revisit Spain, set out, on his way thither, for Italy. As he was extremely desirous of an interview with the pope, they met a second time at Bologna, with the same external demonstrations of respect and friendship, but with little of that confidence which had subsisted between them during their late negociations there. Clement was much dissatisfied with the emperor's proceedings at Augsburg: his concessions with regard to the speedy convocation of a council having more than cancelled all the merit of the severe decree against the doctrines of the reformers. The toleration granted to the protestants at Ratisbon, and the more explicit promise concerning a council with which it was accompanied, had irritated him still further.

The emperor's interview with the pope in his way to Spain.

Charles, however, partly from conviction that the meeting of a council would be attended with salutary effects, and partly from his desire to please the Germans, having solicited the pope by his ambassadors to call that assembly without delay, and now urging the same thing in person, Clement was greatly embarrassed what reply he should make to a request which it was indecent to refuse and dangerous to grant. He endeavoured at first to divert Charles from the measure; but finding him inflexible, he had recourse to artifices which he knew would delay if not entirely defeat the calling of that assembly. Under the plausible pretext of its being previously necessary to settle with all parties concerned the place of the council's meeting; the manner of its proceedings; the right of the persons who should be admitted to vote, and the authority of their decisions,—he despatched a nuncio, accompanied by an ambassador from the emperor, to the elector of Saxony, as head of the protestants. With regard to each of these articles, inextricable difficulties and contests arose. The protestants demanded a council to be held in Germany; the pope insisted that it should meet in Italy: they contended that all points in dispute should be determined by the words of Holy Scripture alone; he considered not only the decrees of the church, but the opinions of fathers and doctors, as of equal authority: they required a free council, in which the divines commissioned by different churches should be allowed a voice; he aimed at modelling the council in such a manner as would render it entirely dependent on his pleasure. Above all, the protestants thought it unreasonable that they should bind themselves to submit to the decrees of a council before they knew on what principles these decrees were to be founded, by what persons they were to be pronounced, and what forms of proceeding they would observe. The pope maintained it to be altogether unnecessary to call a council, if those who demanded it did not previously declare their resolution to acquiesce in its decrees. In order to adjust such a variety of points many expedients were proposed, and the negociations spun out to such a length as effectually answered Clement's purpose of putting off the meeting of a council, without drawing on himself the whole infamy of obstructing a measure which all Europe deemed so essential to the good of the church.[d]

Negociations concerning a general council,

Together with this negociation about calling a council, the emperor carried on another, which he had still more at heart, for securing the peace established in Italy. As Francis had renounced his pretensions in that country with great reluctance, Charles made no doubt but that he would lay hold on the first pretext afforded him, or embrace the first opportunity which presented itself, of recovering what he had lost. It became necessary on this account to take measures for assembling an army able to oppose him. As his treasury, drained by a long war, could not supply the sums requisite for keeping such a body constantly on foot, he attempted to throw that burden on his allies, and to provide for the safety of his own dominions at their expense, by proposing that the Italian states should enter into a league of defence against all invaders; that, on the first appearance of danger, an army should be raised and main-

and for preserving the tranquillity of Italy.

c Jovii Hist. lib. xxx. p. 100, &c. Barre Hist. de l'Empire, i. 8, 347.

d F. Paul. Hist. 61. Seckend. iii. 73.

tained at the common charge; and that Antonio de Leyva should be appointed the generalissimo. Nor was the proposal unacceptable to Clement, though for a reason very different from that which induced the emperor to make it. He hoped by this expedient to deliver Italy from the German and Spanish veterans, which had so long filled all the powers in that country with terror, and still kept them in subjection to the imperial yoke. A league was accordingly concluded; all the Italian States, the Venetians excepted, acceded to it; the sum which each of the contracting parties should furnish towards maintaining the army was fixed; the emperor agreed to withdraw the troops which gave so much umbrage to his allies, and which he was unable any longer to support. Having disbanded part of them, and removed the rest to Sicily and Spain, he embarked on board Doria's galleys, and arrived at Barcelona.[e]

1533.

Feb. 24.

April 22

Designs and negociations of the French king against the emperor;

Notwithstanding all his precautions for securing the peace of Germany, and maintaining that system which he had established in Italy, the emperor became every day more and more apprehensive that both would be soon disturbed by the intrigues or arms of the French king. His apprehensions were well founded, as nothing but the desperate situation of his affairs could have brought Francis to give his consent to a treaty so dishonourable and disadvantageous as that of Cambray; he, at the very time of ratifying it, had formed a resolution to observe it no longer than necessity compelled him, and took a solemn protest, though with the most profound secrecy, against several articles in the treaty, particularly that whereby he renounced all pretensions to the duchy of Milan, as unjust, injurious to his heirs, and invalid. One of the crown lawyers, by his command, entered a protest to the same purpose, and with the like secrecy, when the ratification of the treaty was registered in the parliament of Paris.[f] Francis seems to have thought, that by employing an artifice unworthy of a king, destructive of public faith, and of the mutual confidence on which all transactions between nations are founded, he was released from any obligation to perform the most solemn promises or to adhere to the most sacred engagements. From the moment he concluded the peace of Cambray, he wished and watched for an opportunity of violating it with safety. He endeavoured for that reason to strengthen his alliance with the king of England, whose friendship he cultivated with the greatest assiduity. He put the military force of his own kingdom on a better and more respectable footing than ever. He artfully fomented the jealousy and discontent of the German princes.

particularly with the pope.

But above all, Francis laboured to break the strict confederacy which subsisted between Charles and Clement; and he had soon the satisfaction to observe appearances of disgust and alienation arising in the mind of that suspicious and interested pontiff, which gave him hopes that their union would not be lasting. As the emperor's decision in favour of the duke of Ferrara had greatly irritated the pope, Francis aggravated the injustice of that proceeding, and flattered Clement that the papal see would find in him a more impartial and no less powerful protector. As the importunity with which Charles demanded a council was extremely offensive to the pope, Francis artfully created obstacles to prevent it, and attempted to divert the German princes, his allies, from insisting so obstinately on that point.[g] As the emperor had gained such an ascendant over Clement by contributing to aggrandize his family, Francis endeavoured to allure him by the same irresistible bait, proposing a marriage between his second son, Henry, duke of Orleans, and Catharine, the daughter of the pope's cousin, Laurence di Medici. On the first overture of this match, the emperor could not persuade himself that Francis really intended to debase the royal blood of France by an alliance with Catharine, whose ancestors had been so lately private citizens and merchants in Florence, and believed that he meant only to flatter or amuse the ambitious pontiff. He thought it necessary, however, to efface the impression which such a dazzling offer might have made, by promising to break off the marriage which had been agreed on between his own niece the king of Denmark's daughter and the duke of Milan, and to substitute Catharine in her place. But the French ambassador producing, unexpectedly, full powers to conclude the marriage-treaty with the duke of Orleans, this expedient had no effect. Clement was so highly pleased with an honour which added such lustre and dignity to the house of Medici, that he offered to grant Catharine the investiture of considerable territories in Italy by way of portion; he seemed ready to support Francis in prosecuting his ancient claims in that country, and consented to a personal interview with that monarch.[h]

Interview between the pope and Francis.

Charles was at the utmost pains to prevent a meeting in which nothing was likely to pass but what would be of detriment to him; nor could he bear, after he had twice condescended to visit the pope in his own territories, that Clement should bestow such a mark of distinction on his rival, as to venture on a voyage by sea, at an unfavourable season, in order to pay court to Francis in the French dominions. But the pope's eagerness to accomplish the match overcame all the scruples of pride, or fear, or jealousy, which would probably have influenced him on any other occasion. The interview, notwithstanding several artifices of the emperor to prevent it, took place at Marseilles with

October.

e Guic. l. xx. 551. Ferreras, ix. 149. Du Mont Corps Diplom. tom. iv. part ii. p. 52.

g Bellay, 141, &c. Seck. iii. 48. F. Paul, 63.
h Guic. l. xx. 551, 553. Bellay, 138.

extraordinary pomp and demonstrations of confidence on both sides; and the marriage, which the ambition and abilities of Catharine rendered in the sequel as pernicious to France as it was then thought dishonourable, was consummated. But whatever schemes may have been secretly concerted by the pope and Francis in favour of the duke of Orleans, to whom his father proposed to make over all his rights in Italy, so careful were they to avoid giving any cause of offence to the emperor, that no treaty was concluded between them;[i] and even in the marriage-articles, Catharine renounced all claims and pretensions in Italy, except to the duchy of Urbino.[k]

Pope's conduct with regard to the king of England's divorce.

But at the very time when he was carrying on these negociations and forming this connexion with Francis, which gave so great umbrage to the emperor, such was the artifice and duplicity of Clement's character, that he suffered the latter to direct all his proceedings with regard to the king of England, and was no less attentive to gratify him in that particular, than if the most cordial union had subsisted between them. Henry's suit for a divorce had now continued near six years, during all which period the pope negociated, promised, retracted, and concluded nothing. After bearing repeated delays and disappointments longer than could have been expected from a prince of such a choleric and impetuous temper, the patience of Henry was at last so much exhausted, that he applied to another tribunal for that decree which he had solicited in vain at Rome. Cranmer, archbishop of Canterbury, by a sentence founded on the authority of the universities, doctors, and Rabbies, who had been consulted with respect to the point, annulled the king's marriage with Catharine; her daughter was declared illegitimate; and Anne Boleyne acknowledged as queen of England. At the same time Henry began not only to neglect and to threaten the pope, whom he had hitherto courted, but to make innovations in the church, of which he had formerly been such a zealous defender. Clement, who had already seen so many provinces and kingdoms revolt from the holy see, became apprehensive at last that England might imitate their example; and partly from his solicitude to prevent that fatal blow, partly in compliance with the French king's solicitations, determined to give Henry such satisfaction as might retain him within the bosom of the church. But the violence of the cardinals, devoted to the emperor, did not allow the pope leisure for executing this prudent resolution, and hurried him, with a precipitation fatal to the Roman see, to issue a bull rescinding Cranmer's sentence, confirming Henry's marriage with Catharine, and declaring him excommunicated, if, within a time specified, he did not abandon the wife he had taken and return to her whom he had deserted. Enraged at this unexpected decree, Henry kept no longer any measures with the court of Rome; his subjects seconded his resentment and indignation; an act of parliament was passed abolishing the papal power and jurisdiction in England; by another the king was declared supreme head of the church, and all the authority of which the popes were deprived was vested in him. That vast fabric of ecclesiastical dominion which had been raised with such art, and of which the foundations seemed to have been laid so deep, being no longer supported by the veneration of the people, was overturned in a moment. Henry himself, with the caprice peculiar to his character, continued to defend the doctrines of the Romish church as fiercely as he attacked its jurisdiction. He alternately persecuted the protestants for rejecting the former, and the catholics for acknowledging the latter. But his subjects being once permitted to enter into new paths, did not choose to stop short at the precise point prescribed by him. Having been encouraged by his example to break some of their fetters, they were so impatient to shake off what still remained,[l] that in the following reign, with the applause of the greater part of the nation, a total separation was made from the church of Rome in articles of doctrine as well as in matters of discipline and jurisdiction.

1534. March 23.

Papal authority abolished in England.

A short delay might have saved the see of Rome from all the unhappy consequences of Clement's rashness. Soon after his sentence against Henry, he fell into a languishing distemper, which gradually wasting his constitution, put an end to his pontificate, the most unfortunate, both during its continuance and by its effects, that the church had known for many ages. The very day on which the cardinals entered the conclave, they raised to the papal throne Alexander Farnese, dean of the sacred college, and the oldest member of that body, who assumed the name of Paul III. The account of his promotion was received with extraordinary acclamations of joy by the people of Rome, highly pleased, after an interval of more than a hundred years, to see the crown of St. Peter placed on the head of a Roman citizen. Persons more capable of judging, formed a favourable presage of his administration from the experience which he had acquired under four pontificates, as well as the character of prudence and moderation which he had uniformly maintained in a station of great eminence, and during an active period that required both talents and address.[m]

Death of Clement VII. Sept. 25.

Election of Paul III. October 13.

Europe, it is probable, owed the continuance of its peace to the death of Clement; for although no traces remain in history of any league concluded between him and Francis, it is scarcely to be doubted but that he would have seconded the operations of the French arms in Italy, that he might have

i Guic. l. xx. 555.
k Du Mont Corps Diplom. iv. part ii. 101.
l Herbert. Burn. History of Reform.
m Guic. l. xx. 556. F. Paul, 61.

gratified his ambition by seeing one of his family possessed of the supreme power in Florence and another in Milan. But upon the election of Paul III., who had hitherto adhered uniformly to the imperial interest, Francis found it necessary to suspend his operations for some time, and to put off the commencement of hostilities against the emperor, on which, before the death of Clement, he had been fully determined.

Insurrection of the Anabaptists in Germany.

While Francis waited for an opportunity to renew a war which had hitherto proved so fatal to himself and his subjects, a transaction of a very singular nature was carried on in Germany. Among many beneficial and salutary effects of which the Reformation was the immediate cause, it was attended, as must be the case in all actions and events wherein men are concerned, with some consequences of an opposite nature. When the human mind is roused by grand objects and agitated by strong passions, its operations acquire such force, that they are apt to become irregular and extravagant. Upon any great revolution in religion, such irregularities abound most at that particular period when men, having thrown off the authority of their ancient principles, do not yet fully comprehend the nature or feel the obligation of those new tenets which they have embraced. The mind, in that situation, pushing forward with the boldness which prompted it to reject established opinions, and not guided by a clear knowledge of the system substituted in their place, disdains all restraint, and runs into wild notions, which often lead to scandalous or immoral conduct. Thus, in the first ages of the christian church, many of the new converts, having renounced their ancient systems of religious faith, and being but imperfectly acquainted with the doctrines and precepts of christianity, broached the most extravagant opinions, equally subversive of piety and virtue; all which errors disappeared or were exploded when the knowledge of religion increased, and came to be more generally diffused. In like manner, soon after Luther's appearance, the rashness or ignorance of some of his disciples led them to publish tenets no less absurd than pernicious, which being proposed to men extremely illiterate, but fond of novelty, and at a time when their minds were occupied chiefly with religious speculations, gained too easy credit and authority among them. To these causes must be imputed the extravagances of Muncer, in the year one thousand five hundred and twenty-five, as well as the rapid progress which his opinions made among the peasants; but though the insurrection excited by that fanatic was soon suppressed, several of his followers lurked in different places, and endeavoured privately to propagate his opinions.

Origin and tenets of that sect.

In those provinces of Upper Germany which had already been so cruelly wasted by their enthusiastic rage, the magistrates watched their motions with such severe attention, that many of them found it necessary to retire into other countries: some were punished, others driven into exile, and their errors were entirely rooted out. But in the Netherlands and Westphalia, where the pernicious tendency of their opinions was more unknown, and guarded against with less care, they got admittance into several towns, and spread the infection of their principles. The most remarkable of their religious tenets related to the sacrament of baptism, which, as they contended, ought to be administered only to persons grown up to years of understanding, and should be performed, not by sprinkling them with water, but by dipping them in it: for this reason they condemned the baptism of infants; and rebaptizing all whom they admitted into their society, the sect came to be distinguished by the name of Anabaptists. To this peculiar notion concerning baptism, which has the appearance of being founded on the practice of the church in the apostolic age, and contains nothing inconsistent with the peace and order of human society, they added other principles of a most enthusiastic as well as dangerous nature. They maintained, that among christians, who had the precepts of the gospel to direct and the Spirit of God to guide them, the office of magistracy was not only unnecessary, but an unlawful encroachment on their spiritual liberty; that the distinctions occasioned by birth, or rank, or wealth, being contrary to the spirit of the gospel which considers all men as equal, should be entirely abolished; that all christians, throwing their possessions into one common stock, should live together in that state of equality which becomes members of the same family; that as neither the laws of nature nor the precepts of the New Testament had imposed any restraints upon men with regard to the number of wives which they might marry, they should use that liberty which God himself had granted to the patriarchs.

Settle in Munster.

Such opinions, propagated and maintained with enthusiastic zeal and boldness, were not long without producing the violent effects natural to them. Two anabaptist prophets, John Matthias, a baker of Haerlem, and John Boccold, or Beükels, a journeyman tailor of Leyden, possessed with the rage of making proselytes, fixed their residence at Munster, an imperial city in Westphalia, of the first rank, under the sovereignty of its bishop, but governed by its own senate and consuls. As neither of these fanatics wanted the talents requisite in desperate enterprises—great resolution, the appearance of sanctity, bold pretensions to inspiration, and a confident and plausible manner of discoursing,—they soon gained many converts. Among these were Rothman, who had first preached the protestant doctrine in Munster, and Cnipperdoling, a citizen of good birth and considerable eminence. Imboldened by the countenance of such disciples, they openly taught their opinions; and not satisfied with that liberty, they made several attempts, though without success, to

become masters of the town, in order to get their tenets established by public authority. At last, having secretly called in their associates from the neighbouring country, they suddenly took possession of the arsenal and senate-house in the night-time, and running through the streets with drawn swords and horrible howlings, cried out alternately, "Repent and be baptized," and, "Depart, ye ungodly." The senators, the canons, the nobility, together with the more sober citizens, whether papists or protestants, terrified at their threats and outcries, fled in confusion, and left the city under the dominion of a frantic multitude, consisting chiefly of strangers. Nothing now remaining to overawe or control them, they set about modelling the government according to their own wild ideas; and though at first they showed so much reverence for the ancient constitution as to elect senators of their own sect, and to appoint Cnipperdoling and another proselyte consuls, this was nothing more than form; for all their proceedings were directed by Matthias, who in the style and with the authority of a prophet, uttered his commands, which it was instant death to disobey. Having begun with encouraging the multitude to pillage the churches and deface their ornaments, he enjoined them to destroy all books except the Bible, as useless or impious; he ordered the estates of such as fled to be confiscated, and sold to the inhabitants of the adjacent country; he commanded every man to bring forth his gold, silver, and precious effects, and to lay them at his feet; the wealth amassed by these means he deposited in a public treasury, and named deacons to dispense it for the common use of all. The members of this commonwealth being thus brought to a perfect equality, he commanded all of them to eat at tables prepared in public, and even prescribed the dishes which were to be served up each day. Having finished his plan of reformation, his next care was to provide for the defence of the city; and he took measures for that purpose with a prudence which savoured nothing of fanaticism. He collected large magazines of every kind; he repaired and extended the fortifications, obliging every person without distinction to work in his turn; he formed such as were capable of bearing arms into regular bodies, and endeavoured to add the stability of discipline to the impetuosity of enthusiasm. He sent emissaries to the anabaptists in the Low Countries, inviting them to assemble at Munster, which he dignified with the name of mount Sion, that from thence they might set out to reduce all the nations of the earth under their dominion. He himself was unwearied in attending to every thing necessary for the security or increase of the sect; animating his disciples by his own example to decline no labour, as well as to submit to every hardship: and their enthusiastic passions being kept from subsiding by a perpetual succession of exhortations, revelations, and prophecies, they seemed ready to undertake or to suffer any thing in maintenance of their opinions.

Become masters of that city.

February.

Establish a new form of government.

While they were thus employed, the bishop of Munster having assembled a considerable army, advanced to besiege the town. On his approach, Matthias sallied out at the head of some chosen troops, attacked one quarter of his camp, forced it, and after great slaughter returned to the city loaded with glory and spoil. Intoxicated with this success, he appeared next day brandishing a spear, and declared, that in imitation of Gideon, he would go forth with a handful of men and smite the host of the ungodly. Thirty persons whom he named followed him without hesitation in this wild enterprise, and rushing on the enemy with a frantic courage, were cut off to a man. The death of their prophet occasioned at first great consternation among his disciples; but Boccold, by the same gifts and pretensions which had gained Matthias credit, soon revived their spirits and hopes to such a degree, that he succeeded the deceased prophet in the same absolute direction of all their affairs. As he did not possess that enterprising courage which distinguished his predecessor, he satisfied himself with carrying on a defensive war; and without attempting to annoy the enemies by sallies, he waited for the succours he expected from the Low Countries, the arrival of which was often foretold and promised by their prophets. But though less daring in action than Matthias, he was a wilder enthusiast, and of more unbounded ambition. Soon after the death of his predecessor, having by obscure visions and prophecies prepared the multitude for some extraordinary event, he stripped himself naked, and marching through the streets, proclaimed with a loud voice, "That the kingdom of Sion was at hand; that whatever was highest on earth should be brought low, and whatever was lowest should be exalted." In order to fulfil this, he commanded the churches, as the most lofty buildings in the city, to be levelled with the ground; he degraded the senators chosen by Matthias, and depriving Cnipperdoling of the consulship, the highest office in the commonwealth, appointed him to execute the lowest and most infamous, that of common hangman, to which strange transition the other agreed, not only without murmuring, but with the utmost joy; and such was the despotic rigour of Boccold's administration, that he was called almost every day to perform some duty or other of his wretched function. In place of the deposed senator, he named twelve judges, according to the number of tribes in Israel, to preside in all affairs; retaining to himself the same authority which Moses anciently possessed as legislator of that people.

The bishop of Munster takes arms against them.

May.

John of Leyden acquires great authority among the anabaptists.

Not satisfied, however, with power or titles which were not supreme, a prophet, whom he had gained and tutored, having called the multitude together, declared it to be the will of

Elected king.

June 24. God that John Boccold should be king of Sion, and sit on the throne of David. John, kneeling down, accepted of the heavenly call, which he solemnly protested had been revealed likewise to himself, and was immediately acknowledged as monarch by the deluded multitude. From that moment he assumed all the state and pomp of royalty. He wore a crown of gold, and was clad in the richest and most sumptuous garments. A Bible was carried on his one hand, a naked sword on the other. A great body of guards accompanied him when he appeared in public. He coined money stamped with his own image, and appointed the great officers of his household and kingdom, among whom Cnipperdoling was nominated governor of the city, as a reward for his former submission.

His licentious tenets and conduct.

Having now attained the height of power, Boccold began to discover passions which he had hitherto restrained or indulged only in secret. As the excesses of enthusiasm have been observed in every age to lead to sensual gratifications, the same constitution that is susceptible of the former being remarkably prone to the latter, he instructed the prophets and teachers to harangue the people for several days concerning the lawfulness and even necessity of taking more wives than one, which they asserted to be one of the privileges granted by God to the saints. When their ears were once accustomed to this licentious doctrine, and their passions inflamed with the prospect of such unbounded indulgence, he himself set them an example of using what he called their christian liberty, by marrying at once three wives, among which the widow of Matthias, a woman of singular beauty, was one. As he was allured by beauty or the love of variety, he gradually added to the number of his wives, until they amounted to fourteen, though the widow of Matthias was the only one dignified with the title of queen, or who shared with him the splendour and ornaments of royalty. After the example of their prophet, the multitude gave themselves up to the most licentious and uncontrolled gratification of their desires. No man remained satisfied with a single wife. Not to use their christian liberty was deemed a crime. Persons were appointed to search the houses for young women grown up to maturity, whom they instantly compelled to marry. Together with polygamy, freedom of divorce, its inseparable attendant, was introduced, and became a new source of corruption. Every excess was committed of which the passions of men are capable when restrained neither by the authority of laws nor the sense of decency;[n] and by a monstrous and almost incredible conjunction, voluptuousness was ingrafted on religion, and dissolute riot accompanied the austerities of fanatical devotion.

A confederacy against the anabaptists.

Meanwhile the German princes were highly offended at the insult offered to their dignity by Boccold's presumptuous usurpation of royal honours; and the profligate manners of his followers, which were a reproach to the christian name, filled men of all professions with horror. Luther, who had testified against this fanatical spirit on its first appearance, now deeply lamented its progress, and having exposed the delusion with great strength of argument as well as acrimony of style, called loudly on all the states of Germany to put a stop to a phrenzy no less pernicious to society than fatal to religion. The emperor, occupied with other cares and projects, had not leisure to attend to such a distant object; but the princes of the empire, assembled by the king of the Romans, voted a supply of men and money to the bishop of Munster, who being unable to keep a sufficient army on foot, had converted the siege of the town into a blockade. The forces raised in consequence of this resolution were put under the command of an officer of experience, who approaching the town towards the end of spring, in the year one thousand five hundred and thirty-five, pressed it more closely than formerly; but found the fortifications so strong and so diligently guarded, that he durst not attempt an assault. It was now above fifteen months since the anabaptists had established their dominion in Munster; they had during that time undergone prodigious fatigue in working on the fortifications and performing military duty. Notwithstanding the prudent attention of their king to provide for their subsistence, and his frugal as well as regular economy in their public meals, they began to feel the approach of famine. Several small bodies of their brethren who were advancing to their assistance from the Low Countries, had been intercepted and cut to pieces; and while all Germany was ready to combine against them, they had no prospect of succour. But such was the ascendant which Boccold had acquired over the multitude, and so powerful the fascination of enthusiasm, that their hopes were as sanguine as ever, and they hearkened with implicit credulity to the visions and predictions of their prophets, who assured them that the Almighty would speedily interpose in order to deliver the city. The faith, however, of some few, shaken by the violence and length of their sufferings, began to fail; but being suspected of an inclination to surrender to the enemy, they were punished with immediate death, as guilty of impiety in distrusting the power of God. One of the king's wives having uttered certain words which implied some doubt concerning his divine mission, he instantly called the whole number together, and commanding the blasphemer, as he called her, to kneel down, cut off

1535. Besiege the town.

May. Distress and fanaticism of the besieged.

n Prophetæ et concionatorum auctoritate juxtà et exemplo, totâ urbe ad rapiendas pulcherrimas quasque fœminas discursum est. Nec intra paucos dies, in tantâ hominum turbâ fere ullâ reperta est supra annum decimum quartum quæ stuprum passa non fuerit. Lamb. Hortens. p. 303. —Vulgò viris quinas esse uxores, pluribus senas, nonnullis septenas et octonas. Puellas supra duodecimum ætatis annum statim amare. Id. 305. Nemo unâ contentus fuit, neque cuiquam extra effœtas et viris immaturas continenti esse licuit. Id. 307.—Tacebo hîc, ut sit suus honor auribus, quantâ barbariâ et malitiâ usi sunt in puellis vitiandis nondum aptis matrimonio, id quod mihi neque ex vano, neque ex vulgi sermonibus haustum est, sed ex eâ vetulâ, cui cura sic vitiatarum demandata fuit, auditum. Joh. Corvinus, 316.

her head with his own hands; and so far were the rest from expressing any horror at this cruel deed, that they joined him in dancing with a frantic joy around the bleeding body of their companion.

The city taken, June 1.

By this time the besieged endured the utmost rigour of famine; but they chose rather to suffer hardships the recital of which is shocking to humanity, than to listen to the terms of capitulation offered them by the bishop. At last a deserter whom they had taken into their service, being either less intoxicated with the fumes of enthusiasm, or unable any longer to bear such distress, made his escape to the enemy. He informed their general of a weak part in the fortifications which he had observed, and assuring him that the besieged, exhausted with hunger and fatigue, kept watch there with little care, he offered to lead a party thither in the night. The proposal was accepted, and a chosen body of troops appointed for the service; who scaling the walls unperceived, seized one of the gates, and admitted the rest of the army. The anabaptists, though surprised, defended themselves in the market-place with valour heightened by despair; but being overpowered by numbers and surrounded on every hand, most of them were slain, and the remainder taken prisoners. Among the last were the king and Cnipperdoling. The king, loaded with chains, was carried from city to city as a spectacle to gratify the curiosity of the people, and was exposed to all their insults. His spirit, however, was not broken or humbled by this sad reverse of his condition, and he adhered with unshaken firmness to the distinguishing tenets of his sect. After this he was brought back to Munster, the scene of his royalty and crimes, and put to death with the most exquisite as well as lingering tortures, all which he bore with astonishing fortitude. This extraordinary man, who had been able to acquire such amazing dominion over the minds of his followers, and to excite commotions so dangerous to society, was only twenty-six years of age.[o]

Punishment of the king and his associates.

Character of the sect since that period.

Together with its monarch, the kingdom of the anabaptists came to an end. Their principles having taken deep root in the Low Countries, the party still subsists there under the name of Mennonites; but by a very singular revolution, this sect, so mutinous and sanguinary at its first origin, hath become altogether innocent and pacific. Holding it unlawful to wage war or to accept of civil offices, they devote themselves entirely to the duties of private citizens, and by their industry and charity endeavour to make reparation to human society for the violence committed by their founders.[p] A small number of this sect which is settled in England, retain its peculiar tenets concerning baptism, but without any dangerous mixture of enthusiasm.

o Sleid. 190, &c. Tumultuum Anabaptistarum Liber unus. Ant. Lamberto Hortensio auctore ap. Scardium, vol. ii. p. 298, &c. De Miserabili Monasteriensium Obsidione, &c. Libellus Antonii Corvinii ap. Scar. 313.

Proceedings and authority of the league of Smalkalde.

The mutiny of the anabaptists, though it drew general attention, did not so entirely engross the princes of Germany as not to allow leisure for other transactions. The alliance between the French king and the confederates at Smalkalde, began about this time to produce great effects. Ulric, duke of Wurtemberg, having been expelled his dominions in the year one thousand five hundred and nineteen, on account of his violent and oppressive administration, the house of Austria had got possession of his duchy. That prince, having now by a long exile atoned for the errors in his conduct, which were the effect rather of inexperience than of a tyrannical disposition, was become the object of general compassion. The landgrave of Hesse in particular, his near relation, warmly espoused his interest, and used many efforts to recover for him his ancient inheritance. But the king of the Romans obstinately refused to relinquish a valuable acquisition which his family had made with so much ease. The landgrave, unable to compel him, applied to the king of France, his new ally. Francis, eager to embrace any opportunity of distressing the house of Austria, and desirous of wresting from it a territory which gave it footing and influence in a part of Germany at a distance from its other dominions, encouraged the landgrave to take arms, and secretly supplied him with a large sum of money. This he employed to raise troops; and marching with great expedition towards Wurtemberg, attacked, defeated, and dispersed a considerable body of Austrians intrusted with the defence of the country. All the duke's subjects hastened, with emulation, to receive their native prince, and reinvested him with that authority which is still enjoyed by his descendants. At the same time the exercise of the protestant religion was established in his dominions.[q]

The king of the Romans courts them.

Ferdinand, how sensible soever of this unexpected blow, not daring to attack a prince whom all the protestant powers in Germany were ready to support, judged it expedient to conclude a treaty with him, by which, in the most ample form, he recognised his title to the duchy. The success of the landgrave's operations in behalf of the duke of Wurtemberg having convinced Ferdinand that a rupture with a league so formidable as that of Smalkalde was to be avoided with the utmost care, he entered likewise into a negociation with the elector of Saxony, the head of that union; and by some concessions in favour of the protestant religion, and others of advantage to the elector himself, he prevailed on him, together with his confederates, to acknowledge his title as king of the Romans. At the same time, in order to prevent any such precipitate or irregular election in times to come, it was agreed that no person should hereafter be promoted to that dignity without the unanimous consent of the electors;

Annales Anabaptistici a Joh. Henrico Ottio, 4to. Basileæ, 1672. Cor. Heersbachius Hist. Anab. edit. 1637. p. 140.

p Bayle Diction. art. *Anabaptistes*.

q Sleid. 172. Bellay, 159, &c.

and the emperor soon after confirmed this stipulation.[r]

Paul III. calls a general council to meet at Mantua.

These acts of indulgence towards the protestants, and the close union into which the king of the Romans seemed to be entering with the princes of that party, gave great offence at Rome. Paul III., though he had departed from a resolution of his predecessor, never to consent to the calling of a general council, and had promised in the first consistory held after his election, that he would convoke that assembly so much desired by all Christendom, was no less enraged than Clement at the innovations in Germany, and no less averse to any scheme for reforming either the doctrines of the church or the abuses in the court of Rome. But having been a witness of the universal censure which Clement had incurred by his obstinacy with regard to these points, he hoped to avoid the same reproach by the seeming alacrity with which he proposed a council; flattering himself, however, that such difficulties would arise concerning the time and place of meeting, the persons who had a right to be present, and the order of their proceedings, as would effectually defeat the intention of those who demanded that assembly, without exposing himself to any imputation for refusing to call it. With this view he despatched nuncios to the several courts, in order to make known his intention, and that he had fixed on Mantua as a proper place in which to hold the council. Such difficulties as the pope had foreseen immediately presented themselves in great number. The French king did not approve of the place which Paul had chosen, as the papal and imperial influence would necessarily be too great in a town. The king of England not only concurred with Francis in urging that objection, but refused, besides, to acknowledge any council called in the name and by the authority of the pope.

Dec. 12.

The German protestants having met together at Smalkalde, insisted on their original demand of a council to be held in Germany, and pleading the emperor's promise, as well as the agreement at Ratisbon to that effect, declared that they would not consider an assembly held at Mantua as a legal or free representative of the church. By this diversity of sentiments and views, such a field for intrigue and negociation opened as made it easy for the pope to assume the merit of being eager to assemble a council, while at the same time he could put off its meeting at pleasure. The protestants, on the other hand, suspecting his designs, and sensible of the importance which they derived from their union, renewed for ten years the league of Smalkalde, which now became stronger and more formidable by the accession of several new members.[s]

The emperor's expedition to Africa, and state of that country.

During these transactions in Germany, the emperor undertook his famous enterprise against the piratical states in Africa. That part of the African continent lying along the coast of the Mediterranean sea, which anciently formed the kingdoms of Mauritania and Massylia, together with the republic of Carthage, and which is now known by the general name of Barbary, had undergone many revolutions. Subdued by the Romans, it became a province of their empire. When it was conquered afterwards by the Vandals, they erected a kingdom there. That being overturned by Belisarius, the country became subject to the Greek emperors, and continued to be so, until it was overrun, towards the end of the seventh century, by the rapid and irresistible arms of the Arabians. It remained for some time a part of that vast empire which the caliphs governed with absolute authority. Its immense distance, however, from the seat of government, encouraged the descendants of those leaders who had subdued the country, or the chiefs of the Moors, its ancient inhabitants, to throw off the yoke, and to assert their independence. The caliphs, who derived their authority from a spirit of enthusiasm more fitted for making conquests than for preserving them, were obliged to connive at acts of rebellion which they could not prevent; and Barbary was divided into several kingdoms, of which Morocco, Algiers, and Tunis were the most considerable. The inhabitants of these kingdoms were a mixed race, Arabs, Negroes from the southern provinces, and Moors, either natives of Africa, or who had been expelled out of Spain; all zealous professors of the Mahometan religion, and inflamed against christianity with a bigoted hatred proportional to their ignorance and barbarous manners.

Rise of the piratical states,

Among these people, no less daring, inconstant, and treacherous than the ancient inhabitants of the same country described by the Roman historians, frequent seditions broke out, and many changes in government took place. These, as they affected only the internal state of a country extremely barbarous, are but little known, and deserve to be so: But about the beginning of the sixteenth century a sudden revolution happened, which, by rendering the states of Barbary formidable to the Europeans, hath made their history worthy of more attention. This revolution was brought about by persons born in a rank of life which entitled them to act no such illustrious part. Horuc and Hayradin, the sons of a potter in the isle of Lesbos, prompted by a restless and enterprising spirit, forsook their father's trade, ran to sea, and joined a crew of pirates. They soon distinguished themselves by their valour and activity, and becoming masters of a small brigantine,

and of the Barbarossas.

r Sleid. 173. Corps. Diplom. tom. iv. p. 159.

s This league was concluded December one thousand five hundred and thirty-five, but not extended or signed in form till September in the following year. The princes who acceded to it were,—John, elector of Saxony; Ernest, duke of Brunswick; Philip, landgrave of Hesse; Ulric, duke of Wurtemberg; Barnim and Philip, dukes of Pomerania; John, George, and Joachim, princes of Anhalt; Gebhard and Albert, counts of Mansfield; William, count of Nassau. The cities,—Strasburg, Nuremberg, Constance, Ulm, Magdeburg, Bremen, Ruetlingen, Hailbron, Memmengen, Lindau, Campen, Isna, Bibrac, Windsheim, Augsburg, Francfort, Esling, Brunswick, Goslar, Hanover, Gottingen, Eimbeck, Hamburg, Minden.

carried on their infamous trade with such conduct and success, that they assembled a fleet of twelve galleys, besides many vessels of smaller force. Of this fleet Horuc the elder brother, called Barbarossa from the red colour of his beard, was admiral, and Hayradin second in command, but with almost equal authority. They called themselves the friends of the sea and the enemies of all who sail upon it; and their names soon became terrible from the Straits of the Dardanelles to those of Gibraltar. Together with their fame and power their ambitious views extended, and while acting as corsairs, they adopted the ideas and acquired the talents of conquerors. They often carried the prizes which they took on the coasts of Spain and Italy into the ports of Barbary; and enriching the inhabitants by the sale of their booty and the thoughtless prodigality of their crews, were welcome guests in every place at which they touched. The convenient situation of these harbours, lying so near the greatest commercial states at that time in Christendom, made the brothers wish for an establishment in that country. An opportunity of accomplishing this quickly presented itself, which they did not suffer to pass unimproved. Eutemi, king of Algiers, having attempted several times without success to take a fort which the Spanish governors of Oran had built not far from his capital, was so ill advised as to apply for aid to Barbarossa, whose valour the Africans considered as irresistible. The active corsair gladly accepted of the invitation, and leaving his brother Hayradin with the fleet, marched at the head of five thousand men to Algiers, where he was received as their deliverer. Such a force gave him the command of the town; and as he perceived that the Moors neither suspected him of any bad intention, nor were capable with their light-armed troops of opposing his disciplined veterans, he secretly murdered the monarch whom he had come to assist, and proclaimed himself king of Algiers in his stead. The authority which he had thus boldly usurped he endeavoured to establish by arts suited to the genius of the people whom he had to govern; by liberality without bounds to those who favoured his promotion, and by cruelty no less unbounded towards all whom he had any reason to distrust. Not satisfied with the throne which he had acquired, he attacked the neighbouring king of Tremecen, and having vanquished him in battle, added his dominions to those of Algiers. At the same time he continued to infest the coasts of Spain and Italy with fleets which resembled the armaments of a great monarch rather than the light squadrons of a corsair. Their frequent and cruel devastations obliged Charles, about the beginning of his reign, to furnish the marquis de Comares, governor of Oran, with troops sufficient to attack him. That officer, assisted by the dethroned king of Tremecen, executed the commission with such spirit, that Barbarossa's troops being beat in several encounters, he himself was shut up in Tremecen. After defending it to the last extremity, he was overtaken in attempting to make his escape, and slain while he fought with an obstinate valour worthy of his former fame and exploits.

1516. Horuc, the elder brother, becomes master of Algiers.

1518.

His brother Hayradin, known likewise by the name of Barbarossa, assumed the sceptre of Algiers with the same ambition and abilities, but with better fortune. His reign being undisturbed by the arms of the Spaniards, which had full occupation in the wars among the European powers, he regulated with admirable prudence the interior police of his kingdom, carried on his naval operations with great vigour, and extended his conquests on the continent of Africa. But perceiving that the Moors and Arabs submitted to his government with the utmost reluctance, and being afraid that his continual depredations would, one day, draw upon him the arms of the christians, he put his dominions under the protection of the grand seignior, and received from him a body of Turkish soldiers sufficient for his security against his domestic as well as his foreign enemies. At last the fame of his exploits daily increasing, Solyman offered him the command of the Turkish fleet, as the only person whose valour and skill in naval affairs entitled him to command against Andrew Doria, the greatest sea-officer of that age. Proud of this distinction, Barbarossa repaired to Constantinople; and with a wonderful versatility of mind, mingling the arts of a courtier with the boldness of a corsair, gained the entire confidence both of the sultan and his vizier. To them he communicated a scheme which he had formed of making himself master of Tunis, the most flourishing kingdom at that time on the coast of Africa; and this being approved of by them, he obtained whatever he demanded for carrying it into execution.

The progress of Hayradin the second brother.

Puts his dominions under the protection of the sultan.

His hopes of success in this undertaking were founded on the intestine divisions in the kingdom of Tunis. Mahmed, the last king of that country, having thirty-four sons by different wives, appointed Muley-Hascen, one of the youngest among them, to be his successor. That weak prince, who owed this preference, not to his own merit, but to the ascendant which his mother had acquired over a monarch doting with age, first poisoned Mahmed his father, in order to prevent him from altering his destination with respect to the succession; and then, with the barbarous policy which prevails wherever polygamy is permitted and the right of succession is not precisely fixed, he put to death all his brothers whom he could get into his power. Alraschid, one of the eldest, was so fortunate as to escape his rage; and finding a retreat among the wandering Arabs, made several attempts, by the assistance of some of their chiefs, to recover the throne which of right belonged to him. But these proving unsuccessful, and the

His scheme for conquering Tunis.

Arabs, from their natural levity, being ready to deliver him up to his merciless brother, he fled to Algiers, the only place of refuge remaining, and implored the protection of Barbarossa; who, discerning at once all the advantages which might be gained by supporting his title, received him with every possible demonstration of friendship and respect. Being ready at that time to set sail for Constantinople, he easily persuaded Alraschid, whose eagerness to obtain a crown disposed him to believe or undertake any thing, to accompany him thither, promising him effectual assistance from Solyman, whom he represented to be the most generous as well as most powerful monarch in the world. But no sooner were they arrived at Constantinople, than the treacherous corsair, regardless of all his promises to him, opened to the sultan a plan for conquering Tunis and annexing it to the Turkish empire, by making use of the name of this exiled prince, and co-operating with the party in the kingdom which was ready to declare in his favour. Solyman approved, with too much facility, of this perfidious proposal, extremely suitable to the character of its author, but altogether unworthy of a great prince. A powerful fleet and numerous army were soon assembled; at the sight of which the credulous Alraschid flattered himself that he should soon enter his capital in triumph.

Its success.

But just as this unhappy prince was going to embark, he was arrested by order of the sultan, shut up in the seraglio, and was never heard of more. Barbarossa sailed with a fleet of two hundred and fifty vessels towards Africa. After ravaging the coasts of Italy, and spreading terror through every part of that country, he appeared before Tunis; and landing his men, gave out that he came to assert the right of Alraschid, whom he pretended to have left sick aboard the admiral's galley. The fort of Goletta, which commands the bay, soon fell into his hands, partly by his own address, partly by the treachery of its commander; and the inhabitants of Tunis, weary of Muley Hascen's government, took arms and declared for Alraschid with such zeal and unanimity, as obliged the former to fly so precipitately that he left all his treasures behind him. The gates were immediately set open to Barbarossa, as the restorer of their lawful sovereign. But when Alraschid himself did not appear, and when, instead of his name, that of Solyman alone was heard among the acclamations of the Turkish soldiers marching into the town, the people of Tunis began to suspect the corsair's treachery. Their suspicions being soon converted into certainty, they ran to arms with the utmost fury, and surrounded the citadel, into which Barbarossa had led his troops. But having foreseen such a revolution, he was not unprepared for it; he immediately turned against them the artillery on the ramparts, and by one brisk discharge dispersed the numerous but undirected assailants, and forced them to acknowledge Solyman as their sovereign, and to submit to himself as his viceroy.

Barbarossa's formidable power.

His first care was to put the kingdom, of which he had thus got possession, in a proper posture of defence. He strengthened the citadel which commands the town; and fortifying the Golctta in a regular manner, at vast expense, made it the principal station for his fleet, and his great arsenal for military as well as naval stores. Being now possessed of such extensive territories, he carried on his depredations against the christian states to a greater extent and with more destructive violence than ever. Daily complaints of the outrages committed by his cruizers were brought to the emperor by his subjects, both in Spain and Italy. All Christendom seemed to expect from him, as its greatest and most fortunate prince, that he would put an end to this new and odious species of oppression. At the same time Muley Hascen, the exiled king of Tunis, finding none of the Mahometan princes in Africa willing or able to assist him in recovering his throne, applied to Charles as the only person who could assert his rights in opposition to such a formidable usurper. The emperor, equally desirous of delivering his dominions from the dangerous neighbourhood of Barbarossa; of appearing as the protector of an unfortunate prince; and of acquiring the glory annexed, in that age, to every expedition against the Mahometans, readily concluded a treaty with Muley Hascen, and began to prepare for invading Tunis. Having made trial of his own abilities for war in the late campaign in Hungary, he was now become so fond of the military character, that he determined to command, on this occasion, in person. The united strength of his dominions was called out upon an enterprise in which the emperor was about to hazard his glory, and which drew the attention of all Europe. A Flemish fleet carried, from the ports of the Low Country, a body of German infantry;[t] the galleys of Naples and Sicily took on board the veteran bands of Italians and Spaniards which had distinguished themselves by so many victories over the French; the emperor himself embarked at Barcelona with the flower of the Spanish nobility, and was joined by a considerable squadron from Portugal, under the command of the infant Don Lewis, the empress's brother; Andrew Doria conducted his own galleys, the best appointed at that time in Europe, and commanded by the most skilful officers; the pope furnished all the assistance in his power towards such a pious enterprise; and the order of Malta, the perpetual enemies of the infidels, equipped a squadron which, though small, was formidable by the valour of the knights who served on board it. The port of Cagliari, in Sardinia, was the general place of rendezvous. Doria was appointed high admiral of the fleet; the command of the land-forces under the emperor was given to the marquis de Guasto.

The exiled king of Tunis implores the emperor's assistance, April 21, 1535.

His preparation for the expedition.

t Harræi Annales Brabant. i. 599.

Lands in Africa.

On the sixteenth of July, the fleet, consisting of near five hundred vessels, having on board above thirty thousand regular troops, set sail from Cagliari, and after a prosperous navigation landed within sight of Tunis. Barbarossa, having received early intelligence of the emperor's immense armament, and suspecting its destination, prepared with equal prudence and vigour for the defence of his new conquest. He called in all his corsairs from their different stations; he drew from Algiers what forces could be spared; he despatched messengers to all the African princes, Moors as well as Arabs; and representing Muley Hascen as an infamous apostate, prompted by ambition and revenge, not only to become the vassal of a christian prince, but to conspire with him to extirpate the Mahometan faith, he inflamed those ignorant and bigoted chiefs to such a degree, that they took arms as in a common cause. Twenty thousand horse, together with a great body of foot, soon assembled at Tunis; and by a proper distribution of presents among them from time to time, Barbarossa kept the ardour which had brought them together from subsiding. But as he was too well acquainted with the enemy whom he had to oppose, to think that these light troops could resist the heavy-armed cavalry and veteran infantry which composed the imperial army, his chief confidence was in the strength of the Goletta, and in his body of Turkish soldiers, who were armed and disciplined after the European fashion. Six thousand of these, under the command of Sinan, a renegado Jew, the bravest and most experienced of all his corsairs, he threw into that fort, which the emperor immediately

Lays siege to Goletta.

invested. As Charles had the command of the sea, his camp was so plentifully supplied, not only with the necessaries but with all the luxuries of life, that Muley Hascen, who had not been accustomed to see war carried on with such order and magnificence, was filled with admiration of the emperor's power. His troops, animated by his presence, and considering it as meritorious to shed their blood in such a pious cause, contended with each other for the posts of honour and danger. Three separate attacks were concerted, and the Germans, Spaniards, and Italians, having one of these committed to each of them, pushed them forward with the eager courage which national emulation inspires. Sinan displayed resolution and skill becoming the confidence which his master had put in him; the garrison performed the hard service on which they were ordered with great fortitude. But though he interrupted the besiegers by frequent sallies, though the Moors and Arabs alarmed the camp with their continual incursions, the breaches soon became so considerable towards the land, while the fleet battered those parts of the fortifications which it could approach with no less fury and success, that an assault being given on all sides at once, the place was taken by storm. Sinan, with the remains of his garrison, retired, after an obstinate resistance, over a shallow part of the bay towards the city. By the reduction of the Goletta, the emperor became master of Barbarossa's fleet, consisting of eighty-seven galleys and galliots, together with his arsenal, and three hundred cannon, mostly brass, which were planted on the ramparts; a prodigious number in that age, and a remarkable proof of the strength of the fort, as well as of the greatness of the corsair's power. The emperor marched into the Goletta through the breach, and turning to Muley Hascen, who attended him, "Here," says he, "is a gate open to you, by which you shall return to take possession of your dominions."

Takes it by storm, July 25.

Barbarossa, though he felt the full weight of the blow which he had received, did not, however, lose courage, or abandon the defence of Tunis. But as the walls were of great extent and extremely weak; as he could not depend on the fidelity of the inhabitants, nor hope that the Moors and Arabs would sustain the hardships of a siege, he boldly determined to advance with his army, which amounted to fifty thousand men,[u] towards the imperial camp, and to decide the fate of his kingdom by the issue of a battle. This resolution he communicated to his principal officers, and representing to them the fatal consequences which might follow if ten thousand christian slaves, whom he had shut up in the citadel, should attempt to mutiny during the absence of the army, he proposed, as a necessary precaution for the public security, to massacre them without mercy before he began his march. They all approved warmly of his intention to fight; but inured as they were, in their piratical depredations, to scenes of bloodshed and cruelty, the barbarity of his proposal concerning the slaves filled them with horror; and Barbarossa, rather from the dread of irritating them than swayed by motives of humanity, consented to spare the lives of the slaves.

By this time the emperor had begun to advance towards Tunis; and though his troops suffered inconceivable hardships in their march, over burning sands, destitute of water, and exposed to the intolerable heat of the sun, they soon came up with the enemy. The Moors and Arabs, imboldened by their vast superiority in number, immediately rushed on to the attack with loud shouts; but their undisciplined courage could not long stand the shock of regular battalions; and though Barbarossa, with admirable presence of mind, and by exposing his own person to the greatest dangers, endeavoured to rally them, the rout became so general, that he himself was hurried along with them in their flight back to the city. There he found every thing in the utmost confusion; some of the inhabitants flying with their families and effects; others ready to set open their gates to the conqueror; the Turkish soldiers preparing to retreat; and the citadel, which in such circumstances might have

Defeats Barbarossa's army.

u Epistres des Princes, par Ruscelli, p. 119, &c.

afforded him some refuge, already in the possession of the christian eaptives. These unhappy men, rendered desperate by their situation, had laid hold on the opportunity whieh Barbarossa dreaded. As soon as his army was at some distanee from the town, they gained two of their keepers, by whose assistance, knoeking off their fetters and bursting open their prisons, they overpowered the Turkish garrison, and turned the artillery of the fort against their former masters. Barbarossa, disappointed and enraged, exclaiming sometimes against the false eompassion of his officers, and sometimes condemning his own imprudent compliance with their opinion, fled precipitately to Bona.

Tunis surrenders.

Meanwhile Charles, satisfied with the easy and almost bloodless victory whieh he had gained, and advaneing slowly with the preeaution necessary in an enemy's eountry, did not yet know the whole extent of his own good fortune. But at last a messenger despatched by the slaves aequainted him with the success of their noble effort for the recovery of their liberty; and at the same time deputies arrived from the town, in order to present him the keys of their gates, and to implore his protection from military violence. While he was deliberating concerning the proper measures for this purpose, the soldiers, fearing that they should be deprived of the booty which they had expeeted, rushed suddenly and without orders into the town, and began to kill and plunder without distinetion. It was then too late to restrain their cruelty, their avarice, or licentiousness. All the outrages of which soldiers are capable in the fury of a storm, all the excesses of whieh men can be guilty when their passions are heightened by the eontempt and hatred whieh difference in manners and religion inspires, were committed. Above thirty thousand of the innoeent inhabitants perished on that unhappy day, and ten thousand were carried away as slaves. Muley Haseen took possession of a throne surrounded with carnage, abhorred by his subjects, on whom he had brought such calamities, and pitied even by those whose rashness had been the oeeasion of them. The emperor lamented the fatal aeident whieh had stained the lustre of his vietory; and amidst such a scene of horror there was but one spectacle that afforded him any satisfaetion. Ten thousand christian slaves, among whom were several persons of distinction, met him as he entered the town; and falling on their knees, thanked and blessed him as their deliverer.

Restores the exiled king to his throne.

At the same time that Charles accomplished his promise to the Moorish king, of re-establishing him in his dominions, he did not negleet what was neeessary for bridling the power of the Afriean eorsairs, for the seeurity of his own subjeets, and for the interest of the Spanish crown. In order to gain these ends, he eoncluded a treaty with Muley Hascen on the following eonditions:—That he should hold the kingdom of Tunis in fee of the crown of Spain, and do homage to the emperor as his liege lord; that all the christian slaves now within his dominions, of whatever nation, should be set at liberty without ransom; that no subject of the emperor's should for the future be detained in servitude; that no Turkish eorsair should be admitted into the ports of his dominions; that free trade, together with the public exercise of the christian religion, should be allowed to all the emperor's subjects; that the emperor should not only retain the Goletta, but that all the other sea-ports in the kingdom whieh were fortified should be put into his hands; that Muley Hascen should pay annually twelve thousand crowns for the subsistence of the Spanish garrison in the Goletta; that he should enter into no alliance with any of the emperor's enemies, and should present to him every year, as an aeknowledgment of his vassalage, six Moorish horses and as many hawks.[x] Having thus settled the affairs of Africa; chastised the insolence of the corsairs; seeured a safe retreat for the ships of his subjects, and a proper station to his own fleets, on that coast from whieh he was most infested by piratical depredations, Charles embarked again for Europe, the tempestuous weather and sickness among his troops not permitting him to pursue Barbarossa.[y]

Aug. 17.

The glory which the emperor acquired.

By this expedition, the merit of which seems to have been estimated, in that age, rather by the apparent generosity of the undertaking, the magnificence wherewith it was conducted, and the sueeess whieh crowned it, than by the importanee of the eonsequences that attended it, the emperor attained a greater height of glory than at any other period of his reign. Twenty thousand slaves whom he freed from bondage, either by his arms or by his treaty with Muley Hascen,[z] each of whom he clothed and furnished with the means of returning to their respeetive countries, spread all over Europe the fame of their benefactor's munifieence, extolling his power and abilities with the exaggeration flowing from gratitude and admiration. In eomparison with him the other monarchs of Europe made an inconsiderable figure. They seemed to be solicitous about nothing but their private and particular interests; while Charles, with an elevation of sentiment which beeame the chief prinee in Christendom, appeared to be eoneerned for the honour of the christian name, and attentive to the public seeurity and welfare.

x Du Mont Corps Diplomat. ii. 128. Summonte Hist. di Napoli, iv. 89.

y Joh. Etropii Diarium Expedition. Tunetanæ, ap. Scard. v. ii. p. 320, &c. Jovii Histor. lib. xxxiv. 153, &c. Sandov. ii. 154, &c. Vertot Hist. de Cheval. de Malthe. Epistres des Princes, par Ruscelli, traduites par Belleforest, p. 119, 120, &c. Anton. Pontii Consentini Hist. Belli adv. Barbar. ap. Matthæi Analecta.

z Summonte Hist. de Nap. vol. iv. p. 103.

BOOK VI.

The causes of a new war between the emperor and Francis.

UNFORTUNATELY for the reputation of Francis I. among his contemporaries, his conduct at this juncture appeared a perfect contrast to that of his rival, as he laid hold on the opportunity afforded him by the emperor's having turned his whole force against the common enemy of Christendom, to revive his pretensions in Italy, and to plunge Europe into a new war. The treaty of Cambray, as has been observed, did not remove the causes of enmity between the two contending princes; it covered up but did not extinguish the flames of discord. Francis in particular, who waited with impatience for a proper occasion of recovering the reputation as well as the territories which he had lost, continued to carry on his negociations in different courts against the emperor, taking the utmost pains to heighten the jealousy which many princes entertained of his power or designs, and to inspire the rest with the same suspicion and fear: among others he applied to Francis Sforza, who, though indebted to Charles for the possession of the duchy of Milan, had received it on such hard conditions as rendered him not only a vassal of the empire, but a tributary dependant upon the emperor. The honour of having married the emperor's niece did not reconcile him to this ignominious state of subjection, which became so intolerable even to Sforza, though a weak and poor-spirited prince, that he listened with eagerness to the first proposals Francis made of rescuing him from the yoke. These proposals were conveyed to him by Maraviglia, or Merveille as he is called by the French historians, a Milanese gentlemen residing at Paris: and soon after, in order to carry on the negociation with greater advantage, Merveille was sent to Milan, on pretence of visiting his relations, but with secret credentials from Francis as his envoy. In this character he was received by Sforza. But notwithstanding his care to keep that circumstance concealed, Charles suspecting or having received information of it, remonstrated and threatened in such a high tone, that the duke and his ministers, equally intimidated, gave the world immediately a most infamous proof of their servile fear of offending the emperor. As Merveille had neither the prudence nor the temper which the function wherein he was employed required, they artfully decoyed him into a quarrel, in which he happened to kill his antagonist, one of the duke's domestics, and having instantly seized him, they ordered him to be tried for that crime and to be beheaded. Francis, no less astonished at this violation of a character held sacred among the most uncivilized nations than enraged at the insult offered to the dignity of his crown, threatened Sforza with the effects of his indignation, and complained to the emperor, whom he considered as the real author of that unexampled outrage. But receiving no satisfaction from either, he appealed to all the princes of Europe, and thought himself now entitled to take vengeance for an injury which it would have been indecent and pusillanimous to let pass with impunity.

December.

Being thus furnished with a pretext for beginning a war on which he had already resolved, he multiplied his efforts in order to draw in other princes to take part in the quarrel. But all his measures for this purpose were disconcerted by unforeseen events. After having sacrificed the honour of the royal family of France by the marriage of his son with Catharine of Medici in order to gain Clement, the death of that pontiff had deprived him of all the advantages which he expected to derive from his friendship. Paul, his successor, though attached by inclination to the imperial interest, seemed determined to maintain the neutrality suitable to his character as the common father of the contending princes. The king of England, occupied with domestic cares and projects, declined for once engaging in the affairs of the continent, and refused to assist Francis unless he would imitate his example in throwing off the papal supremacy. These disappointments led him to solicit with greater earnestness the aid of the protestant princes associated by the league of Smalkalde. That he might the more easily acquire their confidence, he endeavoured to accommodate himself to their predominant passion—zeal for their religious tenets. He affected a wonderful moderation with regard to the points in dispute; he permitted Bellay, his envoy in Germany, to explain his sentiments concerning some of the most important articles in terms not far different from those used by the protestants;[a] he even condescended to invite Melancthon, whose gentle manners and pacific spirit distinguished him among the reformers, to visit Paris, that by his assistance he might concert the most proper measures for reconciling the contending sects which so unhappily divided the church.[b] These concessions must be considered rather as arts of policy than the result of conviction; for whatever impression the new opinions in religion had made on his sisters, the queen of Navarre and duchess of Ferrara, the gaiety of Francis's own temper, and his love of pleasure, allowed him little leisure to examine theological controversies.

Francis destitute of allies.

His negociations with the German protestants.

But soon after he lost all the fruits of this disingenuous artifice, by a step very inconsistent with his declarations to the German princes. This step, however, the prejudices of the age, and the religious sentiments of his own subjects, rendered it necessary for him to take. His close union with the king of England, an excom-

Irritates them.

a Freheri Script. Rer. German. iii. 354, &c. Sleid. Hist. 178, 183. Seckend. lib. iii. 103.

b Camerarii Vita Ph. Melancthonis, 12mo. Hag. 1665, p. 12.

municated heretic; his frequent negociations with the German protestants; but above all, his giving public audience to an envoy from sultan Solyman, had excited violent suspicions concerning the sincerity of his attachment to religion. To have attacked the emperor, who, on all occasions, made high pretensions to zeal in defence of the catholic faith, and at the very juncture when he was preparing for his expedition against Barbarossa, which was then considered as a pious enterprise, could not have failed to confirm such unfavourable sentiments with regard to Francis, and called on him to vindicate himself by some extraordinary demonstration of his reverence for the established doctrines of the church. The indiscreet zeal of some of his subjects who had imbibed the protestant opinions, furnished him with such an occasion as he desired. They had affixed to the gates of the Louvre and other public places, papers containing indecent reflections on the doctrines and rites of the popish church. Six of the persons concerned in this rash action were discovered and seized. The king, in order to avert the judgments which it was supposed their blasphemies might draw down upon the nation, appointed a solemn procession. The holy sacrament was carried through the city in great pomp; Francis walked uncovered before it, bearing a torch in his hand; the princes of the blood supported the canopy over it; the nobles marched in order behind. In the presence of this numerous assembly, the king, accustomed to express himself on every subject in strong and animated language, declared that if one of his hands were infected with heresy, he would cut it off with the other, and would not spare even his own children, if found guilty of that crime. As a dreadful proof of his being in earnest, the six unhappy persons were publicly burnt before the procession was finished, with circumstances of the most shocking barbarity attending their execution.[c]

They refuse to join him.

The princes of the league of Smalkalde, filled with resentment and indignation at the cruelty with which their brethren were treated, could not conceive Francis to be sincere, when he offered to protect in Germany those very tenets which he persecuted with such rigour in his own dominions; so that all Bellay's art and eloquence in vindicating his master or apologizing for his conduct, made but little impression upon them. They considered likewise, that the emperor, who hitherto had never employed violence against the doctrines of the reformers, nor even given them much molestation in their progress, was now bound by the agreement at Ratisbon not to disturb such as had embraced the new opinions; and the protestants wisely regarded this as a more certain and immediate security than the precarious and distant hopes with which Francis endeavoured to allure them. Besides, the manner in which he had behaved to his allies at the peace of Cambray was too recent to be forgotten, and did not encourage others to rely much on his friendship or generosity. Upon all these accounts the protestant princes refused to assist the French king in any hostile attempt against the emperor. The elector of Saxony, the most zealous among them, in order to avoid giving any umbrage to Charles, would not permit Melancthon to visit the court of France, although that reformer, flattered perhaps by the invitation of so great a monarch, or hoping that his presence there might be of signal advantage to the protestant cause, discovered a strong inclination to undertake the journey.[d]

The French army advances towards Italy.

But though none of the many princes who envied or dreaded the power of Charles would second Francis's efforts in order to reduce and circumscribe it, he nevertheless commanded his army to advance towards the frontiers of Italy. As his sole pretext for taking arms was that he might chastise the duke of Milan for his insolent and cruel breach of the law of nations, it might have been expected that the whole weight of his vengeance was to have fallen on his territories. But on a sudden, and at their very commencement, the operations of war took another direction. Charles, duke of Savoy, one of the least active and able princes of the line from which he descended, had married Beatrix of Portugal, the sister of the empress. By her great talents she soon acquired an absolute ascendant over her husband: and proud of her affinity to the emperor, or allured by the magnificent promises with which he flattered her ambition, she formed an union between the duke and the imperial court, extremely inconsistent with that neutrality which wise policy as well as the situation of his dominions had hitherto induced him to observe in all the quarrels between the contending monarchs. Francis was abundantly sensible of the distress to which he might be exposed, if, when he entered Italy, he should leave behind him the territories of a prince devoted so obsequiously to the emperor, that he had sent his eldest son to be educated in the court of Spain, as a kind of hostage for his fidelity. Clement the seventh, who had represented this danger in a strong light during his interview with Francis at Marseilles, suggested to him, at the same time, the proper method of guarding against it, having advised him to begin his operations against the Milanese by taking possession of Savoy and Piedmont, as the only certain way of securing a communication with his own dominions. Francis, highly irritated with the duke on many accounts, particularly for having supplied the constable Bourbon with the money that enabled him to levy the body of troops which ruined the French army in the fatal battle of Pavia, was not unwilling to let him now feel both how deeply he resented and how severely he could punish these injuries. Nor did he want several pretexts which gave some colour of equity to the violence that he intended. The territories of

Takes possession of the duke of Savoy's dominions.

c Balcarii Comment Rer. Gallic. 646. Sleid. Hist. 175, &c.

d Camerarii Vita Melan. 142, &c. 415. Seckend. lib. iii. 107.

France and Savoy lying contiguous to each other, and intermingled in many places, various disputes unavoidable in such a situation subsisted between the two sovereigns concerning the limits of their respective property; and besides, Francis, in right of his mother Louise of Savoy, had large claims upon the duke her brother, for her share in their father's succession. Being unwilling, however, to begin hostilities without some cause of quarrel more specious than these pretensions, many of which were obsolete and others dubious, he demanded permission to march through Piedmont in his way to the Milanese, hoping that the duke, from an excess of attachment to the imperial interest, might refuse this request, and thus give a greater appearance of justice to all his operations against him. But if we may believe the historians of Savoy, who appear to be better informed with regard to this particular than those of France, the duke readily, and with a good grace, granted what it was not in his power to deny, promising free passage to the French troops as was desired; so that Francis, as the only method now left of justifying the measures which he determined to take, was obliged to insist for full satisfaction with regard to every thing that either the crown of France or his mother Louise could demand of the house of Savoy.[e] Such an evasive answer as might have been expected being made to this requisition, the French army, under the admiral Brion, poured at once into the duke's territories at different places. The countries of Bresse and Bugey, united at that time to Savoy, were overrun in a moment. Most of the towns in the duchy of Savoy opened their gates at the approach of the enemy; a few which attempted to make resistance were easily taken; and before the end of the campaign, the duke saw himself stripped of all his dominions but the province of Piedmont, in which there were not many places in a condition to be defended.

The city of Geneva recovers its liberty.

To complete the duke's misfortunes, the city of Geneva, the sovereignty of which he claimed and in some degree possessed, threw off his yoke, and its revolt drew along with it the loss of the adjacent territories. Geneva was at that time an imperial city; and though under the direct dominion of its own bishops and the remote sovereignty of the dukes of Savoy, the form of its internal constitution was purely republican, being governed by syndics and a council chosen by the citizens. From these distinct and often clashing jurisdictions two opposite parties took their rise, and had long subsisted in the state; the one, composed of the advocates for the privileges of the community, assumed the name of *Eignotz*, or confederates in defence of liberty; and branded the other, which supported the episcopal or ducal prerogatives, with the name of *Mammelukes* or slaves. At length the protestant opinions, beginning to spread among the citizens, inspired such as embraced them with that bold enterprising spirit which always accompanied or was naturally produced by them in their first operations. As both the duke and bishop were from interest, from prejudice, and from political considerations, violent enemies of the Reformation, all the new converts joined with warmth the party of the Eignotz; and zeal for religion mingling with the love of liberty, added strength to that generous passion. The rage and animosity of two factions shut up within the same walls, occasioned frequent insurrections, which terminating mostly to the advantage of the friends of liberty, they daily became more powerful.

1532.

The duke and bishop, forgetting their ancient contests about jurisdiction, had united against their common enemies, and each attacked them with his proper weapons. The bishop excommunicated the people of Geneva as guilty of a double crime; of impiety in apostatizing from the established religion, and of sacrilege, in invading the rights of his see. The duke attacked them as rebels against their lawful prince, and attempted to render himself master of the city, first by surprise, and then by open force. The citizens, despising the thunder of the bishop's censures, boldly asserted their independence against the duke; and partly by their own valour, partly by the powerful assistance which they received from the canton of Berne, together with some small supplies both of men and money secretly furnished by the king of France, they defeated all his attempts. Not satisfied with having repulsed him, or with remaining always upon the defensive themselves, they now took advantage of the duke's inability to resist them, while overwhelmed by the armies of France, and seized several castles and places of strength which he possessed in the neighbourhood of Geneva; thus delivering the city from those odious monuments of its former subjection, and rendering the public liberty more secure for the future. At the same time the canton of Berne invaded and conquered the Pays de Vaud, to which it had some pretensions. The canton of Friburg, though zealously attached to the catholic religion, and having no subject of contest with the duke, laid hold on part of the spoils of that unfortunate prince. A great portion of these conquests or usurpations being still retained by the two cantons, add considerably to their power, and have become the most valuable part of their territories. Geneva, notwithstanding many schemes and enterprises of the dukes of Savoy to re-establish their dominion over it, still keeps possession of its independence; and in consequence of that blessing, has attained a degree of consideration, wealth, and elegance, which it could not otherwise have reached.[f]

1534.

The emperor unable to assist the duke of Savoy.

Amidst such a succession of disastrous events the duke of Savoy had no other resource but the emperor's

e Histoire Genealogique de Savoye, par Guichenon, 2 tom. fol. Lyon. 1660, i. 639, &c.

f Hist. de la Ville de Geneve, par Spon, 12mo. Utr. 1685, p. 99. Hist. de la Reformation de Suisse par Rouchat. Gen. 1728, tom. iv. p. 294, &c. tom. v. p. 216, &c. Mem. de Bellay, 181.

protection, which, upon his return from Tunis, he demanded with the most earnest importunity; and as his misfortunes were occasioned chiefly by his attachment to the imperial interest, he had a just title to immediate assistance. Charles, however, was not in a condition to support him with that vigour and despatch which the exigency of his affairs called for. Most of the troops employed in the African expedition, having been raised for that service alone, were disbanded as soon as it was finished; the veteran forces under Antonio de Leyva were hardly sufficient for the defence of the Milanese; and the emperor's treasury was entirely drained by his extraordinary efforts against the infidels.

Oct. 24. Death of Sforza, duke of Milan.

But the death of Francis Sforza, occasioned, according to some historians, by the terror of a French invasion, which had twice been fatal to his family, afforded the emperor full leisure to prepare for action. By this unexpected event the nature of the war and the causes of discord were totally changed. Francis's first pretext for taking arms, in order to chastise Sforza for the insult offered to the dignity of his crown, was at once cut off; but as that prince died without issue, all Francis's rights to the duchy of Milan, which he had yielded only to Sforza and his posterity, returned back to him in full force. As the recovery of the Milanese was the favourite object of that monarch, he instantly renewed his claim to it; and if he had supported his pretensions by ordering the powerful army quartered in Savoy to advance without losing a moment towards Milan, he could hardly have failed to secure the important point of possession. But Francis, who became less enterprising as he advanced in years, and who was overawed at some times into an excess of caution by the remembrance of his past misfortunes, endeavoured to establish his rights by negociation, not by arms; and from a timid moderation, fatal in all great affairs, neglected to improve the favourable opportunity which presented itself. Charles was more decisive in his operations, and in quality of sovereign, took possession of the duchy, as a vacant fief of the empire. While Francis endeavoured to explain and assert his title to it by arguments and memorials, or employed various arts in order to reconcile the Italian powers to the thoughts of his regaining footing in Italy, his rival was silently taking effectual steps to prevent it. The emperor however was very careful not to discover too early an intention of this kind; but seeming to admit the equity of Francis's claim, he appeared solicitous only about giving him possession in such a manner as might not disturb the peace of Europe or overturn the balance of power in Italy, which the politicians of that country were so desirous of preserving. By this artifice he deceived Francis, and gained so much confidence with the rest of Europe, that, almost without incurring any suspicion, he involved

Francis's pretensions to that duchy.

the affair in new difficulties, and protracted the negociations at pleasure. Sometimes he proposed to grant the investiture of Milan to the duke of Orleans, Francis's second son, sometimes to the duke of Angouleme, his third son: as the views and inclinations of the French court varied, he transferred his choice alternately from the one to the other, with such profound and well-conducted dissimulation, that neither Francis nor his ministers seem to have penetrated his real intention; and all military operations were entirely suspended, as if nothing had remained but to enter quietly into possession of what they demanded.

1536. Charles's preparations for war.

During the interval of leisure gained in this manner, Charles on his return from Tunis assembled the states both of Sicily and Naples; and as they thought themselves greatly honoured by the presence of their sovereign, and were no less pleased with the apparent disinterestedness of his expedition into Africa than dazzled by the success which had attended his arms, he prevailed on them to vote him such liberal subsidies as were seldom granted in that age. This enabled him to recruit his veteran troops, to levy a body of Germans, and to take every other proper precaution for executing or supporting the measures on which he had determined. Bellay, the French envoy in Germany, having discovered the intention of raising troops in that country, notwithstanding all the pretexts employed in order to conceal it, first alarmed his master with this evident proof of the emperor's insincerity.[g] But Francis was so possessed at that time with the rage of negociation, in all the artifices and refinements of which his rival far surpassed him, that instead of beginning his military operations and pushing them with vigour, or seizing the Milanese before the imperial army was assembled, he satisfied himself with making new offers to the emperor, in order to procure the investiture by his voluntary deed. His offers were indeed so liberal and advantageous, that if ever Charles had intended to grant his demand, he could not have rejected them with decency. He dexterously eluded them by declaring, that until he consulted the pope in person he could not take his final resolution with regard to a point which so nearly concerned the peace of Italy. By this evasion he gained some further time for ripening the schemes which he had in view.

The emperor enters Rome. April 6.

The emperor at last advanced towards Rome, and made his public entry into that city with extraordinary pomp; but it being found necessary to remove the ruins of an ancient temple of peace, in order to widen one of the streets through which the cavalcade had to pass, all the historians take notice of this trivial circumstance, and they are fond to interpret it as an omen of the bloody war that followed. Charles, it is certain, had by this time banished all thoughts of peace, and at last threw off the mask,

g Mem de Bellay, 192.

with which he had so long covered his designs from the court of France, by a declaration of his sentiments no less singular than explicit. The French ambassadors having in their master's name demanded a definitive reply to his propositions concerning the investiture of Milan, Charles promised to give it next day in presence of the pope and cardinals assembled in full consistory. These being accordingly met, and all the foreign ambassadors invited to attend, the emperor stood up, and addressing himself to the pope, expatiated for some time on the sincerity of his own wishes for the peace of Christendom, as well as his abhorrence of war, the miseries of which he enumerated at great length, with studied and elaborate oratory; he complained that all his endeavours to preserve the tranquillity of Europe had hitherto been defeated by the restless and unjust ambition of the French king; that even during his minority he had proofs of the unfriendly and hostile intentions of that monarch; that afterwards he had openly attempted to wrest from him the imperial crown, which belonged to him by a title no less just than natural; that he had next invaded his kingdom of Navarre; that, not satisfied with this, he had attacked his territories as well as those of his allies both in Italy and the Low Countries; that when the valour of the imperial troops, rendered irresistible by the protection of the Almighty, had checked his progress, ruined his armies, and seized his person, he continued to pursue by deceit what he had undertaken with injustice; that he had violated every article in the treaty of Madrid, to which he owed his liberty, and as soon as he returned to his dominions took measures for rekindling the war which that pacification had happily extinguished; that when new misfortunes compelled him to sue again for peace at Cambray, he concluded and observed it with equal insincerity; that soon after he had formed dangerous connexions with the heretical princes in Germany, and incited them to disturb the tranquillity of the empire; that now he had driven the duke of Savoy, a prince married to a sister of the empress, and joined in close alliance with Spain, out of the greater part of his territories; that after injuries so often repeated, and amidst so many sources of discord, all hope of amity or concord became desperate; and though he himself was still willing to grant the investiture of Milan to one of the princes of France, there was little probability of that event taking place, as Francis, on the one hand, would not consent to what was necessary for securing the tranquillity of Europe, nor, on the other, could he think it reasonable or safe to give a rival the unconditional possession of all that he demanded. "Let us not, however," added he, "continue wantonly to shed the blood of our innocent subjects; let us decide the quarrel man to man, with what arms he pleases to choose, in our shirts, on an island, a bridge, or aboard a galley moored in a river; let the duchy of Burgundy be put in deposit on his part, and that of Milan on mine; these shall be the prize of the conqueror: and after that, let the united forces of Germany, Spain, and France be employed to humble the power of the Turk, and to extirpate heresy out of Christendom. But if he, by declining this method of terminating our differences, renders war inevitable, nothing shall divert me from prosecuting it to such extremity as shall reduce one of us to be the poorest gentleman in his own dominions. Nor do I fear that it will be on me this misfortune shall fall: I enter upon action with the fairest prospect of success; the justice of my cause, the union of my subjects, the number and valour of my troops, the experience and fidelity of my generals, all combine to ensure it. Of all these advantages the king of France is destitute; and were my resources no more certain and my hopes of victory no better founded than his, I would instantly throw myself at his feet, and with folded hands and a rope about my neck implore his mercy."[h]

His public invective against Francis.

Challenges him to single combat.

This long harangue the emperor delivered with an elevated voice, a haughty tone, and the greatest vehemence of expression and gesture. The French ambassadors, who did not fully comprehend his meaning, as he spoke in the Spanish tongue, were totally disconcerted and at a loss how they should answer such an unexpected invective: when one of them began to vindicate his master's conduct, Charles interposed abruptly, and would not permit him to proceed. The pope, without entering into any particular detail, satisfied himself with a short but pathetic recommendation of peace, together with an offer of employing his sincere endeavours in order to procure that blessing to Christendom; and the assembly broke up in the greatest astonishment at the extraordinary scene which had been exhibited. In no part of his conduct, indeed, did Charles ever deviate so widely from his general character. Instead of that prudent recollection, that composed and regular deportment so strictly attentive to decorum, and so admirably adapted to conceal his own passions, for which he was at all other times conspicuous, he appears on this occasion, before one of the most august assemblies in Europe, boasting of his own power and exploits with insolence; inveighing against his enemy with indecency; and challenging him to combat with an ostentatious valour, more becoming a champion in romance than the first monarch in Christendom. But the well-known and powerful operation of continued prosperity, as well as of exaggerated praise, even upon the firmest minds, sufficiently accounts for this seeming inconsistency. After having compelled Solyman to retreat, and having stripped Barbarossa of a kingdom, Charles began to consider his arms as invincible. He had been entertained, ever since his return from Africa, with repeated scenes of triumph and public rejoic-

The motives of this rash measure.

h Bellay, 199. Sandov. Hist. del Emper. ii. 226.

ings; the orators and poets of Italy, the most elegant at that time in Europe, had exhausted their genius in panegyric on his conduct and merit, to which the astrologers added magnificent promises of a more splendid fortune still in store. Intoxicated with all these, he forgot his usual reserve and moderation, and was unable to restrain this extravagant sally of vanity, which became the more remarkable by being both so uncommon and so public.

He himself seems to have been immediately sensible of the impropriety of his behaviour; and when the French ambassadors demanded next day a more clear explanation of what he had said concerning the combat, he told them that they were not to consider his proposal as a formal challenge to their master, but as an expedient for preventing bloodshed; he endeavoured to soften several expressions in his discourse; and spoke in terms full of respect towards Francis. But though this slight apology was far from being sufficient to remove the offence which had been given, Francis, by an unaccountable infatuation, continued to negociate, as if it had still been possible to bring their differences to a period by an amicable composition. Charles, finding him so eager to run into the snare, favoured the deception, and by seeming to listen to his proposals, gained further time to prepare for the execution of his own designs.[i]

Charles invades France.

At last the imperial army assembled on the frontiers of the Milanese, to the amount of forty thousand foot and ten thousand horse, while that of France encamped near Vercelli in Piedmont, being greatly inferior in number, and weakened by the departure of a body of Swiss whom Charles artfully persuaded the popish cantons to recall, that they might not serve against the duke of Savoy, their ancient ally. The French general, not daring to risk a battle, retired as soon as the imperialists advanced.

May 6.

The emperor put himself at the head of his forces, which the marquis del Guasto, the duke of Alva, and Ferdinand de Gonzago, commanded under him, though the supreme direction of the whole was committed to Antonio de Leyva, whose abilities and experience justly entitled him to that distinction. Charles soon discovered his intention not to confine his operations to the recovery of Piedmont and Savoy, but to push forward and invade the southern provinces of France. This scheme he had long meditated, and had long been taking measures for executing it with such vigour as might ensure success. He had remitted large sums to his sister, the governess of the Low Countries, and to his brother, the king of the Romans, instructing them to levy all the forces in their power, in order to form two separate bodies, the one to enter France on the side of Picardy, the other on the side of Champagne; while he, with the main army, fell upon the opposite frontier of the kingdom. Trusting to these vast preparations, he thought it impossible that Francis could resist so many unexpected attacks on such different quarters; and began his enterprise with such confidence of its happy issue, that he desired Jovius the historian to make a large provision of paper sufficient to record the victories which he was going to obtain.

His ministers and generals, instead of entertaining the same sanguine hopes, represented to him in the strongest terms the danger of leading his troops so far from his own territories, to such a distance from his magazines, and into provinces which did not yield sufficient subsistence for their own inhabitants. They entreated him to consider the inexhaustible resources of France in maintaining a defensive war, and the active zeal with which a gallant nobility would serve a prince whom they loved, in repelling the enemies of their country; they recalled to his remembrance the fatal miscarriage of Bourbon and Pescara, when they ventured upon the same enterprise under circumstances which seemed as certain to promise success; the marquis del Guasto, in particular, fell on his knees and conjured him to abandon the undertaking as desperate. But many circumstances combined in leading Charles to disregard all their remonstrances. He could seldom be brought, on any occasion, to depart from a resolution which he had once taken; he was too apt to underrate and despise the talents of his rival the king of France, because they differed so widely from his own; he was blinded by the presumption which accompanies prosperity, and relied, perhaps, in some degree on the prophecies which predicted the increase of his own grandeur. He not only adhered obstinately to his own plan, but determined to advance towards France without waiting for the reduction of any part of Piedmont, except such towns as were absolutely necessary for preserving his communication with the Milanese.

Recovers part of the duke of Savoy's dominions.

The marquis de Saluces, to whom Francis had intrusted the command of a small body of troops left for the defence of Piedmont, rendered this more easy than Charles had any reason to expect. That nobleman, educated in the court of France, distinguished by continual marks of the king's favour, and honoured so lately with a charge of such importance, suddenly, and without any provocation or pretext of disgust, revolted from his benefactor. His motives to this treacherous action were as childish as the deed itself was base. Being strongly possessed with a superstitious faith in divination and astrology, he believed with full assurance that the fatal period of the French nation was at hand; that on its ruins the emperor would establish an universal monarchy; that therefore he ought to follow the dictates of prudence in attaching himself to his rising fortune, and could incur no blame for deserting a prince whom Heaven had devoted to destruction.[k] His treason became still more odious, by his employing that very authority with which Francis had invested

i Mem. de Bellay, 205, &c.

k Bellay, 222, a; 246, b.

him, in order to open the kingdom to his enemies. Whatever measures were proposed or undertaken by the officers under his command for the defence of their conquests, he rejected or defeated. Whatever properly belonged to himself, as commander-in-chief, to provide or perform for that purpose, he totally neglected. In this manner he rendered towns even of the greatest consequence untenable, by leaving them destitute either of provisions, or ammunition, or artillery, or a sufficient garrison; and the imperialists must have reduced Piedmont in as short a time as was necessary to march through it, if Montpezat, the governor of Fossano, had not, by an extraordinary effort of courage and military conduct, detained them almost a month before that inconsiderable place.

Francis's plan for the defence of his kingdom.

By this meritorious and seasonable service he gained his master sufficient time for assembling his forces, and for concerting a system of defence against a danger which he now saw to be inevitable. Francis fixed upon the only proper and effectual plan for defeating the invasion of a powerful enemy; and his prudence in choosing this plan, as well as his perseverance in executing it, deserves the greater praise, as it was equally contrary to his own natural temper and to the genius of the French nation. He determined to remain altogether upon the defensive; never to hazard a battle, or even a great skirmish, without certainty of success; to fortify his camps in a regular manner; to throw garrisons only into towns of great strength; to deprive the enemy of subsistence by laying waste the country before them; and to save the whole kingdom by sacrificing one of its provinces. The execution of this plan he committed entirely to the Mareschal Montmorency, who was the author of it; a man wonderfully fitted by nature for such a trust. Haughty, severe, confident in his own abilities, and despising those of other men; incapable of being diverted from any resolution by remonstrances or entreatics; and in prosecuting any scheme, regardless alike of love or of pity.

Intrusts Montmorency with the execution of it.

He encamps at Avignon.

Montmorency made choice of a strong camp under the walls of Avignon, at the confluence of the Rhone and the Durance, one of which plentifully supplied his troops with all necessaries from the inland provinces, and the other covered his camp on that side where it was most probable the enemy would approach. He laboured with unwearied industry to render the fortifications of this camp impregnable, and assembled there a considerable army, though greatly inferior to that of the enemy; while the king with another body of troops encamped at Valence, higher up the Rhone. Marseilles and Arles were the only towns he thought it necessary to defend; the former in order to retain the command of the sea; the latter, as the barrier of the province of Languedoc; and each of these he furnished with numerous garrisons of his best troops, commanded by officers on whose fidelity and valour he could rely. The inhabitants of the other towns, as well as of the open country, were compelled to abandon their houses, and were conducted to the mountains, to the camp at Avignon, or to the inland provinces. The fortifications of such places as might have afforded shelter or defence to the enemy were thrown down. Corn, forage, and provisions of every kind, were carried away or destroyed; all the mills and ovens were ruined, and the wells filled up or rendered useless. The devastation extended from the Alps to Marseilles, and from the sea to the confines of Dauphiné; nor does history afford any instance among civilized nations in which this cruel expedient for the public safety was employed with the same rigour.

Charles enters Provence.

At length the emperor arrived with the van of his army on the frontiers of Provence, and was still so possessed with confidence of success, that during a few days when he was obliged to halt until the rest of his troops came up, he began to divide his future conquests among his officers; and as a new incitement to serve him with zeal, gave them liberal promises of offices, lands, and honours in France.[l] The face of desolation, however, which presented itself to him when he entered the country, began to damp his hopes; and convinced him that a monarch who, in order to distress an enemy, had voluntarily ruined one of his richest provinces, would defend the rest with desperate obstinacy. Nor was it long before he became sensible that Francis's plan of defence was as prudent as it appeared to be extraordinary. His fleet, on which Charles chiefly depended for subsistence, was prevented for some time, by contrary winds and other accidents to which naval operations are subject, from approaching the French coast; even after its arrival, it afforded at best a precarious and scanty supply to such a numerous body of troops;[m] nothing was to be found in the country itself for their support; nor could they draw any considerable aid from the dominions of the duke of Savoy, exhausted already by maintaining two great armies. The emperor was no less embarrassed how to employ than how to subsist his forces; for though he was now in possession of almost an entire province, he could not be said to have the command of it while he held only defenceless towns, and while the French, besides their camp at Avignon, continued masters of Marseilles and Arles. At first he thought of attacking the camp, and of terminating the war by one decisive blow; but skilful officers who were appointed to view it, declared the attempt to be utterly impracticable. He then gave orders to invest Marseilles and Arles, hoping that the French would quit their advantageous post in order to relieve them; but Montmorency, adhering firmly to his plan, remained immovable at Avignon, and the imperialists met with such a warm reception from the garrisons of both towns, that they re-

Besieges Marseilles.

l Bellay, 266, a.

m Sandov. ii. 231.

linquished their enterprises with loss and disgrace. As a last effort the emperor advanced once more towards Avignon, though with an army harassed by the perpetual incursions of small parties of the French light troops, weakened by diseases and dispirited by disasters, which seemed the more intolerable because they were unexpected.

Montmorency's fortitude in adhering to his plan of defence.

During these operations Montmorency found himself exposed to greater danger from his own troops than from the enemy; and their inconsiderate valour went near to have precipitated the kingdom into those calamities which he with such industry and caution had endeavoured to avoid. Unaccustomed to behold an enemy ravaging their country almost without control; impatient of such long inaction; unacquainted with the slow and remote but certain effects of Montmorency's system of defence, the French wished for battle with no less ardour than the imperialists. They considered the conduct of their general as a disgrace to their country. His caution they imputed to timidity; his circumspection to want of spirit; and the constancy with which he pursued his plan, to obstinacy or pride. These reflections, whispered at first among the soldiers and subalterns, were adopted, by degrees, by officers of higher rank; and as many of them envied Montmorency's favour with the king, and more were dissatisfied with his harsh disgusting manner, the discontent soon became great in his camp, which was filled with general murmurings and almost open complaints against his measures. Montmorency, on whom the sentiments of his own troops made as little impression as the insults of the enemy, adhered steadily to his system; though, in order to reconcile the army to his maxims, no less contrary to the genius of the nation than to the ideas of war among undisciplined troops, he assumed an unusual affability in his deportment, and often explained, with great condescension, the motives of his conduct, the advantages which had already resulted from it, and the certain success with which it would be attended. At last Francis joined his army at Avignon, which having received several reinforcements, he now considered as of strength sufficient to face the enemy. As he had put no small constraint upon himself in consenting that his troops should remain so long upon the defensive, it can hardly be doubted but that his fondness for what was daring and splendid, added to the impatience both of officers and soldiers, would at last have overruled Montmorency's salutary caution.[n]

The retreat and wretched condition of the imperial army.

Happily the retreat of the enemy delivered the kingdom from the danger which any rash resolution might have occasioned. The emperor, after spending two inglorious months in Provence, without having performed any thing suitable to his vast preparations, or that could justify the confidence with which he had boasted of his own power, found that, besides Antonio de Leyva and other officers of distinction, he had lost one-half of his troops by diseases or by famine, and that the rest were in no condition to struggle any longer with calamities by which so many of their companions had perished. Necessity, therefore, extorted from him orders to retire; and though he was some time in motion before the French suspected his intention, a body of light troops, assisted by crowds of peasants, eager to be revenged on those who had brought such desolation on their country, hung upon the rear of the imperialists, and by seizing every favourable opportunity of attacking them, threw them often into confusion. The road by which they fled, for they pursued their march with such disorder and precipitation that it scarcely deserves the name of a retreat, was strewed with arms or baggage, which in their hurry and trepidation they had abandoned, and covered with the sick, the wounded, and the dead; insomuch that Martin Bellay, an eye-witness of their calamities, endeavours to give them some idea of them, by comparing their miseries to those which the Jews suffered from the victorious and destructive arms of the Romans.[o] If Montmorency, at this critical moment, had advanced with all his forces, nothing could have saved the whole imperial army from utter ruin. But that general, by standing so long and so obstinately on the defensive, had become cautious to excess; his mind, tenacious of any bent it had once taken, could not assume a contrary one as suddenly as the change of circumstances required; and he still continued to repeat his favourite maxims, that it was more prudent to allow the lion to escape than to drive him to despair, and that a bridge of gold should be made for a retreating enemy.

The emperor having conducted the shattered remains of his troops to the frontiers of Milan, and appointed the marquis del Guasto to succeed Leyva in the government of that duchy, set out for Genoa. As he could not bear to expose himself to the scorn of the Italians after such a sad reverse of fortune, and did not choose under his present circumstances to revisit those cities through which he had so lately passed in triumph for one conquest and in certain expectation of another, he embarked directly for Spain.[p] November.

Operations in Picardy.

Nor was the progress of his arms on the opposite frontier of France such as to alleviate in any degree the losses which he had sustained in Provence. Bellay, by his address and intrigues, had prevailed on so many of the German princes to withdraw the contingent of troops which they had furnished to the king of the Romans, that he was obliged to lay aside all thoughts of his intended irruption into Champagne. Though a powerful army levied in the Low Countries entered Picardy, which they found but feebly guarded while

n Mem. de Bellay, 269, &c. 312, &c.
o Mem. de Bellay, 316. Sandov. Hist. del. Emper. ii. 232.

p Jovii Histor. lib. xxxv. p. 174, &c.

the strength of the kingdom was drawn towards the south, yet the nobility, taking arms with their usual alacrity, supplied by their spirit the defects of the king's preparations, and defended Peronne, and other towns which were attacked, with such vigour as obliged the enemy to retire without making any conquest of importance.[q]

Thus Francis, by the prudence of his own measures, and by the union and valour of his subjects, rendered abortive those vast efforts in which his rival had almost exhausted his whole force. As this humbled the emperor's arrogance no less than it checked his power, he was mortified more sensibly on this occasion than on any other during the course of the long contests between him and the French monarch.

Death of the dauphin.

One circumstance alone imbittered the joy with which the success of the campaign inspired Francis. That was the death of the dauphin, his eldest son, a prince of great hopes, and extremely beloved by the people on account of his resemblance to his father. This happening suddenly, was imputed to poison, not only by the vulgar, fond of ascribing the death of illustrious personages to extraordinary causes, but by the king and his ministers. The count de Montecuculi, an Italian nobleman, cupbearer to the dauphin, being seized on suspicion and put to the torture, openly charged the imperial generals Gonzaga and Leyva with having instigated him to the commission of that crime: he even threw out some indirect and obscure accusations against the emperor himself. At a time when all France was exasperated to the utmost against Charles, this uncertain and extorted charge was considered as an incontestable proof of guilt; while the confidence with which both he and his officers asserted their own innocence, together with the indignation as well as horror which they expressed on their being supposed capable of such a detestable action, were little attended to, and less regarded.[r] It is evident, however, that the emperor could have no inducement to perpetrate such a crime, as Francis was still in the vigour of life himself, and had two sons beside the dauphin grown up almost to the age of manhood. That single consideration, without mentioning the emperor's general character, unblemished by the imputation of any deed resembling this in atrocity, is more than sufficient to counterbalance the weight of a dubious testimony uttered during the anguish of torture.[s] According to the most unprejudiced historians, the dauphin's death was occasioned by his having drank too freely of cold water after overheating himself at tennis; and this account, as it is the most simple, is likewise the most credible. But if his days were cut short by poison, it is not improbable that the emperor conjectured rightly when he affirmed that it had been administered by the direction of Catharine of Medici, in order to secure the crown to the duke of Orleans her husband.[t] The advantages resulting to her by the dauphin's death were obvious as well as great; nor did her boundless and daring ambition ever recoil from any action necessary towards attaining the objects which she had in view.

Imputed to poison.

1537. Decree of the parliament of Paris against the emperor.

Next year opened with a transaction very uncommon, but so incapable of producing any effect, that it would not deserve to be mentioned, if it were not a striking proof of the personal animosity which mingled itself in all the hostilities between Charles and Francis, and which often betrayed them into such indecencies towards each other as lessened the dignity of both. Francis, accompanied by the peers and princes of the blood, having taken his seat in the parliament of Paris with the usual solemnities, the advocate-general appeared, and after accusing Charles of Austria (for so he affected to call the emperor) of having violated the treaty of Cambray, by which he was absolved from the homage due to the crown of France for the counties of Artois and Flanders, insisted that this treaty being now void, he was still to be considered as a vassal of the crown, and by consequence had been guilty of rebellion in taking arms against his sovereign; and therefore he demanded that Charles should be summoned to appear in person, or by his counsel, before the parliament of Paris, his legal judges, to answer for this crime. The request was granted; a herald repaired to the frontiers of Picardy, and summoned him with the accustomed formalities to appear against a day prefixed. That term being expired and no person appearing in his name, the parliament gave judgment, "That Charles of Austria had forfeited by rebellion and contumacy those fiefs; declared Flanders and Artois to be reunited to the crown of France;" and ordered their decree for this purpose to be published by sound of trumpet on the frontiers of these provinces.[u]

Campaign opens in the Low Countries. March.

Soon after this vain display of his resentment rather than of his power, Francis marched towards the Low Countries, as if he had intended to execute the sentence which his parliament had pronounced, and to seize those territories which it had awarded to him. As the queen of Hungary, to whom her brother the emperor had committed the government of that part of his dominions, was not prepared for so early a campaign, he at first made some progress, and took several towns of importance. But being obliged soon to leave his army in order to superintend the other operations of war, the Flemings having assembled a numerous army, not only recovered most of the places which they had lost, but began to make conquests in their turn. At last they invested Terouenne; and the duke of Orleans, now dauphin by the death of his brother, and Montmorency, whom Francis had honoured with the constable's

q Mem. de Bellay, 318, &c.
r Ibid. 289.
s Sandov. Hist. del Emper. ii. 231.

t Vera y Zuniga Vida de Carlo V. p. 75.
u Lettres et Memoires d'Etat, par Ribier, 2 tom. Blois, 1666. tom. i. p. 1.

sword, as the reward of his great services during the former campaign, determined to hazard a battle in order to relieve it. While they were advancing for this purpose, and within a few miles of the enemy, they were stopped short by the arrival of a herald from the queen of Hungary, acquainting him that a suspension of arms was now agreed upon.

A suspension of arms there;

This unexpected event was owing to the zealous endeavours of the two sisters, the queens of France and of Hungary, who had long laboured to reconcile the contending monarchs. The war in the Netherlands had laid waste the frontier provinces of both countries, without any real advantage to either. The French and Flemings equally regretted the interruption of their commerce, which was beneficial to both. Charles as well as Francis, who had each strained to the utmost in order to support the vast operations of the former campaign, found that they could not now keep armies on foot in this quarter without weakening their operations in Piedmont, where both wished to push the war with the greatest vigour.

July 30. All these circumstances facilitated the negociations of the two queens; a truce was concluded, to continue in force for ten months, but it extended no further than the Low Countries.[x]

and in Piedmont. In Piedmont the war was still prosecuted with great animosity; and though neither Charles nor Francis could make the powerful efforts to which this animosity prompted them, they continued to exert themselves like combatants whose rancour remains after their strength is exhausted. Towns were alternately lost and retaken; skirmishes were fought every day; and much blood was shed, without any action that gave a decided superiority to either side. At last the two queens, determining not to leave unfinished the good work which they had begun, prevailed by their importunate solicitations, the one on her brother, the other on her husband, to consent also to a truce in Piedmont for three months. The conditions of it were, That each should keep possession of what was in his hands, and after leaving garrisons in the towns, should withdraw his army out of the province; and that plenipotentiaries should be appointed to adjust all matters in dispute by a final treaty[y].

Motives of it; The powerful motives which inclined both princes to this accommodation have been often mentioned. The expenses of the war had far exceeded the sums which their revenues were capable of supplying, nor durst they venture upon any great addition to the impositions then established, as subjects had not yet learned to bear with patience the immense burdens to which they have become accustomed in modern times. The emperor in particular, though he had contracted debts which in that age appeared prodigious,[z] had it not in his power to pay the large arrears long due to his army. At the same time he had no prospect of deriving any aid, in money or men, either from the pope or Venetians, though he had employed promises and threats alternately in order to procure it. But he found the former not only fixed in his resolution of adhering steadily to the neutrality which he had always declared to be suitable to his character, but passionately desirous of bringing about a peace. He perceived that the latter were still intent on their ancient object of holding the balance even between the rivals, and solicitous not to throw too great a weight into their scale.

of which Francis's alliance with the Turkish emperor the most considerable.

What made a deeper impression on Charles than on all these, was the dread of the Turkish arms, which, by his league with Solyman, Francis had drawn upon him. Though Francis, without the assistance of a single ally, had a war to maintain against an enemy greatly superior in power to himself, yet so great was the horror of christians in that age at any union with infidels, which they considered not only as dishonourable but profane, that it was long before he could be brought to avail himself of the obvious advantages resulting from such a confederacy. Necessity at last surmounted his delicacy and scruples. Towards the close of the preceding year, La Forest, a secret agent at the Ottoman Porte, had concluded a treaty with the sultan, whereby Solyman engaged to invade the kingdom of Naples during the next campaign, and to attack the king of the Romans in Hungary with a powerful army, while Francis undertook to enter the Milanese at the same time with a proper force. Solyman had punctually performed what was incumbent on him. Barbarossa with a great fleet appeared on the coast of Naples; filled that kingdom, from which all the troops had been drawn towards Piedmont, with consternation; landed without resistance near Taranto; obliged Castro, a place of some strength, to surrender; plundered the adjacent country; and was taking measures for securing and extending his conquests; when the unexpected arrival of Doria, together with the pope's galleys and a squadron of the Venetian fleet, made it prudent for him to retire. In Hungary the progress of the Turks was more formidable. Mahmet their general, after gaining several small advantages, defeated the Germans in a great battle at Essek on the Drave.[a] Happily for Christendom it was not in Francis's power to execute with equal exactness what he had stipulated; nor could he assemble at this juncture an army strong enough to penetrate into the Milanese. By this he failed in recovering possession of that duchy; and Italy was not only saved from the calamities of a new war, but from feeling the desolating rage of the Turkish arms as an addition to all that it had suffered.[b] As the emperor knew that he could not long resist the efforts of two such powerful confederates, nor could expect that the same fortunate accidents would con-

x Memoires de Ribier, 56.
y Ibid. 62.
z Ribier, i. 294.
a Istuanheffi Hist. Hung. lib. xiii. p. 139.
b Jovii Hist. lib. xxxv. p. 183.

cur a second time to deliver Naples and to preserve the Milanese; as he foresaw that the Italian states would not only tax him loudly with insatiable ambition, but might even turn their arms against him, if he should be so regardless of their danger as obstinately to protract the war, he thought it necessary, both for his safety and reputation, to give his consent to a truce. Nor was Francis willing to sustain all the blame of obstructing the re-establishment of tranquillity, or to expose himself on that account to the danger of being deserted by the Swiss and other foreigners in his service. He even began to apprehend that his own subjects would serve him coldly, if, by contributing to aggrandize the power of the infidels, which it was his duty and had been the ambition of his ancestors to depress, he continued to act in direct opposition to all the principles which ought to influence a monarch distinguished by the title of most christian king. He chose, for all these reasons, rather to run the risk of disobliging his new ally the sultan, than, by an unseasonable adherence to the treaty with him, to forfeit what was of greater consequence.

Negociations of a peace between Charles and Francis.

But though both parties consented to a truce, the plenipotentiaries found insuperable difficulties in settling the articles of a definitive treaty. Each of the monarchs, with the arrogance of a conqueror, aimed at giving law to the other; and neither would so far acknowledge his inferiority as to sacrifice any point of honour, or to relinquish any matter of right; so that the plenipotentiaries spent the time in long and fruitless negociations, and separated after agreeing to prolong the truce for a few months.

1538.
The pope conducts these in person.

The pope, however, did not despair of accomplishing a point in which the plenipotentiaries had failed, and took upon himself the sole burden of negociating a peace. To form a confederacy capable of defending Christendom from the formidable inroads of the Turkish arms, and to concert effectual measures for the extirpation of the Lutheran heresy, were two great objects which Paul had much at heart, and he considered the union of the emperor with the king of France as an essential preliminary to both. To be the instrument of reconciling these contending monarchs, whom his predecessors, by their interested and indecent intrigues, had so often embroiled, was a circumstance which could not fail of throwing distinguished lustre on his character and administration. Nor was he without hopes that, while he pursued this laudable end, he might secure advantages to his own family, the aggrandizing of which he did not neglect, though he aimed at it with a less audacious ambition than was common among the popes of that century. Influenced by these considerations, he proposed an interview between the two monarchs at Nice, and offered to repair thither in person, that he might act as mediator in composing all their differences. When a pontiff of a venerable character, and of a very advanced age, was willing, from his zeal for peace, to undergo the fatigues of so long a journey, neither Charles nor Francis could with decency decline the interview. But though both came to the place of rendezvous, so great was the difficulty of adjusting the ceremonial, or such the remains of distrust and rancour on each side, that they refused to see one another, and every thing was transacted by the intervention of the pope, who visited them alternately. With all his zeal and ingenuity he could not find out a method of removing the obstacles which prevented a final accommodation, particularly those arising from the possession of the Milanese; nor was all the weight of his authority sufficient to overcome the obstinate perseverance of either monarch in asserting his own claims. At last, that he might not seem to have laboured altogether without effect, he prevailed on them to sign a truce for ten years, upon the same condition with the former, that each should retain what was now in his possession, and in the mean time should send ambassadors to Rome, to discuss their pretensions at leisure.[c]

A truce for ten years concluded at Nice, June 18.

Thus ended a war of no long continuance, but very extensive in its operations, and in which both parties exerted their utmost strength. Though Francis failed in the object that he had principally in view—the recovery of the Milanese, he acquired, nevertheless, great reputation by the wisdom of his measures, as well as the success of his arms, in repelling a formidable invasion; and by keeping possession of one-half of the duke of Savoy's dominions, he added no inconsiderable accession of strength to his kingdom. Whereas Charles, repulsed and baffled, after having boasted so arrogantly of victory, purchased an inglorious truce by sacrificing an ally who had rashly confided too much in his friendship and power. The unfortunate duke murmured, complained, and remonstrated against a treaty so much to his disadvantage, but in vain; he had no means of redress, and was obliged to submit. Of all his dominions, Nice, with its dependences, was the only corner of which he himself kept possession. He saw the rest divided between a powerful invader and the ally to whose protection he had trusted, while he remained a sad monument of the imprudence of weak princes, who, by taking part in the quarrel of mighty neighbours between whom they happen to be situated, are crushed and overwhelmed in the shock.

Interview between Charles and Francis at Aigues-mortes.

A few days after signing the treaty of truce, the emperor set sail for Barcelona, but was driven by contrary winds to the island St. Margaret, on the coast of Provence. When Francis, who happened to be not far distant, heard of this, he considered it as an office of civility to invite him to take shelter in his dominions, and proposed a personal interview with him at Aigues-mortes. The emperor, who would

c Recueil des Traitez, ii. 210. Relatione del Nicolo Tiepolo de l'Abocamento di Nizza, chez Du Mont Corps Diplomat. par. ii. p. 174.

not be outdone by his rival in complaisance, instantly repaired thither. As soon as he cast anchor in the road, Francis, without waiting to settle any point of ceremony, but relying implicitly on the emperor's honour for his security, visited him on board his galley, and was received and entertained with the warmest demonstrations of esteem and affection. Next day the emperor repaid the confidence which the king had placed in him. He landed at Aigues-mortes with as little precaution, and met with a reception equally cordial. He remained on shore during the night, and in both visits the two monarchs vied with each other in expressions of respect and friendship.[d] After twenty years of open hostilities or of secret enmity; after so many injuries reciprocally inflicted or endured; after having formally given the lie and challenged one another to single combat; after the emperor had inveighed so publicly against Francis as a prince void of honour or integrity; and after Francis had accused him of being accessary to the murder of his eldest son, such an interview appears altogether singular, and even unnatural. But the history of these monarchs abounds with such surprising transitions. From implacable hatred they appeared to pass in a moment to the most cordial reconcilement; from suspicion and distrust to perfect confidence; and from practising all the dark arts of a deceitful policy, they could assume, of a sudden, the liberal and open manners of two gallant gentlemen.

The pope, besides the glory of having restored peace to Europe, gained, according to his expectation, a point of great consequence to his family, by prevailing on the emperor to betroth Margaret of Austria, his natural daughter, formerly the wife of Alexander di Medici, to his grandson Octavio Farnese, and in consideration of this marriage, to bestow several honours and territories upon his future son-in-law. A very tragical event, which happened about the beginning of the year one thousand five hundred and thirty-seven, had deprived Margaret of her first husband. That young prince, whom the emperor's partiality had raised to the supreme power in Florence upon the ruins of the public liberty, neglected entirely the cares of government, and abandoned himself to the most dissolute debauchery. Lorenzo di Medici, his nearest kinsman, was not only the companion but director of his pleasures, and employing all the powers of a cultivated and inventive genius in this dishonourable ministry, added such elegance as well as variety to vice as gained him an absolute ascendant over the mind of Alexander. But while Lorenzo seemed to be sunk in luxury, and affected such an appearance of indolence and effeminacy that he would not wear a sword, and trembled at the sight of blood, he concealed under that disguise a dark, designing, audacious spirit. Prompted either by the love of liberty, or allured by the hope of attaining the supreme power, he determined to assassinate Alexander his benefactor and friend. Though he long revolved this design in his mind, his reserved and suspicious temper prevented him from communicating it to any person whatever; and continuing to live with Alexander in their usual familiarity, he one night, under pretence of having secured him an assignation with a lady of high rank whom he had often solicited, drew that unwary prince into a secret apartment of his house, and there stabbed him while he lay carelessly on a couch expecting the arrival of the lady whose company he had been promised. But no sooner was the deed done, than standing astonished and struck with horror at its atrocity, he forgot in a moment all the motives which had induced him to commit it. Instead of rousing the people to recover their liberty by publishing the death of the tyrant, instead of taking any step towards opening his own way to the dignity now vacant, he locked the door of the apartment, and, like a man bereaved of reason and presence of mind, fled with the utmost precipitation out of the Florentine territories. It was late next morning before the fate of the unfortunate prince was known, as his attendants, accustomed to his irregularities, never entered his apartment early. Immediately the chief persons in the state assembled. Being induced partly by the zeal of cardinal Cibo for the house of Medici, to which he was nearly related, partly by the authority of Francis Guiceiardini, who recalled to their memory and represented in striking colours the caprice as well as turbulence of their ancient popular government, they agreed to place Cosmo di Medici, a youth of eighteen, the only male heir of that illustrious house, at the head of the government; though at the same time such was their love of liberty, that they established several regulations in order to circumscribe and moderate his power.

The assassination of Alexander di Medici.

Cosmo di Medici placed at the head of the Florentine state.

Meanwhile Lorenzo having reached a place of safety, made known what he had done to Philip Strozzi and the other Florentines who had been driven into exile, or who had voluntarily retired when the republican form of government was abolished in order to make way for the dominion of the Medici. By them the deed was extolled with extravagant praises, and the virtue of Lorenzo was compared with that of the elder Brutus, who disregarded the ties of blood, or with that of the younger, who forgot the friendship and favours of the tyrant, that they might preserve or recover the liberty of their country.[e] Nor did they rest satisfied with empty panegyrics; they immediately quitted their different places of retreat, assembled forces, animated their vassals and partisans to take arms, and to seize this opportunity of re-establishing the public liberty on its ancient foundation. Being openly assisted by the French

His government opposed by the Florentine exiles.

d Sandov. Hist. vol. ii. 238. Relation de l'Entrevue de Charl. V. et Fran. I. par M. de la Rivoire. Hist. de Langued. par D. D. De Vic et Vaisette, tom. v. Preuves, p. 93.

e Lettre di Principi, tom. iii. p. 52.

ambassador at Rome, and secretly encouraged by the pope, who bore no good will to the house of Medici, they entered the Florentine dominions with a considerable body of men. But the persons who elected Cosmo possessed not only the means of supporting his government, but abilities to employ them in the most proper manner. They levied with the greatest expedition a good number of troops; they endeavoured by every art to gain the citizens of greatest authority, and to render the administration of the young prince agreeable to the people. Above all, they courted the emperor's protection, as the only firm foundation of Cosmo's dignity and power. Charles, knowing the propensity of the Florentines to the friendship of France, and how much all the partisans of a republican government detested him as the oppressor of their liberties, saw it to be greatly for his interest to prevent the re-establishment of the ancient constitution in Florence. For this reason he not only acknowledged Cosmo as head of the Florentine state, and conferred on him all the titles of honour with which Alexander had been dignified, but engaged to defend him to the utmost; and as a pledge of this ordered the commanders of such of his troops as were stationed on the frontiers of Tuscany, to support him against all aggressors. By their aid Cosmo obtained an easy victory over the exiles, whose troops he surprised in the night-time, and took most of the chiefs prisoners; an event which broke all their measures, and fully established his own authority. But though he was extremely desirous of the additional honour of marrying the emperor's daughter, the widow of his predecessor, Charles, secure already of his attachment, chose rather to gratify the pope by bestowing her on his nephew.[f]

The friendship between Francis and Henry VIII. begins to abate.

During the war between the emperor and Francis, an event had happened which abated in some degree the warmth and cordiality of friendship which had long subsisted between the latter and the king of England. James the fifth of Scotland, an enterprising young prince, having heard of the emperor's intention to invade Provence, was so fond of showing that he did not yield to any of his ancestors in the sincerity of his attachment to the French crown, and so eager to distinguish himself by some military exploit, that he levied a body of troops with an intention of leading them in person to the assistance of the king of France. Though some unfortunate accident prevented his carrying any troops into France, nothing could divert him from going thither in person. Immediately upon his landing he hastened to Provence, but had been detained so long in his voyage, that he came too late to have any share in the military operations, and met the king on his return after the retreat of the imperialists. But Francis was so greatly pleased with his zeal, and no less with his manners and conversation, that he could not refuse him his daughter Magdalen, whom he demanded in marriage. It mortified Henry extremely to see a prince of whom he was immoderately jealous, form an alliance from which he derived such an accession of reputation as well as security.[g] He could not, however, with decency oppose Francis's bestowing his daughter upon a monarch descended from a race of princes the most ancient and faithful allies of the French crown. But when James, upon the sudden death of Magdalen, demanded as his second wife Mary of Guise, he warmly solicited Francis to deny his suit, and, in order to disappoint him, asked that lady in marriage for himself. When Francis preferred the Scottish king's sincere courtship to his artful and malevolent proposal, he discovered much dissatisfaction. The pacification agreed upon at Nice, and the familiar interview of the two rivals at Aigues-mortes, filled Henry's mind with new suspicions, as if Francis had altogether renounced his friendship for the sake of new connexions with the emperor. Charles, thoroughly acquainted with the temper of the English king, and watchful to observe all the shiftings and caprices of his passions, thought this a favourable opportunity of renewing his negociations with him, which had been long broken off. By the death of queen Catharine, whose interest the emperor could not with decency have abandoned, the chief cause of their discord was removed; so that without touching upon the delicate question of her divorce, he might now take what measures he thought most effectual for regaining Henry's good will. For this purpose he began with proposing several marriage-treaties to the king. He offered his niece, a daughter of the king of Denmark, to Henry himself; he demanded the princess Mary for one of the princes of Portugal, and was even willing to receive her as the king's illegitimate daughter.[h] Though none of these projected alliances ever took place, or perhaps were ever seriously intended, they occasioned such frequent intercourse between the courts, and so many reciprocal professions of civility and esteem, as considerably abated the edge of Henry's rancour against the emperor, and paved the way for that union between them which afterwards proved so disadvantageous to the French king.

Jan. 1. 1537.

The emperor courts Henry.

The ambitious schemes in which the emperor had been engaged, and the wars he had been carrying on for some years, proved, as usual, extremely favourable to the progress of the Reformation in Germany. While Charles was absent upon his African expedition, or intent on his projects against France, his chief object in Germany was to prevent the dissensions about religion from disturbing the public tranquillity, by granting such indulgence to the protestant princes as might induce them to concur with his measures, or at least hinder them from taking part with his rival. For

Progress of the Reformation.

f Jovii Hist. c. xcviii. p. 218, &c. Belcarii Comment. l. xxii. p. 696 Istoria de sui Tempi di Giov. Bat. Adriani. Ven. 1587, p. 10.

g History of Scotland, p. 22.
h Mem. de Ribier, tom. i. 496.

this reason he was careful to seeure to the protestants the possession of all the advantages which they had gained by the articles of pacification at Nuremberg, in the year one thousand five hundred and thirty-two;[i] and exeept some slight trouble from the proceedings of the imperial ehamber, they met with nothing to disturb them in the exercise of their religion, or to interrupt the successful zeal with which they propagated their opinions. Meanwhile the pope continued his negociations for convoking a general council; and though the protestants had expressed great dissatisfaction with his intention to fix upon Mantua as the place of meeting, he adhered obstinately to his choice, and issued a bull on the second of June one thousand five hundred and thirty-six, appointing it to assemble in that city on the twenty-third of May the year following; he nominated three cardinals to preside in his name; enjoined all christian prinees to countenance it by their authority, and invited the prelates of every nation to attend in person. This summons of a eouncil, an assembly which from its nature and intention demanded quiet times as well as pacific dispositions, at the very juncture when the emperor was on his march towards France, and ready to involve a great part of Europe in the eonfusions of war, appeared to every person extremely unseasonable. It was intimated, however, to all the different courts by nuncios despatched on purpose.[k] With an intention to gratify the Germans, the emperor, during his residence in Rome, had warmly solicited the pope to call a council; but being at the same time willing to try every art in order to persuade Paul to depart from the neutrality which he preserved between him and Francis, he sent Heldo his vice-chancellor into Germany, along with a nuneio despatched thither, instructing him to seeond all the nuncio's representations, and to enforce them with the whole weight of the imperial authority. The protestants gave them audience at Smalkalde, where they had assembled in a body in order to receive them. But after weighing all their arguments, they unanimously refused to acknowledge a council summoned in the name and by the authority of the pope alone; in which he assumed the sole right of presiding; which was to be held in a eity not only far distant from Germany, but subject to a prince who was a stranger to them, and closely eonnected with the eourt of Rome; and to which their divines could not repair with safety especially after their doctrines had been stigmatized in the very bull of convoeation with the name of heresy. These and many other objections against the council, whieh appeared to them unanswerable, they enumerated in a large manifesto whieh they published in vindication of their eonduct.[l]

Negociations and intrigues with respect to a general council.

Feb. 25. 1537.

Against this the eourt of Rome exclaimed as a flagrant proof of their obstinacy and presumption, and the pope still persisted in his resolution to hold the council at the time and in the plaee appointed. But some unexpected difficulties being started by the duke of Mantua, both about the right of jurisdiction over the persons who resorted to the council, and the security of his capital amidst such a concourse of strangers, the pope, after fruitless endeavours to adjust these, first prorogued the counеil for some months, and afterwards transferring the place of meeting to Vicenza, in the Venetian territories, appointed it to assemble on the first of May in the following year. As neither the emperor nor the French king, who had not then come to any accommodation, would permit their subjects to repair thither, not a single prelate appeared on the day prefixed; and the pope, that his authority might not become altogether contemptible by so many ineffectual efforts to convoke that assembly, put off the meeting by an indefinite prorogation.[m]

October 8. 1538.

But that he might not seem to have turned his whole attention towards a reformation which he was not able to accomplish, while he neglected that which was in his power, he deputed a certain number of cardinals and bishops, with full authority to inquire into the abuses and corruptions of the Roman court, and to propose the most effectual method of removing them. This scrutiny, undertaken with reluctance, was carried on slowly and with remissness. All defects were touched with a gentle hand, afraid of probing too deep or of discovering too much. But even by this partial examination many irregularities were deteeted and many enormities exposed to light, while the remedies which they suggested as most proper were either inadequate or were never applied. The report and resolution of these deputies, though intended to be kept secret, were transmitted by some accident into Germany, and being immediately made publie, afforded ample matter for reflection and triumph to the protestants.[n] On the one hand they demonstrated the necessity of reformation in the head as well as the members of the chureh, and even pointed out many of the corruptions against which Luther and his followers had remonstrated with the greatest vehemence: they showed, on the other hand, that it was vain to expect this reformation from ecclesiastics themselves, who, as Luther strongly expressed it, piddled at curing warts, while they overlooked or eonfirmed ulcers.[o]

A partial reformation of abuses by the pope.

The earnestness with which the emperor seemed at first to press their aequieseing in the pope's scheme of holding a counеil in Italy, alarmed the protestant princes so much, that they thought it prudent to strengthen the confederacy by admitting several new members who solieited that privilege, partieularly the king of Denmark. Heldo, who during his residenee in Germany had observed all

1539. A league formed in opposition to that of Smalkalde,

i Du Mont Corps Diplom. tom. iv. part ii. p. 138.
k Pallavic. Hist. Conc. Trid. 113.
l Sleidan, l. xii. 123, &c. Seckend. Com. lib. iii. p. 143, &c.
m F. Paul, 117. Pallavic. 117.
n Sleidan, 233.
o Seck. l. iii. 164.

the advantages which they derived from that union, endeavoured to counterbalance its effects by an alliance among the catholic powers of the empire. This league, distinguished by the name of *Holy*, was merely defensive; and though concluded by Heldo in the emperor's name, was afterwards disowned by him, and subscribed by very few princes.[p]

alarms the protestants.

The protestants soon got intelligence of this association, notwithstanding all the endeavours of the contracting parties to conceal it; and their zeal, always apt to suspect and to dread, even to excess, every thing that seemed to threaten religion, instantly took the alarm, as if the emperor had been just ready to enter upon the execution of some formidable plan for the extirpation of their opinions. In order to disappoint this, they held frequent consultations, they courted the kings of France and England with great assiduity, and even began to think of raising the respective contingents, both in men and money, which they were obliged to furnish by the treaty of Smalkalde. But it was not long before they were convinced that these apprehensions were without foundation, and that the emperor, to whom repose was absolutely necessary after efforts so much beyond his strength in the war with France, had no thoughts of disturbing the tranquillity of Germany.

April 19.

As a proof of this, at an interview with the protestant princes in Francfort, his ambassadors agreed that all concessions in their favour, particularly those contained in the pacification of Nuremberg, should continue in force for fifteen months; that during this period all proceedings of the imperial chamber against them should be suspended; that a conference should be held by a few divines of each party, in order to discuss the points in controversy, and to propose articles of accommodation which should be laid before the next diet. Though the emperor, that he might not irritate the pope, who remonstrated against the first part of this agreement as impolitic, and against the latter as an impious encroachment upon his prerogative, never formally ratified this convention, it was observed with considerable exactness, and greatly strengthened the basis of that ecclesiastical liberty for which the protestants contended.[q]

April 24. Reformation established in every part of Saxony.

A few days after the convention at Francfort, George, duke of Saxony, died, and his death was an event of great advantage to the Reformation. That prince, the head of the Albertine or younger branch of the Saxon family, possessed, as marquis of Misnia and Thuringia, extensive territories, comprehending Dresden, Leipsic, and other cities now the most considerable in the electorate. From the first dawn of the Reformation he had been its enemy as avowedly as the electoral princes were its protectors, and had carried on his opposition, not only with all the zeal flowing from religious prejudices, but with a virulence inspired by personal antipathy to Luther, and imbittered by the domestic animosity subsisting between him and the other branch of his family. By his death without issue, his succession fell to his brother Henry, whose attachment to the protestant religion surpassed, if possible, that of his predecessor to popery. Henry no sooner took possession of his new dominions, than disregarding a clause in George's will, dictated by his bigotry, whereby he bequeathed all his territories to the emperor, and king of the Romans, if his brother should attempt to make any innovation in religion, he invited some protestant divines, and among them Luther himself, to Leipsic. By their advice and assistance he overturned in a few weeks the whole system of ancient rites, establishing the full exercise of the reformed religion, with the universal applause of his subjects, who had long wished for this change, which the authority of their duke alone had hitherto prevented.[r] This revolution delivered the protestants from the danger to which they were exposed by having an inveterate enemy situated in the middle of their territories; and they had now the satisfaction of seeing that the possessions of the princes and cities attached to their cause extended in one great and almost unbroken line from the shore of the Baltic to the banks of the Rhine.

A mutiny of the imperial troops.

Soon after the conclusion of the truce at Nice, an event happened which satisfied all Europe that Charles had prosecuted the war to the utmost extremity that the state of his affairs would permit. Vast arrears were due to his troops, whom he had long amused with vain hopes and promises. As they now foresaw what little attention would be paid to their demands when by the re-establishment of peace their services became of less importance, they lost all patience, broke out into an open mutiny, and declared that they thought themselves entitled to seize by violence what was detained from them contrary to all justice. Nor was this spirit of sedition confined to one part of the emperor's dominions; the mutiny was almost as general as the grievance which gave rise to it. The soldiers in the Milanese plundered the open country without control, and filled the capital itself with consternation. Those in garrison at Goletta threatened to give up that important fortress to Barbarossa. In Sicily the troops proceeded to still greater excesses: having driven away their officers, they elected others in their stead, defeated a body of men whom the viceroy sent against them, took and pillaged several cities, conducting themselves all the while in such a manner that their operations resembled rather the regular proceedings of a concerted rebellion than the rashness and violence of military mutiny. But by the address and prudence of the generals, who, partly by borrowing money in their own name or in that of their master, partly by extorting large sums from the cities in their respective provinces, raised what was sufficient to dis-

p Seck. l. iii. 171. Recuel de Traitez.

q F. Paul, 82. Sleid. 247. Seck. l. iii. 200.

r Sleidan, 249.

charge the arrears of the soldiers, these insurrections were quelled. The greater part of the troops were disbanded, such a number only being kept in pay as was necessary for garrisoning the principal towns, and protecting the sea-coasts from the insults of the Turks.[s]

Cortes of Castile held at Toledo.

It was happy for the emperor that the abilities of his generals extricated him out of these difficulties, which it exceeded his own power to have removed. He had depended as his chief resource for discharging the arrears due to his soldiers, upon the subsidies which he expected from his Castilian subjects. For this purpose he assembled the Cortes of Castile at Toledo, and having represented to them the extraordinary expense of his military operations, together with the great debts in which these had necessarily involved him, he proposed to levy such supplies as the present exigency of his affairs demanded, by a general excise on commodities. But the Spaniards already felt themselves oppressed with a load of taxes unknown to their ancestors. They had often complained that their country was drained not only of their wealth but of its inhabitants, in order to prosecute quarrels in which it was not interested, and to fight battles from which it could reap no benefit; and they determined not to add voluntarily to their own burdens, or to furnish the emperor with the means of engaging in new enterprises, no less ruinous to the kingdom than most of those which he had hitherto carried on. The nobles, in particular, inveighed with great vehemence against the imposition proposed, as an encroachment upon the valuable and distinguishing privilege of their order, that of being exempted from the payment of any tax. They demanded a conference with the representatives of the cities concerning the state of the nation. They contended that if Charles would imitate the example of his predecessors, who had resided constantly in Spain, and would avoid entangling himself in a multiplicity of transactions foreign to the concerns of his Spanish dominions, the stated revenues of the crown would be fully sufficient to defray the necessary expenses of government. They represented to him, that it would be unjust to lay new burdens upon the people, while this prudent and effectual method of re-establishing public credit and securing national opulence was totally neglected.[t] Charles, after employing arguments, entreaties, and promises, but without success, in order to overcome their obstinacy, dismissed the assembly with great indignation. From that period neither the nobles nor the prelates have been called to these assemblies, on pretence that such as pay no part of the public taxes should not claim any vote in laying them on. None have been admitted to the Cortes but the procurators or representatives of eighteen cities. These, to the number of thirty-six, being two from each community, form an assembly which bears no resemblance either in power or dignity or independence to the ancient Cortes, and are absolutely at the devotion of the court in all their determinations.[u] Thus the imprudent zeal with which the Castilian nobles had supported the regal prerogative in opposition to the claims of the commons, during the commotions in the year one thousand five hundred and twenty-one, proved at last fatal to their own body. By enabling Charles to depress one of the orders in the state, they destroyed that balance to which the constitution owed its security, and put it in his power, or in that of his successors, to humble the other, and to strip it gradually of its most valuable privileges.

The complaints and dissatisfaction of that assembly.

The ancient constitution of the Cortes subverted.

At that time, however, the Spanish grandees still possessed extraordinary power as well as privileges, which they exercised and defended with a haughtiness peculiar to themselves. Of this the emperor himself had a mortifying proof during the meeting of the Cortes at Toledo. As he was returning one day from a tournament accompanied by most of the nobility, one of the serjeants of the court, out of officious zeal to clear the way for the emperor, struck the duke of Infantado's horse with his baton, which that haughty grandee resenting, drew his sword, beat and wounded the officer. Charles, provoked at such an insolent deed in his presence, immediately ordered Ronquillo the judge of the court to arrest the duke: Ronquillo advanced to execute his charge, when the constable of Castile interposing, checked him, claimed the right of jurisdiction over a grandee as a privilege of his office, and conducted Infantado to his own apartment. All the nobles present were so pleased with the boldness of the constable in asserting the rights of their order, that deserting the emperor, they attended him to his house with infinite applauses, and Charles returned to the palace unaccompanied by any person but the cardinal Tavera. The emperor, how sensible soever of the affront, saw the danger of irritating a jealous and high-spirited order of men, whom the slightest appearance of offence might drive to the most unwarrantable extremities. For that reason, instead of straining at any ill-timed exertion of his prerogative, he prudently connived at the arrogance of a body too potent for him to control, and sent next morning to the duke of Infantado, offering to inflict what punishment he pleased on the person who had affronted him. The duke, considering this as a full reparation to his honour, instantly forgave the officer; bestowing on him, besides, a considerable present as a compensation for his wound. Thus the affair was entirely forgotten;[x] nor would it have deserved to be mentioned, if it were not a striking example of the high and independent spirit of the Spanish nobles in that age, as well as an in-

The Spanish grandees still possessed high privileges.

s Jovii Histor. l. xxxvii. 203. c. Sandov. Ferreras, ix. 209.
t Sandov. Hist. vol. ii. 269.
u Sandov. ibid. Le Science du Governement, par M. de Real, tom. ii. p. 102.
x Sandov. ii. 274. Ferreras, ix, 212. Miniana, 113.

stanee of the emperor's dexterity in accommodating his conduct to the circumstances in which he was placed.

Insurrection at Ghent.

Charles was far from discovering the same condescension or lenity towards the citizens of Ghent, who not long after broke out into open rebellion against his government. An event which happened in the year one thousand five hundred and thirty-six, gave occasion to this rash insurrection, so fatal to that flourishing city. At that time the queen dowager of Hungary, governess of the Netherlands, having received orders from her brother to invade France with all the forces which she could raise, she assembled the states of the United Provinces, and obtained from them a subsidy of twelve hundred thousand florins to defray the expense of that undertaking. Of this sum the county of Flanders was obliged to pay a third part as its proportion. But the citizens of Ghent, the most considerable city in that country, averse to a war with France, with which they carried on an extensive and gainful commerce, refused to pay their quota, and contended, that in consequence of stipulations between them and the ancestors of their present sovereign the emperor, no tax could be levied upon them unless they had given their express consent to the imposition of it. The governess, on the other hand, maintained, that as the subsidy of twelve hundred thousand florins had been granted by the states of Flanders, of which their representatives were members, they were bound, of course, to conform to what was enacted by them, as it is the first principle in society, on which the tranquillity and order of government depend, that the inclinations of the minority must be overruled by the judgment and decision of the superior number.

Pretensions of the citizens.

Proceedings against them.

The citizens of Ghent, however, were not willing to relinquish a privilege of such high importance as that which they claimed. Having been accustomed under the government of the house of Burgundy to enjoy extensive immunities, and to be treated with much indulgence, they disdained to sacrifice to the delegated power of a regent those rights and liberties which they had often and successfully asserted against their greatest princes. The queen, though she endeavoured at first to soothe them, and to reconcile them to their duty by various concessions, was at last so much irritated by the obstinacy with which they adhered to their claim, that she ordered all the citizens of Ghent on whom she could lay hold in any part of the Netherlands, to be arrested. But this rash action made an impression very different from what she expected on men whose minds were agitated with all the violent passions which indignation at oppression and zeal for liberty inspire. Less affected with the danger of their friends and companions than irritated at the governess, they openly despised her authority, and sent deputies to the other towns of Flanders, conjuring them not to abandon their country at such a juncture, but to concur with them in vindicating its rights against the encroachments of a woman who either did not know or did not regard their immunities. All but a few inconsiderable towns declined entering into any confederacy against the governess: they joined, however, in petitioning her to put off the term for payment of the tax so long, that they might have it in their power to send some of their number into Spain, in order to lay their title to exemption before their sovereign. This she granted with some difficulty. But Charles received their commissioners with a haughtiness to which they were not accustomed from their ancient princes, and enjoining them to yield the same respectful obedience to his sister which they owed to him in person, remitted the examination of their claim to the council of Malines. This court, which is properly a standing committee of the parliament or states of the country, and which possesses the supreme jurisdiction in all matters civil as well as criminal,[y] pronounced the claim of the citizens of Ghent to be ill-founded, and appointed them forthwith to pay their proportion of the tax.

They take arms, and offer to submit to France.

Enraged at this decision, which they considered as notoriously unjust, and rendered desperate on seeing their rights betrayed by that very court which was bound to protect them, the people of Ghent ran to arms in a tumultuary manner; drove such of the nobility as resided among them out of the city; secured several of the emperor's officers; put one of them to the torture, whom they accused of having stolen or destroyed the record that contained a ratification of the privilege of exemption from taxes which they pleaded; chose a council, to which they committed the direction of their affairs; gave orders for repairing and adding to their fortifications; and openly erected the standard of rebellion against their sovereign.[z] Sensible, however, of their inability to support what their zeal had prompted them to undertake, and desirous of securing a protector against the formidable forces by which they might expect soon to be attacked, they sent some of their number to Francis, offering not only to acknowledge him as their sovereign, and to put him in immediate possession of Ghent, but to assist him with all their forces in recovering those provinces in the Netherlands which had anciently belonged to the crown of France, and had been so lately reunited to it by the decree of the parliament of Paris. This unexpected proposition coming from persons who had it in their power to have performed instantly one part of what they undertook, and who could contribute so effectually towards the execution of the whole, opened great as well as alluring prospects to Francis's ambition. The counties of Flanders and Artois were of greater

y Descrittione di tutti Paesi Bassi di Lud. Guicciardini, Ant. 1571, fol. p. 53.

z Memoirs sur la Revolte de Gantois en 1539, par Jean d'Hollander, ecrits en 1547. A la Haye, 1747. P. Heuter. Rer. Austr. lib. xi. p. 262. Sandov. Histor. tom. ii. p. 282

value than the duchy of Milan, which he had so long laboured to acquire with passionate but fruitless desire; their situation with respect to France rendered it more easy to conquer or to defend them; and they might be formed into a separate principality for the duke of Orleans, no less suitable to his dignity than that which his father aimed at obtaining. To this the Flemings, who were acquainted with the French manners and government, would not have been averse; and his own subjects, weary of their destructive expeditions into Italy, would have turned their arms towards this quarter with more good-will and with greater vigour. Several considerations, nevertheless, prevented Francis from laying hold of this opportunity, the most favourable in appearance which had ever presented itself, of extending his own dominions or distressing the emperor. From the time of their interview at Aigues-mortes, Charles had continued to court the king of France with wonderful attention; and often flattered him with hopes of gratifying, at last, his wishes concerning the Milanese, by granting the investiture of it either to him or to one of his sons. But though these hopes and promises were thrown out with no other intention than to detach him from his confederacy with the grand seignior, or to raise suspicions in Solyman's mind by the appearance of a cordial and familiar intercourse subsisting between the courts of Paris and Madrid, Francis was weak enough to catch at the shadow by which he had been so often amused, and from eagerness to seize it relinquished what must have proved a more substantial acquisition. Besides this, the dauphin, jealous to excess of his brother, and unwilling that a prince who seemed to be of a restless and enterprising nature should obtain an establishment which from its situation might be considered almost as a domestic one, made use of Montmorency, who, by a singular piece of good fortune, was at the same time the favourite of the father and of the son, to defeat the application of the Flemings, and to divert the king from espousing their cause. Montmorency, accordingly, represented in strong terms the reputation and power which Francis would acquire by recovering that footing which he had formerly in Italy, and that nothing could be so efficacious to overcome the emperor's aversion to this as a sacred adherence to the truce, and refusing on an occasion so inviting to countenance the rebellious subjects of his rival. Francis, apt of himself to overrate the value of the Milanese, because he estimated it from the length of time as well as from the great efforts which he had employed in order to reconquer it, and fond of every action which had the appearance of generosity, assented without difficulty to sentiments so agreeable to his own, rejected the propositions of the citizens of Ghent, and dismissed their deputies with a harsh answer.[a]

Francis declines their offer.

Not satisfied with this, by a further refinement in generosity he communicated to the emperor his whole negociation with the malcontents, and all that he knew of their schemes and intentions.[b] This convincing proof of Francis's disinterestedness relieved Charles from the most disquieting apprehensions, and opened a way to extricate himself out of all his difficulties. He had already received full information of all the transactions in the Netherlands, and of the rage with which the people of Ghent had taken arms against his government. He was thoroughly acquainted with the genius and qualities of his subjects in that country; with their love of liberty; their attachment to their ancient privileges and customs; as well as the invincible obstinacy with which their minds, slow, but firm and persevering, adhered to any measure on which they had deliberately resolved. He easily saw what encouragement and support they might have derived from the assistance of France; and though now free from any danger in that quarter, he was still sensible that some immediate as well as vigorous interposition was necessary in order to prevent the spirit of disaffection from spreading in a country where the number of cities, the multitude of people, together with the great wealth diffused among them by commerce, rendered it peculiarly formidable, and would supply it with inexhaustible resources. No expedient, after long deliberation, appeared to him so effectual as his going in person to the Netherlands; and the governess his sister, being of the same opinion, warmly solicited him to undertake the journey. There were only two routes which he could take; one by land through Italy and Germany, the other entirely by sea, from some port in Spain to one in the Low Countries. But the former was more tedious than suited the present exigency of his affairs; nor could he in consistency with his dignity, or even his safety, pass through Germany without such a train both of attendants and of troops as would have added greatly to the time that he must have consumed in his journey; the latter was dangerous at this season, and while he remained uncertain with respect to the friendship of the king of England, was not to be ventured upon unless under the convoy of a powerful fleet. This perplexing situation, in which he was under the necessity of choosing, and did not know what to choose, inspired him at last with the singular and seemingly extravagant thought of passing through France, as the most expeditious way of reaching the Netherlands. He proposed in his council to demand Francis's permission for that purpose. All his counsellors joined with one voice in condemning the measure as no less rash than unprecedented, and which must infallibly expose him to disgrace or danger: to disgrace, if the demand were rejected in the manner that he had reason to expect; to danger, if he put his person in

Communicates their intentions to the emperor.

Charles's deliberations concerning his journey to the Netherlands.

Proposes to pass through France

a Mem. de Bellay, p. 263. P. Heuter. Rer. Austr. lib. xi. 263.

b Sandov. Histor. tom. ii. 284.

the power of an enemy whom he had often offended, who had ancient injuries to revenge, as well as subjects of present contest still remaining undecided. But Charles, who had studied the character of his rival with greater care and more profound discernment than any of his ministers, persisted in his plan, and flattered himself that it might be accomplished not only without danger to his own person, but even without the expense of any concession detrimental to his crown.

to which Francis consents.

With this view he communicated the matter to the French ambassador at his court, and sent Granville his chief minister to Paris, in order to obtain from Francis permission to pass through his dominions, and to promise that he would soon settle the affair of the Milanese to his satisfaction. But at the same time he entreated that Francis would not exact any new promise, or even insist on former engagements, at this juncture, lest whatever he should grant under his present circumstances might seem rather to be extorted by necessity than to flow from friendship or the love of justice. Francis, instead of attending to the snare which such a slight artifice scarcely concealed, was so dazzled with the splendour of overcoming an enemy by acts of generosity, and so pleased with the air of superiority which the rectitude and disinterestedness of his proceedings gave him on this occasion, that he at once assented to all that was demanded. Judging of the emperor's heart by his own, he imagined that the sentiments of gratitude, arising from the remembrance of good offices and liberal treatment, would determine him more forcibly to fulfil what he had so often promised, than the most precise stipulations that could be inserted in any treaty.

His reception in that kingdom.

Upon this Charles, to whom every moment was precious, set out, notwithstanding the fears and suspicions of his Spanish subjects, with a small but splendid train of about a hundred persons. At Bayonne, on the frontiers of France, he was received by the dauphin and the duke of Orleans, attended by the constable Montmorency. The two princes offered to go into Spain, and to remain there as hostages for the emperor's safety; but this he rejected, declaring that he relied with implicit confidence on the king's honour, and had never demanded nor would accept of any other pledge for his security. In all the towns through which he passed, the greatest possible magnificence was displayed; the magistrates presented him the keys of the gates; the prison-doors were set open; and by the royal honours paid to him, he appeared more like the sovereign of the country than a foreign prince. The king advanced as far as Chatelherault

1540.

to meet him; their interview was distinguished by the warmest expressions of friendship and regard. They proceeded together towards Paris, and presented to the inhabitants of that city the extraordinary spectacle of two rival monarchs whose enmity had disturbed and laid waste Europe during twenty years, making their solemn entry together with all the symptoms of a confidential harmony, as if they had forgotten for ever past injuries, and would not revive hostilities for the future.[c]

The emperor's solicitude,

Charles remained six days at Paris; but amidst the perpetual caresses of the French court, and the various entertainments contrived to amuse or to do him honour, he discovered an extreme impatience to continue his journey, arising as much from an apprehension of danger, which constantly haunted him, as from the necessity of his presence in the Low Countries. Conscious of the disingenuity of his own intentions, he trembled when he reflected that some fatal accident might betray them to his rival or lead him to suspect them; and though his artifices to conceal them should be successful, he could not help fearing that motives of interest might at last triumph over the scruples of honour, and tempt Francis to avail himself of the advantage now in his hands. Nor were there wanting persons among the French ministers who advised the king to turn his own arts against the emperor, and as the retribution due for so many instances of fraud or falsehood, to seize and detain his person until he granted him full satisfaction with regard to all the just claims of the French crown. But no consideration could induce Francis to violate the faith which he had pledged, nor could any argument convince him that Charles, after all the promises that he had given and all the favours which he had received, might still be capable of deceiving him. Full of this false confidence, he accompanied him to St. Quintin; and the two princes, who had met him on the borders of Spain, did not take leave of him until he entered his dominions in the Low Countries.

and disingenuity.

As soon as the emperor reached his own territories, the French ambassadors demanded the accomplishment of what he had promised concerning the investiture of Milan; but Charles, under the plausible pretext that his whole attention was then engrossed by the consultations necessary towards suppressing the rebellion in Ghent, put off the matter for some time. But in order to prevent Francis from suspecting his sincerity, he still continued to talk of his resolutions with respect to that matter in the same strain as when he entered France, and even wrote to the king much to the same purpose, though in general terms and with equivocal expressions, which he might afterwards explain away or interpret at pleasure.[d]

Jan. 24.

Reduction of Ghent;

Meanwhile the unfortunate citizens of Ghent, destitute of leaders capable either of directing their councils or conducting their troops; abandoned by the French king, and unsupported by their countrymen, were unable to resist their offended sovereign, who was ready to

c Thuan. Hist. lib. i. c. 14. Mem. de Bellay, 264.

d Memoires de Ribier, i. 504.

advance against them with one body of troops which he had raised in the Netherlands, with another drawn out of Germany, and a third which had arrived from Spain by sea. The near approach of danger made them, at last, so sensible of their own folly, that they sent ambassadors to the emperor, imploring his mercy, and offering to set open their gates at his approach. Charles, without vouchsafing them any other answer than that he would appear among them as their sovereign, with the sceptre and the sword in his hand, began his march at the head of his troops. Though he chose to enter the city on the twenty-fourth of February, his birthday, he was touched with nothing of that tenderness or indulgence which was natural towards the place of his nativity. Twenty-six of the principal citizens were put to death; a greater number was sent into banishment; the city was declared to have forfeited all its privileges and immunities; the revenues belonging to it were confiscated; its ancient form of government was abolished; the nomination of its magistrates was vested for the future in the emperor and his successors; a new system of laws and political administration was prescribed;[e] and in order to bridle the seditious spirit of the citizens, orders were given to erect a strong citadel, for defraying the expense of which, a fine of an hundred and fifty thousand florins was imposed on the inhabitants, together with an annual tax of six thousand florins for the support of the garrison.[f] By these rigorous proceedings Charles not only punished the citizens of Ghent, but set an awful example of severity before his other subjects in the Netherlands, whose immunities and privileges, partly the effect partly the cause of their extensive commerce, circumscribed the prerogative of their sovereign within very narrow bounds, and often stood in the way of measures which he wished to undertake, or fettered and retarded him in his operations.

and punishment of the citizens, April 20.

Charles refuses to fulfil his engagements to Francis.

Charles having thus vindicated and re-established his authority in the Low Countries, and being now under no necessity of continuing the same scene of falsehood and dissimulation with which he had long amused Francis, began gradually to throw aside the veil under which he had concealed his intentions with respect to the Milanese. At first he eluded the demands of the French ambassadors when they again reminded him of his promises; then he proposed, by way of equivalent for the duchy of Milan, to grant the duke of Orleans the investiture of Flanders, clogging the offer, however, with impracticable conditions, or such as he knew would be rejected.[g] At last, being driven from all his evasions and subterfuges by their insisting for a categorical answer, he peremptorily refused to give up a territory of such value, or voluntarily to make such a liberal addition to the strength of an enemy by diminishing his own power.[h] He denied, at the same time, that he had ever made any promise which could bind him to an action so foolish, and so contrary to his own interest.[i]

Of all the transactions in the emperor's life, this, without doubt, reflects the greatest dishonour on his reputation.[k] Though Charles was not extremely scrupulous at other times about the means which he employed for accomplishing his ends, and was not always observant of the strict precepts of veracity and honour, he had hitherto maintained some regard for the maxims of that less precise and rigid morality by which monarchs think themselves entitled to regulate their conduct. But on this occasion the scheme that he formed of deceiving a generous and open-hearted prince; the illiberal and mean artifices by which he carried it on; the insensibility with which he received all the marks of his friendship, as well as the ingratitude with which he requited them,—are all equally unbecoming the dignity of his character, and inconsistent with the grandeur of his views.

This transaction exposed Francis to as much scorn as it did the emperor to censure. After the experience of a long reign, after so many opportunities of discovering the duplicity and artifices of his rival, the credulous simplicity with which he trusted him at this juncture seemed to merit no other return than what it actually met with. Francis, however, remonstrated and exclaimed as if this had been the first instance in which the emperor had deceived him. Feeling, as is usual, the insult which was offered to his understanding still more sensibly than the injury done to his interest, he discovered such resentment as made it obvious that he would lay hold on the first opportunity of being revenged, and that a war no less rancorous than that which had so lately raged would soon break out anew in Europe.

The pope authorizes the institution of the order of Jesuits.

But singular as the transaction which has been related may appear, this year is rendered still more memorable by the establishment of the order of Jesuits, a body whose influence on ecclesiastical as well as civil affairs hath been so considerable, that an account of the genius of its laws and government justly merits a place in history. When men take a view of the rapid progress of this society towards wealth and power; when they contemplate the admirable prudence with which it has been governed; when they attend to the persevering and systematic spirit with which its schemes have been carried on, they are apt to ascribe such a singular institution to the superior wisdom of its founder, and to suppose that he had formed and digested his plan with profound policy. But the Jesuits as well as the other monastic orders are indebted for the existence of their order, not to the wisdom of their founder, but to his enthusiasm. Ignatio Loyola, whom I have

e Les Coutumes et Loix du Compté de Flandre, par Alex. le Grand, 3 tom. fol. Cambray, 1719, tom. i. p. 169.
f Harræi Annales Brabantiæ. vol. 616.
g Mem. de Ribier, i. 509, 514.
h Ribier, i. 519.
i Bellay, 365, 366.
k Jovii Hist. lib. xxxix. p. 238, a.

already mentioned on occasion of the wound which he received in defending Pampeluna,[l] was a fanatic distinguished by extravagances in sentiment and conduct, no less incompatible with the maxims of sober reason than repugnant to the spirit of true religion. The wild adventures and visionary schemes in which his enthusiasm engaged him equal any thing recorded in the legends of the Roman saints, but are unworthy of notice in history.

Fanaticism of Loyola its founder.

Prompted by this fanatical spirit, or incited by the love of power and distinction, from which such pretenders to superior sanctity are not exempt, Loyola was ambitious of becoming the founder of a religious order. The plan which he formed of its constitution and laws was suggested, as he gave out, and as his followers still teach, by the immediate inspiration of Heaven.[m] But notwithstanding this high pretension, his design met at first with violent opposition. The pope, to whom Loyola had applied for the sanction of his authority to confirm the institution, referred his petition to a committee of cardinals. They represented the establishment to be unnecessary as well as dangerous, and Paul refused to grant his approbation of it. At last Loyola removed all his scruples by an offer which it was impossible for any pope to resist. He proposed, that besides three vows of poverty, of chastity, and of monastic obedience, which are common to all the orders of regulars, the members of his society should take a fourth vow of obedience to the pope, binding themselves to go whithersoever he should command for the service of religion, and without requiring any thing from the holy see for their support. At a time when the papal authority had received such a shock by the revolt of so many nations from the Romish church; at a time when every part of the popish system was attacked with so much violence and success, the acquisition of a body of men thus peculiarly devoted to the see of Rome, and whom it might set in opposition to all its enemies, was an object of the highest consequence. Paul instantly perceiving this, confirmed the institution of the Jesuits by his bull; granted the most ample privileges to the members of the society; and appointed Loyola to be the first general of the order. The event hath fully justified Paul's discernment, in expecting such beneficial consequences to the see of Rome from this institution. In less than half a century the society obtained establishments in every country that adhered to the Roman catholic church; its power and wealth increased amazingly; the number of its members became great; their character as well as accomplishments were still greater; and the Jesuits were celebrated by the friends and dreaded by the enemies of the Romish faith, as the most able and enterprising order in the church.

The pope's motives for confirming the order.

Sept. 27.

l Book ii. p. 471.

m Compte rendu des Constitutions des Jesuites, au Parlement de Provence, par M. de Monclar, p. 285.

The constitution and laws of the society were perfected by Laynez and Aquaviva, the two generals who succeeded Loyola, men far superior to their master in abilities and in the science of government. They framed that system of profound and artful policy which distinguishes the order. The large infusion of fanaticism mingled with its regulations, should be imputed to Loyola its founder. Many circumstances concurred in giving a peculiarity of character to the order of Jesuits, and in forming the members of it not only to take a greater part in the affairs of the world than any other body of monks, but to acquire superior influence in the conduct of them.

Its constitution and genius merit particular attention.

The primary object of almost all the monastic orders is to separate men from the world, and from any concern in its affairs. In the solitude and silence of the cloister, the monk is called to work out his own salvation by extraordinary acts of mortification and piety. He is dead to the world, and ought not to mingle in its transactions. He can be of no benefit to mankind but by his examples and by his prayers. On the contrary, the Jesuits are taught to consider themselves as formed for action. They are chosen soldiers, bound to exert themselves continually in the service of God, and of the pope his vicar on earth. Whatever tends to instruct the ignorant, whatever can be of use to reclaim or to oppose the enemies of the holy see, is their proper object. That they may have full leisure for this active service, they are totally exempted from those functions the performance of which is the chief business of other monks. They appear in no processions; they practise no rigorous austerities; they do not consume one-half of their time in the repetition of tedious offices.[n] But they are required to attend to all the transactions of the world, on account of the influence which these may have upon religion; they are directed to study the dispositions of persons in high rank, and to cultivate their friendship;[o] and by the very constitution as well as genius of the order, a spirit of action and intrigue is infused into all its members.

The object of the order singular.

As the object of the society of Jesuits differed from that of the other monastic orders, the diversity was no less in the form of its government. The other orders are to be considered as voluntary associations, in which whatever affects the whole body is regulated by the common suffrage of all its members. The executive power is vested in the persons placed at the head of each convent or of the whole society; the legislative authority resides in the community. Affairs of moment relating to particular convents, are determined in conventual chapters; such as respect the whole order are considered in general congregations. But Loyola, full of the

Peculiarities in the form of its policy, particularly with respect to the power of the general.

n Compte rendu, par M. de Monclar, p. xiii. 290. Sur la Destruct. des Jesuites, par M. D'Alembert, p. 42.

o Compte par M. de Monclar, p. 12.

ideas of implicit obedience which he had derived from his military profession, appointed that the government of his order should be purely monarchical. A general, chosen for life by deputies from the several provinces, possessed power that was supreme and independent, extending to every person and to every case. He, by his sole authority, nominated provincials, rectors, and every other officer employed in the government of the society, and could remove them at pleasure. In him was vested the sovereign administration of the revenues and funds of the order. Every member belonging to it was at his disposal; and by his uncontrollable mandate he could impose on them any task, or employ them in what service soever he pleased. To his commands they were required not only to yield outward obedience, but to resign up to him the inclinations of their own wills and the sentiments of their own understandings. They were to listen to his injunctions, as if they had been uttered by Christ himself. Under his direction they were to be mere passive instruments, like clay in the hands of the potter, or like dead carcases incapable of resistance.[p] Such a singular form of policy could not fail to impress its character on all the members of the order, and to give a peculiar force to all its operations. There is not in the annals of mankind any example of such a perfect despotism, exercised not over monks shut up in the cells of a convent, but over men dispersed among all the nations of the earth.

Circumstances which enable him to exercise it with the greatest advantage.

As the constitutions of the order vest in the general such absolute dominion over all its members, they carefully provide for his being perfectly informed with respect to the character and abilities of his subjects. Every novice who offers himself as a candidate for entering into the order, is obliged to *manifest his conscience* to the superior, or to a person appointed by him; and in doing this is required to confess not only his sins and defects, but to discover the inclinations, the passions, and the bent of his soul. This manifestation must be renewed every six months.[q] The society, not satisfied with penetrating in this manner into the innermost recesses of the heart, directs each member to observe the words and actions of the novices; they are constituted spies upon their conduct; and are bound to disclose every thing of importance concerning them to the superior. In order that this scrutiny into their character may be as complete as possible, a long noviciate must expire, during which they pass through the several gradations of ranks in the society; and they must have attained the full age of thirty-three years before they can be admitted to take the final vows, by which they become *professed* members.[r] By these various methods, the superiors, under whose immediate inspection the novices are placed, acquire a thorough knowledge of their dispositions and talents. In order that the general, who is the soul that animates and moves the whole society, may have under his eye every thing necessary to inform or direct him, the provincials and heads of the several houses are obliged to transmit to him regular and frequent reports concerning the members under their inspection. In these they descend into minute details with respect to the character of each person, his abilities natural or acquired, his temper, his experience in affairs, and the particular department for which he is best fitted.[s] These reports, when digested and arranged, are entered into registers kept on purpose, that the general may, at one comprehensive view, survey the state of the society in every corner of the earth; observe the qualifications and talents of its members; and thus choose with perfect information, the instruments which his absolute power can employ in any service for which he thinks meet to destine them.[t]

Progress of the power and influence of the order.

As it was the professed intention of the order of Jesuits to labour with unwearied zeal in promoting the salvation of men, this engaged them, of course, in many active functions. From their first institution they considered the education of youth as their peculiar province; they aimed at being spiritual guides and confessors; they preached frequently in order to instruct the people; they set out as missionaries to convert unbelieving nations. The novelty of the institution, as well as the singularity of its objects, procured the order many admirers and patrons. The governors of the society had the address to avail themselves of every circumstance in its favour, and in a short time the number as well as influence of its members increased wonderfully. Before the expiration of the sixteenth century, the Jesuits had obtained the chief direction of the education of youth in every catholic country in Europe. They had become the confessors of almost all its monarchs, a function of no small importance in any reign, but under a weak prince, superior even to that of minister. They were the spiritual guides of almost every person for rank or power. They possessed the highest degree of confidence and interest with the papal court, as the most zealous and able champions for its authority. The advantages which an active and enterprising body of men might derive from all these circumstances are obvious. They formed the minds of men in their youth. They re-

p Compte rendu au Parlem. de Bretagne, par M. de Chalotais, p. 41, &c. Compte par M. de Monclar, 83, 185, 43.

q Compte par M. de Monclar, p. 121, &c.

r Compte par M. de Moncl. 215. 241. Sur la Destr. des Jes. par. M. d'Alemb. p. 39.

s M. de Chalotais has made a calculation of the number of these reports which the general of the Jesuits must annually receive, according to the regulations of the society. These amount in all to 6584. If this sum be divided by 37, the number of provinces in the order, it will appear that 177 reports concerning the state of each province are transmitted to Rome annually. Compte, p. 52. Besides this there may be extraordinary letters, or such as are sent by the monitors or spies whom the general and provincials entertain in each house. Compte par M. de Moncl. p. 431. Hist. des Jesuites, Amst. 1761, tom. iv. p. 56. The provincials and heads of houses not only report concerning the members of the society, but are bound to give the general an account of the civil affairs in the country wherein they are settled, as far as their knowledge of these may be of benefit to religion. This condition may extend to every particular; so that the general is furnished with full information concerning the transactions of every prince and state in the world. Compte par M. de Moncl. 443. Hist. des Jesuit. ibid. p. 58. When the affairs with respect to which the provincials or rectors write are of importance, they are directed to use ciphers; and each of them has a particular cipher from the general. Compte par M. Chalotais, p. 54.

t Compte par M. de Moncl. p. 285, 139. Compte par M. de Chalotais, p. 52, 222.

tained an ascendant over them in their advanced years. They possessed, at different periods, the direction of the most considerable courts in Europe. They mingled in all affairs. They took part in every intrigue and revolution. The general, by means of the extensive intelligence which he received, could regulate the operations of the order with the most perfect discernment, and by means of his absolute power, could carry them on with the utmost vigour and effect.[u]

Progress of its wealth.

Together with the power of the order its wealth continued to increase. Various expedients were devised for eluding the obligation of the vow of poverty. The order acquired ample possessions in every catholic country; and by the number as well as magnificence of its public buildings, together with the value of its property, movable or real, it vied with the most opulent of the monastic fraternities. Besides the sources of wealth common to all the regular clergy, the Jesuits possessed one which was peculiar to themselves. Under pretext of promoting the success of their missions and of facilitating the support of their missionaries, they obtained a special licence from the court of Rome, to trade with the nations which they laboured to convert. In consequence of this they engaged in an extensive and lucrative commerce, both in the East and West Indies. They opened warehouses in different parts of Europe, in which they vended their commodities. Not satisfied with trade alone, they imitated the example of other commercial societies, and aimed at obtaining settlements. They acquired possession, accordingly, of a large and fertile province in the southern continent of America, and reigned as sovereigns over some hundred thousand subjects.[x]

Pernicious effects of these on civil society.

Unhappily for mankind, the vast influence which the order of Jesuits acquired by all these different means has been often exerted with the most pernicious effect. Such was the tendency of that discipline observed by the society in forming its members, and such the fundamental maxims in its constitution, that every Jesuit was taught to regard the interest of the order as the capital object, to which every consideration was to be sacrificed. This spirit of attachment to their order, the most ardent, perhaps, that ever influenced any body of men,[y] is the characteristic principle of the Jesuits, and serves as a key to the genius of their policy, as well as to the peculiarities in their sentiments and conduct.

As it was for the honour and advantage of the society that its members should possess an ascendant over persons in high rank or of great power, the desire of acquiring and preserving such a direction of their conduct with greater facility, has led the Jesuits to propagate a system of relaxed and pliant morality, which accommodates itself to the passions of men, which justifies their vices, which tolerates their imperfections, which authorizes almost every action that the most audacious or crafty politician would wish to perpetrate.

As the prosperity of the order was intimately connected with the preservation of the papal authority, the Jesuits, influenced by the same principle of attachment to the interests of their society, have been the most zealous patrons of those doctrines which tend to exalt ecclesiastical power on the ruins of civil government. They have attributed to the court of Rome a jurisdiction as extensive and absolute as was claimed by the most presumptuous pontiffs in the dark ages: they have contended for the entire independence of ecclesiastics on the civil magistrate: they have published such tenets concerning the duty of opposing princes who were enemies of the catholic faith, as countenanced the most atrocious crimes, and tended to dissolve all the ties which connect subjects with their rulers.

As the order derived both reputation and authority from the zeal with which it stood forth in defence of the Romish church against the attacks of the reformers, its members, proud of this distinction, have considered it as their peculiar function to combat the opinions and to check the progress of the protestants. They have made use of every art and have employed every weapon against them: they have set themselves in opposition to every gentle or tolerating measure in their favour: they have incessantly stirred up against them all the rage of ecclesiastical and civil persecution.

Monks of other denominations have, indeed, ventured to teach the same pernicious doctrines, and have held opinions equally inconsistent with the order and happiness of civil society: but they, from reasons which are obvious, have either delivered such opinions with greater reserve, or have propagated them with less success. Whoever recollects the events which have happened in Europe during two centuries, will find that the Jesuits may justly be considered as responsible for most of the pernicious effects arising from that corrupt and dangerous casuistry, from those extravagant tenets concerning ecclesiastical power, and from that intolerant spirit, which have been the disgrace of the church of Rome throughout that period, and which have brought so many calamities upon civil society.[z]

Some advantages resulting from the institution of this order;

But amidst many bad consequences flowing from the institution of this order, mankind, it must be acknowledged, have derived from it some considerable advantages. As the Jesuits made the education of youth one of their capital objects, and as their first attempts to establish colleges for the reception of students were violently opposed by the universities

u When Loyola, in the year 1540, petitioned the pope to authorize the institution of the order, he had only ten disciples. But in the year 1608, sixty-eight years after their first institution, the number of Jesuits had increased to ten thousand five hundred and eighty-one. In the year 1710, the order possessed twenty-four *professed* houses; fifty-nine houses of probation; three hundred and forty residences; six hundred and twelve colleges; two hundred missions; one hundred and fifty seminaries and boarding-schools; and consisted of 19,998 Jesuits. Hist. des Jesuites, tom. i. p. 20.

x Hist. des Jes iv. 168—196, &c.

y Compte par M. de Moncl. p. 285.

z Encyclopédie, art. *Jesuites*, tom. viii. 513.

in different countries, it became necessary for them, as the most effectual method of acquiring the public favour, to surpass their rivals in science and industry. This prompted them to cultivate the study of ancient literature with extraordinary ardour: this put them upon various methods for facilitating the instruction of youth; and by the improvements which they made in it, they have contributed so much towards the progress of polite learning, that on this account they have merited well of society. Nor has the order of Jesuits been successful only in teaching the elements of literature; it has produced likewise eminent masters in many branches of science, and can alone boast of a greater number of ingenious authors than all the other religious fraternities taken together.[a]

particularly to literature:

But it is in the New World that the Jesuits have exhibited the most wonderful display of their abilities, and have contributed most effectually to the benefit of the human species. The conquerors of that unfortunate quarter of the globe acted at first as if they had nothing in view but to plunder, to enslave, and to exterminate its inhabitants. The Jesuits alone made humanity the object of their settling there. About the beginning of the last century they obtained admission into the fertile province of Paraguay, which stretches across the southern continent of America, from the east side of the immense ridge of the Andes to the confines of the Spanish and Portuguese settlements on the banks of the river de la Plata. They found the inhabitants in a state little different from that which takes place among men when they first begin to unite together: strangers to the arts; subsisting precariously by hunting or fishing; and hardly acquainted with the first principles of subordination and government. The Jesuits set themselves to instruct and to civilize the savages. They taught them to cultivate the ground, to rear tame animals, and to build houses. They brought them to live together in villages. They trained them to arts and manufactures. They made them taste the sweets of society; and accustomed them to the blessings of security and order. These people became the subjects of their benefactors; who have governed them with a tender attention, resembling that with which a father directs his children. Respected and beloved almost to adoration, a few Jesuits presided over some hundred thousand Indians. They maintained a perfect equality among all the members of the community. Each of them was obliged to labour, not for himself alone, but for the public. The produce of their fields, together with the fruits of their industry of every species, were deposited in common store-

more especially from the settlement of the Jesuits in Paraguay.

houses, from which each individual received every thing necessary for the supply of his wants. By this institution almost all the passions which disturb the peace of society and render the members of it unhappy were extinguished. A few magistrates, chosen from among their countrymen by the Indians themselves, watched over the public tranquillity and secured obedience to the laws. The sanguinary punishments frequent under other governments were unknown. An admonition from a Jesuit; a slight mark of infamy; or, on some singular occasion, a few lashes with a whip, were sufficient to maintain good order among these innocent and happy people.[b]

But even in this meritorious effort of the Jesuits for the good of mankind, the genius and spirit of their order have mingled and are discernible. They plainly aimed at establishing in Paraguay an independent empire, subject to the society alone, and which, by the superior excellence of its constitution and police, could scarcely have failed to extend its dominion over all the southern continent of America. With this view, in order to prevent the Spaniards or Portuguese in the adjacent settlements from acquiring any dangerous influence over the people within the limits of the province subject to the society, the Jesuits endeavoured to inspire the Indians with hatred and contempt of these nations. They cut off all intercourse between their subjects and the Spanish or Portuguese settlements. They prohibited any private trader of either nation from entering their territories. When they were obliged to admit any person in a public character from the neighbouring governments, they did not permit him to have any conversation with their subjects; and no Indian was allowed even to enter the house where these strangers resided, unless in the presence of a Jesuit. In order to render any communication between them as difficult as possible, they industriously avoided giving the Indians any knowledge of the Spanish or of any other European language; but encouraged the different tribes which they had civilized to acquire a certain dialect of the Indian tongue, and laboured to make that the universal language throughout their dominions. As all these precautions, without military force, would have been insufficient to have rendered their empire secure and permanent, they instructed their subjects in the European arts of war. They formed them into bodies of cavalry and infantry, completely armed and regularly disciplined. They provided a great train of artillery, as well as magazines stored with all the implements of war. Thus they established an army so numerous and well-appointed, as to be

Even here the ambition and policy of the order discernible.

a M. d'Alembert has observed, that though the Jesuits have made extraordinary progress in erudition of every species; though they can reckon up many of their brethren who have been eminent mathematicians, antiquaries, and critics; though they have even formed some orators of reputation,—yet the order has never produced one man whose mind was so much enlightened with sound knowledge as to merit the name of a philosopher. But it seems to be the unavoidable effect of a monastic education to contract and fetter the human mind. The partial attachment of a monk to the interest of his order, which is often incompatible with that of other citizens; the habit of implicit obedience to the will of a superior, together with the frequent return of the wearisome and frivolous duties of the cloister, debase his faculties, and extinguish that generosity of sentiment and spirit which qualifies men for thinking or feeling justly with respect to what is proper in life and conduct. Father Paul of Venice is, perhaps, the only person educated in a cloister that ever was altogether superior to its prejudices, or who viewed the transactions of men, and reasoned concerning the interests of society, with the enlarged sentiments of a philosopher, with the discernment of a man conversant in affairs, and with the liberality of a gentleman.

b Hist. du Paraguay par. Pere de Charlevoix, tom. ii. 42, &c. Voyage au Perou par Don G. Juan et D. Ant. de Ulloa, tom. i. 540, &c. Par. 4to, 1752.

formidable in a country where a few sickly and ill-diseiplined battalions composed all the military force kept on foot by the Spaniards or Portuguese.[c]

Reason for giving so full a view of the government and progress of the order.

The Jesuits gained no considerable degree of power during the reign of Charles V., who, with his usual sagacity, discerned the dangerous tendency of the institution, and checked its progress.[d] But as the order was founded in the period of which I write the history, and as the age to which I address this work hath seen its fall, the view which I have exhibited of the laws and genius of this formidable body will not, I hope, be unacceptable to my readers, especially as one circumstance has enabled me to enter into this detail with particular advantage. Europe had observed, for two centuries, the ambition and power of the order. But while it felt many fatal effects of these, it could not fully discern the causes to which they were to be imputed. It was unacquainted with many of the singular regulations in the political constitution or government of the Jesuits, which formed the enterprising spirit of intrigue that distinguished its members, and elevated the body itself to such a height of power. It was a fundamental maxim with the Jesuits, from their first institution, not to publish the rules of their order. These they kept concealed as an impenetrable mystery. They never communicated them to strangers, nor even to the greater part of their own members. They refused to produce them when required by courts of justice;[e] and by a strange solecism in policy, the civil power in different countries authorized or connived at the establishment of an order of men whose constitution and laws were concealed with a solicitude which alone was a good reason for excluding them. During the prosecutions lately carried on against them in Portugal and France, the Jesuits have been so inconsiderate as to produce the mysterious volumes of their institute. By the aid of these authentic records the principles of their government may be delineated, and the sources of their power investigated, with a degree of certainty and precision which, previous to that event, it was impossible to attain.[f] But as I have pointed out the dangerous tendency of the constitution and spirit of the order with the freedom becoming an historian, the candour and impartiality no less requisite in that character call on me to add one observation, That no class of regular clergy in the Romish church has been more eminent for decency and even purity of manners than the major part of the order of Jesuits.[g] The maxims of an intriguing, ambitious, interested policy might influence those who governed the society, and might even corrupt the heart and pervert the conduct of some individuals, while the greater number, engaged in literary pursuits, or employed in the functions of religion, was left to the guidance of those common principles which restrain men from vice, and excite them to what is becoming and laudable. The causes which occasioned the ruin of this mighty body, as well as the circumstances and effects with which it has been attended in the different countries of Europe, though objects extremely worthy the attention of every intelligent observer of human affairs, do not fall within the period of this history.

Affairs of Germany.

No sooner had Charles re-established order in the Low Countries than he was obliged to turn his attention to the affairs in Germany. The protestants pressed him earnestly to appoint that conference between a select number of the divines of each party which had been stipulated in the convention at Francfort. The pope considered such an attempt to examine into the points in dispute, or to decide concerning them, as derogatory to his right of being the supreme judge in controversy; and being convinced that such a conference would either be ineffectual by determining nothing, or prove dangerous by determining too much, he employed every art to prevent it. The emperor, however, finding it more for his interest to soothe the Germans than to gratify Paul, paid little regard to his remonstrances. In a diet held at Huguenaw, matters were ripened for the conference. In another diet assembled at Worms, the conference was begun, Melancthon on the one side, and Eckius on the other, sustaining the principal part in the dispute; but after they had made some progress, though without concluding any thing, it was suspended by the emperor's command, that it might be renewed with greater solemnity in his own presence in a diet summoned to meet at Ratisbon. This assembly was opened with great pomp, and with a general expectation that its proceedings would be vigorous and decisive. By the consent of both parties the emperor was intrusted with the power of nominating the persons who should manage the conference, which it was agreed should be conducted not in the form of a public disputation, but as a friendly scrutiny or examination into the articles which had given rise to the present controversies. He appointed Eckius, Gropper, and Pflug on the part of the catholics; Melancthon, Bucer, and Pistorius on that of the protestants: all men of distinguished reputation among their own adherents, and, except Eckius, all eminent for moderation as well as desirous of peace. As they were about to begin their consultations, the emperor put into their hands a book, composed, as he said, by a learned divine in the Low Countries, with such extraordinary perspicuity and temper, as, in his opinion, might go far to unite and comprehend the

A conference between the popish and protestant divines, June 25, 1541.

Dec. 6.

c Voyage de Juan et de Ulloa, tom. i. 549. Recueil des toutes les Pieces qui ont paru sur les Affaires des Jesuites en Portugal, tom. i. p. 7, &c. d Compte par M. de Moncl. p. 312.

e Hist. des Jes. tom. iii. 236, &c. Compte par M. de Chalot. p. 38.

f The greater part of my information concerning the government and laws of the order of Jesuits, I have derived from the reports of M. de Chalotais and M. de Monclar. I rest not my narrative, however, upon the authority even of these respectable magistrates and elegant writers, but upon innumerable passages which they have extracted from the constitutions of the order deposited in their hands. Hospinian, a protestant divine of Zurich, in his *Historia Jesuitica*, printed A. D. 1619, published a small part of the constitutions of the Jesuits, of which by some accident he had got a copy; p. 13—54.

g Sur la Destruct. des Jes. par M. d'Alembert, p. 55.

two contending parties. Gropper, a canon of Cologne, whom he had named among the managers of the conference, a man of address as well as of erudition, was afterwards suspected to be the author of this short treatise. It contained positions with regard to twenty-two of the chief articles in theology, which included most of the questions then agitated in the controversy between the Lutherans and the church of Rome. By ranging his sentiments in a natural order, and expressing them with great simplicity; by employing often the very words of Scripture or of the primitive fathers; by softening the rigour of some opinions and explaining away what was absurd in others; by concessions, sometimes on one side and sometimes on the other; and especially by banishing as much as possible scholastic phrases, those words and terms of art in controversy which serve as badges of distinction to different sects, and for which theologians often contend more fiercely than for opinions themselves,—he at last framed his work in such a manner as promised fairer than any thing that had hitherto been attempted, to compose and to terminate religious dissensions.[h]

fruitless.

But the attention of the age was turned with such acute observation towards theological controversies, that it was not easy to impose on it by any gloss, how artful or specious soever. The length and eagerness of the dispute had separated the contending parties so completely, and had set their minds at such variance, that they were not to be reconciled by partial concessions. All the zealous catholics, particularly the ecclesiastics who had a seat in the diet, joined in condemning Gropper's treatise as too favourable to the Lutheran opinion, the poison of which heresy it conveyed, as they pretended, with greater danger, because it was in some degree disguised. The rigid protestants, especially Luther himself and his patron the elector of Saxony, were for rejecting it as an impious compound of error and truth, craftily prepared that it might impose on the weak, the timid, and the unthinking. But the divines to whom the examination of it was committed, entered upon that business with greater deliberation and temper. As it was more easy in itself, as well as more consistent with the dignity of the church, to make concessions and even alterations with regard to speculative opinions, the discussion whereof is confined chiefly to schools, and which present nothing to the people that either strikes their imagination or affects their senses, they came to an accommodation about these without much labour, and even defined the great article concerning justification to their mutual satisfaction. But when they proceeded to points of jurisdiction, where the interest and authority of the Roman see were concerned, or to the rites and forms of external worship, where every change that could be made must be public and draw the observation of the people, there the catholics were altogether intractable; nor could the church either with safety or with honour abolish its ancient institutions. All the articles relative to the power of the pope, the authority of councils, the administration of the sacraments, the worship of saints, and many other particulars, did not in their nature admit of any temperament; so that, after labouring long to bring about an accommodation with respect to these, the emperor found all his endeavours ineffectual. Being impatient, however, to close the diet, he at last prevailed on a majority of the members to approve of the following recess: "That the articles concerning which the divines had agreed in the conference should be held as points decided, and be observed inviolably by all; that the other articles about which they had differed should be referred to the determination of a general council, or if that could not be obtained, to a national synod of Germany; and if it should prove impracticable, likewise, to assemble a synod, that a general diet of the empire should be called within eighteen months, in order to give some final judgment upon the whole controversy; that the emperor should use all his interest and authority with the pope, to procure the meeting either of a general council or synod; that, in the mean time, no innovations should be attempted, no endeavours should be employed to gain proselytes, and neither the revenues of the church nor the rights of monasteries should be invaded."[i]

Recess of the diet of Ratisbon in favour of a general council, July 28.

All the proceedings of this diet, as well as the recess in which they terminated, gave great offence to the pope. The power which the Germans had assumed of appointing their own divines to examine and determine matters of controversy, he considered as a very dangerous invasion of his rights; the renewing of their ancient proposal concerning a national synod, which had been so often rejected by him and his predecessors, appeared extremely undutiful: but the bare mention of allowing a diet, composed chiefly of laymen, to pass judgment with respect to articles of faith, was deemed no less criminal and profane than the worst of those heresies which they seemed zealous to suppress. On the other hand, the protestants were no less dissatisfied with a recess that considerably abridged the liberty which they enjoyed at that time. As they murmured loudly against it, Charles, unwilling to leave any seeds of discontent in the empire, granted them a private declaration in the most ample terms, exempting them from whatever they thought oppressive or injurious in the recess, and ascertaining to them the full possession of all the privileges which they had ever enjoyed.[k]

gives offence both to papists and protestants.

Charles courts the protestants.

Extraordinary as these concessions may appear, the situation of the em-

Affairs of Hungary.

h Goldast. Constit. Imper. ii. p. 182.
i Sleidan, 267, &c. Pallav. l. iv. c. 11. p. 136. F. Paul, p. 86. Seckend. l. iii. 256.

k Sleid. 283. Seckend. 366. Du Mont Corps Diplom. iv. part ii. p. 219.

peror's affairs at this juneture made it necessary for him to grant them. He foresaw a rupture with France to be not only unavoidable but near at hand, and durst not give any such cause of disgust or fear to the protestants as might force them, in self-defence, to court the protection of the French king, from whom at present they were much alienated. The rapid progress of the Turks in Hungary was a more powerful and urgent motive to that moderation which Charles discovered. A great revolution had happened in that kingdom: John Zapol Scæpus having chosen, as has been related, rather to possess a tributary kingdom than to renounce the royal dignity to which he had been accustomed, had, by the assistance of his mighty protector Solyman, wrested from Ferdinand a great part of the country, and left him only the precarious possession of the rest. But being a prince of pacific qualities, the frequent attempts of Ferdinand, or of his partisans among the Hungarians, to recover what they had lost, greatly disquieted him; and the neeessity on these occasions of calling in the Turks, whom he considered and felt to be his masters rather than auxiliaries, was hardly less mortifying. In order, therefore, to avoid these distresses, as well as to secure quiet and leisure for cultivating the arts and enjoying amusements in which he delighted, he

A. D. 1535. secretly came to an agreement with his competitor, on this condition:—That Ferdinand should acknowledge him as king of Hungary, and leave him, during life, the unmolested possession of that part of the kingdom now in his power; but that upon his demise the sole right of the whole should devolve upon Ferdinand.[l] As John had never been married, and was then far advanced in life, the terms of the eontract seemed very favourable to Ferdinand. But soon after, some of the Hungarian nobles, solicitous to prevent a foreigner from ascending their throne, prevailed on John to put an end to a long celibacy by marrying Isabella, the daughter of Sigismond, king of Poland.

Death of the king of Hungary. John had the satisfaction before his death, which happened within less than a year after his marriage, to see a son born to inherit his kingdom. To him, without regarding his treaty with Ferdinand, whieh he considered, no doubt, as void upon an event not foreseen when it was concluded, he bequeathed his crown; appointing the queen and George Martinuzzi, bishop of Waradin, guardians of his son and regents of the kingdom. The greater part of the Hungarians immediately acknowledged the young prince as king, to whom, in memory of the founder of their monarchy, they gave the name of Stephen.[m]

Ferdinand's efforts to obtain the crown. Ferdinand, though extremely disconcerted by this unexpected event, resolved not to abandon the kingdom, which he flattered himself with having aequired by his compact with John. He sent ambassadors to the queen to claim possession, and to offer the province of Transylvania as a settlement for her son, preparing, at the same time, to assert his right by force of arms. But John had committed the care of his son to persons who had too much spirit to give up the crown tamely, and who possessed abilities sufficient to defend it. The queen, to all the address peculiar to her own sex, added a masculine courage, ambition, and magnanimity. Martinuzzi, who had raised himself from the lowest rank in life to his present dignity, was one of those extraordinary men who,

Character and power of Martinuzzi. by the extent as well as variety of their talents, are fitted to act a superior part in bustling and factious times. In discharging the functions of his ecclesiastical office, he put on the semblance of an humble and austere sanctity. In civil transactions he discovered industry, dexterity, and boldness. During war he laid aside the eassock, and appeared on horseback with his scimitar and buckler, as active, as ostentatious, and as gallant, as any of his countrymen. Amidst all these different and contradictory forms which he could assume, an insatiable desire of dominion and authority was conspicuous. From such persons it was obvious what answer Ferdinand had to expect. He soon perceived that he must depend on arms alone for reeovering Hungary. Having levied, for this purpose, a considerable body of Germans, whom his partisans among the Hungarians joined with their vassals, he ordered them to march into that part of the kingdom which adhered to Stephen. Martinuzzi, unable to make head against such a powerful army in the field, satisfied himself with holding out the towns, all of which, especially Buda, the place of greatest consequence, he provided with every thing necessary for defence; and in the mean time he sent ambassa-

Calls in the Turks. dors to Solyman, beseeehing him to extend towards the son the same imperial protection which had so long maintained the father on his throne. The sultan, though Ferdinand used his utmost endeavours to thwart this negociation, and even offered to accept of the Hungarian crown on the same ignominious eondition, of paying tribute to the Ottoman Porte, by which John had held it, saw such prospects of advantage from espousing the interest of the young king, that he instantly promised him his protection; and commanding one army to advance forthwith towards Hungary, he himself followed with another. Meanwhile the Germans, hoping to terminate the war by the reduction of a city in which the king and his mother were shut up, had formed the siege of Buda. Martinuzzi, having drawn thither the strength of the Hungarian nobility, defended the town with such courage and skill as allowed the Turkish forces time to come up to its relief. They instantly attacked the Germans, weakened by fatigue, diseases, and desertion, and defeated them with great slaughter.[n]

l Istuanhaffii Hist. Hung. lib. xii. p. 135.
m Jovii. Hist. lib. xxxix. p. 239, a, &c.

n Istuanhaffii Hist. Hung. lib. xiv. p. 150.

Solyman's ungenerous conduct.

Solyman soon after joined his victorious troops, and being weary of so many expensive expeditions undertaken in defence of dominions which were not his own, or being unable to resist this alluring opportunity of seizing a kingdom while possessed by an infant under the guardianship of a woman and a priest, he allowed interested considerations to triumph with too much facility over the principles of honour and the sentiments of humanity. What he planned ungenerously, he obtained by fraud. Having prevailed on the queen to send her son, whom he pretended to be desirous of seeing, into his camp, and having, at the same time, invited the chief of the nobility to an entertainment there, while they, suspecting no treachery, gave themselves up to the mirth and jollity of the feast, a select band of troops, by the sultan's orders, seized one of the gates of Buda. Being thus master of the capital, of the king's person, and of the leading men among the nobles, he gave orders to conduct the queen, together with her son, to Transylvania, which province he allotted to them, and appointing a Basha to preside in Buda with a large body of soldiers, annexed Hungary to the Ottoman empire. The tears and complaints of the unhappy queen had no influence to change his purpose, nor could Martinuzzi either resist his absolute and incontrollable command or prevail on him to recall it.[o]

Ferdinand's overtures to Solyman.

Before the account of this violent usurpation reached Ferdinand, he was so unlucky as to have despatched other ambassadors to Solyman with a fresh representation of his right to the crown of Hungary, as well as a renewal of his formal overture to hold the kingdom of the Ottoman Porte, and to pay for it an annual tribute. This ill-timed proposal was rejected with scorn. The sultan, elated with success, and thinking that he might prescribe what terms he pleased to a prince who voluntarily proffered conditions so unbecoming his own dignity, declared that he would not suspend the operations of war unless Ferdinand instantly evacuated all the towns which he still held in Hungary, and consented to the imposition of a tribute upon Austria, in order to reimburse the sums which his presumptuous invasion of Hungary had obliged the Ottoman Porte to expend in defence of that kingdom.[p]

In this state were the affairs of Hungary. As the unfortunate events there had either happened before the dissolution of the diet of Ratisbon, or were dreaded at that time, Charles saw the danger of irritating and inflaming the minds of the Germans while a formidable enemy was ready to break into the empire, and perceived that he could not expect any vigorous assistance, either towards the recovery of Hungary or the defence of the Austrian frontier, unless he courted and satisfied the protestants. By the concessions which have been mentioned he gained this point, and such liberal supplies both of men and money were voted for carrying on the war against the Turks, as left him under little anxiety about the security of Germany during the next campaign.[q]

Emperor visits Italy.

Immediately upon the conclusion of the diet the emperor set out for Italy. As he passed through Lucca he had a short interview with the pope; but nothing could be concluded concerning the proper method of composing the religious disputes in Germany, between two princes whose views and interests with regard to that matter were at this juncture so opposite. The pope's endeavours to remove the causes of discord between Charles and Francis, and to extinguish those mutual animosities which threatened to break out suddenly into open hostility, were not more successful.

His expedition against Algiers, and motives of it.

The emperor's thoughts were bent so entirely, at that time, on the great enterprise which he had concerted against Algiers, that he listened with little attention to the pope's schemes or overtures, and hastened to join his army and fleet.[r]

Algiers still continued in that state of dependence on the Turkish empire to which Barbarossa had subjected it. Ever since he, as captain basha, commanded the Ottoman fleet, Algiers had been governed by Hascen Aga, a renegado eunuch, who, by passing through every station in the corsair's service, had acquired such experience in war, that he was well fitted for a station which required a man of tried and daring courage. Hascen, in order to show how well he deserved that dignity, carried on his piratical depredations against the christian states with amazing activity, and outdid, if possible, Barbarossa himself in boldness and cruelty. The commerce of the Mediterranean was greatly interrupted by his cruisers, and such frequent alarms given to the coast of Spain, that there was a necessity of erecting watch-towers at proper distances, and of keeping guards constantly on foot, in order to descry the approach of his squadrons, and to protect the inhabitants from their descents.[s] Of this the emperor had received repeated and clamorous complaints from his subjects, who represented it as an enterprise corresponding to his power, and becoming his humanity, to reduce Algiers, which, since the conquest of Tunis, was the common receptacle of all the freebooters; and to exterminate that lawless race, the implacable enemies of the christian name. Moved partly by their entreaties, and partly allured by the hope of adding to the glory which he had acquired by his last expedition into Africa, Charles, before he left Madrid in his way to the Low Countries, had issued orders both in Spain and Italy to prepare a fleet and army for this purpose. No change in circumstances since that time could divert him from this resolution, or

o Istuanhaffii Hist. Hung. lib. xiv. p. 56. Jovii Histor. lib. xxxix. p. 2476, &c.

p Istuanhaffii Hist. Hung. lib. xiv. p. 158.

q Sleid. 283.

r Sandov. Histor. tom. ii. 298.

s Jovii Hist. l. xl. p. 266.

prevail on him to turn his arms towards Hungary, though the success of the Turks in that country seemed more immediately to require his presence there; though many of his most faithful adherents in Germany urged that the defence of the empire ought to be his first and peculiar care; though such as bore him no good will ridiculed his preposterous conduct in flying from an enemy almost at hand, that he might go in quest of a remote and more ignoble foe. But to attack the sultan in Hungary, how splendid soever that measure might appear, was an undertaking which exceeded his power, and was not consistent with his interest. To draw troops out of Spain or Italy, to march them into a country so distant as Hungary; to provide the vast apparatus necessary for transporting thither the artillery, ammunition, and baggage of a regular army, and to push the war in that quarter, where there was little prospect of bringing it to an issue during several campaigns, were undertakings so expensive and unwieldy as did not correspond with the low condition of the emperor's treasury. While his principal force was thus employed, his dominions in Italy and the Low Countries must have lain open to the French king, who would not have allowed such a favourable opportunity of attacking them to go unimproved. Whereas the African expedition, the preparations for which were already finished, and almost the whole expense of it defrayed, would depend upon a single effort; and besides the security and satisfaction which the success of it must give his subjects, would detain him during so short a space, that Francis could hardly take advantage of his absence to invade his dominions in Europe.

His preparations.

On all these accounts Charles adhered to his first plan, and with such determined obstinacy, that he paid no regard to the pope, who advised, or to Andrew Doria, who conjured, him not to expose his whole armament to almost unavoidable destruction by venturing to approach the dangerous coast of Algiers at such an advanced season of the year, and when the autumnal winds were so violent. Having embarked on board Doria's galleys at Porto-Venere in the Genoese territories, he soon found that this experienced sailor had not judged wrong concerning the element with which he was so well acquainted; for such a storm arose that it was with the utmost difficulty and danger he reached Sardinia, the place of general rendezvous. But as his courage was undaunted and his temper often inflexible, neither the remonstrances of the pope and Doria, nor the danger to which he had already been exposed by disregarding their advice, had any other effect than to confirm him in his fatal resolution. The force, indeed, which he had collected was such as might have inspired a prince less adventurous and less confident in his own schemes with the most sanguine hopes of success. It consisted of twenty thousand foot and two thousand horse, Spaniards, Italians, and Germans, mostly veterans, together with three thousand volunteers, the flower of the Spanish and Italian nobility, fond of paying court to the emperor by attending him in his favourite expedition, and eager to share in the glory which they believed he was going to reap; to these were added a thousand soldiers sent from Malta by the order of St. John, led by a hundred of its most gallant knights.

Lands in Africa.

The voyage from Majorca to the African coast was not less tedious or full of hazard than that which he had just finished. When he approached the land, the roll of the sea and vehemence of the winds would not permit the troops to disembark. But at last the emperor, seizing a favourable opportunity, landed them without opposition not far from Algiers, and immediately advanced towards the town. To oppose this mighty army Hascen had only eight hundred Turks and five thousand Moors, partly natives of Africa and partly refugees from Granada. He returned, however, a fierce and haughty answer when summoned to surrender. But with such a handful of soldiers, neither his desperate courage nor consummate skill in war could have long resisted forces superior to those which had defeated Barbarossa at the head of sixty thousand men, and which had reduced Tunis in spite of all his endeavours to save it.

The disasters which befell his army,

But how far soever the emperor might think himself beyond the reach of any danger from the enemy, he was suddenly exposed to a more dreadful calamity, and one against which human prudence and human efforts avail nothing. On the second day after his landing, and before he had time for any thing but to disperse some light-armed Arabs who molested his troops on their march, the clouds began to gather and the heavens to appear with a fierce and threatening aspect. Towards evening rain began to fall, accompanied with violent wind; and the rage of the tempest increasing during the night, the soldiers, who had brought nothing ashore but their arms, remained exposed to all its fury, without tents or shelter, or cover of any kind. The ground was soon so wet that they could not lie down on it; their camp, being in a low situation, was overflowed with water, and they sunk at every step to the ancles in mud, while the wind blew with such impetuosity, that, to prevent their falling, they were obliged to thrust their spears into the ground, and to support themselves by taking hold of them. Hascen was too vigilant an officer to allow an enemy in such distress to remain unmolested. About the dawn of morning he sallied out with soldiers, who having been screened from the storm under their own roofs, were fresh and vigorous. A body of Italians who were stationed nearest the city, dispirited and benumbed with cold, fled at the approach of the Turks. The troops at the post behind them discovered greater courage; but as the rain had extinguished their matches and wet their powder, their muskets were useless, and having scarcely strength to handle their other arms, they were soon thrown into confusion.

Almost the whole army, with the emperor himself in person, was obliged to advance before the enemy could be repulsed, who, after spreading such general consternation, and killing a considerable number of men, retired at last in good order.

and fleet.

But all feeling or remembrance of this loss and danger were quickly obliterated by a more dreadful as well as affecting spectacle. It was now broad day; the hurricane had abated nothing of its violence, and the sea appeared agitated with all the rage of which that destructive element is capable; all the ships, on which alone the whole army knew that their safety and subsistence depended, were seen driven from their anchors, some dashing against each other, some beat to pieces on the rocks, many forced ashore, and not a few sinking in the waves. In less than an hour fifteen ships of war, and a hundred and forty transports with eight thousand men, perished; and such of the unhappy crews as escaped the fury of the sea, were murdered without mercy by the Arabs, as soon as they reached land. The emperor stood in silent anguish and astonishment beholding this fatal event, which at once blasted all his hopes of success, and buried in the depths the vast stores which he had provided, as well for annoying the enemy as for subsisting his own troops. He had it not in his power to afford them any other assistance or relief than by sending some troops to drive away the Arabs, and thus delivering a few who were so fortunate as to get ashore from the cruel fate which their companions had met with. At last the wind began to fall, and to give some hopes that as many ships might escape as would be sufficient to save the army from perishing by famine, and transport them back to Europe. But these were only hopes: the approach of evening covered the sea with darkness; and it being impossible for the officers aboard the ships which had outlived the storm, to send any intelligence to their companions who were ashore, they remained during the night in all the anguish of suspense and uncertainty. Next day a boat despatched by Doria made shift to reach land, with information, that having weathered out the storm, to which, during fifty years' knowledge of the sea, he had never seen any equal in fierceness and horror, he had found it necessary to bear away with his shattered ships to Cape Metafuz. He advised the emperor, as the face of the sky was still lowering and tempestuous, to march with all speed to that place, where the troops could re-embark with greater ease.

Obliged to retreat.

Whatever comfort this intelligence afforded Charles, from being assured that part of his fleet had escaped, was balanced by the new cares and perplexity in which it involved him with regard to his army. Metafuz was at least three days' march from his present camp; all the provisions which he had brought ashore at his first landing were now consumed; his soldiers, worn out with fatigue, were hardly able for such a march, even in a friendly country; and being dispirited by a succession of hardships, which victory itself would scarcely have rendered tolerable, they were in no condition to undergo new toils. But the situation of the army was such as allowed not one moment for deliberation, nor left it in the least doubtful what to choose. They were ordered instantly to march, the wounded, the sick, and the feeble being placed in the centre; such as seemed most vigorous were stationed in the front and rear. Then the sad effects of what they had suffered began to appear more manifestly than ever, and new calamities were added to all those which they had already endured. Some could hardly bear the weight of their arms; others, spent with the toil of forcing their way through deep and almost impassable roads, sunk down and died; many perished by famine, as the whole army subsisted chiefly on roots and berries, or the flesh of horses, killed by the emperor's order, and distributed among the several battalions; many were drowned in brooks, which were swoln so much by the excessive rains, that in passing them they waded up to the chin; not a few were killed by the enemy, who, during the greatest part of their retreat, alarmed, harassed, and annoyed them night and day. At last they arrived at Metafuz; and the weather being now so calm as to restore their communication with the fleet, they were supplied with plenty of provisions, and cheered with the prospect of safety.

His fortitude of mind.

During this dreadful series of calamities the emperor discovered great qualities, many of which a long-continued flow of prosperity had scarcely afforded him an opportunity of displaying. He appeared conspicuous for firmness and constancy of spirit, for magnanimity, fortitude, humanity, and compassion. He endured as great hardships as the meanest soldier; he exposed his own person wherever danger threatened; he encouraged the desponding, visited the sick and wounded, and animated all by his words and example. When the army embarked he was among the last who left the shore, although a body of Arabs hovered at no great distance, ready to fall on the rear. By these virtues Charles atoned, in some degree, for his obstinacy and presumption in undertaking an expedition so fatal to his subjects.

Returns to Europe.

The calamities which attended this unfortunate enterprise did not end here; for no sooner were the forces got on board than a new storm arising, though less furious than the former, scattered the fleet, and obliged them, separately, to make towards such ports in Spain or Italy as they could first reach; thus spreading the account of their disasters, with all the circumstances of aggravation and horror which their imagination, still under the influence of fear, suggested. The emperor himself, after escaping great dangers, and being forced into the port of Bugia in Africa, where he was obliged by contrary winds to remain several weeks, arrived at last

Dec. 2.

in Spain, in a condition very different from that in which he had returned from his former expedition against the infidels.[t]

BOOK VII.

Renewal of hostilities by Francis, and his motives for it.

THE calamities which the emperor suffered in his unfortunate enterprise against Algiers were great; and the account of these, which augmented in proportion as it spread at a greater distance from the scene of his disasters, encouraged Francis to begin hostilities, on which he had been for some time resolved. But he did not think it prudent to produce as the motives of this resolution, either his ancient pretensions to the duchy of Milan, or the emperor's disingenuity in violating his repeated promises with regard to the restitution of that country. The former might have been a good reason against concluding the truce of Nice, but was none for breaking it; the latter could not be urged without exposing his own credulity as much as the emperor's want of integrity. A violent and unwarrantable action of one of the imperial generals furnished him with a reason to justify his taking arms, which was of greater weight than either of these, and such as would have roused him, if he had been as desirous of peace as he was eager for war. Francis, by signing the treaty of truce at Nice without consulting Solyman, gave (as he foresaw) great offence to that haughty monarch, who considered an alliance with him as an honour of which a christian prince had cause to be proud. The friendly interview of the French king with the emperor in Provence, followed by such extraordinary appearances of union and confidence which distinguished the reception of Charles when he passed through the dominions of Francis to the Low Countries, induced the sultan to suspect that the two rivals had at last forgotten their ancient enmity, in order that they might form such a general confederacy against the Ottoman power as had been long wished for in Christendom, and often attempted in vain. Charles, with his usual art, endeavoured to confirm and strengthen these suspicions, by instructing his emissaries at Constantinople, as well as in those courts with which Solyman held any intelligence, to represent the concord between him and Francis to be so entire, that their sentiments, views, and pursuits would be the same for the future.[a] It was not without difficulty that Francis effaced these impressions; but the address of Rincon, the French ambassador at the Porte, together with the manifest advantage of carrying on hostilities against the house of Austria in concert with France, prevailed at length on the sultan not only to banish his suspicions, but to enter into a closer conjunction with Francis than ever. Rincon returned into France, in order to communicate to his master a scheme of the sultan's for gaining the concurrence of the Venetians in their operations against the common enemy. Solyman having lately concluded a peace with that republic, to which the mediation of Francis and the good offices of Rincon had greatly contributed, thought it not impossible to allure the senate by such advantages as, together with the example of the French monarch, might overbalance any scruples arising either from decency or caution that could operate on the other side. Francis, warmly approving of this measure, despatched Rincon back to Constantinople, and directing him to go by Venice along with Fregoso, a Genoese exile, whom he appointed his ambassador to that republic, empowered them to negociate the matter with the senate, to whom Solyman had sent an envoy for the same purpose.[b] The marquis del Guasto, governor of the Milanese, an officer of great abilities, but capable of attempting and executing the most atrocious actions, got intelligence of the motions and destination of these ambassadors. As he knew how much his master wished to discover the intentions of the French king, and of what consequence it was to retard the execution of his measures, he employed some soldiers belonging to the garrison of Pavia to lie in wait for Rincon and Fregoso as they sailed down the Po, who murdered them and most of their attendants, and seized their papers. Upon receiving an account of this barbarous outrage, committed during the subsistence of a truce against persons held sacred by the most uncivilized nations, Francis's grief for the unhappy fate of two servants whom he loved and trusted, his uneasiness at the interruption of his schemes by their death, and every other passion, were swallowed up and lost in the indignation which this insult on the honour of his crown excited. He exclaimed loudly against Guasto, who having drawn upon himself all the infamy of assassination without making any discovery of importance, as the ambassadors had left their instructions and other papers of consequence behind them, now boldly denied his being accessary in any wise to the crime. He sent an ambassador to the emperor to demand suitable reparation for an indignity which no prince, how inconsiderable or pusillanimous soever, could tamely endure: and when Charles, impatient at that time to set out on his African expedition, endeavoured to put him off with an evasive answer, he appealed to all the courts in Europe, setting forth the heinousness of the injury, the spirit of moderation with which he had applied for redress, and the iniquity of the emperor in disregarding this just request.

The murder of his ambassadors his pretext for this.

Notwithstanding the confidence with which Guasto asserted his own innocence, the accusations of the French gained greater credit than all his protesta-

t Carol. V. Expeditio ad Argyriam, per Nicolaum Villagnonem Equitem Rhodium, ap. Scardium, v. ii. 365. Jovii Hist. l. xl. p. 269, &c. Vera y Zuniga Vida de Carlos V. p. 83. Sandov. Histor. ii. 239, &c.

a Mem. de Ribier, tom. i. p. 502.
b Hist. de Venet. de Paruta, iv. 125.

tions; and Bellay, the French commander in Piedmont, procured at length, by his industry and address, such a minute detail of the transaction, with the testimony of so many of the parties concerned, as amounted almost to a legal proof of the marquis's guilt. In consequence of this opinion of the public, confirmed by such strong evidence, Francis's complaints were universally allowed to be well founded, and the steps which he took towards renewing hostilities were ascribed, not merely to ambition or resentment, but to the unavoidable necessity of vindicating the honour of his crown.[c]

However just Francis might esteem his own cause, he did not trust so much to that as to neglect the proper precautions for gaining other allies besides the sultan, by whose aid he might counterbalance the emperor's superior power. But his negociations to this effect were attended with very little success. Henry VIII., eagerly bent at that time upon schemes against Scotland, which he knew would at once dissolve his union with France, was inclinable rather to take part with the emperor than to contribute in any degree towards favouring the operations against him. The pope adhered inviolably to his ancient system of neutrality. The Venetians, notwithstanding Solyman's solicitations, imitated the pope's example. The Germans, satisfied with the religious liberty which they enjoyed, found it more their interest to gratify than to irritate the emperor; so that the kings of Denmark and Sweden, who on this occasion were first drawn in to interest themselves in the quarrels of the more potent monarchs of the south, and the duke of Cleves, who had a dispute with the emperor about the possession of Gueldres, were the only confederates whom Francis secured. But the dominions of the two former lay at such a distance, and the power of the latter was so inconsiderable, that he gained little by their alliance.

Francis's industry in preparing for war.

But Francis by vigorous efforts of his own activity supplied every defect. Being afflicted at this time with a distemper which was the effect of his irregular pleasures, and which prevented his pursuing them with the same licentious indulgence, he applied to business with more than his usual industry. The same cause which occasioned this extraordinary attention to his affairs, rendered him morose and dissatisfied with the ministers whom he had hitherto employed. This accidental peevishness being sharpened by reflecting on the false steps into which he had lately been betrayed, as well as the insults to which he had been exposed, some of those in whom he had usually placed the greatest confidence felt the effects of this change in his temper, and were deprived of their offices. At last he disgraced Montmorency himself, who had long directed affairs, as well civil as military, with all the authority of a minister no less beloved than trusted by his master; and Francis being fond of showing that the fall of such a powerful favourite did not affect the vigour or prudence of his administration, this was a new motive to redouble his diligence in preparing to open the war by some splendid and extraordinary effort.

1542. He brings five armies into the field.

He accordingly brought into the field five armies. One to act in Luxembourg under the duke of Orleans, accompanied by the duke of Lorraine as his instructor in the art of war; another, commanded by the dauphin, marched towards the frontiers of Spain: a third, led by Van Rossem the marshal of Gueldres, and composed chiefly of the troops of Cleves, had Brabant allotted for the theatre of its operations; a fourth, of which the duke of Vendome was general, hovered on the borders of Flanders: the last, consisting of the forces cantoned in Piedmont, was destined for the admiral Annebaut. The dauphin and his brother were appointed to command where the chief exertions were intended and the greatest honour to be reaped; the army of the former amounted to forty thousand, that of the latter to thirty thousand, men. Nothing appears more surprising than that Francis did not pour with these numerous and irresistible armies into the Milanese, which had so long been the object of his wishes as well as enterprises, and that he should choose rather to turn almost his whole strength into another direction and towards new conquests. But the remembrance of the disasters which he had met with in his former expeditions into Italy, together with the difficulty of supporting a war carried on at such a distance from his own dominions, had gradually abated his violent inclination to obtain footing in that country, and made him willing to try the fortune of his arms in another quarter. At the same time he expected to make such a powerful impression on the frontier of Spain, where there were few towns of any strength and no army assembled to oppose him, as might enable him to recover possession of the country of Rousillon, lately dismembered from the French crown, before Charles could bring into the field any force able to obstruct his progress. The necessity of supporting his ally the duke of Cleves, and the hope of drawing a considerable body of soldiers out of Germany by his means, determined him to act with vigour in the Low Countries.

June. Their operations.

The dauphin and duke of Orleans opened the campaign much about the same time; the former laying siege to Perpignan the capital of Rousillon, and the latter entering Luxembourg. The duke of Orleans pushed his operations with the greatest rapidity and success, one town falling after another, until no place in that large duchy remained in the emperor's hands but Thionville. Nor could he have failed of overrunning the adjacent provinces with the same ease, if he had not voluntarily stopt short in this career of victory. But a report prevailing that the emperor

c Bellay, 367, &c. Jovii Hist. lib. xl. 268.

had determined to hazard a battle in order to save Perpignan, on a sudden the duke, prompted by youthful ardour, or moved, perhaps, by jealousy of his brother, whom he both envied and hated, abandoned his own conquest, and hastened towards Rousillon, in order to divide with him the glory of the victory.

On his departure some of his troops were disbanded, others deserted their colours, and the rest, cantoned in the towns which he had taken, remained inactive. By this conduct, which leaves a dishonourable imputation either on his understanding or his heart, or on both, he not only renounced whatever he could have hoped from such a promising commencement of the campaign, but gave the enemy an opportunity of recovering, before the end of summer, all the conquests which he had gained. On the Spanish frontier the emperor was not so inconsiderate as to venture on a battle, the loss of which might have endangered his kingdom. Perpignan, though poorly fortified and briskly attacked, having been largely supplied with ammunition and provisions by the vigilance of Doria,[d] was defended so long and so vigorously by the duke of Alva, the persevering obstinacy of whose temper fitted him admirably for such a service, that at last the French, after a siege of three months, wasted by diseases, repulsed in several assaults, and despairing of success, relinquished the undertaking and retired into their own country.[e] Thus all Francis's mighty preparations, either from some defect in his own conduct or from the superior power and prudence of his rival, produced no effects which bore any proportion to his expense and efforts, or such as gratified, in any degree, his own hopes, or answered the expectation of Europe. The only solid advantage of the campaign was the acquisition of a few towns in Piedmont, which Bellay gained rather by stratagem and address than by force of arms.[f]

1543. Preparations for another campaign.

The emperor and Francis, though both considerably exhausted by such great but indecisive efforts, discovering no abatement of their mutual animosity, employed all their attention, tried every expedient, and turned themselves towards every quarter, in order to acquire new allies, together with such a reinforcement of strength as would give them the superiority in the ensuing campaign. Charles, taking advantage of the terror and resentment of the Spaniards upon the sudden invasion of their country, prevailed on the Cortes of the several kingdoms to grant him subsidies with a more liberal hand than usual. At the same time he borrowed a large sum from John, king of Portugal, and, by way of security for his repayment, put him in possession of the Molucca Isles in the East Indies, with the gainful commerce of precious spices which that sequestered corner of the globe yields. Not satisfied with this, he negociated a marriage between Philip his only son, now in his sixteenth year, and Mary, daughter of that monarch, with whom her father, the most opulent prince in Europe, gave a large dower; and having likewise persuaded the Cortes of Aragon and Valentia to recognise Philip as the heir of these crowns, he obtained from them the donative usual on such occasions.[g] These extraordinary supplies enabled him to make such additions to his forces in Spain, that he could detach a great body into the Low Countries, and yet reserve as many as were sufficient for the defence of the kingdom. Having thus provided for the security of Spain, and committed the government of it to his son, he sailed for Italy, in his way to Germany. But how attentive soever to raise the funds for carrying on the war, or eager to grasp at any new expedient for that purpose, he was not so inconsiderate as to accept of an overture which Paul, knowing his necessities, artfully threw out to him. That ambitious pontiff, no less sagacious to discern than watchful to seize opportunities of aggrandizing his family, solicited him to grant Octavio his grandchild, whom the emperor had admitted to the honour of being his son-in-law, the investiture of the duchy of Milan, in return for which he promised such a sum of money as would have gone far towards supplying all his present exigences. But Charles, as well from unwillingness to alienate a province of so much value as from disgust at the pope, who had hitherto refused to join in the war against France, rejected the proposal. His dissatisfaction with Paul at that juncture was so great, that he even refused to approve his alienating Parma and Placentia from the patrimony of St. Peter, and settling them on his son and grandson as a fief to be held of the holy see. As no other expedient for raising money among the Italian states remained, he consented to withdraw the garrisons which he had hitherto kept in the citadels of Florence and Leghorn; in consideration for which, he received a large present from Cosmo di Medici, who by this means secured his own independence, and got possession of two forts which were justly called the fetters of Tuscany.[h]

May.

The emperor's negociations with Henry VIII.

But Charles, while he seemed to have turned his whole attention towards raising the sums necessary for defraying the expenses of the year, had not been negligent of objects more distant though no less important, and had concluded a league offensive and defensive with Henry VIII. from which he derived, in the end, greater advantage than from all his other preparations. Several slight circumstances which have already been mentioned had begun to alienate the affections of that monarch from Francis, with whom he had been for some time in close alliance, and new incidents of greater moment had occurred to increase his disgust and animosity. Henry, desirous of establishing an uniformity

Henry's rupture with France and Scotland.

d Sigonii Vita A. Doriæ, p. 1191.
e Sandov. Hist. tom. ii. 315.
f Ibid. ii. 318. Bellay, 387, &c. Ferrer. ix. 237.

g Ferreras, ix. 238, 241. Jovii Hist. lib. xlii. 298, b.
h Adriani Istoria, i. 195. Sleid. 312. Jovii Hist. lib. xlii. p. 301. Vita di Cos Medici di Baldini, p. 34.

in religion in both the British kingdoms, as well as fond of making proselytes to his own opinions, had formed a scheme of persuading his nephew the king of Scots to renounce the pope's supremacy, and to adopt the same system of reformation which he had introduced into England. This measure he pursued with his usual eagerness and impetuosity, making such advantageous offers to James, whom he considered as not over-scrupulously attached to any religious tenets, that he hardly doubted of success. His propositions were accordingly received in such a manner that he flattered himself with having gained his point. But the Scottish ecclesiastics, foreseeing how fatal the union of their sovereign with England must prove both to their own power and to the established system of religion, and the partisans of France, no less convinced that it would put an end to the influence of that crown upon the public councils of Scotland, combined together, and by their insinuations defeated Henry's scheme at the very moment when he expected it to have taken effect.[i] Too haughty to brook such a disappointment, which he imputed as much to the arts of the French as to the levity of the Scottish monarch, he took arms against Scotland, threatening to subdue the kingdom, since he could not gain the friendship of its king. At the same time his resentment against Francis quickened his negociations with the emperor, an alliance with whom he was now as forward to accept as the other could be to offer it. During this war with Scotland, and before the conclusion of his negociations with Charles, James V. died, leaving his crown to Mary his only daughter, an infant a few days old. Upon this event Henry altered at once his whole system with regard to Scotland, and abandoning all thoughts of conquering it, aimed at what was more advantageous as well as more practicable, an union with that kingdom by a marriage between Edward his only son and the young queen. But here, too, he apprehended a vigorous opposition from the French faction in Scotland, which began to bestir itself in order to thwart the measure. The necessity of crushing this party among the Scots, and of preventing Francis from furnishing them any effectual aid, confirmed Henry's resolution of breaking with France, and pushed him on to put a finishing hand to the treaty of confederacy with the emperor.

Feb. 11. Alliance between Charles and Henry.

In this league were contained, first of all, articles for securing their future amity and mutual defence; then were enumerated the demands which they were respectively to make upon Francis; and the plan of their operations was fixed, if he should refuse to grant them satisfaction. They agreed to require that Francis should not only renounce his alliance with Solyman, which had been the source of infinite calamities to Christendom, but also that he should make reparation for the damages which that unnatural union had occasioned; that he should restore Burgundy to the emperor; that he should desist immediately from hostilities, and leave Charles at leisure to oppose the common enemy of the christian faith; and that he should immediately pay the sums due to Henry, or put some towns in his hands as security to that effect. If within forty days he did not comply with these demands, they then engaged to invade France each with twenty thousand foot and five thousand horse, and not to lay down their arms until they had recovered Burgundy, together with the towns on the Somme, for the emperor, and Normandy and Guienne, or even the whole realm of France, for Henry.[k] Their heralds accordingly set out with these haughty requisitions; and though they were not permitted to enter France, the two monarchs held themselves fully entitled to execute whatever was stipulated in their treaty.

Francis's negociation with Solyman.

Francis, on his part, was not less diligent in preparing for the approaching campaign. Having early observed symptoms of Henry's disgust and alienation, and finding all his endeavours to soothe and reconcile him ineffectual, he knew his temper too well not to expect that open hostilities would quickly follow upon this cessation of friendship. For this reason he redoubled his endeavours to obtain from Solyman such aid as might counterbalance the great accession of strength which the emperor would receive by his alliance with England. In order to supply the place of the two ambassadors who had been murdered by Guasto, he sent as his envoy, first to Venice and then to Constantinople, Paulin, who, though in no higher rank than a captain of foot, was deemed worthy of being raised to this important station, to which he was recommended by Bellay, who had trained him to the arts of negociation, and made trial of his talents and address on several occasions. Nor did he belie the opinion conceived of his courage and abilities. Hastening to Constantinople, without regarding the dangers to which he was exposed, he urged his master's demands with such boldness, and availed himself of every circumstance with such dexterity, that he soon removed all the sultan's difficulties. As some of the bashaws, swayed either by their own opinion or influenced by the emperor's emissaries, who had made their way even into this court, had declared in the divan against acting in concert with France, he found means either to convince or silence them.[l] At last he obtained orders for Barbarossa to sail with a powerful fleet, and to regulate all his operations by the directions of the French king. Francis was not equally successful in his attempts to gain the princes of the empire. The extraordinary rigour with which he thought it necessary to punish such of his subjects as had embraced the protestant opinions, in order to give some notable evidence of his own zeal for the catholic faith, and to wipe off the

i Hist. of Scotland, book i. p. 21, *supra*.
k Rym. xiv. 768. Herb. 238.

l Sandov. Histor. tom. ii. 316. Jovii Hist. lib. xli. 285, &c. 300, &c Brantome.

imputations to which he was liable from his confederacy with the Turks, placed an insuperable barrier between him and such of the Germans as interest or inclination would have prompted most readily to join him.[m] His chief advantage, however, over the emperor he derived on this, as on other occasions, from the contiguity of his dominions, as well as from the extent of the royal authority in France, which exempted him from all the delays and disappointments unavoidable wherever popular assemblies provide for the expenses of government by occasional and frugal subsidies. Hence his domestic preparations were always carried on with vigour and rapidity, while those of the emperor, unless when quickened by some foreign supply or some temporary expedient, were extremely slow and dilatory.

Operations in the Low Countries.

Long before any army was in readiness to oppose him, Francis took the field in the Low Countries, against which he turned the whole weight of the war. He made himself master of Landrecy, which he determined to keep as the key to the whole province of Hainault, and ordered it to be fortified with great care. Turning from thence to the right, he entered the duchy of Luxembourg, and found it in the same defenceless state as in the former year. While he was thus employed, the emperor, having drawn together an army composed of all the different nations subject to his government, entered the territories of the duke of Cleves, on whom he had vowed to inflict exemplary vengeance. This prince, whose conduct and situation were similar to that of Robert de la Mark in the first war between Charles and Francis, resembled him likewise in his fate. Unable with his feeble army to face the emperor, who advanced at the head of forty-four thousand men, he retired at his approach; and the imperialists being at liberty to act as they pleased, immediately invested Duren.

The emperor becomes master of the duchy of Cleves, August 24.

That town, though gallantly defended, was taken by assault; all the inhabitants were put to the sword, and the place itself reduced to ashes. This dreadful example of severity struck the people of the country with such general terror, that all the other towns, even such as were capable of resistance, sent their keys to the emperor; and before a body of French detached to his assistance could come up, the duke himself was obliged to make his submission to Charles in the most abject manner. Being admitted into the imperial presence, he kneeled, together with eight of his principal subjects, and implored mercy. The emperor allowed him to remain in that ignominious posture, and eyeing him with a haughty and severe look, without deigning to answer a single word, remitted him to his ministers. The conditions, however, which they prescribed were not so rigorous as he had reason to have expected after such a reception. He was obliged to renounce his alliance with France and Denmark; to resign all his pretensions to the duchy of Gueldres; to enter into perpetual amity with the emperor and king of the Romans. In return for which, all his hereditary dominions were restored except two towns, which the emperor kept as pledges of the duke's fidelity during the continuance of the war; and he was reinstated in his privileges as a prince of the empire. Not long after, Charles, as a proof of the sincerity of his reconcilement, gave him in marriage one of the daughters of his brother Ferdinand.[n]

Sept. 7.

Besieges Landrecy.

Having thus chastised the presumption of the duke of Cleves, detached one of his allies from Francis, and annexed to his own dominions in the Low Countries a considerable province which lay contiguous to them, Charles advanced towards Hainault, and laid siege to Landrecy. There, as the first-fruits of his alliance with Henry, he was joined by six thousand English under Sir John Wallop. The garrison, consisting of veteran troops commanded by De la Lande and Dessé, two officers of reputation, made a vigorous resistance. Francis approached with all his forces to relieve that place; Charles covered the siege; both were determined to hazard an engagement; and all Europe expected to see this contest, which had continued so long, decided at last by a battle between two great armies, led by their respective monarchs in person. But the ground which separated their two camps was such as put the disadvantage manifestly on his side who should venture to attack, and neither of them chose to run that risk. Amidst a variety of movements, in order to draw the enemy into the snare or to avoid it themselves, Francis, with admirable conduct and equal good fortune, threw first a supply of fresh troops, and then a convoy of provisions, into the town; so that the emperor, despairing of success, withdrew into winter-quarters,[o] in order to preserve his army from being entirely ruined by the rigour of the season.

Solyman invades Hungary. November.

During this campaign Solyman fulfilled his engagements to the French king with great punctuality. He himself marched into Hungary with a numerous army; and as the princes of the empire made no great effort to save a country which Charles, by employing his own force against Francis, seemed willing to sacrifice, there was no appearance of any body of troops to oppose his progress. He besieged, one after another, Quinque Ecclesiæ, Alba, and Gran, the three most considerable towns in the kingdom, of which Ferdinand had kept possession. The first was taken by storm; the other two surrendered; and the whole kingdom, a small corner excepted, was subjected to the Turkish yoke.[p] About the same time Barbarossa sailed with a fleet of a hundred and ten galleys,

Barbarossa's descent on Italy.

m Seck. lib. iii. 403.
n Haræi Annal. Brabant. tom. i. 628. Recueil des Traitez, tom. ii. 226.

o Bellay, 405, &c.
p Istuanhaffi Hist. Hung. lib. xv. 167.

and coasting along the shore of Calabria, made a descent at Rheggio, which he plundered and burnt; and advancing from thence to the mouth of the Tiber, he stopped there to water. The citizens of Rome, ignorant of his destination, and filled with terror, began to fly with such general precipitation, that the city would have been totally deserted if they had not resumed courage upon letters from Paulin the French envoy, assuring them that no violence or injury would be offered by the Turks to any state in alliance with the king his master.[q] From Ostia Barbarossa sailed to Marseilles, and being joined by the French fleet with a body of land forces on board under the count d'Enguien, a gallant young prince of the house of Bourbon, they directed their course towards Nice, the sole retreat of the unfortunate duke of Savoy. There, to the

Aug. 10.

astonishment and scandal of all Christendom, the lilies of France and crescent of Mahomet appeared in conjunction against a fortress on which the cross of Savoy was displayed. The town, however, was bravely defended against their combined force by Montfort a Savoyard gentleman, who stood a general assault, and repulsed the enemy with great loss, before he retired into the castle. That fort, situated upon a rock, on which the artillery made no impression, and which could not be undermined, he held out so long, that Doria had time to approach with his fleet, and the marquis del Guasto to march with a body of troops from

Sept. 8.

Milan. Upon intelligence of this the French and Turks raised the siege,[r] and Francis had not even the consolation of success, to render the infamy which he drew on himself by calling in such an auxiliary more pardonable.

Preparations for a new campaign.

From the small progress of either party during this campaign, it was obvious to what a length the war might be drawn out between two princes whose power was so equally balanced, and who, by their own talents or activity, could so vary and multiply their resources. The trial which they had now made of each other's strength might have taught them the imprudence of persisting in a war wherein there was greater appearance of their distressing their own dominions than of conquering those of their adversary, and should have disposed both to wish for peace. If Charles and Francis had been influenced by considerations of interest or prudence alone, this, without doubt, must have been the manner in which they would have reasoned. But the personal animosity which mingled itself in all their quarrels had grown to be so violent and implacable, that, for the pleasure of gratifying it, they disregarded every thing else; and were infinitely more solicitous how to hurt each other, than how to secure what would be of advantage to themselves. No sooner, then, did the season force them to suspend hostilities, than, without paying attention to the pope's repeated endeavours or paternal exhortations to re-establish peace, they began to provide for the operations of the next year with new vigour, and an activity increasing with their hatred. Charles turned his chief attention towards gaining the princes of the empire, and endeavoured to rouse the formidable but unwieldy strength of the Germanic body against Francis. In order to understand the propriety of the steps which he took for that purpose, it is necessary to review the chief transactions in that country since the diet of Ratisbon in the year one thousand five hundred and forty-one.

Affairs of Germany.

Much about the time that assembly broke up, Maurice succeeded his father Henry in the government of that part of Saxony which belonged to the Albertine branch of the Saxon family. This young prince, then only in his twentieth year, had, even at that early period, begun to discover the great talents which qualified him for acting such a distinguished part in the affairs of Germany. As soon as he entered upon the administration, he struck out into such a new and singular path as showed that he aimed from the beginning at something great and uncommon. Though zealously attached to the protestant opinions, both from education and principle, he refused to accede to the league of Smalkalde, being determined, as he said, to maintain the purity of religion, which was the original object of that confederacy, but not to entangle himself in the political interests or combinations to which it had given rise. At the same time foreseeing a rupture between Charles and the confederates of Smalkalde, and perceiving which of them was most likely to prevail in the contest, instead of that jealousy and distrust which the other protestants expressed of all the emperor's designs, he affected to place in him an unbounded confidence, and courted his favour with the utmost assiduity. When the other protestants, in the year fifteen hundred and forty-two, either declined assisting Ferdinand in Hungary, or afforded him reluctant and feeble aid, Maurice marched thither in person, and rendered himself conspicuous by his zeal and courage. From the same motive he had led to the emperor's assistance, during the last campaign, a body of his own troops; and the gracefulness of his person, his dexterity in all military exercises, together with his intrepidity, which courted and delighted in danger, did not distinguish him more in the field than his great abilities and insinuating address won upon the emperor's confidence and favour.[s] While by this conduct, which appeared extraordinary to those who held the same opinions with him concerning religion, Maurice endeavoured to pay court to the emperor, he began to discover some degree of jealousy of his cousin the elector of Saxony. This, which proved in the

Maurice of Saxony succeeds his father.

The views and conduct of this young prince.

q Jovii Hist. lib. xliii. 304, &c. Pallavic. 160.
r Guichenon Histoire de Savoye, tom. i. p. 651. Bellay, 425, &c.

s Sleid. 317. Seck. l. iii. 371, 386, 428.

sequel so fatal to the elector, had almost occasioned an open rupture between them; and soon after Maurice's accession to the government, they both took arms with equal rage, upon account of a dispute about the right of jurisdiction over a paltry town situated on the Moldaw. They were prevented, however, from proceeding to action by the mediation of the landgrave of Hesse, whose daughter Maurice had married, as well as by the powerful and authoritative admonitions of Luther.[t]

The pope proposes to hold a general council at Trent.

Amidst these transactions, the pope, though extremely irritated at the emperor's concessions to the protestants at the diet of Ratisbon, was so warmly solicited on all hands by such as were most devoutly attached to the see of Rome, no less than by those whose fidelity or designs he suspected, to summon a general council, that he found it impossible to avoid any longer calling that assembly. The impatience for its meeting, and the expectations of great effects from its decisions, seemed to grow in proportion to the difficulty of obtaining it. He still adhered, however, to his original resolution of holding it in some town of Italy, where, by the number of ecclesiastics, retainers to his court and depending on his favour, who could repair to it without difficulty or expense, he might influence and even direct all its proceedings. This proposition, though often rejected by the Germans, he instructed his nuncio to

March 3.

the diet held at Spires, in the year one thousand five hundred and forty-two, to renew once more; and if he found it gave no greater satisfaction than formerly, he empowered him, as a last concession, to propose for the place of meeting Trent, a city in the Tyrol, subject to the king of the Romans, and situated on the confines between Germany and Italy. The catholic princes in the diet, after giving it as their opinion that the council might have been held with greater advantage in Ratisbon, Cologne, or some of the great cities of the empire, were at length induced to approve of the place which the pope had named. The protestants unanimously expressed their dissatisfaction, and protested that they would pay no regard to a council held beyond the precincts of the empire, called by the pope's authority, and in which he assumed the right of presiding.[u]

May 22, 1542. Summons it to meet.

The pope, without taking any notice of their objections, published the bull of intimation, named three cardinals to preside as his legates, and appointed them to repair to Trent before the first of November, the day he had fixed for opening the council. But if Paul had desired the meeting of a council as sincerely as he pretended, he would not have pitched on such an improper time for calling it. Instead of that general union and tranquillity without which the deliberations of a council could neither be conducted with security nor attended with authority, such a fierce war was just kindled between the emperor and Francis, as rendered it impossible for the ecclesiastics from many parts of Europe to resort thither in safety. The legates, accordingly, remained several months in Trent; but as no person appeared there except a few prelates from the ecclesiastical state, the pope, in order to avoid the ridicule and contempt which this drew upon him from the enemies of the church, recalled them and prorogued the council.[x]

Obliged to prorogue it.

The emperor courts the protestants.

Unhappily for the authority of the papal see, at the very time that the German protestants took every occasion of pouring contempt upon it, the emperor and king of the Romans found it necessary not only to connive at their conduct, but to court their favour by repeated acts of indulgence. In the same diet of Spires in which they had protested in the most disrespectful terms against assembling a council at Trent, Ferdinand, who depended on their aid for the defence of Hungary, not only permitted that protestation to be inserted in the records of the diet, but renewed in their favour all the emperor's concessions at Ratisbon, adding to them whatever they demanded for their further security. Among other particulars he granted a suspension of a decree of the imperial chamber against the city of Goslar, (one of those which had entered into the league of Smalkalde,) on account of its having seized the ecclesiastical revenues within its domains, and enjoined Henry, duke of Brunswick, to desist from his attempts to carry that decree into execution. But Henry, a furious bigot, and no less obstinate than rash in all his undertakings, continuing to disquiet the people of Goslar by his incursions, the elector of Saxony and Landgrave of Hesse, that they might not suffer any member of the Smalkaldic body to be oppressed, assembled their forces, declared war in form against Henry, and in the space of a few weeks stripping him entirely of his dominions, drove him as a wretched exile to take refuge in the court of Bavaria. By this act of vengeance, no less severe than sudden, they filled all Germany with dread of their power, and the confederates of Smalkalde appeared by this first effort of their arms to be as ready as they were able to protect those who had joined the association.[y]

Their vigorous proceedings.

Imboldened by so many concessions in their favour, as well as by the progress which their opinions daily made, the princes of the league of Smalkalde took a solemn protest against the imperial chamber, and declined its jurisdiction for the future, because that court had not been visited or reformed according to the decree of Ratisbon, and continued to discover a most indecent impartiality in all its proceedings. Not long after this they ventured a step further; and protesting against the recess of a diet held at Nuremberg, which provided for the defence of Hungary, refused to

April 23, 1543.

t Sleid. 292. Seck. l. iii. 403.
u Sleid. 291. Seck. l. iii. 283.
x F. Paul, p. 97. Sleid. 296.

y Sleid. 296. Commemoratio succincta Causarum Belli, &c. a Smalkaldicis contra Henr. Brunsw. ab iisdem edita: ap. Scardium, tom. ii. 307.

furnish their contingent for that purpose unless the imperial chamber were reformed, and full security were granted them in every point with regard to religion.[z]

Diet at Spires, 1544.

Such were the lengths to which the protestants had proceeded, and such their confidence in their own power, when the emperor returned from the Low Countries to hold a diet which he had summoned to meet at Spires. The respect due to the emperor, as well as the importance of the affairs which were to be laid before it, rendered this assembly extremely full. All the electors, a great number of princes, ecclesiastical and secular, with the deputies of most of the cities, were present. Charles soon perceived that this was not a time to offend the jealous spirit of the protestants, by asserting in any high tone the authority and doctrines of the church, or by abridging in the smallest article the liberty which they now enjoyed; but that, on the contrary, if he expected any support from them, or wished to preserve Germany from intestine disorders while he was engaged in a foreign war, he must soothe them by new concessions and a more ample extension of their religious privileges. He began, accordingly, with courting the elector of Saxony and landgrave of Hesse, the heads of the protestant party; and by giving up some things in their favour, and granting liberal promises with regard to others, he seeured himself from any danger of opposition on their part. Having gained this capital point, he then ventured to address the diet with greater freedom. He began by representing his own zeal and unwearied efforts with regard to two things most essential to Christendom, the procuring of a general council in order to compose the religious dissensions which had unhappily arisen in Germany, and the providing some proper means for cheeking the formidable progress of the Turkish arms. But he observed with deep regret that his pious endeavours had been entirely defeated by the unjustifiable ambition of the French king, who having wantonly kindled the flame of war in Europe, which had been so lately extinguished by the truce of Nice, rendered it impossible for the fathers of the church to assemble in eouncil or to deliberate with seeurity; and obliged him to employ those forces in his own defence, which, with greater satisfaction to himself as well as more honour to Christendom, he would have turned against the infidels: that Francis, not thinking it enough to have called him off from opposing the Mahometans, had, with unexampled impiety, invited them into the heart of Christendom, and joining his arms to theirs, had openly attacked the duke of Savoy, a member of the empire: that Barbarossa's fleet was now in one of the ports of Franee, waiting only the return of spring to carry terror and desolation to the eoast of some christian state: that in such a situation it was folly to think of distant expeditions against the Turk, or of marching to oppose his armies in Hungary, while such a powerful ally reeeived him into the centre of Europe, and gave him footing there. It was a dietate of prudence, he added, to oppose the nearest and most imminent danger first of all, and by humbling the power of France, to deprive Solyman of the advantages which he derived from the unnatural confederacy formed between him and a monarch who still arrogated the name of Most Christian: that, in truth, a war against the French king and the sultan ought to be considered as the same thing; and that every advantage gained over the former was a severe and sensible blow to the latter. On all these accounts he concluded with demanding their aid against Francis, not merely as an enemy of the Germanic body, or of him who was its head, but as an avowed ally of the infidels and a publie enemy to the christian name.

The emperor solicits its aid against France.

In order to give greater weight to this violent invective of the emperor, the king of the Romans stood up and related the rapid conquests of the sultan in Hungary, occasioned, as he said, by the fatal necessity imposed on his brother of employing his arms against France. When he had finished, the ambassador of Savoy gave a detail of Barbarossa's operations at Nice, and of the ravages which he had committed on that coast. All these, added to the general indignation which Francis's unprecedented union with the Turks excited in Europe, made such an impression on the diet as the emperor wished, and disposed most of the members to grant him such effectual aid as he had demanded. The ambassadors whom Francis had sent to explain the motives of his conduct were not permitted to enter the bounds of the empire; and the apology which they published for their master, vindicating his alliance with Solyman by examples drawn from Scripture and the practice of christian princes, was little regarded by men who were irritated already, or prejudieed against him to such a degree as to be incapable of allowing their proper weight to any arguments in his own behalf.

His vast concessions in order to gain the protestants.

Such being the favourable disposition of the Germans, Charles perceived that nothing could now obstruct his gaining all that he aimed at but the fears and jealousies of the protestants, which he determined to quiet by granting every thing that the utmost solieitude of these passions could desire for the security of their religion. With this view he consented to a recess, whereby all the rigorous edicts hitherto issued against the protestants were suspended; a council either general or national to be assembled in Germany was declared necessary, in order to reestablish peaee in the church: until one of these should be held, (which the emperor undertook to bring about as soon as possible,) the free and public exercise of the protestant religion was authorized; the imperial chamber was enjoined to give no mo-

z Sleid. 304, 307. Seck. l. iii. 401, 416.

lestation to the protestants; and when the term for which the present judges in that court were elected should expire, persons duly qualified were then to be admitted as members, without any distinction on account of religion. In return for these extraordinary acts of indulgence, the protestants concurred with the other members of the diet in declaring war against Francis in name of the empire; in voting the emperor a body of twenty thousand foot and four thousand horse, to be maintained at the public expense for six months, to be employed against France; and at the same time the diet proposed a poll-tax to be levied throughout all Germany, on every person without exception, for the support of the war against the Turks.

Aid granted by the diet.

Charles, while he gave the greatest attention to the minute and intricate detail of particulars necessary towards conducting the deliberations of a numerous and divided assembly to such a successful period, negociated a separate peace with the king of Denmark, who, though he had hitherto performed nothing considerable in consequence of his alliance with Francis, had it in his power, however, to make a troublesome diversion in favour of that monarch.[a] At the same time he did not neglect proper applications to the king of England, in order to rouse him to more vigorous efforts against their common enemy. Little, indeed, was wanting to accomplish this; for such events had happened in Scotland as inflamed Henry to the most violent pitch of resentment against Francis. Having concluded with the parliament of Scotland a treaty of marriage between his son and their young queen, by which he reckoned himself secure of effecting the union of the two kingdoms, which had been long desired, and often attempted without success by his predecessors, Mary of Guise the queen-mother, cardinal Beatoun, and other partisans of France, found means not only to break off the match, but to alienate the Scottish nation entirely from the friendship of England, and to strengthen its ancient attachment to France. Henry, however, did not abandon an object of so much importance; and as the humbling of Francis, besides the pleasure of taking revenge upon an enemy who had disappointed a favourite measure, appeared the most effectual method of bringing the Scots to accept once more of the treaty which they had relinquished, he was so eager to accomplish this, that he was ready to second whatever the emperor could propose to be attempted against the French king. The plan, accordingly, which they concerted, was such, if it had been punctually executed, as must have ruined France in the first place, and would have augmented so prodigiously the emperor's power and territories as might in the end have proved fatal to the liberties of Europe. They agreed to invade France each with an army of twenty-five thousand men, and,

Charles's negociations with Denmark and England.

a Du Mont Corps Diplom. t. iv. p. ii. p. 274.

without losing time in besieging the frontier towns, to advance directly towards the interior provinces, and to join their forces near Paris.[b]

Francis stood alone in opposition to all the enemies whom Charles was mustering against him. Solyman had been the only ally who did not desert him; but the assistance which he had received from him rendered him so odious to all Christendom, that he resolved rather to forego all the advantages of his friendship than to become on that account the object of general detestation. For this reason he dismissed Barbarossa as soon as winter was over, who, after ravaging the coast of Naples and Tuscany, returned to Constantinople. As Francis could not hope to equal the forces of so many powers combined against him, he endeavoured to supply that defect by despatch, which was more in his power, and to get the start of them in taking the field. Early in the spring, the count d'Enguien invested Carignan, a town in Piedmont, which the marquis del Guasto, the imperial general, having surprised the former year, considered as of so much importance that he had fortified it at great expense. The count pushed the siege with such vigour, that Guasto, fond of his own conquest, and seeing no other way of saving it from falling into the hands of the French, resolved to hazard a battle in order to relieve it. He began his march from Milan for this purpose, and as he was at no pains to conceal his intention, it was soon known in the French camp. Enguien, a gallant and enterprising young man, wished passionately to try the fortune of a battle; his troops desired it with no less ardour; but the peremptory injunction of the king not to venture a general engagement, flowing from a prudent attention to the present situation of affairs, as well as from the remembrance of former disasters, restrained him from venturing upon it. Unwilling, however, to abandon Carignan when it was just ready to yield, and eager to distinguish his command by some memorable action, he despatched Monluc to court, in order to lay before the king the advantages of fighting the enemy, and the hopes which he had of victory. The king referred the matter to his privy council; all the ministers declared, one after another, against fighting, and supported their sentiments by reasons extremely plausible. While they were delivering their opinions, Monluc, who was permitted to be present, discovered such visible and extravagant symptoms of impatience to speak, as well as such dissatisfaction with what he heard, that Francis, diverted with his appearance, called on him to declare what he could offer in reply to sentiments which seemed to be as just as they were general. Upon this Monluc, a plain but spirited soldier, and of known courage, represented the good condition of the troops, their eagerness to meet the enemy in the field, their confidence in their officers, together

The French take the field in Piedmont.

Invest Carignan.

The imperialists march to relieve it.

b Herbert, 245. Bellay, 448.

with the everlasting infamy which the declining of a battle would bring on the French arms; and he urged his arguments with such lively impetuosity, and such a flow of military eloquence, as gained over to his opinion not only the king, naturally fond of daring actions, but several of the council. Francis, catching the same enthusiasm which had animated his troops, suddenly started up, and having lifted his hands to heaven and implored the divine protection, he then addressed himself to Monluc, "Go," says he, "return to Piedmont, and fight in the name of God."[c]

Battle of Cerisoles.

No sooner was it known that the king had given Enguien leave to fight the imperialists, than such was the martial ardour of the gallant and high-spirited gentlemen of that age, that the court was quite deserted, every person desirous of reputation or capable of service hurrying to Piedmont, in order to share as volunteers in the danger and glory of the action. Encouraged by the arrival of so many brave officers, Enguien immediately prepared for battle, nor did Guasto decline the combat. The number of cavalry was almost equal, but the imperial infantry exceeded the French by at least ten thousand men. They met near Cerisoles, in an open plain, which afforded to neither any advantage of ground, and both had full time to form their army in proper order. The shock was such as might have been expected between veteran troops, violent and obstinate. The French cavalry, rushing forward to the charge with their usual vivacity, bore down every thing that opposed them; but, on the other hand, the steady and disciplined valour of the Spanish infantry having forced the body which they encountered to give way, victory remained in suspense, ready to declare for whichever general could make the best use of that critical moment. Guasto, engaged in that part of his army which was thrown into disorder, and afraid of falling into the hands of the French, whose vengeance he dreaded on account of the murder of Rincon and Fregoso, lost his presence of mind, and forgot to order a large body of reserve to advance; whereas Enguien, with admirable courage and equal conduct, supported, at the head of his *gens d'armes*, such of his battalions as began to yield; and at the same time he ordered the Swiss in his service, who had been victorious wherever they fought, to fall upon the Spaniards. This motion proved decisive. All that followed was confusion and slaughter. The marquis del Guasto, wounded in the thigh, escaped only by the swiftness of his horse. The victory of the French was complete, ten thousand of the imperialists being slain, and a considerable number, with all their tents, baggage, and artillery, taken. On the part of the conquerors their joy was without allay, a few only being killed, and among these no officer of distinction.[d]

April 11.

This splendid action, beside the reputation with which it was attended, delivered France from an imminent danger, as it ruined the army with which Guasto had intended to invade the country between the Rhone and Saone, where there were neither fortified towns nor regular forces to oppose his progress. But it was not in Francis's power to pursue the victory with such vigour as to reap all the advantages which it might have yielded: for though the Milanese remained now almost defenceless; though the inhabitants, who had long murmured under the rigour of the imperial government, were ready to throw off the yoke; though Enguien, flushed with success, urged the king to seize this happy opportunity of recovering a country, the acquisition of which had been long his favourite object; yet as the emperor and king of England were preparing to break in upon the opposite frontier of France with numerous armies, it became necessary to sacrifice all thoughts of conquest to the public safety, and to recall twelve thousand of Enguien's best troops to be employed in defence of the kingdom. Enguien's subsequent operations were of consequence so languid and inconsiderable, that the reduction of Carignan and some other towns in Piedmont was all that he gained by his great victory at Cerisoles.[e]

Effects of it.

Operations in the Low Countries.

The emperor, as usual, was late in taking the field; but he appeared, towards the beginning of June, at the head of an army more numerous and better appointed than any which he had hitherto led against France. It amounted almost to fifty thousand men; and part of it having reduced Luxembourg and some other towns in the Netherlands before he himself joined it, he now marched with the whole towards the frontiers of Champagne. Charles, according to his agreement with the king of England, ought to have advanced directly towards Paris; and the dauphin, who commanded the only army to which Francis trusted for the security of his dominions in that quarter, was in no condition to oppose him. But the success with which the French had defended Provence in the year one thousand five hundred and thirty-six had taught them the most effectual method of distressing an invading enemy. Champagne, a country abounding more in vines than corn, was incapable of maintaining a great army; and before the emperor's approach, whatever could be of any use to his troops had been carried off or destroyed. This rendered it necessary for him to be master of some places of strength in order to secure the convoys, on which alone he now peceived that he must depend for subsistence; and he found the frontier towns so ill provided for defence, that he hoped it would not be a work either of much time or difficulty to reduce them. Accordingly Ligny and Commercy, which he first attacked, surrendered after a short resistance.

June.

c Memoires de Monluc.
d Bellay, 429, &c. Memoires de Monluc. Jovii Hist. l. xliv. p. 327. 6.

e Bellay, 438. &c.

The emperor invests St. Disier, July 8.

He then invested St. Disier, which, though it commanded an important pass on the Marne, was destitute of every thing necessary for sustaining a siege. But the count de Sancerre and M. De la Lande, who had acquired such reputation by the defence of Landrecy, generously threw themselves into the town, and undertook to hold it out to the last extremity. The emperor soon found how capable they were of making good their promise, and that he could not expect to take the town without besieging it in form. This accordingly he undertook; and as it was his nature never to abandon any enterprise in which he had once engaged, he persisted in it with an inconsiderate obstinacy.

Henry VIII. invests Boulogne.

The king of England's preparations for the campaign were complete long before the emperor's; but as he did not choose, on the one hand, to encounter alone the whole power of France, and was unwilling, on the other, that his troops should remain inactive, he took that opportunity of chastising the Scots, by sending his fleet, together with a considerable part of his infantry, under the earl of Hertford, to invade their country. Hertford executed his commission with vigour, plundered and burned Edinburgh and Leith, laid waste the adjacent country, and reimbarked his men with such despatch, that they joined their sovereign soon after his landing in France.[f] When Henry arrived in that kingdom, he found the emperor engaged in the siege of St. Disier; an ambassador, however, whom he sent to congratulate the English monarch on his safe arrival on the continent, solicited him to march, in terms of the treaty, directly to Paris. But Charles had set his ally such an ill example of fulfilling the conditions of their confederacy with exactness, that Henry, observing him employ his time and forces in taking towns for his own behoof, saw no reason why he should not attempt the reduction of some places that lay conveniently for himself. Without paying any regard to the emperor's remonstrances, he immediately invested Boulogne, and commanded the duke of Norfolk to press the siege of Montreuil, which had been begun before his arrival by a body of Flemings, in conjunction with some English troops. While Charles and Henry showed such attention each to his own interest, they both neglected the common cause. Instead of the union and confidence requisite towards conducting the great plan that they had formed, they early discovered a mutual jealousy of each other, which by degrees begot distrust and ended in open hatred.[g]

July 14.

Gallant defence of St. Disier.

By this time Francis had with unwearied industry drawn together an army capable, as well from the number as from the valour of the troops, of making head against the enemy. But the dauphin, who still acted as general, prudently declining a battle, the loss of which would have endangered the kingdom, satisfied himself with harassing the emperor with his light troops, cutting off his convoys, and laying waste the country round him. Though extremely distressed by these operations, Charles still pressed the siege of St. Disier, which Sancerre defended with astonishing fortitude and conduct. He stood repeated assaults, repulsing the enemy in them all; and undismayed even by the death of his brave associate De la Lande, who was killed by a cannon-ball, he continued to show the same bold countenance and obstinate resolution. At the end of five weeks he was still in a condition to hold out some time longer, when an artifice of Granville's induced him to surrender. That crafty politician, having intercepted the key to the cipher which the duke of Guise used in communicating intelligence to Sancerre, forged a letter in his name, authorizing Sancerre to capitulate, as the king, though highly satisfied with his behaviour, thought it imprudent to hazard a battle for his relief. This letter he conveyed into the town in a manner which could raise no suspicion, and the governor fell into the snare. Even then he obtained such honourable conditions as his gallant defence merited, and among others a cessation of hostilities for eight days, at the expiration of which he bound himself to open the gates, if Francis during that time did not attack the imperial army and throw fresh troops into the town.[h] Thus Sancerre, by detaining the emperor so long before an inconsiderable place, afforded his sovereign full time to assemble all his forces, and what rarely falls to the lot of an officer in such an inferior command, acquired the glory of having saved his country.

Aug. 17. The emperor penetrates into the heart of France.

As soon as St. Disier surrendered, the emperor advanced into the heart of Champagne; but Sancerre's obstinate resistance had damped his sanguine hopes of penetrating to Paris, and led him seriously to reflect on what he might expect, before towns of greater strength and defended by more numerous garrisons. At the same time the procuring subsistence for his army was attended with great difficulty, which increased in proportion as he withdrew further from his own frontier. He had lost a great number of his best troops in the siege of St. Disier, and many fell daily in skirmishes which it was not in his power to avoid, though they wasted his army insensibly, without leading to any decisive action. The season advanced apace, and he had not yet the command either of a sufficient extent of territory, or of any such considerable town as rendered it safe to winter in the enemy's country. Great arrears, too, were now due to his soldiers, who were upon the point of mutinying for their pay, while he knew not from what funds to satisfy them. All these considerations induced him to listen to the overtures of peace which a Spanish Dominican, the confessor of his sister the queen of France, had secretly made to his confessor, a monk of the same

f Hist. of Scotland, book i. p. 31, *supra*.

g Herbert.

h Brantome, tom. vi. 489

order. In consequence of this, plenipotentiaries were named on both sides, and began their conferences in Chaussé, a small village near Chalons. At the same time Charles, either from a desire of making one great final effort against France, or merely to gain a pretext for deserting his ally and concluding a separate peace, sent an ambassador formally to require Henry, according to the stipulation in their treaty, to advance towards Paris. While he expected a return from him, and waited the issue of the conferences at Chaussé, he continued to march forward, though in the utmost distress from scarcity of provisions. But at last, by a fortunate motion on his part, or through some neglect or treachery on that of the French, he surprised first Esperney and then Chateau Thierry, in both which were considerable magazines. No sooner was it known that these towns, the latter of which is not two days' march from Paris, were in the hands of the enemy, than that great capital, defenceless, and susceptible of any violent alarm in proportion to its greatness, was filled with consternation. The inhabitants, as if the emperor had been already at their gates, fled in the wildest confusion and despair, many sending their wives and children down the Seine to Rouen, others to Orleans and the towns upon the Loire. Francis himself, more afflicted with this than with any other event during his reign, and sensible as well of the triumph that his rival would enjoy in insulting his capital as of the danger to which the kingdom was exposed, could not refrain from crying out in the first emotion of his surprise and sorrow, "How dear, O my God, do I pay for this crown, which I thought thou hadst granted me freely!"[i] But recovering in a moment from this sudden sally of pecvishness and impatience, he devoutly added, "Thy will, however, be done;" and proceeded to issue the necessary orders for opposing the enemy with his usual activity and presence of mind. The dauphin detached eight thousand men to Paris, which revived the courage of the affrighted citizens; he threw a strong garrison into Meaux, and by a forced march got into Ferté, between the imperialists and the capital.

Obliged to retire.

Upon this the emperor, who began again to feel the want of provisions, perceiving that the dauphin still prudently declined a battle, and not daring to attack his camp with forces so much shattered and reduced by hard service, turned suddenly to the right, and began to fall back towards Soissons. Having about this time received Henry's answer, whereby he refused to abandon the sieges of Boulogne and Montreuil, of both which he expected every moment to get possession, he thought himself absolved from all obligations of adhering to the treaty with him, and at full liberty to consult his own interest in what manner soever he pleased. He consented, therefore, to renew the conference, which the surprise of Esperney had broken off. To conclude a peace between two princes, one of whom greatly desired and the other greatly needed it, did not require a long negociation. It was signed at Crespy, a small town near Meaux, on the eighteenth of September. The chief articles of it were: That all the conquests which either party had made since the truce of Nice shall be restored; that the emperor shall give in marriage to the duke of Orleans, either his own eldest daughter or the second daughter of his brother Ferdinand; that if he choose to bestow on him his own daughter, he shall settle on her all the provinces of the Low Countries, to be erected into an independent state, which shall descend to the male issue of the marriage; that if he determined to give him his niece, he shall with her grant him the investiture of Milan and its dependences; that he shall within four months declare which of these two princesses he had pitched upon, and fulfil the respective conditions upon the consummation of the marriage, which shall take place within a year from the date of the treaty; that as soon as the duke of Orleans is put in possession either of the Low Countries or of Milan, Francis shall restore to the duke of Savoy all that he now possesses of his territories except Pignerol and Montmilian; that Francis shall renounce all pretensions to the kingdom of Naples or to the sovereignty of Flanders and Artois, and Charles shall give up his claim to the duchy of Burgundy and country of Charolois; that Francis shall give no aid to the exiled king of Navarre; that both monarchs shall join in making war upon the Turk, towards which the king shall furnish, when required by the emperor and empire, six hundred men at arms and ten thousand foot.[k]

Peace between him and Francis concluded at Crespy.

Motives of concluding it.

Besides the immediate motives to this peace, arising from the distress of his army through want of provisions, from the difficulty of retreating out of France, and the impossibility of securing winter quarters there, the emperor was influenced by other considerations, more distant indeed, but not less weighty. The pope was offended to a great degree, as well at his concessions to the protestants in the late dict as at his consenting to call a council, and to admit of public disputations in Germany with a view of determining the doctrines in controversy. Paul, considering both these steps as sacrilegious encroachments on the jurisdiction as well as privileges of the holy see, had addressed to the emperor a remonstrance rather than a letter on this subject, written with such acrimony of language, and in a style of such high authority, as discovered more of an intention to draw on a quarrel than of a desire to reclaim him. This ill humour was not a little inflamed by the emperor's league with Henry of England, which being contracted with an heretic excommunicated by the apostolic see, appeared to

i Brantome, tom. vi. 381.

k Recueil des Traitez, tom. i. 227. Belius de Causis Pacis Crepiac. in Actis Erudit. Lips. 1763.

the pope a profane alliance, and was not less dreaded by him than that of Francis with Solyman. Paul's son and grandson, highly incensed at the emperor for having refused to gratify them with regard to the alienation of Parma and Placentia, contributed by their suggestions to sour and disgust him still more. To all which was added the powerful operation of the flattery and promises which Francis incessantly employed to gain him. Though, from his desire of maintaining a neutrality, the pope had hitherto suppressed his own resentment, had eluded the artifices of his own family, and resisted the solicitations of the French king, it was not safe to rely much on the steadiness of a man whom his passions, his friends, and his interest combined to shake. The union of the pope with France, Charles well knew, would instantly expose his dominions in Italy to be attacked. The Venetians, he foresaw, would probably follow the example of a pontiff who was considered as a model of political wisdom among the Italians; and thus, at a juncture when he felt himself hardly equal to the burden of the present war, he would be overwhelmed with the weight of a new confederacy against him.[l] At the same time the Turks, almost unresisted, made such progress in Hungary, reducing town after town, that they approached near to the confines of the Austrian provinces.[m] Above all these, the extraordinary progress of the protestant doctrines in Germany, and the dangerous combination into which the princes of that profession had entered, called for his immediate attention. Almost one half of Germany had revolted from the established church; the fidelity of the rest was much shaken; the nobility of Austria had demanded of Ferdinand the free exercise of religion;[n] the Bohemians, among whom some seeds of the doctrines of Huss still remained, openly favoured the new opinions; the archbishop of Cologne, with a zeal which is seldom found among ecclesiastics, had begun the reformation of his diocese; nor was it possible, unless some timely and effectual check were given to the spirit of innovation, to foresee where it would end. He himself had been a witness, in the late diet, to the peremptory and decisive tone which the protestants had now assumed. He had seen how, from confidence in their number and union, they had forgotten the humble style of their first petitions, and had grown to such boldness as openly to despise the pope, and to show no great reverence for the imperial dignity itself. If, therefore, he wished to maintain either the ancient religion or his own authority, and would not choose to dwindle into a mere nominal head of the empire, some vigorous and speedy effort was requisite on his part, which could not be made during a war that required the greatest exertion of his strength against a foreign and powerful enemy.

Such being the emperor's inducements to peace, he had the address to frame the treaty of Crespy so as to promote all the ends which he had in view. By coming to an agreement with Francis, he took from the pope all prospects of advantage in courting the friendship of that monarch in preference to his. By the proviso with regard to a war with the Turks, he not only deprived Solyman of a powerful ally, but turned the arms of that ally against him. By a private article, not inserted in the treaty, that it might not raise any unseasonable alarm, he agreed with Francis that both should exert all their influence and power in order to procure a general council, to assert his authority, and to exterminate the protestant heresy out of their dominions. This cut off all chance of assistance which the confederates of Smalkalde might expect from the French king;[o] and lest their solicitations or his jealousy of an ancient rival should hereafter tempt Francis to forget this engagement, he left him embarrassed with a war against England, which would put it out of his power to take any considerable part in the affairs of Germany.

War continues between France and England.

Henry, possessed at all times with an high idea of his own power and importance, felt, in the most sensible manner, the neglect with which the emperor had treated him in concluding a separate peace. But the situation of his affairs was such as somewhat alleviated the mortification which this occasioned. For though he was obliged to recall the duke of Norfolk from the siege of Montreuil, because the Flemish troops received orders to retire, Boulogne had surrendered before the negociations at Crespy were brought to an issue. While elated with vanity on account of this conquest, and inflamed with indignation against the emperor, the ambassadors whom Francis sent to make overtures of peace found him too arrogant to grant what was moderate or equitable. His demands were indeed extravagant, and made in the tone of a conqueror: That Francis should renounce his alliance with Scotland, and not only pay up the arrears of former debts, but reimburse the money which Henry had expended in the present war. Francis, though sincerely desirous of peace, and willing to yield a great deal in order to attain it, being now free from the pressure of the imperial arms, rejected these ignominious propositions with disdain; and Henry departing for England, hostilities continued between the two nations.[p]

Sept. 14.

The dauphin dissatisfied with the peace of Crespy.

The treaty of peace, how acceptable soever to the people of France, whom it delivered from the dread of an enemy who had penetrated into the heart of the kingdom, was loudly complained of by the dauphin. He considered it as a manifest proof of the king his father's extraordinary partiality towards his younger brother, now duke of Orleans, and complained that, from his eagerness to gain an establishment for a

l F. Paul, 100. Pallavic. 163.
m Istuanhaffii Hist. Hung. 177.
n Sleid. 285.
o Seck. lib. iii. 496.
p Mem. de Ribier, tom. i. p. 572. Herbert, 244.

favourite son, he had sacrificed the honour of the kingdom, and renounced the most ancient as well as valuable rights of the crown. But as he durst not venture to offend the king by refusing to ratify it, though extremely desirous at the same time of securing to himself the privilege of reclaiming what was now alienated so much to his detriment, he secretly protested, in presence of some of his adherents, against the whole transaction; and declared whatever he should be obliged to do in order to confirm it, null in itself and void of all obligation. The parliament of Thoulouse, probably by the instigation of his partisans, did the same.[q] But Francis, highly pleased as well with having delivered his subjects from the miseries of an invasion as with the prospect of acquiring an independent settlement for his son at no greater price than that of renouncing conquests to which he had no just claim,—titles which had brought so much expense and so many disasters upon the nation, and rights grown obsolete and of no value, ratified the treaty with great joy. Charles, within the time prescribed by the treaty, declared his intention of giving Ferdinand's daughter in marriage to the duke of Orleans, together with the duchy of Milan as her dowry.[r] Every circumstance seemed to promise the continuance of peace. The emperor, cruelly afflicted with the gout, appeared to be in no condition to undertake any enterprise where great activity was requisite or much fatigue to be endured. He himself felt this, or wished at least that it should be believed; and being so much disabled by this excruciating distemper, when a French ambassador followed him to Brussels in order to be present at his ratification of the treaty of peace, that it was with the utmost difficulty that he signed his name, he observed that there was no great danger of his violating these articles, as a hand that could hardly hold a pen was little able to brandish a lance.

The emperor's schemes with respect to Germany.

The violence of his disease confined the emperor several months in Brussels, and was the apparent cause of putting off the execution of the great scheme which he had formed in order to humble the protestant party in Germany. But there were other reasons for this delay. For however prevalent the motives were which determined him to undertake this enterprise, the nature of that great body which he was about to attack, as well as the situation of his own affairs, made it necessary to deliberate long, to proceed with caution, and not too suddenly to throw aside the veil under which he had hitherto concealed his real sentiments and schemes. He was sensible that the protestants, conscious of their own strength, but under continual apprehensions of his designs, had all the boldness of a powerful confederacy joined to the jealousy of a feeble faction; and were no less quick-sighted to discern the first appearance of danger than ready to take arms in order to repel it. At the same time he still continued involved in a Turkish war; and though, in order to deliver himself from this encumbrance, he had determined to send an envoy to the Porte with most advantageous and even submissive overtures of peace, the resolutions of that haughty court were so uncertain, that before these were known it would have been highly imprudent to have kindled the flames of civil war in his own dominions.

The pope summons a general council to meet at Trent. Nov. 19.

Upon this account he appeared dissatisfied with a bull issued by the pope immediately after the peace of Crespy, summoning the council to assemble at Trent early next spring, and exhorting all christian princes to embrace the opportunity that the present happy interval of tranquillity afforded them, of suppressing those heresies which threatened to subvert whatever was sacred or venerable among christians. But after such a slight expression of dislike as was necessary in order to cover his designs, he determined to countenance the council, which might become no inconsiderable instrument towards accomplishing his projects, and therefore not only appointed ambassadors to appear there in his name, but ordered the ecclesiastics in his dominions to attend at the time prefixed.[s]

1545. Diet at Worms. March 24.

Such were the emperor's views when the imperial diet, after several prorogations, was opened at Worms. The protestants, who enjoyed the free exercise of their religion by a very precarious tenure, having no other security for it than the recess of the last diet, which was to continue in force only until the meeting of a council, wished earnestly to establish that important privilege upon some firmer basis, and to hold it by a perpetual not a temporary title. But instead of offering them any additional security, Ferdinand opened the diet with observing that there were two points which chiefly required consideration, the prosecution of the war against the Turks, and the state of religion; that the former was the most urgent, as Solyman, after conquering the greatest part of Hungary, was now ready to fall upon the Austrian provinces; that the emperor, who from the beginning of his reign had neglected no opportunity of annoying this formidable enemy, and with the hazard of his own person had resisted his attacks, being animated still with the same zeal, had now consented to stop short in the career of his success against France, that, in conjunction with his ancient rival, he might turn his arms with greater vigour against the common adversary of the christian faith; that it became all the members of the empire to second those pious endeavours of its head; that therefore they ought, without delay, to vote him such effectual aid as not only their duty but their interest called upon them to furnish; that the controversies about religion were so intricate, and of such difficult discussion, as to give no hope of its being possible to bring them at present to any final issue; that by perseverance and repeated solicit-

q Recueil des Traitez, tom. ii. 235, 238.

r Recueil des Traitez, tom. ii. 238.

s F. Paul, 104.

Ferdinand requires the Germans to acknowledge the council.

ations the emperor had at length prevailed on the pope to call a council, for which they had so often wished and petitioned; that the time appointed for its meeting was now come, and both parties ought to wait for its decrees, and submit to them as the decisions of the universal church.

The popish members of the diet received this declaration with great applause, and signified their entire acquiescence in every particular which it contained. The protestants expressed great surprise at propositions which were so manifestly repugnant to the recess of the former diet; they insisted that the questions with regard to religion, as first in dignity and importance, ought to come first under deliberation; that alarming as the progress of the Turks was to all Germany, the securing the free exercise of their religion touched them still more nearly, nor could they prosecute a foreign war with spirit while solicitous and uncertain about their domestic tranquillity; that if the latter were once rendered firm and permanent, they would concur with their countrymen in pushing the former, and yield to none of them in activity or zeal. But if the danger from the Turkish arms was indeed so imminent as not to admit of such a delay as would be occasioned by an immediate examination of the controverted points in religion, they required that a diet should be instantly appointed, to which the final settlement of their religious disputes should be referred; and that in the mean time the decree of the former diet concerning religion should be explained in a point which they deemed essential. By the recess of Spires it was provided that they should enjoy unmolested the public exercise of their religion until the meeting of a legal council; but as the pope had now called a council to which Ferdinand had required them to submit, they began to suspect that their adversaries might take advantage of an ambiguity in the terms of the recess, and pretending that the event therein mentioned had now taken place, might pronounce them to be no longer entitled to the same indulgence. In order to guard against this interpretation, they renewed their former remonstrances against a council called to meet without the bounds of the empire, summoned by the pope's authority, and in which he assumed the right of presiding; and declared that, notwithstanding the convocation of any such illegal assembly, they still held the recess of the late diet to be in full force.

Emperor arrives at Worms.

At other junctures, when the emperor thought it of advantage to soothe and gain the protestants, he had devised expedients for giving them satisfaction with regard to demands seemingly more extravagant; but his views at present being very different, Ferdinand, by his command, adhered inflexibly to his first propositions, and would make no concessions which had the most remote tendency to throw discredit on the council or to weaken its authority. The protestants on their part were no less inflexible; and after much time spent in fruitless endeavours to convince each other, they came to no agreement. Nor did the presence of the emperor, who upon his recovery arrived at Worms, contribute in any degree to render the protestants more compliant. Fully convinced that they were maintaining the cause of God and of truth, they showed themselves superior to the allurements of interest or the suggestions of fear; and in proportion as the emperor redoubled his solicitations or discovered his designs, their boldness seems to have increased. At last they openly declared that they would not even deign to vindicate their tenets in presence of a council assembled not to examine but to condemn them; and that they would pay no regard to an assembly held under the influence of a pope who had already precluded himself from all title to act as a judge, by his having stigmatized their opinions by the name of heresy, and denounced against them the heaviest censures which, in the plenitude of his usurped power, he could inflict.[t]

May 15.

The protestants disclaim all connexion with the council of Trent.

Conduct of Maurice of Saxony in this diet.

While the protestants, with such union as well as firmness, rejected all intercourse with the council, and refused their assent to the imperial demands in respect to the Turkish war, Maurice of Saxony alone showed an inclination to gratify the emperor with regard to both. Though he professed an inviolable regard for the protestant religion, he assumed an appearance of moderation peculiar to himself, by which he confirmed the favourable sentiments which the emperor already entertained of him, and gradually paved the way for executing the ambitious designs which always occupied his active and enterprising mind.[u] His example, however, had little influence upon such as agreed with him in their religious opinions; and Charles perceived that he could not hope either to procure present aid from the protestants against the Turks, or to quiet their fears and jealousies on account of their religion. But as his schemes were not yet ripe for execution, nor his preparations so far advanced that he could force the compliance of the protestants or punish their obstinacy, he artfully concealed his own intentions. That he might augment their security, he appointed a diet to be held at Ratisbon early next year, in order to adjust what was now left undetermined; and previous to it he agreed that a certain number of divines of each party should meet, in order to confer upon the points in dispute.[x]

August 4.

The protestants begin to suspect the emperor.

But how far soever this appearance of a desire to maintain the present tranquillity might have imposed upon the protestants, the emperor was incapable of such uniform and thorough dissimulation as to hide altogether from their view the dangerous designs

t Sleid. 343, &c. Seck. iii. 543, &c. Thuan. Histor. lib. ii. p. 56.

u Seck. iii. 571.

x Sleid. 351.

which he was meditating against them. Herman, Count de Wied, archbishop and elector of Cologne, a prelate conspicuous for his virtue and primitive simplicity of manners, though not more distinguished for learning than the other descendants of noble families, who in that age possessed most of the great benefices in Germany, having become a proselyte to the doctrines of the reformers, had begun in the year one thousand five hundred and forty-three, with the assistance of Melancthon and Bucer, to abolish the ancient superstition in his diocese, and to introduce in its place the rites established among the protestants. But the canons of his cathedral, who were not possessed with the same spirit of innovation, and who foresaw how fatal the levelling genius of the new sect would prove to their dignity and wealth, opposed, from the beginning, this unprecedented enterprise of their archbishop with all the zeal flowing from reverence for old institutions, heightened by concern for their own interest. This opposition, which the archbishop considered only as a new argument to demonstrate the necessity of a reformation, neither shook his resolution nor slackened his ardour in prosecuting his plan. The canons, perceiving all their endeavours to check his career to be ineffectual, solemnly protested against his proceedings, and appealed for redress to the pope and emperor, the former as his ecclesiastical, the latter as his civil, superior. This appeal being laid before the emperor during his residence in Worms, he took the canons of Cologne under his immediate protection; enjoined them to proceed with rigour against all who revolted from the established church; prohibited the archbishop to make any innovation in his diocese; and summoned him to appear at Brussels within thirty days, to answer the accusations which should be preferred against him.[y]

To this clear evidence of his hostile intentions against the protestant party, Charles added other proofs still more explicit. In his hereditary dominions of the Low Countries he persecuted all who were suspected of Lutheranism with unrelenting rigour. As soon as he arrived at Worms he silenced the protestant preachers in that city. He allowed an Italian monk to inveigh against the Lutherans from the pulpit of his chapel, and to call upon him, as he regarded the favour of God, to exterminate that pestilent heresy. He despatched the embassy which has been already mentioned to Constantinople with overtures of peace, that he might be free from any apprehensions of danger or interruption from that quarter. Nor did any of these steps, or their dangerous tendency, escape the jealous observation of the protestants, or fail to alarm their fears and to excite their solicitude for the safety of their sect.

Death of the duke of Orleans.

Meanwhile Charles's good fortune, which predominated on all occasions over that of his rival Francis, extricated him out of a difficulty from which, with all his sagacity and address, he would have found it no easy matter to have disentangled himself. Just about the time when the duke of Orleans should have received Ferdinand's daughter in marriage, and together with her the possession of the Milanese, he died of a malignant fever. By this event the emperor was freed from the necessity of giving up a valuable province into the hands of an enemy, or from the indecency of violating a recent and solemn engagement, which must have occasioned an immediate rupture with France. He affected, however, to express great sorrow for the untimely death of a young prince who was to have been so nearly allied to him, but he carefully avoided entering into any fresh discussions concerning the Milanese, and would not listen to a proposal that came from Francis, of new-modelling the treaty of Crespy, so as to make him some reparation for the advantages which he had lost by the demise of his son. In the more active and vigorous part of Francis's reign, a declaration of war would have been the certain and instantaneous consequence of such a flat refusal to comply with a demand seemingly so equitable; but the declining state of his own health, the exhausted condition of his kingdom, together with the burden of the war against England, obliged him, at present, to dissemble his resentment, and to put off thoughts of revenge to some other juncture. In consequence of this event the unfortunate duke of Savoy lost all hope of obtaining the restitution of his territories; and the rights or claims relinquished by the treaty of Crespy returned in full force to the crown of France, to serve as pretexts for future wars.[z]

Sept. 8.

The pope grants the duchies of Parma and Placentia to his son.

Upon the first intelligence of the duke of Orleans's death, the confederates of Smalkalde flattered themselves that the essential alterations which appeared to be unavoidable consequences of it could hardly fail of producing a rupture which would prove the means of their safety. But they were not more disappointed with regard to this, than in their expectations from an event which seemed to be the certain prelude of a quarrel between the emperor and the pope. When Paul, whose passion for aggrandizing his family increased as he advanced in years, and as he saw the dignity and power which they derived immediately from him becoming more precarious, found that he could not bring Charles to approve of his ambitious schemes, he ventured to grant his son Peter Lewis the investiture of Parma and Placentia, though at the risk of incurring the displeasure of the emperor. At a time when a great part of Europe inveighed openly against the corrupt manners and exorbitant power of ecclesiastics, and when a council was summoned to reform the disorders in the church, this indecent grant of such a principality to a son of whose illegitimate birth the pope ought to have been ashamed, and whose licentious

y Sleid. 310, 340, 351. Seck. iii. 413, 553.

z Belcarii Comment. 769. Paruta, Hist. Venet. iv. p. 177.

morals all good men detested, gave general offence. Some cardinals in the imperial interest remonstrated against such an unbecoming alienation of the patrimony of the church; the Spanish ambassador would not be present at the solemnity of his infeoffment; and upon pretext that these cities were part of the Milanese state, the emperor peremptorily refused to confirm the deed of investiture. But both the emperor and pope being intent upon one common object in Germany, they sacrificed their particular passions to that public cause, and suppressed the emotions of jealousy or resentment which were rising on this occasion, that they might jointly pursue what each deemed to be of greater importance.[a]

Henry of Brunswick kindles a war in Germany.

About this time the peace of Germany was disturbed by a violent but short irruption of Henry, duke of Brunswick. This prince, though still stripped of his dominions, which the emperor held in sequestration until his differences with the confederates of Smalkalde should be adjusted, possessed, however, so much credit in Germany, that he undertook to raise for the French king a considerable body of troops to be employed in the war against England. The money stipulated for this purpose was duly advanced by Francis; the troops were levied; but Henry, instead of leading them towards France, suddenly entered his own dominions at their head, in hopes of recovering possession of them before any army could be assembled to oppose him. The confederates were not more surprised at this unexpected attack than the king of France was astonished at a mean thievish fraud so unbecoming the character of a prince. But the landgrave of Hesse, with incredible expedition, collected as many men as put a stop to the progress of Henry's undisciplined forces, and being joined by his son-in-law Maurice, and by some troops belonging to the elector of Saxony, he gained such advantages over Henry, who was rash and bold in forming his schemes, but feeble and undetermined in executing them, as obliged him to disband his army, and to surrender himself, together with his eldest son, prisoners at discretion. He was kept in close confinement until a new reverse of affairs procured him liberty.[b]

The reformation of the palatinate.

As this defeat of Henry's wild enterprise added new reputation to the arms of the protestants, the establishment of the protestant religion in the palatinate brought a great accession of strength to their party. Frederic, who succeeded his brother Lewis in that electorate, had long been suspected of a secret propensity to the doctrines of the reformers, which, upon his accession to the principality, he openly manifested. But as he expected that something effectual towards a general and legal establishment of religion would be the fruit of so many diets, conferences, and negociations, he did not at first attempt any public innovation in his dominions. Finding all these issue in nothing, he thought himself called at length to countenance by his authority the system which he approved of, and to gratify the wishes of his subjects, who, by their intercourse with the protestant states, had almost universally imbibed their opinions. As the warmth and impetuosity which accompanied the spirit of reformation in its first efforts had somewhat abated, this change was made with great order and regularity; the ancient rites were abolished and new forms introduced, without any acts of violence or symptom of discontent. Though Frederic adopted the religious system of the protestants, he imitated the example of Maurice, and did not accede to the league of Smalkalde.[c]

1546. Jan. 10.

The council assembles at Trent.

A few weeks before this revolution in the palatinate, the general council was opened with the accustomed solemnities at Trent. The eyes of the catholic states were turned with much expectation towards an assembly which all had considered as capable of applying an effectual remedy for the disorders of the church when they first broke out, though many were afraid that it was now too late to hope for great benefit from it, when the malady, by being suffered to increase during twenty-eight years, had become inveterate and grown to such extreme violence. The pope, by his last bull of convocation, had appointed the first meeting to be held in March. But his views and those of the emperor were so different, that almost the whole year was spent in negociations. Charles, who foresaw that the rigorous decrees of the council against the protestants would soon drive them, in self-defence as well as from resentment, to some desperate extreme, laboured to put off its meeting until his warlike preparations were so far advanced that he might be in a condition to second its decisions by the force of his arms. The pope, who had early sent to Trent the legates who were to preside in his name, knowing to what contempt it would expose his authority, and what suspicions it would beget of his intentions, if the fathers of the council should remain in a state of inactivity when the church was in such danger as to require their immediate and vigorous interposition, insisted either upon translating the council to some city in Italy, or upon suspending altogether its proceedings at that juncture, or upon authorizing it to begin its deliberations immediately. The emperor rejected the two former expedients as equally offensive to the Germans of every denomination; but finding it impossible to elude the latter, he proposed that the council should begin with reforming the disorders in the church before it proceeded to examine or define articles of faith. This was the very thing which the court of Rome dreaded most, and which had prompted it to employ so many artifices in order to prevent the meeting of such a dangerous judicatory. Paul, though more compliant than some of his predecessors with regard to calling a council, was no less jealous than they had been of its jurisdiction,

a Paruta, Hist. Venet. iv. 178. Pallavic. 180.

b Sleid. 352. Seck. iii. 567.

c Sleid. 356. Seck. l. iii. 616.

and saw what matter of triumph such a method of proceeding would afford the heretics. He apprehended consequences not only humbling but fatal to the papal see, if the council came to consider an inquest into abuses as their only business, or if inferior prelates were allowed to gratify their own envy and peevishness by prescribing rules to those who were exalted above them in dignity and power. Without listening, therefore, to this insidious proposal of the emperor, he instructed his legates to open the council.

Jan. 13. Its proceedings.

The first session was spent in matters of form. In a subsequent one it was agreed that the framing a confession of faith, wherein should be contained all the articles which the church required its members to believe, ought to be the first and principal business of the council; but that, at the same time, due attention should be given to what was necessary towards the reformation of manners and discipline. From this first symptom of the spirit with which the council was animated, from the high tone of authority which the legates who presided in it assumed, and from the implicit deference with which most of the members followed their directions, the protestants conjectured with ease what decisions they might expect. It astonished them, however, to see forty prelates (for no greater number were yet assembled) assume authority as representatives of the universal church, and proceed to determine the most important points of doctrine in its name. Sensible of this indecency, as well as of the ridicule with which it might be attended, the council advanced slowly in its deliberations, and all its proceedings were for some time languishing and feeble.[d] As soon as the confederates of Smalkalde received information of the opening of the council, they published a long manifesto, containing a renewal of their protest against its meeting, together with the reasons which induced them to decline its jurisdictions.[e] The pope and emperor, on their part, were so little solicitous to quicken or add vigour to its operations, as plainly discovered that some object of greater importance occupied and interested them.

Apprehensions of the protestants.

The protestants were not inattentive or unconcerned spectators of the motions of the sovereign pontiff and of Charles, and they entertained every day more violent suspicions of their intentions, in consequence of intelligence received from different quarters of the machinations carrying on against them. The king of England informed them, that the emperor, having long resolved to exterminate their opinions, would not fail to employ this interval of tranquillity which he now enjoyed as the most favourable juncture for carrying his design into execution. The merchants of Augsburg, which was at that time a city of extensive trade, received advice, by means of their correspondents in Italy, among whom were some who secretly favoured the protestant cause,[f] that a dangerous confederacy against it was forming between the pope and emperor. In confirmation of this they heard from the Low Countries that Charles had issued orders, though with every precaution which could keep the measure concealed, for raising troops both there and in other parts of his dominions. Such a variety of information, corroborating all that their own jealousy or observation led them to apprehend, left the protestants little reason to doubt of the emperor's hostile intentions.

Their deliberations.

Under this impression the deputies of the confederates of Smalkalde assembled at Francfort, and by communicating their intelligence and sentiments to each other, reciprocally heightened their sense of the impending danger. But their union was not such as their situation required or the preparations of their enemies rendered necessary. Their league had now subsisted ten years. Among so many members whose territories were intermingled with each other, and who, according to the custom of Germany, had created an infinite variety of mutual rights and claims by intermarriages, alliances, and contracts of different kinds, subjects of jealousy and discord had unavoidably arisen. Some of the confederates, being connected with the duke of Brunswick, were highly disgusted with the landgrave, on account of the rigour with which he had treated that rash and unfortunate prince. Others taxed the elector of Saxony and landgrave, the heads of the league, with having involved the members in unnecessary and exorbitant expenses by their profuseness or want of economy. The views, likewise, and temper of those two princes, who by their superior power and authority influenced and directed the whole body, being extremely different, rendered all its motions languid, at a time when the utmost vigour and despatch were requisite. The landgrave, of a violent and enterprising temper, but not forgetful, amidst his zeal for religion, of the usual maxims of human policy, insisted that, as the danger which threatened them was manifest and unavoidable, they should have recourse to the most effectual expedient for securing their own safety, by courting the protection of the kings of France and England, or by joining an alliance with the protestant cantons of Switzerland, from whom they might expect such powerful and present assistance as their situation demanded. The elector, on the other hand, with the most upright intentions of any prince in that age, and with talents which might have qualified him abundantly for the administration of government in any tranquil period, was possessed with such superstitious veneration for all the parts of the Lutheran system, and such bigoted attachment to all its tenets, as made him averse to an union with those who differed from him in any article of faith, and rendered him very incapable of undertaking its defence in times of difficulty and danger. He seemed to think that the concerns of religion were to be regulated by princi-

d F. Paul, 120, &c. Pallavic. p. 180, &c.

e Seck. l. iii. 602, &c.

f Seck. l. iii. 579.

ples and maxims totally different from those which apply to the common affairs of life; and being swayed too much by the opinions of Luther, who was not only a stranger to the rules of political conduct but despised them, he often discovered an uncomplying spirit, that proved of the greatest detriment to the cause which he wished to support. Influenced on this occasion by the severe and rigid notions of that reformer, he refused to enter into any confederacy with Francis, because he was a persecutor of the truth; or to solicit the friendship of Henry, because he was no less impious and profane than the pope himself; or even to join in alliance with the Swiss, because they differed from the Germans in several essential articles of faith. This dissension about a point of such consequence produced its natural effects. Each secretly censured and reproached the other. The landgrave considered the elector as fettered by narrow prejudices unworthy of a prince called to act a chief part in a scene of such importance. The elector suspected the landgrave of loose principles and ambitious views, which corresponded ill with the sacred cause wherein they were engaged. But though the elector's scruples prevented their timely application for foreign aid, and the jealousy or discontent of the other princes defeated a proposal for renewing their original confederacy, the term during which it was to continue in force being on the point of expiring; yet the sense of their common danger induced them to agree with regard to other points, particularly that they would never acknowledge the assembly of Trent as a lawful council, nor suffer the archbishop of Cologne to be oppressed on account of the steps which he had taken towards the reformation of his diocese.[g]

Their negociations with the emperor.

The landgrave about this time, desirous of penetrating to the bottom of the emperor's intentions, wrote to Granvelle, whom he knew to be thoroughly acquainted with all his master's schemes, informing him of the several particulars which raised the suspicions of the protestants, and begging an explicit declaration of what they had to fear or to hope. Granvelle, in return, assured them that the intelligence which they had received of the emperor's military preparations was exaggerated, and all their suspicions destitute of foundation; that though, in order to guard his frontiers against any insult of the French or English, he had commanded a small body of men to be raised in the Low Countries, he was as solicitous as ever to maintain tranquillity in Germany.[h]

But the emperor's actions did not correspond with these professions of his minister. For instead of appointing men of known moderation and a pacific temper to appear in defence of the catholic doctrines at the conference which had been agreed on, he made choice of fierce bigots, attached to their own system with a blind obstinacy that rendered all hope of a reconcilement desperate. Malvenda, a Spanish divine, who took upon him the conduct of a debate on the part of the catholics, managed it with all the subtle dexterity of a scholastic metaphysician, more studious to perplex his adversaries than to convince them, and more intent on palliating error than on discovering truth. The protestants, filled with indignation as well at his sophistry as at some regulations which the emperor endeavoured to impose on the disputants, broke off the conference abruptly, being now fully convinced that in all his late measures the emperor could have no other view than to amuse them, and to gain time for ripening his own schemes.[i]

g Seck. l. iii. 566, 570, 613. Sleid. 355.

h Sleid. 356.

i Sleid. 358. Seck. l. iii. 620.

BOOK VIII.

Death of Luther.

While appearances of danger daily increased, and the tempest which had been so long a gathering was ready to break forth in all its violence against the protestant church, Luther was saved, by a seasonable death, from feeling or beholding its destructive rage. Having gone, though in a declining state of health and during a rigorous season, to his native city of Eysleben, in order to compose, by his authority, a dissension among the counts of Mansfield, he was seized with a violent inflammation in his stomach, which in a few days put an end to his life, in the sixty-third year of his age. As he was raised up by Providence to be the author of one of the greatest and most interesting revolutions recorded in history, there is not any person, perhaps, whose character has been drawn with such opposite colours. In his own age, one party, struck with horror and inflamed with rage when they saw with what a daring hand he overturned every thing which they held to be sacred or valued as beneficial, imputed to him not only all the defects and vices of a man, but the qualities of a demon. The other, warmed with the admiration and gratitude which they thought he merited as the restorer of light and liberty to the christian church, ascribed to him perfections above the condition of humanity, and viewed all his actions with a veneration bordering on that which should be paid only to those who are guided by the immediate inspiration of Heaven. It is his own conduct, not the undistinguishing censure or the exaggerated praise of his contemporaries, that ought to regulate the opinions of the present age concerning him. Zeal for what he regarded as truth, undaunted intrepidity to maintain his own system, abilities, both natural and acquired, to defend his principles, and unwearied industry in propagating them, are virtues which shine so conspicuously in every part of his behaviour, that even his enemies must allow him to have possessed them in an eminent degree. To these

Feb. 18.

His character.

may be added with equal justice, such purity and even austerity of manners as became one who assumed the character of a reformer; such sanctity of life as suited the doctrine which he delivered; and such perfect disinterestedness as affords no slight presumption of his sincerity. Superior to all selfish considerations, a stranger to the elegances of life, and despising its pleasures, he left the honours and emoluments of the church to his disciples, remaining satisfied himself in his original state of professor in the university and pastor of the town of Wittemberg, with the moderate appointments annexed to these offices. His extraordinary qualities were allayed with no inconsiderable mixture of human frailty and human passions. These, however, were of such a nature, that they cannot be imputed to malevolence or corruption of heart, but seem to have taken their rise from the same source with many of his virtues. His mind, forcible and vehement in all its operations, roused by great objects or agitated by violent passions, broke out, on many occasions, with an impetuosity which astonishes men of feebler spirits, or such as are placed in a more tranquil situation. By carrying some praiseworthy dispositions to excess, he bordered sometimes on what was culpable, and was often betrayed into actions which exposed him to censure. His confidence that his own opinions were well founded approached to arrogance; his courage in asserting them to rashness; his firmness in adhering to them to obstinacy; and his zeal in confuting his adversaries to rage and scurrility. Accustomed himself to consider every thing as subordinate to truth, he expected the same deference for it from other men; and without making any allowances for their timidity or prejudices, he poured forth against such as disappointed him in this particular, a torrent of invective mingled with contempt. Regardless of any distinction of rank or character when his doctrines were attacked, he chastised all his adversaries indiscriminately with the same rough hand; neither the royal dignity of Henry VIII. nor the eminent learning and abilities of Erasmus, screened them from the same gross abuse with which he treated Tetzel or Eccius.

But these indecencies of which Luther was guilty must not be imputed wholly to the violence of his temper. They ought to be charged in part on the manners of the age. Among a rude people, unacquainted with those maxims which, by putting continual restraint on the passions of individuals, have polished society and rendered it agreeable, disputes of every kind were managed with heat, and strong emotions were uttered in their natural language, without reserve or delicacy. At the same time the works of learned men were all composed in Latin, and they were not only authorized by the example of eminent writers in that language to use their antagonists with the most illiberal scurrility, but in a dead tongue indecencies of every kind appear less shocking than in a living language, whose idioms and phrases seem gross because they are familiar.

In passing judgment upon the characters of men, we ought to try them by the principles and maxims of their own age, not by those of another. For although virtue and vice are at all times the same, manners and customs vary continually. Some parts of Luther's behaviour which to us appear most culpable, gave no disgust to his contemporaries. It was even by some of those qualities which we are now apt to blame that he was fitted for accomplishing the great work which he undertook. To rouse mankind when sunk in ignorance or superstition, and to encounter the rage of bigotry armed with power, required the utmost vehemence of zeal, as well as a temper daring to excess. A gentle call would neither have reached nor have excited those to whom it was addressed. A spirit more amiable but less vigorous than Luther's would have shrunk back from the dangers which he braved and surmounted. Towards the close of Luther's life, though without any perceptible diminution of his zeal or abilities, the infirmities of his temper increased upon him, so that he grew daily more peevish, more irascible, and more impatient of contradiction. Having lived to be a witness of his own amazing success, to see a great part of Europe embrace his doctrines, and to shake the foundation of the papal throne, before which the mightiest monarchs had trembled, he discovered on some occasions symptoms of vanity and self-applause. He must have been, indeed, more than man, if, upon contemplating all that he actually accomplished, he had never felt any sentiment of this kind rising in his breast.[a]

Some time before his death he felt his strength declining, his constitution being worn out by a prodigious multiplicity of business, added to the labour of discharging his ministerial function with unremitting diligence, to the fatigue of constant study, besides the composition of works as voluminous as if he had enjoyed uninterrupted leisure and retirement. His natural intrepidity did not forsake him at the approach of death; his last conversation with his friends was concerning the happiness reserved for good men in a future life, of which he spoke with the fervour and delight natural to one who expected and wished to enter soon upon the enjoyment of it.[b] The account of his death filled the Roman catholic party with excessive as well as indecent joy, and damped the spirits of all his followers; neither party sufficiently considering that his doctrines were now so firmly rooted as to be in a con-

a A remarkable instance of this, as well as of a certain singularity and elevation of sentiment, is found in his last will. Though the effects which he had to bequeath were very inconsiderable, he thought it necessary to make a testament, but scorned to frame it with the usual legal formalities. "Notus sum," says he, "in cœlo, in terra, et inferno, et auctoritatem ad hoc sufficientem habeo, ut mihi soli credatur, cum Deus mihi, homini licet damnabili, et miserabili peccatori, ex paterna misericordia evangelium filii sui crediderit, dederitque ut in eo verax et fidelis fuerim, ita ut multi in mundo illud per me acceperint, et me pro Doctore veritatis agnoverint, spreto banno papæ, Cæsaris, regum, principum, et sacerdotum, imo omnium dæmonum odio. Quidni, igitur, ad dispositionem hanc, in re exigua, sufficiat, si adsit manus meæ testimonium, et dici possit, Hæc scripsit D. Marfinus Luther, notarius Dei, et testis Evangelii ejus." Seck. l. iii. p. 651.

b Sleid. 362. Seck. lib. iii. 632, &c.

dition to flourish independent of the hand which had first planted them. His funeral was celebrated by order of the elector of Saxony with extraordinary pomp. He left several children by his wife Catharine à Boria, who survived him. Towards the end of the last century there were in Saxony some of his descendants in decent and honourable stations.[c]

The emperor endeavours to amuse and deceive the protestants.

The emperor, meanwhile, pursued the plan of dissimulation with which he had set out, employing every art to amuse the protestants and to quiet their fears and jealousies. For this purpose he contrived to have an interview with the landgrave of Hesse, the most active of all the confederates, and the most suspicious of his designs. To him he made such warm professions of his concern for the happiness of Germany and of his aversion to all violent measures; he denied in such express terms his having entered into any league or having begun any military preparations which should give any just cause of alarm to the protestants, as seem to have dispelled all the landgrave's doubts and apprehensions, and sent him away fully satisfied of his pacific intentions. This artifice was of great advantage, and effectually answered the purpose for which it was employed. The landgrave upon his leaving Spires, where he had been admitted to this interview, went to Worms, where the Smalkaldic confederates were assembled, and gave them such a flattering representation of the emperor's favourable disposition towards them, that they, who were too apt, as well from the temper of the German nation as from the genius of all great associations or bodies of men, to be slow and dilatory, and indecisive in their deliberations, thought there was no necessity of taking any immediate measures against danger which appeared to be distant or imaginary.[d]

March 28.

Proceedings of the council against the protestants.

Such events, however, soon occurred as staggered the credit which the protestants had given to the emperor's declarations. The council of Trent, though still composed of a small number of Italian and Spanish prelates, without a single deputy from many of the kingdoms which it assumed a right of binding by its decrees, being ashamed of its long inactivity, proceeded now to settle articles of the greatest importance. Having begun with examining the first and chief point in controversy between the church of Rome and the reformers, concerning the rule which should be held as supreme and decisive in matters of faith, the council, by its infallible authority, determined, "That the books to which the designation of *Apocryphal* hath been given are of equal authority with those which were received by the Jews and primitive christians into the sacred canon; that the traditions handed down from the apostolic age, and preserved in the church, are entitled to as much regard as the doctrines and precepts which the inspired authors have committed to writing; that the Latin translation of the Scriptures made or revised by St. Jerome, and known by the name of the *Vulgate* translation, should be read in churches, and appealed to in the schools as authentic and canonical." Against all who disclaimed the truth of these tenets, anathemas were denounced in the name and by the authority of the Holy Ghost. The decision of these points, which undermined the main foundation of the Lutheran system, was a plain warning to the protestants what judgment they might expect when the council should have leisure to take into consideration the particular and subordinate articles of their creed.[e]

April 8.

This discovery of the council's readiness to condemn the opinions of the protestants was soon followed by a striking instance of the pope's resolution to punish such as embraced them. The appeal of the canons of Cologne against their archbishop having been carried to Rome, Paul eagerly seized on that opportunity, both of displaying the extent of his own authority and of teaching the German ecclesiastics the danger of revolting from the established church. As no person appeared in behalf of the archbishop, he was held to be convicted of the crime of heresy, and a papal bull was issued, depriving him of his ecclesiastical dignity, inflicting on him the sentence of excommunication, and absolving his subjects from the oath of allegiance which they had taken to him as their civil superior. The countenance which he had given to the Lutheran heresy was the only crime imputed to him, as well as the only reason assigned to justify the extraordinary severity of this decree. The protestants could hardly believe that Paul, how zealous soever he might be to defend the established system, or to humble those who invaded it, would have ventured to proceed to such extremities against a prince and elector of the empire, without having previously secured such powerful protection as would render his censure something more than an impotent and despicable sally of resentment. They were of course deeply alarmed at this sentence against the archbishop, considering it as a sure indication of the malevolent intentions, not only of the pope but of the emperor, against the whole party.[f]

April 16.

Charles about to commence hostilities against the protestants,

Upon this fresh revival of their fears, with such violence as is natural to men roused from a false security and conscious of their having been deceived, Charles saw that now it became necessary to throw aside the mask, and to declare openly what part he determined to act. By a long series of artifice and fallacy he had gained so much time, that his measures, though not altogether ripe for execution, were in great forwardness. The pope, by his proceedings against the elector of Cologne, as well as by the decree of the council, had precipitated matters into such a

c Seck. l. iii. 651.
e F. Paul, 141. Pallav. 206.
d Sleid. Hist. 367, 373.
f Sleid. 354. F. Paul, 155. Pallavic. 224.

situation as rendered a breach between the emperor and the protestants almost unavoidable. Charles had therefore no choice left him but either to take part with them in overturning what the see of Rome had determined, or to support the authority of the church openly by force of arms. Nor did the pope think it enough to have brought the emperor under a necessity of acting; he pressed him to begin his operations immediately, and to carry them with such vigour as could not fail of securing success. Transported by his zeal against heresy, Paul forgot all the prudent and cautious maxims of the papal see with regard to the danger of extending the imperial authority beyond due bounds; and in order to crush the Lutherans, he was willing to contribute towards raising up a master that might one day prove formidable to himself as well as to the rest of Italy.

Negociates with the pope.

But besides the certain expectation of assistance from the pope, Charles was now secure from any danger of interruption to his designs by the Turkish arms. His negociations at the Porte, which he had carried on with great assiduity since the peace at Crespy, were on the point of being terminated in such a manner as he desired. Solyman, partly in compliance with the French king, who, in order to avoid the disagreeable obligation of joining the emperor against his ancient ally, laboured with great zeal to bring about an accommodation between them, and partly from its being necessary to turn his arms towards the east, where the Persians threatened to invade his dominions, consented without difficulty to a truce for five years. The chief article of it was, That each should retain possession of what he now held in Hungary; and Ferdinand, as a sacrifice to the pride of the sultan, submitted to pay an annual tribute of fifty thousand crowns.[g]

Concludes a truce with Solyman.

But it was upon the aid and concurrence of the Germans themselves that the emperor relied with the greatest confidence. The Germanic body, he knew, was of such vast strength as to be invincible if it were united, and that it was only by employing its own force that he could hope to subdue it. Happily for him, the union of the several members in this great system was so feeble, the whole frame was so loosely compacted, and its different parts tended so violently towards separation from each other, that it was almost impossible for it, on any important emergence, to join in a general or vigorous effort. In the present juncture the sources of discord were as many and as various as had been known on any occasion. The Roman catholics, animated with zeal in defence of their religion proportional to the fierceness with which it had been attacked, were eager to second any attempt to humble those innovators who had overturned it in many provinces and endangered it in more. John and Albert of Brandenburg, as well as several other princes, incensed at the haughtiness and rigour with which the duke of Brunswick had been treated by the confederates of Smalkalde, were impatient to rescue him and to be revenged on them. Charles observed with satisfaction the working of those passions in their minds, and counting on them as sure auxiliaries whenever he should think it proper to act, he found it, in the mean time, more necessary to moderate than to inflame their rage.

Gains Maurice and other princes in Germany.

Such was the situation of affairs, such the discernment with which the emperor foresaw and provided for every event, when the diet of the empire met at Ratisbon. Many of the Roman catholic members appeared there in person, but most of the confederates of Smalkalde, under pretence of being unable to bear the expense occasioned by the late unnecessary frequency of such assemblies, sent only deputies. Their jealousy of the emperor, together with an apprehension that violence might, perhaps, be employed in order to force their approbation of what he should propose in the diet, was the true cause of their absence. The speech with which the emperor opened the diet was extremely artful. After professing, in common form, his regard for the prosperity of the Germanic body, and declaring that, in order to bestow his whole attention upon the re-establishment of its order and tranquillity, he had at present abandoned all other cares, rejected the most pressing solicitations of his other subjects to reside among them, and postponed affairs of the greatest importance; he took notice, with some disapprobation, that his disinterested example had not been imitated, many members of chief consideration having neglected to attend an assembly to which he had repaired with such manifest inconvenience to himself. He then mentioned their unhappy dissensions about religion; lamented the ill success of his past endeavours to compose them; complained of the abrupt dissolution of the late conference, and craved their advice with regard to the best and most effectual method of restoring union to the churches of Germany, together with that happy agreement in articles of faith which their ancestors had found to be of no less advantage to their civil interest than becoming their christian profession.

Holds a diet at Ratisbon.

By this gracious and popular method of consulting the members of the diet rather than of obtruding upon them any opinion of his own, besides the appearance of great moderation, and the merit of paying much respect to their judgment, the emperor dexterously avoided discovering his own sentiments, and reserved to himself, as his only part, that of carrying into execution what they should recommend. Nor was he less secure of such a decision as he wished to obtain by referring it wholly to themselves. The Roman catholic members, prompted by their own zeal, or prepared by his intrigues, joined immediately in representing that the authority of the council now met at Trent ought to be

g Istuanhaffii Hist. Hun. 180. Mem. de Ribier, tom. i. 532.

supreme in all matters of controversy; that all christians should submit to its decrees as the infallible rule of their faith; and therefore they besought him to exert the power with which he was invested by the Almighty, in protecting that assembly, and in compelling the protestants to acquiesce in its determinations. The protestants, on the other hand, presented a memorial, in which, after repeating their objections to the council of Trent, they proposed, as the only effectual method of deciding the points in dispute, that either a free general council should be assembled in Germany, or a national council of the empire should be called, or a select number of divines should be appointed out of each party to examine and define articles of faith. They mentioned the recesses of several diets favourable to this proposition, and which had afforded them the prospect of terminating all their differences in this amicable manner; they now conjured the emperor not to depart from his former plan, and, by offering violence to their consciences, to bring calamities upon Germany the very thought of which must fill every lover of his country with horror. The emperor, receiving this paper with a contemptuous smile, paid no further regard to it. Having already taken his final resolution, and perceiving that nothing but force could compel them to acquiesce in it, he despatched the cardinal of Trent to Rome, in order to conclude an alliance with the pope, the terms of which were already agreed on; he commanded a body of troops levied on purpose in the Low Countries, to advance towards Germany; he gave commissions to several officers for raising men in different parts of the empire; he warned John and Albert of Brandenburg, that now was the proper time of exerting themselves in order to rescue their ally, Henry of Brunswick, from captivity.[h]

June 9.

The protestants alarmed.

All these things could not be transacted without the observation and knowledge of the protestants. The secret was now in many hands; under whatever veil the emperor still affected to conceal his designs, his officers kept no such mysterious reserve, and his allies and subjects spoke out his intentions plainly. Alarmed with reports of this kind from every quarter, as well as with the preparations for war which they could not but observe, the deputies of the confederates demanded audience of the emperor, and, in the name of their masters, required to know whether these military preparations were carried on by his command, and for what end and against what enemy? To a question put in such a tone, and at a time when facts were become too notorious to be denied, it was necessary to give an explicit answer. Charles owned the orders which he had issued; and professing his purpose not to molest, on account of religion, those who should act as dutiful subjects, declared that he had nothing in view but to maintain the rights and prerogatives of the imperial dignity; and, by punishing some factious members, to preserve the ancient constitution of the empire from being impaired or dissolved by their irregular and licentious conduct. Though the emperor did not name the persons whom he charged with such high crimes, and destined to be the object of his vengeance, it was obvious that he had the elector of Saxony and landgrave of Hesse in view. Their deputies, considering what he had said as a plain declaration of his hostile intentions, immediately retired from Ratisbon.[i]

The emperor's treaty with the pope.

The cardinal of Trent found it no difficult matter to treat with the pope, who having at length brought the emperor to adopt that plan which he had long recommended, assented with eagerness to every article that he proposed. The league was signed a few days after the cardinal's arrival at Rome. The pernicious heresies which abounded in Germany, the obstinacy of the protestants in rejecting the holy council assembled at Trent, and the necessity of maintaining sound doctrine, together with good order, in the church, are mentioned as the motives of this union between the contracting parties. In order to check the growth of these evils, and to punish such as had impiously contributed to spread them, the emperor having long and without success made trial of gentler remedies, engaged instantly to take the field with a sufficient army, that he might compel all who disowned the council or had apostatized from the religion of their forefathers to return into the bosom of the church, and submit with due obedience to the holy see. He likewise bound himself not to conclude a peace with them during six months without the pope's consent, nor without assigning him his share in any conquests which should be made upon them; and that, even after this period, he should not agree to any accommodation which might be detrimental to the church or to the interest of religion. On his part the pope stipulated to deposit a large sum in the bank of Venice towards defraying the expense of the war; to maintain, at his own charge, during the space of six months, twelve thousand foot and five hundred horse; to grant the emperor, for one year, half of the ecclesiastical revenues throughout Spain; to authorize him, by a bull, to alienate as much of the lands belonging to religious houses in that country as would amount to the sum of five hundred thousand crowns; and to employ not only spiritual censures but military force against any prince who should attempt to interrupt or defeat the execution of this treaty.[k]

July 26.

Endeavours still to conceal his intentions from the protestants.

Notwithstanding the explicit terms in which the extirpation of heresy was declared to be the object of the war which was to follow upon this treaty, Charles still endeavoured to persuade the Germans that he had no design to abridge their religious liberty, but that he aimed only at vindicating his own authority;

h Sleid. 374. Seck. iii. 658.

i Sleid. 376.

k Sleid. 381. Pallav. 255. Du Mont Corps Diplom. 11.

and repressing the insolence of such as had encroached upon it. With this view he wrote circular letters in the same strain with his answer to the deputies at Ratisbon, to most of the free cities, and to several of the princes who had embraced the protestant doctrines. In these he complained loudly, but in general terms, of the contempt into which the imperial dignity had fallen, and of the presumptuous as well as disorderly behaviour of some members of the empire. He declared that he now took arms not in a religious but in a civil quarrel; not to oppress any who continued to behave as quiet and dutiful subjects, but to humble the arrogance of such as had thrown off all sense of that subordination in which they were placed under him as head of the Germanic body. Gross as this deception was, and manifest as it might have appeared to all who considered the emperor's conduct with attention, it became necessary for him to make trial of its effect; and such was the confidence and dexterity with which he employed it, that he derived the most solid advantages from this artifice. If he had avowed at once an intention of overturning the protestant church, and of reducing all Germany under its former state of subjection to the papal see, none of the cities or princes who had embraced the new opinions could have remained neutral after such a declaration, far less could they have ventured to assist the emperor in such an enterprise. Whereas, by concealing and even disclaiming any intention of that kind, he not only saved himself from the danger of being overwhelmed by a general confederacy of all the protestant states, but he furnished the timid with an excuse for continuing inactive, and the designing or interested with a pretext for joining him without exposing themselves to the infamy of abandoning their own principles, or taking part openly in suppressing them. At the same time the emperor well knew that if, by their assistance, he were enabled to break the power of the elector of Saxony and the landgrave, he might afterwards prescribe what terms he pleased to the feeble remains of a party without union and destitute of leaders, who would then regret, too late, their mistaken confidence in him and their inconsiderate desertion of their associates.

The pope disconcerts his plan.

The pope, by a sudden and unforeseen display of his zeal, had well nigh disconcerted this plan, which the emperor had formed with so much care and art. Proud of having been the author of such a formidable league against the Lutheran heresy, and happy in thinking that the glory of extirpating it was reserved for his pontificate, he published the articles of his treaty with the emperor, in order to demonstrate the pious intention of their confederacy as well as to display his own zeal, which prompted him to make such extraordinary efforts for maintaining the faith in its purity. Not satisfied with this, he soon after issued a bull containing most liberal promises of indulgence to all who should engage in this holy enterprise, together with warm exhortations to such as could not bear a part in it themselves, to increase the fervour of their prayers and the severity of their mortifications, that they might draw down the blessing of Heaven upon those who undertook it.[l] Nor was it zeal alone which pushed the pope to make declarations so inconsistent with the account which the emperor himself gave of his motives for taking arms. He was much scandalized at Charles's dissimulation in such a cause; at his seeming to be ashamed of owning his zeal for the church, and at his endeavours to make that pass for a political contest which he ought to have gloried in as a war that had no other object than the defence of religion. With as much solicitude, therefore, as the emperor laboured to disguise the purpose of the confederacy, did the pope endeavour to publish their real plan, in order that they might come at once to an open rupture with the protestants, that all hopes of reconcilement might be cut off, and that Charles might be under fewer temptations, and have it less in his power than at present, to betray the interests of the church by any accommodation beneficial to himself.[m]

The emperor, though not a little offended at the pope's indiscretion or malice in making this discovery, continued boldly to pursue his own plan, and to assert his intentions to be no other than what he had originally avowed. Several of the protestant states whom he had previously gained thought themselves justified, in some measure, by his declarations, for abandoning their associates, and even for giving assistance to him.

The preparation of the protestants for their own defence.

But these artifices did not impose on the greater and sounder part of the protestant confederates. They clearly perceived it to be against the reformed religion that the emperor had taken arms, and that not only the suppression of it, but the extinction of the German liberties, would be the certain consequence of his obtaining such an entire superiority as would enable him to execute his schemes in their full extent. They determined, therefore, to prepare for their own defence, and neither to renounce those religious truths to the knowledge of which they had attained by means so wonderful, nor to abandon those civil rights which had been transmitted to them by their ancestors. In order to give the necessary directions for this purpose, their deputies met at Ulm soon after their abrupt departure from Ratisbon. Their deliberations were now conducted with such vigour and unanimity as the imminent danger which threatened them required. The contingent of troops which each of the confederates was to furnish having been fixed by the original treaty of union, orders were given for bringing them immediately into the field. Being sensible at last, that, through the narrow prejudices of some of their members, and the im-

l Du Mont Corps Diplom.

m F. Paul. 188. Thuan. Hist. i. 61.

prudent security of others, they had neglected too long to strengthen themselves by foreign alliances, they now applied with great earnestness to the Venetians and Swiss.

They solicit the aid of the Venetians;

To the Venetians they represented the emperor's intention of overturning the present system of Germany, and of raising himself to absolute power in that country by means of foreign force furnished by the pope; they warned them how fatal this event would prove to the liberties of Italy, and that by suffering Charles to acquire unlimited authority in the one country, they would soon feel his dominion to be no less despotic in the other; they besought them, therefore, not to grant a passage through their territories to those troops, which ought to be treated as common enemies, because by subduing Germany they prepared chains for the rest of Europe. These reflections had not escaped the sagacity of those wise republicans. They had communicated their sentiments to the pope, and had endeavoured to divert him from an alliance which tended to render irresistible the power of a potentate whose ambition he already knew to be boundless. But they had found Paul so eager in the prosecution of his own plan, that he disregarded all their remonstrances.[n] This attempt to alarm the pope having proved unsuccessful, they declined doing any thing more towards preventing the dangers which they foresaw; and in return to the application from the confederates of Smalkalde, they informed them that they could not obstruct the march of the pope's troops through an open country but by levying an army strong enough to face them in the field, and that this would draw upon themselves the whole weight of his as well as of the emperor's indignation. For the same reason they declined lending a sum of money which the elector of Saxony and landgrave proposed to borrow of them towards carrying on the war.[o]

of the Swiss;

The demands of the confederates upon the Swiss were not confined to the obstructing of the entrance of foreigners into Germany; they required of them, as the nearest neighbours and closest allies of the empire, to interpose with their wonted vigour for the preservation of its liberties, and not to stand as inactive spectators while their brethren were oppressed and enslaved. But with whatever zeal some of the cantons might have been disposed to act when the cause of the Reformation was in danger, the Helvetic body was so divided with regard to religion as to render it unsafe for the protestants to take any step without consulting their catholic associates; and among them the emissaries of the pope and emperor had such influence, that a resolution of maintaining an exact neutrality between the contending parties was the utmost which could be procured.[p]

Being disappointed in both these applications, the protestants, not long after, had recourse to the kings of France and England; the approach of danger either overcoming the elector of Saxony's scruples, or obliging him to yield to the importunities of his associates. The situation of the two monarchs flattered them with hopes of success. Though hostilities between them had continued for some time after the peace of Crespy, they became weary at last of a war attended with no glory or advantage to either, and had lately terminated all their differences by a peace concluded at Campre near Andres. Francis having with great difficulty procured his allies the Scots to be included in the treaty, in return for that concession he engaged to pay a great sum, which Henry demanded as due to him on several accounts, and he left Boulogne in the hands of the English, as a pledge for his faithful performance of that article. But though the re-establishment of peace seemed to leave the two monarchs at liberty to turn their attention towards Germany, so unfortunate were the protestants that they derived no immediate advantage from this circumstance. Henry appeared unwilling to enter into any alliance with them but on such conditions as would render him not only the head but the supreme director of their league; a pre-eminence which, as the bonds of union or interest between them were but feeble, and as he differed from them so widely in his religious sentiments, they had no inclination to admit.[q] Francis, more powerfully inclined by political considerations to afford them assistance, found his kingdom so much exhausted by a long war, and was so much afraid of irritating the pope by entering into close union with excommunicated heretics, that he durst not undertake the protection of the Smalkaldic league. By this ill-timed caution, or by a superstitious deference to scruples, to which at other times he was not much addicted, he lost the most promising opportunity of mortifying and distressing his rival which presented itself during his whole reign.

of Francis I. and Henry VIII.

Protestants take the field with a great army.

But notwithstanding their ill success in their negociations with foreign courts, the confederates found no difficulty at home in bringing a sufficient force into the field. Germany abounded at that time in inhabitants; the feudal institutions, which subsisted in full force, enabled the nobles to call out their numerous vassals, and to put them in motion on the shortest warning; the martial spirit of the Germans, not broken or enervated by the introduction of commerce and arts, had acquired additional vigour during the continual wars in which they had been employed for half a century, either in the pay of the emperors or the kings of France. Upon every opportunity of entering into service they were accustomed to run eagerly to arms; and to every standard that was erected, volunteers flocked from

n Adriani Istoria di suoi Tempi, liv. v. p. 332.
o Sleid. 381. Paruta Istor. Venet. tom. iv. 180. Lambertus Hortensius de Bello Germanico, apud Scardium, vol. ii. p. 547.
p Sleid. 392.
q Rymer, xv. 93. Herbert, 258.

all quarters.[r] Zeal seconded on this occasion their native ardour. Men on whom the doctrines of the Reformation had made that deep impression which accompanies truth when first discovered, prepared to maintain it with proportional vigour; and among a warlike people it appeared infamous to remain inactive when the defence of religion was the motive for taking arms. Accident combined with all these circumstances in facilitating the levy of soldiers among the confederates. A considerable number of Germans in the pay of France being dismissed by the king on the prospect of peace with England, joined in a body the standard of the protestants.[s] By such a concurrence of causes they were enabled to assemble in a few weeks an army composed of seventy thousand foot, and fifteen thousand horse, provided with a train of an hundred and twenty cannon, eight hundred ammunition waggons, eight thousand beasts of burden, and six thousand pioneers.[t] This army, one of the most numerous, and undoubtedly the best appointed, of any which had been levied in Europe during that century, did not require the united effort of the whole protestant body to raise it. The elector of Saxony, the landgrave of Hesse, the duke of Wurtemberg, the princes of Anhalt, and the imperial cities of Augsburg, Ulm, and Strasburg, were the only powers which contributed towards this great armament; the electors of Cologne, of Brandenburg, and the count Palatine, overawed by the emperor's threats or deceived by his professions, remained neuter. John, marquis of Brandenburg Bareith, and Albert of Brandenburg-Anspach, though both early converts to Lutheranism, entered openly into the emperor's service, under pretext of having obtained his promise for the security of the protestant religion; and Maurice of Saxony soon followed their example.

The inequality of the emperor's forces to theirs.

The number of their troops, as well as the amazing rapidity wherewith they had assembled them, astonished the emperor, and filled him with the most disquieting apprehensions. He was, indeed, in no condition to resist such a mighty force. Shut up in Ratisbon, a town of no great strength, whose inhabitants being mostly Lutherans would have been more ready to betray than to assist him, with only three thousand Spanish foot who had served in Hungary, and about five thousand Germans who had joined him from different parts of the empire, he must have been overwhelmed by the approach of such a formidable army, which he could not fight, nor could he even hope to retreat from it in safety. The pope's troops, though in full march to his relief, had hardly reached the frontiers of Germany; the forces which he expected from the Low Countries had not yet begun to move, and were even far from being complete.[u] His situation, however, called for more immediate succour, nor did it seem practicable for him to wait for such distant auxiliaries, with whom his junction was so precarious.

They imprudently negociate instead of acting.

But it happened fortunately for Charles that the confederates did not avail themselves of the advantage which lay so full in their view. In civil wars the first steps are commonly taken with much timidity and hesitation. Men are solicitous at that time to put on the semblance of moderation and equity; they strive to gain partisans by seeming to adhere strictly to known forms; nor can they be brought at once to violate those established institutions which in times of tranquillity they have been accustomed to reverence; hence their proceedings are often feeble or dilatory when they ought to be most vigorous and decisive. Influenced by those considerations, which, happily for the peace of society, operate powerfully on the human mind, the confederates could not think of throwing off that allegiance which they owed to the head of the empire, or of turning their arms against him, without one solemn appeal more to his candour, and to the impartial judgment of their fellow-subjects. For this purpose they addressed a letter to the emperor, and a manifesto to all the inhabitants of Germany. The tenor of both was the same. They represented their own conduct with regard to civil affairs as dutiful and submissive; they mentioned the inviolable union in which they had lived with the emperor, as well as the many and recent marks of his goodwill and gratitude wherewithal they had been honoured; they asserted religion to be the sole cause of the violence which the emperor now meditated against them; and in proof of this produced many arguments to convince those who were so weak as to be deceived by the artifices with which he endeavoured to cover his real intentions; they declared their own resolution to risk every thing in maintenance of their religious rights, and foretold the dissolution of the German constitution if the emperor should finally prevail against them.[x]

The emperor puts them under the ban of the empire. July 20.

Charles, though in such a perilous situation as might have inspired him with moderate sentiments, appeared as inflexible and haughty as if his affairs had been in the most prosperous state. His only reply to the address and manifesto of the protestants was to publish the ban of the empire against the elector of Saxony and landgrave of Hesse, their leaders, and against all who should dare to assist them. By this sentence, the ultimate and most rigorous one which the German jurisprudence has provided for the punishment of traitors or enemies to their country, they were declared rebels and outlaws, and deprived of every privilege which they enjoyed as members of the Germanic body; their goods were confiscated; their subjects absolved from their oath of allegiance; and it became not only lawful but meritorious to invade their territories. The nobles

r Seck. l. iii. 161. s Thuan. l. i. 68.
t Ibid. l. i. 601. Ludovici ab Avila et Zuniga Commentariorum de Bel. Germ. lib. duo. Antw. 1550. 12mo. p. 13, a.
u Sleid. 389. Avila, 8, a.
x Sleid. 384.

and free cities who framed or perfected the constitution of the German government had not been so negligent of their own safety and privileges as to trust the emperor with this formidable jurisdiction. The authority of a diet of the empire ought to have been interposed before any of its members could be put under the ban. But Charles overlooked that formality, well knowing that if his arms were crowned with success there would remain none who would have either power or courage to call in question what he had done.[y] The emperor, however, did not found his sentence against the elector and landgrave on their revolt from the established church, or their conduct with regard to religion; he affected to assign for it reasons purely civil, and those too expressed in such general and ambiguous terms, without specifying the nature or circumstances of their guilt, as rendered it more like an act of despotic power than of a legal and limited jurisdiction. Nor was it altogether from choice or to conceal his intentions that Charles had recourse to the ambiguity of general expressions; but he durst not mention too particularly the causes of his sentence, as every action which he could have charged upon the elector and landgrave as a crime might have been employed with equal justice to condemn many of the protestants whom he still pretended to consider as faithful subjects, and whom it would have been extremely imprudent to alarm or disgust.

They declare war against Charles.

The confederates now perceiving all hopes of accommodation to be at an end, had only to choose whether they would submit without reserve to the emperor's will or proceed to open hostilities. They were not destitute either of public spirit or of resolution to make the proper choice. A few days after the ban of the empire was published, they, according to the custom of that age, sent a herald to the imperial camp, with a solemn declaration of war against Charles, to whom they no longer gave any other title than that of pretended emperor, and renounced all allegiance, homage, or duty which he might claim, or which they had hitherto yielded to him. But previous to this formality, part of their troops had begun to act.

Their first operations,

The command of a considerable body of men, raised by the city of Augsburg, having been given to Sebastian Schertel, a soldier of fortune, who by the booty that he got when the imperialists plundered Rome, together with the merit of long service, had acquired wealth and authority which placed him on a level with the chief of the German nobles, that gallant veteran resolved, before he joined the main body of the confederates, to attempt something suitable to his former fame and to the expectation of his countrymen. As the pope's forces were hastening towards Tyrol, in order to penetrate into Germany by the narrow passes through the mountains which run across that country, he advanced thither with the utmost rapidity, and seized Ehrenberg and Cuffstein, two strong castles which commanded the principal defiles. Without stopping a moment he continued his march towards Inspruck, by getting possession of which he would have obliged the Italians to stop short, and with a small body of men could have resisted all the efforts of the greatest armies. Castlealto, the governor of Trent, knowing what a fatal blow this would be to the emperor, all whose designs must have proved abortive if his Italian auxiliaries had been intercepted, raised a few troops with the utmost despatch, and threw himself into the town. Schertel, however, did not abandon the enterprise, and was preparing to attack the place when the intelligence of the approach of the Italians, and an order from the elector and landgrave, obliged him to desist. By his retreat the passes were left open, and the Italians entered Germany without any opposition but from the garrisons which Schertel had placed in Ehrenberg and Cuffstein; and these having no hopes of being relieved, surrendered after a short resistance.[z] [a]

and ill conduct.

Nor was the recalling of Schertel the only error of which the confederates were guilty. As the supreme command of their army was committed, in terms of the league of Smalkalde, to the elector of Saxony and landgrave of Hesse with equal power, all the inconveniences arising from a divided and co-ordinate authority, which is always of fatal consequence in the operations of war, were immediately felt. The elector, though intrepid in his own person to excess, and most ardently zealous in the cause, was slow in deliberating, uncertain as well as irresolute in his determinations, and constantly preferred measures which were cautious and safe to such as were bold or decisive. The landgrave, of a more active and enterprising nature, formed all his resolutions with promptitude, wished to execute them with spirit, and uniformly preferred such measures as tended to bring the contest to a speedy issue. Thus their maxims with regard to the conduct of the war differed as widely as those by which they were influenced in preparing for it. Such perpetual contrariety in their sentiments gave rise, imperceptibly, to jealousy and the spirit of contention. These multiplied the dissensions flowing from the incompatibility of their natural tempers, and rendered them more violent. The other members of the league considering themselves as independent, and subject to the elector and landgrave only in consequence of the articles of a voluntary confederacy, did not long retain a proper veneration for commanders who pro-

y Sleid. 386. Du Mont Corps Diplom. iv. p. 11, 314. Pfeffel. Hist. Abregé du Droit Publ. 168, 736, 158.

z Seckend. lib. ii. 70. Adriani Istoria di suoi Tempi, lib. 335.

a Seckendorf, the industrious author of the "Commentarius Apologeticus de Lutheranismo," whom I have so long and safely followed as my guide in German affairs, was a descendant from Schertel. With the care and solicitude of a German who was himself of noble birth, Seckendorf has published a long digression concerning his ancestor, calculated chiefly to show how Schertel was ennobled, and his posterity allied to many of the most ancient families in the empire. Among other curious particulars he gives us an account of his wealth, the chief source of which was the plunder he got at Rome. His landed estate alone was sold by his grandsons for six hundred thousand florins. By this we may form some idea of the riches amassed by the *Condottieri* or commanders of mercenary bands in that age. At the taking of Rome Schertel was only a captain. Seckend. lib. ii. 73.

ceeded with so little concord; and the numerous army of the protestants, like a vast machine whose parts are ill compacted, and which is destitute of any power sufficient to move and regulate the whole, acted with no consistency, vigour, or effect.

The pope's troops join the emperor.

The emperor, who was afraid that by remaining at Ratisbon he might render it impossible for the pope's forces to join him, having boldly advanced to Landshut on the Iser, the confederates lost some days in deliberating whether it was proper to follow him into the territories of the duke of Bavaria, a neutral prince. When at last they surmounted that scruple, and began to move towards his camp, they suddenly abandoned the design, and hastened to attack Ratisbon, in which town Charles could leave only a small garrison. By this time the papal troops, amounting fully to that number which Paul had stipulated to furnish, had reached Landshut, and were soon followed by six thousand Spaniards of the veteran bands stationed in Naples. The confederates, after Schertel's spirited but fruitless expedition, seem to have permitted these forces to advance unmolested to the place of rendezvous, without any attempt to attack either them or the emperor separately, or to prevent their junction.[b] The imperial army amounted now to thirty-six thousand men, and was still more formidable by the discipline and valour of the troops than by their number. Avila, commendador of Alcantara, who had been present in all the wars carried on by Charles, and had served in the armies which gained the memorable victory at Pavia, which conquered Tunis and invaded France, gives this the preference to any military force he had ever seen assembled.[c] Octavio Farnese, the pope's grandson, assisted by the ablest officers formed in the long wars between Charles and Francis, commanded the Italian auxiliaries. His brother, the cardinal Farnese, accompanied him as papal legate; and in order to give the war the appearance of a religious enterprise, he proposed to march at the head of the army with a cross carried before him, and to publish indulgences wherever he came to all who should give them any assistance, as had anciently been the practice in the Crusades against the infidels. But this the emperor strictly prohibited, as inconsistent with all the declarations which he had made to the Germans of his own party; and the legate perceiving, to his astonishment, that the exercise of the protestant religion, the extirpation of which he considered as the sole object of the war, was publicly permitted in the imperial camp, soon returned in disgust to Italy.[d]

The arrival of these troops enabled the emperor to send such a reinforcement to the garrison at Ratisbon, that the confederates, relinquishing all hopes of reducing that town, marched towards Ingoldstadt on the Danube, near to which Charles was now encamped. They exclaimed loudly against the emperor's notorious violation of the laws and constitution of the empire, in having called in foreigners to lay waste Germany and to oppress its liberties. As in that age the dominion of the Roman see was so odious to the protestants, that the name of the pope alone was sufficient to inspire them with horror at any enterprise which he countenanced, and to raise in their minds the blackest suspicions, it came to be universally believed among them, that Paul, not satisfied with attacking them openly by force of arms, had dispersed his emissaries all over Germany, to set on fire their towns and magazines, and to poison the wells and fountains of water. Nor did this rumour, which was extravagant and frightful enough to make a deep impression on the credulity of the vulgar, spread among them only; even the leaders of the party, blinded by their prejudices, published a declaration, in which they accused the pope of having employed such antichristian and diabolical arts against them.[e] These sentiments of the confederates were confirmed, in some measure, by the behaviour of the papal troops, who thinking nothing too rigorous towards heretics anathematized by the church, were guilty of great excesses in the territories of the Lutheran states, and aggravated the calamities of war by mingling with it all the cruelty of bigoted zeal.

The confederates advance towards the imperial army.

The first operations in the field, however, did not correspond with the violence of those passions which animated individuals. The emperor had prudently taken the resolution of avoiding an action with an enemy so far superior in number,[f] especially as he foresaw that nothing could keep a body composed of so many and such dissimilar members from falling to pieces but the pressing to attack it with an inconsiderate precipitancy. The confederates, though it was no less evident that to them every moment's delay was pernicious, were still prevented by the weakness or division of their leaders from exerting that vigour with which their situation as well as the ardour of their soldiers ought to have inspired them. On their arrival at Ingoldstadt they found the emperor in a camp not remarkable for strength, and surrounded only by a slight entrenchment. Before the camp lay a plain of such extent as afforded sufficient space for drawing out their whole army, and bringing it to act at once. Every consideration should have determined them to have seized this opportunity of attacking the emperor; and their great superiority in numbers, the eagerness of their troops, together with the stability of the German infantry in pitched battles, afforded them the most probable expectation of victory. The landgrave urged this with great warmth, declaring that if the sole command were vested in him, he would terminate the war on that occasion, and decide by one general action the fate of the two parties. But the elector, reflecting on the valour and discipline of the enemy's forces, animated by the presence of the emperor and conducted by

Aug. 29.

b Adriani Istoria di suoi Tempi, lib. v. 340. c Avila, 18. d F. Paul, 191. e Sleid. 399. f Avila, 78, a.

the best officers of the age, would not venture upon an action which he thought to be so doubtful as the attacking such a body of veterans on ground which they themselves had chosen, and while covered with fortifications which, though imperfect, would afford them no small advantage in the combat. Notwithstanding his hesitation and remonstrances, it was agreed to advance towards the enemy's camp in battle-array, in order to make a trial whether by that insult, and by a furious cannonade which they began, they could draw the imperialists out of their works. But the emperor had too much sagacity to fall into this snare. He adhered to his own system with inflexible constancy; and drawing up his soldiers behind their trenches, that they might be ready to receive the confederates if they should venture upon an assault, calmly waited their approach, and carefully restrained his own men from any excursions or skirmishes which might bring on a general engagement. He rode along the lines, and addressing the troops of the different nations in their own language, encouraged them not only by his words, but by the cheerfulness of his voice and countenance; he exposed himself in places of greatest danger, and amidst the warmest fire of the enemy's artillery, the most numerous that had hitherto been brought into the field by any army. Roused by his example, not a man quitted his ranks; it was thought infamous to discover any symptom of fear when the emperor appeared so intrepid; and the meanest soldier plainly perceived that their declining the combat at present was not the effect of timidity in their general, but the result of a well-grounded caution. The confederates, after firing several hours on the imperialists, with more noise and terror than execution, seeing no prospect of alluring them to fight on equal terms, retired to their own camp. The emperor employed the night with such diligence in strengthening his works, that the confederates, returning to the cannonade next day, found that though they had now been willing to venture upon such a bold experiment, the opportunity of making an attack with advantage was lost.[g]

The emperor declines a battle.

After such a discovery of the feebleness or irresolution of their leaders, and the prudence as well as firmness of the emperor's conduct, the confederates turned their whole attention towards preventing the arrival of a powerful reinforcement of ten thousand foot and four thousand horse, which the count de Buren was bringing to the emperor from the Low Countries. But though that general had to traverse such an extent of country; though his route lay through the territories of several states warmly disposed to favour the confederates; though they were apprised of his approach, and by their superiority in numbers might easily have detached a force sufficient to overpower him, he advanced with such rapidity, and by such well-concerted movements, while they opposed him with such remissness and so little military skill, Sept. 10. that he conducted this body to the imperial camp without any loss.[h]

The Flemish troops join the emperor.

Upon the arrival of the Flemings, in whom he placed great confidence, the emperor altered in some degree his plan of operations, and began to act more upon the offensive, though he still avoided a battle with the utmost industry. He made himself master of Neuburg, Dillingen, and Donawert on the Danube; of Nordlingen, and several other towns situated on the most considerable streams which fall into that mighty river. By this he got the command of a great extent of country, though not without being obliged to engage in several sharp encounters, of which the success was various, nor without being exposed, oftener than once, to the danger of being drawn into a battle. In this manner the whole autumn was spent; neither party gained any remarkable superiority over the other, and nothing was yet done towards bringing the war to a period. The emperor had often foretold with confidence, that discord and the want of money would compel the confederates to disperse that unwieldy body, which they had neither abilities to guide nor funds to support.[i] Though he waited with impatience for the accomplishment of his prediction, there was no prospect of that event being at hand. But he himself began to suffer from the want of forage and provisions, even the catholic provinces being so much incensed at the introduction of foreigners into the empire that they furnished them with reluctance, while the camp of the confederates abounded with a profusion of all necessaries, which the zeal of their friends in the adjacent countries poured in with the utmost liberality and good-will. Great numbers of the Italians and Spaniards, unaccustomed to the climate or food of Germany, were become unfit for service through sickness.[k] Considerable arrears were now due to the troops, who had scarcely received any money from the beginning of the campaign; the emperor experiencing on this as well as on former occasions, that his jurisdiction was more extensive than his revenues, and that the former enabled him to assemble a greater number of soldiers than the latter were sufficient to support. Upon all these accounts he found it difficult to keep his army in the field; some of his ablest generals, and even the duke of Alva himself, persevering and obstinate as he usually was in the prosecution of every measure, advising him to disperse his troops into winter-quarters. But as the arguments urged against any plan which he had adopted rarely made much impression upon the emperor, he paid no regard to their opinion, and determined to continue his efforts in order to weary out the confederates; being well assured that if he could once oblige them

State of both armies.

g Sleid. 395, 397. Avila, 27, a. Lamb. Hortens. ap. Scard. ii.
h Sleid. 403.

i Belli Smalkaldici Commentarius Græco sermone scriptus a Joach. Camerar. ap. Freherum, vol. iii. p. 479. k Camerar. ap. Freher 483.

to separate, there was little probability of their uniting again in a body.[l] Still, however, it remained a doubtful point whether his steadiness was most likely to fail or their zeal to be exhausted. It was still uncertain which party, by first dividing its forces, would give the superiority to the other; when an unexpected event decided the contest, and occasioned a fatal reverse in the affairs of the confederates.

Schemes of Maurice of Saxony.

Maurice of Saxony, having insinuated himself into the emperor's confidence by the arts which have already been described, no sooner saw hostilities ready to break out between the confederates of Smalkalde and that monarch, than vast prospects of ambition began to open upon him. That portion of Saxony which descended to him from his ancestors was far from satisfying his aspiring mind; and he perceived with pleasure the approach of civil war, as, amidst the revolutions and convulsions occasioned by it, opportunities of acquiring additional power or dignity, which at other times are sought in vain, present themselves to an enterprising spirit. As he was thoroughly acquainted with the state of the two contending parties, and the qualities of their leaders, he did not hesitate long in determining on which side the greatest advantages were to be expected. Having revolved all these things in his own breast, and having taken his final resolution of joining the emperor, he prudently determined to declare early in his favour, that by the merit of this he might acquire a title to a proportional recompence. With this view he had repaired to Ratisbon in the month

His league with the emperor.

of May, under pretext of attending the diet; and after many conferences with Charles or his ministers, he, with the most mysterious secresy, concluded a treaty in which he engaged to concur in assisting the emperor as a faithful subject, and Charles in return stipulated to bestow on him all the spoils of the elector of Saxony, his dignities as well as territories.[m] History hardly records any treaty that can be considered as a more manifest violation of the most powerful principles which ought to influence human actions. Maurice, a professed protestant, at a time when the belief of religion as well as zeal for its interests took strong possession of every mind, binds himself to contribute his assistance towards carrying on a war which had manifestly no other object than the extirpation of the protestant doctrines: he engages to take arms against his father-in-law, and to strip his nearest relation of his honours and dominions: he joins a dubious friend against a known benefactor, to whom his obligations were both great and recent. Nor was the prince who ventured upon all this one of those audacious politicians who, provided they can accomplish their ends and secure their interest, avowedly disregard the most sacred obligations, and glory in contemning whatever is honourable or decent. Maurice's conduct, if the whole must be ascribed to policy, was more artful and masterly; he executed his plan in all its parts, and yet endeavoured to preserve, in every step which he took, the appearance of what was fair and virtuous and laudable. It is probable from his subsequent behaviour, that, with regard to the protestant religion at least, his intentions were upright; that he fondly trusted to the emperor's promises for its security; but that, according to the fate of all who refine too much in policy, and who tread in dark and crooked paths, in attempting to deceive others he himself was, in some degree, deceived.

His artifices in order to conceal his intentions

His first care, however, was to keep the engagements into which he had entered with the emperor closely concealed: and so perfect a master was he in the art of dissimulation, that the confederates, notwithstanding his declining all connexions with them, and his remarkable assiduity in paying court to the emperor, seemed to have entertained no suspicion of his designs. Even the elector of Saxony, when he marched at the beginning of the campaign to join his associates, committed his dominions to Maurice's protection, which he, with an insidious appearance of friendship, readily undertook.[n] But scarcely had the elector taken the field when Maurice began to consult privately with the king of the Romans how to invade those very territories with the defence of which he was intrusted. Soon after, the emperor sent him a copy of the imperial ban denounced against the elector and landgrave. As he was next heir to the former, and particularly interested in preventing strangers from getting his dominions into their possession, Charles required him, not only for his own sake, but upon the allegiance and duty which he owed to the head of the empire, instantly to seize and detain in his hands the forfeited estates of the elector; warning him at the same time, that if he neglected to obey these commands, he should be held as accessory to the crimes of his kinsman, and be liable to the same punishment.[o]

This artifice, which it is probable Maurice himself suggested, was employed by him in order that his conduct towards the elector might seem a matter of necessity but not of choice, an act of obedience to his superior rather than a voluntary invasion of the rights of his kinsman and ally. But in order to give some more specious appearance to this thin veil with which he endeavoured to cover his ambition, he, soon after his return from Ratisbon, had called together the states of his country, and representing to them that a civil war between the emperor and confederates of Smalkalde was now become unavoidable, desired their advice with regard to the part which he should act in that event. They having been prepared no doubt, and tutored beforehand, and being desirous of gratifying their prince, whom they esteemed as well as loved, gave such

l Thuan. 83.
m Hareei Annal. Brabant. vol. i. 638. Struvii Corp. 1048. Thuan. 84.
n Struvii Corp. 1046.
o Sleid. 391. Thuan. 84.

counsel as they knew would be most agreeable, advising him to offer his mediation towards reconciling the contending parties; but if that were rejected, and he could obtain proper security for the protestant religion, they delivered it as their opinion, that in all other points he ought to yield obedience to the emperor. Upon receiving the imperial rescript, together with the ban against the elector and landgrave, Maurice summoned the states of his country a second time; he laid before them the orders which he had received, and mentioned the punishment with which he was threatened in case of disobedience; he acquainted them that the confederates had refused to admit of his mediation, and that the emperor had given him the most satisfactory declarations with regard to religion; he pointed out his own interest in securing possession of the electoral dominions, as well as the danger of allowing strangers to obtain an establishment in Saxony; and upon the whole, as the point under deliberation respected his subjects no less than himself, he desired to know their sentiments how he should steer in that difficult and arduous conjuncture. The states, no less obsequious and complaisant than formerly, professing their own reliance on the emperor's promises as a perfect security for their religion, proposed that, before he had recourse to more violent methods, they would write to the elector, exhorting him, as the best means not only of appeasing the emperor, but of preventing his dominions from being seized by foreign or hostile powers, to give his consent that Maurice should take possession of them quietly and without opposition. Maurice himself seconded their arguments in a letter to the landgrave, his father-in-law. Such an extravagant proposition was rejected with the scorn and indignation which it deserved. The landgrave, in return to Maurice, taxed him with his treachery and ingratitude towards a kinsman to whom he was so deeply indebted: he treated with contempt his affectation of executing the imperial ban, which he could not but know to be altogether void by the unconstitutional and arbitrary manner in which it had been issued; he besought him not to suffer himself to be so far blinded by ambition as to forget the obligations of honour and friendship, or to betray the protestant religion, the extirpation of which out of Germany, even by the acknowledgment of the pope himself, was the great object of the present war.[p]

He invades the territories of the elector of Saxony.

But Maurice had proceeded too far to be diverted from pursuing his plan by reproaches or arguments. Nothing now remained but to execute with vigour what he had hitherto carried on by artifice and dissimulation. Nor was his boldness in action inferior to his subtilty in contrivance. Having assembled about twelve thousand men, he suddenly invaded one part of the electoral provinces, while Ferdinand, with an army composed of Bohemians and Hungarians, overran the other. Maurice, in two sharp encounters, defeated the troops which the elector had left to guard his country; and improving these advantages to the utmost, made himself master of all the electorate except Wittemberg, Gotha, and Eisenach, which being places of considerable strength, and defended by sufficient garrisons, refused to open their gates. The news of these rapid conquests soon reached the imperial and confederate camps. In the former, satisfaction with an event which it was foreseen would be productive of the most important consequences, was expressed by every possible demonstration of joy. The latter was filled with astonishment and terror. The name of Maurice was mentioned with execration, as an apostate from religion, a betrayer of the German liberty, and a contemner of the most sacred and natural ties. Every thing that the rage or invention of the party could suggest in order to blacken and render him odious; invectives, satires, and lampoons, the furious declamations of their preachers, together with the rude wit of their authors, were all employed against him. While he, confiding in the arts which he had so long practised, as if his actions could have admitted of any serious justification, published a manifesto, containing the same frivolous reasons for his conduct which he had formerly alleged in the meeting of his states and in his letter to the landgrave.[q]

November.

The elector, upon the first intelligence of Maurice's motions, proposed to return home with his troops for the defence of Saxony. But the deputies of the league, assembled at Ulm, prevailed on him at that time to remain with the army, and to prefer the success of the common cause before the security of his own dominions. At length the sufferings and complaints of his subjects increased so much, that he discovered the utmost impatience to set out, in order to rescue them from the oppression of Maurice and from the cruelty of the Hungarians, who having been accustomed to that licentious and merciless species of war which was thought lawful against the Turks, committed, wherever they came, the wildest acts of rapine and violence. This desire of the elector was so natural and so warmly urged, that the deputies at Ulm, though fully sensible of the unhappy consequences of dividing their army, durst not refuse their consent, how unwilling soever to grant it. In this perplexity they repaired to the camp of the confederates at Giengen on the Brenz, in order to consult their constituents. Nor were they less at a loss what to determine in this pressing emergence. But after having considered seriously the open desertion of some of their allies; the scandalous lukewarmness of others, who had hitherto contributed nothing towards the war; the intolerable load which had fallen of consequence upon such members as were most zealous for the cause or most faithful to their engagements; the ill

The confederates make overtures of accommodation to the emperor.

[p] Sleid. 405, &c. Thuan. 85. Camerar. 484.

[q] Sleid. 409, 410.

success of all their endeavours to obtain foreign aid; the unusual length of the campaign; the rigour of the season; together with the great number of soldiers, and even officers, who had quitted the service on that account;—they concluded that nothing could save them, but either the bringing the contest to the immediate decision of a battle, by attacking the imperial army, or an accommodation of all their differences with Charles by a treaty. Such was the despondency and dejection which now oppressed the party, that of these two they chose what was most feeble and unmanly, empowering a minister of the elector of Brandenburg to propound overtures of peace in their name to the emperor.

which he rejects.

No sooner did Charles perceive this haughty confederacy, which had so lately threatened to drive him out of Germany, condescending to make the first advances towards an agreement, than concluding their spirit to be gone or their union to be broken, he immediately assumed the tone of a conqueror; and as if they had been already at his mercy, would not hear of a negociation but upon condition that the elector of Saxony should previously give up himself and his dominions absolutely to his disposal.[r] As nothing more intolerable or ignominious could have been prescribed even in the worst situation of their affairs, it is no wonder that this proposition should be rejected by a party which was rather humbled and disconcerted than subdued. But though they refused to submit tamely to the emperor's will, they wanted spirit to pursue the only plan which could have preserved their independence; and forgetting that it was the union of their troops in one body which had hitherto rendered the confederacy formidable, and had more than once obliged the imperialists to think of quitting the field, they inconsiderately abandoned this advantage, which in spite of the diversion in Saxony would still have kept the emperor in awe, and yielding to the elector's entreaties, consented to his proposal of dividing the army. Nine thousand men were left in the duchy of Wurtemburg, in order to protect that province as well as the free cities of Upper Germany; a considerable body marched with the elector towards Saxony; but the greater part returned with their respective leaders into their own countries, and were dispersed there.[s]

The troops of the confederacy separate.

Almost all the members of it submit to the emperor.

The moment that the troops separated, the confederacy ceased to be the object of terror; and the members of it, who, while they composed part of a great body, had felt but little anxiety about their own security, began to tremble when they reflected that they now stood exposed singly to the whole weight of the emperor's vengeance. Charles did not allow them leisure to recover from their consternation, or to form any new schemes of union. As soon as the confederates began to retire he put his army in motion, and though it was now the depth of winter, he resolved to keep the field, in order to make the most of that favourable juncture for which he had waited so long. Some small towns in which the protestants had left garrisons immediately opened their gates. Norlingen, Rotenberg, and Hall, imperial cities, submitted soon after. Though Charles could not prevent the elector from levying, as he retreated, large contributions upon the archbishop of Mentz, the abbot of Fulda, and other ecclesiastics,[t] this was more than balanced by the submission of Ulm, one of the chief cities of Suabia, highly distinguished by its zeal for the Smalkaldic league. As soon as an example was set of deserting the common cause, the rest of the members became instantly impatient to follow it, and seemed afraid lest others, by getting the start of them in returning to their duty, should on that account obtain more favourable terms. The elector palatine, a weak prince, who, notwithstanding his professions of neutrality, had very preposterously sent to the confederates four hundred horse, a body so inconsiderable as to be scarcely any addition to their strength, but great enough to render him guilty in the eyes of the emperor, made his acknowledgments in the most abject manner. The inhabitants of Augsburg, shaken by so many instances of apostasy, expelled the brave Schertel out of their city, and accepted such conditions as the emperor was pleased to grant them.

The duke of Wurtemburg, though among the first who had offered to submit, was obliged to sue for pardon on his knees; and even after this mortifying humiliation obtained it with difficulty.[u]

1547.

Memmingen and other free cities in the circle of Suabia being now abandoned by all their former associates, found it necessary to provide for their own safety by throwing themselves on the emperor's mercy. Strasburg and Francfort on the Maine, cities far removed from the seat of danger, discovered no greater steadiness than those which lay more exposed. Thus a confederacy, lately so powerful as to shake the imperial throne, fell to pieces and was dissolved in the space of a few weeks; hardly any member of that formidable combination now remaining in arms but the elector and landgrave, to whom the emperor, having from the beginning marked them out as victims of his vengeance, was at no pains to offer terms of reconciliation. Nor did he grant those who submitted to him a generous and unconditional pardon. Conscious of his own superiority, he treated them both with haughtiness and rigour. All the princes in person, and the cities by their deputies, were compelled to implore mercy in the humble posture of supplicants. As the emperor laboured under great difficulties from the want of money, he imposed heavy fines upon them, which he levied with most rapacious exactness. The duke of Wurtemburg paid three hundred thousand crowns; the city of Augsburg an

The rigorous conditions imposed by the emperor.

r Hortensius, ap. Scard. ii. 485. s Sleid. 411. t Thuan. 88. u Mem. de Ribier, tom. i. 589.

hundred and fifty thousand; Ulm an hundred thousand; Francfort eighty thousand; Memmingen fifty thousand; and the rest in proportion to their abilities or their different degrees of guilt. They were obliged, besides, to renounce the league of Smalkalde; to furnish assistance, if required, towards executing the imperial ban against the elector and landgrave; to give up their artillery and warlike stores to the emperor; to admit garrisons into their principal cities and places of strength; and in this disarmed and dependent situation to expect the final award which the emperor should think proper to pronounce when the war came to an issue.[x] But amidst the great variety of articles dictated by Charles on this occasion, he, in conformity to his original plan, took care that nothing relating to religion should be inserted; and to such a degree were the confederates humbled or overawed, that forgetting the zeal which had so long animated them, they were solicitous only about their own safety, without venturing to insist on a point the mention of which they saw the emperor avoiding with so much industry. The inhabitants of Memmingen alone made some feeble efforts to procure a promise of protection in the exercise of their religion, but were checked so severely by the imperial ministers, that they instantly fell from their demand.

The elector of Cologne, whom, notwithstanding the sentence of excommunication issued against him by the pope, Charles had hitherto allowed to remain in possession of the archiepiscopal see, being now required by the emperor to submit to the censures of the church, this virtuous and disinterested prelate, unwilling to expose his subjects to the miseries of war on his own account, voluntarily resigned that high dignity. With a moderation becoming his age and character, he chose to enjoy truth, together with the exercise of his religion, in the retirement of a private life, rather than to disturb society by engaging in a doubtful and violent struggle in order to retain his office.[y]

Jan. 25.

The elector returns to Saxony and recovers possession of it.

During these transactions the elector of Saxony reached the frontiers of his country unmolested. As Maurice could assemble no force equal to the army which accompanied him, he in a short time not only recovered possession of his own territories, but overran Misnia, and stripped his rival of all that belonged to him except Dresden and Leipsic, which being towns of some strength, could not be suddenly reduced. Maurice, obliged to quit the field and to shut himself up in his capital, despatched courier after courier to the emperor, representing his dangerous situation, and soliciting him with the most earnest importunity to march immediately to his relief. But Charles, busy at that time in prescribing terms to such members of the league as were daily returning to their allegiance, thought it sufficient to detach Albert, marquis of Brandenburg-Anspach, with three thousand men, to his assistance. Albert, though an enterprising and active officer, was unexpectedly surprised by the elector, who killed many of his troops, dispersed the remainder, and took him prisoner.[z] Maurice continued as much exposed as formerly; and if his enemy had known how to improve the opportunity which presented itself, his ruin must have been immediate and unavoidable. But the elector, no less slow and dilatory when invested with the sole command than he had been formerly when joined in authority with a partner, never gave any proof of military activity but in this enterprise against Albert. Instead of marching directly towards Maurice, whom the defeat of his ally had greatly alarmed, he inconsiderately listened to overtures of accommodation, which his artful antagonist proposed with no other intention than to amuse him and to slacken the vigour of his operations.

The emperor prevented from attacking the elector and landgrave.

Such, indeed, was the posture of the emperor's affairs, that he could not march instantly to the relief of his ally. Soon after the separation of the confederate army, he, in order to ease himself of the burden of maintaining a superfluous number of troops, had dismissed the count of Buren with his Flemings,[a] imagining that the Spaniards and Germans, together with the papal forces, would be fully sufficient to crush any degree of vigour that yet remained among the members of the league. But Paul, growing wise too late, began now to discern the imprudence of that measure from which the more sagacious Venetians had endeavoured in vain to dissuade him. The rapid progress of the imperial arms, and the ease with which they had broken a combination that appeared no less firm than powerful, opened his eyes at length, and made him not only forget all the advantages which he had expected from such a complete triumph over heresy, but placed in the strongest light his own impolitic conduct, in having contributed towards acquiring for Charles such an immense increase of power as would enable him, after oppressing the liberties of Germany, to give law with absolute authority to all the states of Italy. The moment that he perceived his error he endeavoured to correct it. Without giving the emperor any warning of his intention, he ordered Farnese, his grandson, to return to Italy with all the troops under his command, and at the same time recalled the licence which he had granted Charles, of appropriating to his own use a large share of the church lands in Spain. He was not destitute of pretences to justify this abrupt desertion of his ally. The term of six months during which the stipulations in their treaty were to continue in force was now expired; the league in opposition to which their alliance had been framed, seemed to be entirely dissipated; Charles, in all his negociations with the

The pope recalls his troops.

x Sleid. 411, &c. Thuan. lib. iv. p. 125. Mem. de Ribier, tom. i. 606.
y Sleid. 418. Thuan. lib. iv. 128.

z Avila, 99. 6. Mem. de Ribier, tom. i. 620.
a Ibid. 88. 6. Id. ibid. 592.

princes and cities which had submitted to his will, had neither consulted the pope, nor had allotted him any part of the conquests which he had made, nor had allowed him any share in the vast contributions which he had raised. He had not even made any provision for the suppression of heresy or the re-establishment of the catholic religion, which were Paul's chief inducements to bestow the treasures of the church so liberally in carrying on the war. These colours, however specious, did not conceal from the emperor that secret jealousy which was the true motive of the pope's conduct. But as Paul's orders with regard to the march of his troops were no less peremptory than unexpected, it was impossible to prevent their retreat. Charles exclaimed loudly against his treachery, in abandoning him so unseasonably, while he was prosecuting a war undertaken in obedience to the papal injunctions, and from which, if successful, so much honour and advantage would redound to the church. To complaints he added threats and expostulations. But Paul remained inflexible; his troops continued their march towards the ecclesiastical state; and in an elaborate memorial, intended as an apology for his conduct, he discovered new and more manifest symptoms of alienation from the emperor, together with a deep-rooted dread of his power.[b] Charles, weakened by the withdrawing of so great a body from his army, which was already much diminished by the number of garrisons that he had been obliged to throw into the towns which had capitulated, found it necessary to recruit his forces by new levies, before he could venture to march in person towards Saxony.

A conspiracy to overturn the government of Genoa.

The fame and splendour of his success could not have failed of attracting such multitudes of soldiers into his service from all the extensive territories now subject to his authority, as must have soon put him in a condition of taking the field against the elector; but the sudden and violent irruption of a conspiracy at Genoa, as well as the great revolutions which that event, extremely mysterious in its first appearances, seemed to portend, obliged him to avoid entangling himself in new operations in Germany until he had fully discovered its source and tendency. The form of government which had been established in Genoa at the time when Andrew Doria restored liberty to his country, though calculated to obliterate the memory of former dissensions, and received at first with eager approbation, did not, after a trial of near twenty years, give universal satisfaction to those turbulent and factious republicans. As the entire administration of affairs was now lodged in a certain number of noble families, many envying them that pre-eminence, wished for the restitution of a popular government, to which they had been accustomed; and though all reverenced the disinterested virtue of Doria, and admired his talents, not a few were jealous of that ascendant which he had acquired in the councils of the commonwealth. His age, however, his moderation, and his love of liberty, afforded ample security to his countrymen that he would not abuse his power, nor stain the close of his days by attempting to overturn that fabric which it had been the labour and pride of his life to erect. But the authority and influence which in his hands were innocent, they easily saw would prove destructive if usurped by any citizen of greater ambition or less virtue. A citizen of this dangerous character had actually formed such pretensions, and with some prospect of success. Giannetino Doria, whom his granduncle Andrew destined to be the heir of his private fortune, aimed likewise at being his successor in power. His temper, haughty, insolent, and overbearing to such a degree as would hardly have been tolerated in one born to reign, was altogether insupportable in the citizen of a free state. The more sagacious among the Genoese already feared and hated him as the enemy of those liberties for which they were indebted to his uncle: while Andrew himself, blinded by that violent and undiscerning affection which persons in advanced age often contract for the younger members of their family, set no bounds to the indulgence with which he treated him; seeming less solicitous to secure and perpetuate the freedom of the commonwealth than to aggrandize that undeserving kinsman.

The object of the conspirators.

But whatever suspicion of Doria's designs, or whatever dissatisfaction with the system of administration in the commonwealth, these circumstances might have occasioned, they would have ended, it is probable, in nothing more than murmurings and complaints, if John Lewis Fiesco, count of Lavagna, observing this growing disgust, had not been encouraged by it to attempt one of the boldest actions recorded in history. That young nobleman, the richest and most illustrious subject in the republic, possessed in an eminent degree all the qualities which win upon the human heart, which command respect or secure attachment. He was graceful and majestic in his person; magnificent even to profusion; of a generosity that anticipated the wishes of his friends, and exceeded the expectations of strangers; of an insinuating address, gentle manners, and a flowing affability. But under the appearance of these virtues, which seemed to form him for enjoying and adorning social life, he concealed all the dispositions which mark men out for taking the lead in the most dangerous and dark conspiracies—an insatiable and restless ambition, a courage unacquainted with fear, and a mind that disdained subordination. Such a temper could ill brook that station of inferiority wherein he was placed in the republic; and as he envied the power which the elder Doria had acquired, he was filled with indignation at the thoughts of its descending, like an hereditary possession, to Giannetino. These various passions

Fiesco, count of Lavagna, the head of the conspiracy.

[b] F. Paul, 208. Pallavic. par. ii. p. 5. Thuan. 126.

preying with violence on his turbulent and aspiring mind, determined him to attempt overturning that domination to which he could not submit.

Intrigues and preparations of the conspirators.

As the most effectual method of accomplishing this, he thought at first of forming a connexion with Francis, and even proposed it to the French ambassador at Rome; and after expelling Doria, together with the imperial faction, by his assistance, he offered to put the republic once more under the protection of that monarch, hoping in return for that service to be intrusted with the principal share in the administration of government. But having communicated his scheme to a few chosen confidants, from whom he kept nothing secret, Verrina, the chief of them, a man of desperate fortune, capable alike of advising and executing the most audacious deeds, remonstrated with earnestness against the folly of exposing himself to the most imminent danger, while he allowed another to reap all the fruits of his success; and exhorted him warmly to aim himself at that pre-eminence in his country to which he was destined by his illustrious birth, was called by the voice of his fellow-citizens, and would be raised by the zeal of his friends. This discourse opened such great prospects to Fiesco, and so suitable to his genius, that, abandoning his own plan, he eagerly adopted that of Verrina. The other persons present, though sensible of the hazardous nature of the undertaking, did not choose to condemn what their patron had so warmly approved. It was instantly resolved in this dark cabal, to assassinate the two Dorias as well as the principal persons of their party, to overturn the established system of government, and to place Fiesco on the ducal throne of Genoa. Time, however, and preparations were requisite to ripen such a design for execution; and while he was employed in carrying on these, Fiesco made it his chief care to guard against every thing that might betray his secret or create suspicion. The disguise he assumed was of all others the most impenetrable. He seemed to be abandoned entirely to pleasure and dissipation. A perpetual gaiety, diversified by the pursuit of all the amusements in which persons of his age and rank are apt to delight, engrossed in appearance the whole of his time and thoughts. But amidst this hurry of dissipation he prosecuted his plan with the most cool attention, neither retarding the design by a timid hesitation, nor precipitating the execution by an excess of impatience. He continued his correspondence with the French ambassador at Rome, though without communicating to him his real intentions, that by his means he might secure the protection of the French arms, if hereafter he should find it necessary to call them in to his aid. He entered into a close confederacy with Farnese, duke of Parma, who, being disgusted with the emperor for refusing to grant him the investiture of that duchy, was eager to promote any measure that tended to diminish his influence in Italy, or to ruin a family so implicitly devoted to him as that of Doria. Being sensible that in a maritime state the acquisition of naval power was what he ought chiefly to aim at, he purchased four galleys from the pope, who probably was not unacquainted with the design which he had formed, and did not disapprove of it. Under colour of fitting out one of these galleys to sail on a cruise against the Turks, he not only assembled a good number of his own vassals, but engaged in his service many bold adventurers whom the truce between the emperor and Solyman had deprived of their usual occupation and subsistence.

While Fiesco was taking these important steps, he preserved so admirably his usual appearance of being devoted entirely to pleasure and amusement, and paid court with such artful address to the two Dorias, as imposed not only on the generous and unsuspicious mind of Andrew, but deceived Giannetino, who, conscious of his own criminal intentions, was more apt to distrust the designs of others. So many instruments being now prepared, nothing remained but to strike the blow. Various consultations were held by Fiesco with his confidants, in order to settle the manner of doing it with the greatest certainty and effect. At first they proposed to murder the Dorias and their chief adherents during the celebration of high mass in the principal church; but as Andrew was often absent from religious solemnities on account of his great age, that design was laid aside. It was then concerted that Fiesco should invite the uncle and nephew, with all their friends whom he had marked out as victims, to his house, where it would be easy to cut them off at once without danger or resistance; but as Giannetino was obliged to leave the town on the day which they had chosen, it became necessary likewise to alter this plan. They at last determined to attempt by open force what they found difficult to effect by stratagem, and fixed on the night between the second and third of January for the execution of their enterprise. The time was chosen with great propriety; for as the doge of the former year was to quit his office, according to custom, on the first of the month, and his successor could not be elected sooner than the fourth, the republic remained during that interval in a sort of anarchy, and Fiesco might with less violence take possession of the vacant dignity.

The conspirators assemble to execute their plan.

The morning of that day Fiesco employed in visiting his friends, passing some hours among them with a spirit as gay and unembarrassed as at other times. Towards evening he paid court to the Dorias with his usual marks of respect, and surveying their countenance and behaviour with the attention natural in his situation, was happy to observe the perfect security in which they remained, without the least foresight or dread of that storm which had been so long a-gathering, and was now ready to burst over their heads. From their palace he hastened to his own, which stood by itself in the middle of a large

court, surrounded by a high wall. The gates had been set open in the morning, and all persons without distinction were allowed to enter; but strong guards posted within the court suffered no one to return. Verrina, meanwhile, and a few persons trusted with the secret of the conspiracy, after conducting Fiesco's vassals, as well as the crews of his galleys, into the palace in small bodies, with as little noise as possible dispersed themselves through the city, and in the name of their patron invited to an entertainment the principal citizens whom they knew to be disgusted with the administration of the Dorias, and to have inclination as well as courage to attempt a change in the government. Of the vast number of persons who now filled the palace, a few only knew for what purpose they were assembled; the rest, astonished at finding, instead of the preparations for a feast, a court crowded with armed men and apartments filled with the instruments of war, gazed on each other with a mixture of curiosity, impatience, and terror.

Fiesco's exhortations to them.

While their minds were in this state of suspense and agitation, Fiesco appeared. With a look full of alacrity and confidence he addressed himself to the persons of chief distinction, telling them that they were not now called to partake of the pleasure of an entertainment, but to join in a deed of valour which would lead them to liberty and immortal renown. He set before their eyes the exorbitant as well as intolerable authority of the elder Doria, which the ambition of Giannetino, and the partiality of the emperor to a family more devoted to him than to their country, was about to enlarge and to render perpetual. "This unrighteous dominion," continued he, "you have it now in your power to subvert, and to establish the freedom of your country on a firm basis. The tyrants must be cut off. I have taken the most effectual measures for this purpose. My associates are numerous. I can depend on allies and protectors, if necessary. Happily the tyrants are as secure as I have been provident. Their insolent contempt of their countrymen has banished the suspicion and timidity which usually render the guilty quick-sighted to discern, as well as sagacious to guard against, the vengeance which they deserve. They will now feel the blow before they suspect any hostile hand to be nigh. Let us then sally forth, that we may deliver our country by one generous effort, almost unaccompanied with danger, and certain of success." These words, uttered with that irresistible fervour which animates the mind when roused by great objects, made the desired impression on the audience. Fiesco's vassals, ready to execute whatever their master should command, received his discourse with a murmur of applause. To many whose fortunes were desperate, the licence and confusion of an insurrection afforded an agreeable prospect. Those of higher rank and more virtuous sentiments durst not discover the surprise or horror with which they were struck at the proposal of an enterprise no less unexpected than atrocious; as each of them imagined the other to be in the secret of the conspiracy, and saw himself surrounded by persons who waited only a signal from their leader to perpetrate the greatest crime. With one voice, then, all applauded, or feigned to applaud, the undertaking.

His interview with his wife.

Fiesco having thus fixed and encouraged his associates, before he gave them his last orders he hastened for a moment to the apartment of his wife, a lady of the noble house of Cibo, whom he loved with tender affection, and whose beauty and virtue rendered her worthy of his love. The noise of the armed men who crowded the court and palace having long before this reached her ears, she concluded some hazardous enterprise to be in hand, and she trembled for her husband. He found her in all the anguish of uncertainty and fear; and as it was now impossible to keep his design concealed, he informed her of what he had undertaken. The prospect of a scene so full of horror as well as danger completed her agony; and foreboding immediately in her mind the fatal issue of it, she endeavoured by her tears, her entreaties, and her despair, to divert him from his purpose. Fiesco, after trying in vain to soothe and to inspire her with hope, broke from a situation into which an excess of tenderness had unwarily seduced him, though it could not shake his resolution. "Farewell!" he cried as he quitted the apartment; "you shall either never see me more, or you shall behold, tomorrow, every thing in Genoa subject to your power."

They attack the city.

As soon as he rejoined his companions, he allotted each his proper station; some were appointed to assault and seize the different gates of the city; some to make themselves masters of the principal streets or places of strength: Fiesco reserved for himself the attack of the harbour, where Doria's galleys were laid up, as the post of chief importance and of greatest danger. It was now midnight, and the citizens slept in the security of peace, when this band of conspirators, numerous, desperate, and well armed, rushed out to execute their plan. They surprised some of the gates without meeting with any resistance. They got possession of others after a sharp conflict with the soldiers on guard. Verrina, with the galley which had been fitted out against the Turks, blocked up the mouth of the Darsena or little harbour, where Doria's fleet lay. All possibility of escape being cut off by this precaution, when Fiesco attempted to enter the galleys from the shore, to which they were made fast, they were in no condition to make resistance, as they were not only unrigged and disarmed, but had no crew on board except the slaves chained to the oar. Every quarter of the city was now filled with noise and tumult, all the streets resounding with the cry of *Fiesco and Liberty!* At that name so popular and beloved, many of the lower rank took arms and joined the conspirators. The nobles and partisans of the aristocracy, aston-

ished or affrighted, shut the gates of their houses, and thought of nothing but of securing them from pillage. At last the noise excited by this scene of violence and confusion reached the palace of Doria: Giannetino started immediately from his bed, and imagining that it was occasioned by some mutiny among the sailors, rushed out with a few attendants, and hurried towards the harbour. The gate of St. Thomas, through which he had to pass, was already in possession of the conspirators, who, the moment he appeared, fell upon him with the utmost fury, and murdered him on the spot. The same must have been the fate of the elder Doria, if Jerome de Fiesco had executed his brother's plan, and had proceeded immediately to attack him in his palace; but he, from the sordid consideration of preventing its being plundered amidst the confusion, having forbid his followers to advance, Andrew got intelligence of his nephew's death as well as of his own danger, and mounting on horseback saved himself by flight. Amidst this general consternation a few senators had the courage to assemble in the palace of the republic.[c] At first some of the most daring among them attempted to rally the scattered soldiers and to attack a body of the conspirators; but being repulsed with loss, all agreed that nothing now remained but to treat with the party which seemed to be irresistible. Deputies were accordingly sent to learn of Fiesco what were the concessions with which he would be satisfied, or rather to submit to whatever terms he should please to prescribe.

Cause of their miscarriage.

But by this time Fiesco, with whom they were empowered to negociate, was no more. Just as he was about to leave the harbour, where every thing succeeded to his wish, that he might join his victorious companions, he heard some extraordinary uproar on board the admiral's galley. Alarmed at the noise, and fearing that the slaves might break their chains and overpower his associates, he ran thither; but the plank which reached from the shore to the vessel happening to overturn, he fell into the sea, whilst he hurried forward too precipitately. Being loaded with heavy armour, he sunk to the bottom, and perished in the very moment when he must have taken full possession of every thing that his ambitious heart could desire. Verrina was the first who discovered this fatal accident, and foreseeing at once all its consequences, concealed it with the utmost industry from every one but a few leaders of the conspiracy. Nor was it difficult, amidst the darkness and confusion of the night, to have kept it secret until a treaty with the senators should have put the city in the power of the conspirators. All their hopes of this were disconcerted by the imprudence of Jerome Fiesco, who, when the deputies of the senate inquired for his brother the count of Lavagna, that they might make their proposal to him, replied with a childish vanity, "I am now the only person to whom that title belongs, and with me you must treat." These words discovered as well to his friends as to his enemies what had happened, and made the impression which might have been expected upon both. The deputies, encouraged by this event, the only one which could occasion such a sudden revolution as might turn to their advantage, assumed instantly, with admirable presence of mind, a new tone, suitable to the change in their circumstances, and made high demands. While they endeavoured to gain time by protracting the negociation, the rest of the senators were busy in assembling their partisans, and in forming a body capable of defending the palace of the republic. On the other hand, the conspirators, astonished at the death of a man whom they adored and trusted, and placing no confidence in Jerome, a giddy youth, felt their courage die away and their arms fall from their hands. That profound and amazing secrecy with which the conspiracy had been concerted, and which had contributed hitherto so much to its success, proved now the chief cause of its miscarriage. The leader was gone; the greater part of those who acted under him knew not his confidants, and were strangers to the object at which he aimed. There was no person among them whose authority or abilities entitled him to assume Fiesco's place or to finish his plan; after having lost the spirit which animated it, life and activity deserted the whole body. Many of the conspirators withdrew to their houses, hoping that amidst the darkness of the night they had passed unobserved and might remain unknown. Others sought for safety by a timely retreat; and before break of day, most of them fled with precipitation from a city, which, but a few hours before, was ready to acknowledge them as masters.

Tranquillity re-established in Genoa.

Next morning every thing was quiet in Genoa; not an enemy was to be seen, few marks of the violence of the former night appeared, the conspirators having conducted their enterprise with more noise than bloodshed, and gained all their advantages by surprise rather than by force of arms. Towards evening Andrew Doria returned to the city, being met by all the inhabitants, who received him with acclamations of joy. Though the disgrace as well as danger of the preceding night were fresh in his mind, and the mangled body of his kinsmen still before his eyes, such was his moderation as well as magnanimity, that the decree issued by the senate against the conspirators did not exceed that just measure of severity which was requisite for the support of government, and was dictated neither by the violence of resentment nor the rancour of revenge.[d] [e]

The emperor alarmed at this conspiracy;

After taking the necessary precautions for preventing the flame which was now so happily extinguished

c Il palazzo della Signoria.

d Thuan. 93. Sigonii Vita Andreæ Doriæ, 1196. La Conjuration du Comte de Fiesque, par Cardin. de Retz. Adriani Istoria, lib. vi. 369. Folietæ Conjuratio Jo. Lud. Fiesci. ap. Græv. Thes. Ital. i. 883.

e It is remarkable that cardinal de Retz, at the age of eighteen, composed a history of this conspiracy, containing such a discovery of his admiration of Fiesco and his enterprise, as renders it not surprising that a minister so jealous and discerning as Richelieu should be led by the perusal of it to predict the turbulent and dangerous spirit of that young ecclesiastic. Mem. de Retz, tom. i. p. 13.

from breaking out anew, the first care of the senate was to send an ambassador to the emperor, to give him a particular detail of what had happened, and to beg his assistance towards the reduction of Montobbio, a strong fort on the hereditary estate of the Fiesci, in which Jerome had shut himself up. Charles was no less alarmed than astonished at an event so strange and unexpected. He could not believe that Fiesco, how bold or adventurous soever, durst have attempted such an enterprise but on foreign suggestion and from the hope of foreign aid. Being informed that the duke of Parma was well acquainted with the plan of the conspirators, he immediately supposed that the pope could not be ignorant of a measure which his son had countenanced. Proceeding from this to a further conjecture, which Paul's cautious maxims of policy in other instances rendered extremely probable, he concluded that the French king must have known and approved of the design; and he began to apprehend that this spark might again kindle the flame of war which had raged so long in Italy. As he had drained his Italian territories of troops on account of the German war, he was altogether unprovided for resisting any hostile attack in that country; and on the first appearance of danger, he must have detached thither the greatest part of his forces for its defence. In this situation of affairs it would have been altogether imprudent in the emperor to have advanced in person against the elector, until he should learn with some degree of certainty whether such a scene were not about to open in Italy as might put it out of his power to keep the field with an army sufficient to oppose him.

suspends his operations in Germany.

BOOK IX.

Francis jealous of the emperor's power and success;

THE emperor's dread of the hostile intentions of the pope and French king did not proceed from any imaginary or ill-grounded suspicion. Paul had already given the strongest proofs both of his jealousy and enmity. Charles could not hope that Francis, after a rivalship of so long continuance, would behold the great advantages which he had gained over the confederate protestants without feeling his ancient emulation revive. He was not deceived in this conjecture. Francis had observed the rapid progress of his arms with deep concern, and though hitherto prevented, by circumstances which have been mentioned, from interposing in order to check them, he was now convinced that if he did not make some extraordinary and timely effort, Charles must acquire such a degree of power as would enable him to give law to the rest of Europe. This apprehension, which did not take its rise from the jealousy of rivalship alone, but was entertained by the wisest politicians of the age, suggested various expedients which might serve to retard the course of the emperor's victories, and to form by degrees such a combination against him as might put a stop to his dangerous career.

negociates with the protestants.

With this view Francis instructed his emissaries in Germany to employ all their address in order to revive the courage of the confederates, and to prevent them from submitting to the emperor. He made liberal offers of his assistance to the elector and landgrave, whom he knew to be the most zealous as well as the most powerful of the whole body; he used every argument and proposed every advantage which could either confirm their dread of the emperor's designs, or determine them not to imitate the inconsiderate credulity of their associates, in giving up their religion and liberties to his disposal. While he took this step towards continuing the civil war which raged in Germany, he endeavoured likewise to stir up foreign enemies against the emperor. He solicited Solyman to seize this favourable opportunity of invading Hungary, which had been drained of all the troops necessary for its defence, in order to form the army against the confederates of Smalkalde. He exhorted the pope to repair, by a vigorous and seasonable effort, the error of which he had been guilty, in contributing to raise the emperor to such a formidable height of power. Finding Paul, both from the consciousness of his own mistake and his dread of its consequences, abundantly disposed to listen to what he suggested, he availed himself of this favourable disposition which the pontiff began to discover, as an argument to gain the Venetians. He endeavoured to convince them that nothing could save Italy, and even Europe, from oppression and servitude, but their joining with the pope and him in giving the first beginning to a general confederacy in order to humble that ambitious potentate, whom they had all equal reason to dread.

with Solyman;

with the pope and Venetians;

Having set on foot these negociations in the southern courts, he turned his attention next towards those in the north of Europe. As the king of Denmark had particular reasons to be offended with the emperor, Francis imagined that the object of the league which he had projected would be highly acceptable to him; and lest considerations of caution or prudence should restrain him from joining in it, he attempted to overcome these by offering him the young queen of Scots in marriage to his son.[a] As the ministers who governed England in the name of Edward VI. had openly declared themselves converts to the opinions of the reformers, as soon as it became safe upon Henry's death to lay aside that disguise which his intolerant bigotry had forced them to assume, Francis flattered himself that their

with the kings of Denmark and England.

a Mem. de Ribier, i. 600, 606.

zeal would not allow them to remain inactive spectators of the overthrow and destruction of those who professed the same faith with themselves. He hoped that, notwithstanding the struggles of faction incident to a minority, and the prospect of an approaching rupture with the Scots, he might prevail on them likewise to take part in the common cause.[b]

While Francis employed such a variety of expedients, and exerted himself with such extraordinary activity, to rouse the different states of Europe against his rival, he did not neglect what depended on himself alone. He levied troops in all parts of his dominions; he collected military stores; he contracted with the Swiss cantons for a considerable body of men; he put his finances in admirable order; he remitted considerable sums to the elector and landgrave; and took all the other steps necessary towards commencing hostilities on the shortest warning and with the greatest vigour.[c]

The emperor greatly alarmed.

Operations so complicated, and which required the putting so many instruments in motion, did not escape the emperor's observation. He was early informed of Francis's intrigues in the several courts of Europe, as well as of his domestic preparations; and sensible how fatal an interruption a foreign war would prove to his designs in Germany, he trembled at the prospect of that event. The danger, however, appeared to him as unavoidable as it was great. He knew the insatiable and well-directed ambition of Solyman, and that he always chose the season for beginning his military enterprises with prudence equal to the valour with which he conducted them. The pope, as he had good reason to believe, wanted not pretexts to justify a rupture, nor inclination to begin hostilities. He had already made some discovery of his sentiments, by expressing a joy altogether unbecoming the head of the church, upon receiving an account of the advantage which the elector of Saxony had gained over Albert of Brandenburg; and as he was now secure of finding in the French king an ally of sufficient power to support him, he was at no pains to conceal the violence and extent of his enmity.[d] The Venetians, Charles was well assured, had long observed the growth of his power with jealousy, which, added to the solicitations and promises of France, might at last quicken their slow councils and overcome their natural caution. The Danes and English, it was evident, had both peculiar reason to be disgusted, as well as strong motives to act against him. But above all, he dreaded the active emulation of Francis himself, whom he considered as the soul and mover of any confederacy that could be formed against him; and as that monarch had afforded protection to Verrina, who sailed directly to Marscilles upon the miscarriage of Fiesco's conspiracy, Charles expected every moment to see the commencement of those hostile operations in Italy of which he conceived the insurrection in Genoa to have been only the prelude.

Entertains hope from the declining state of Francis's health.

But while he remained in this state of suspense and solicitude, there was one circumstance which afforded him some prospect of escaping the danger. The French king's health began to decline. A disease which was the effect of his inconsiderate pursuit of pleasure preyed gradually on his constitution. The preparations for war, as well as the negociations in the different courts, began to languish together with the monarch who gave spirit to both.

March.

The Genoese, during that interval, reduced Montobbio, took Jerome Fiesco prisoner, and putting him to death, together with his chief adherents, extinguished all remains of the conspiracy. Several of the imperial cities in Germany, despairing of timely assistance from France, submitted to the emperor. Even the landgrave seemed disposed to abandon the elector, and to bring matters to a speedy accommodation on such terms as he could obtain. In the mean time, Charles waited with impatience the issue of a distemper which was to decide whether he must relinquish all other schemes in order to prepare for resisting a combination of the greater part of Europe against him, or whether he might proceed to invade Saxony without interruption or fear of danger.

The good fortune so remarkably propitious to his family, that some historians have called it the *Star of the House of Austria*, did not desert him on this occasion. Francis died at Rambouillet on the last day of March, in the fifty-third year of his age and the thirty-third of his reign. During twenty-eight years of that time an avowed rivalship subsisted between him and the emperor, which involved not only their own dominions but the greater part of Europe in wars, which were prosecuted with more violent animosity, and drawn out to a greater length, than had been known in any former period. Many circumstances contributed to this. Their animosity was founded in opposition of interest, heightened by personal emulation, and exasperated not only by mutual injuries but by reciprocal insults. At the same time, whatever advantage one seemed to possess towards gaining the ascendant was wonderfully balanced by some favourable circumstance peculiar to the other. The emperor's dominions were of greater extent, the French king's lay more compact; Francis governed his kingdom with absolute power, that of Charles was limited, but he supplied the want of authority by address; the troops of the former were more impetuous and enterprising, those of the latter better disciplined and more patient of fatigue. The talents and abilities of the two monarchs were as different as the advantages which they possessed, and contributed no less to prolong the contest between them. Francis took his resolutions suddenly, prosecuted them at first with warmth, and pushed them into execution with a most adventurous courage; but being destitute of

Death of Francis; and reflections on his character and rivalship with Charles.

b Mem. de Ribier, 635. c Ibid. 595. d Mem. de Ribier, tom. i. 637.

the perseverance necessary to surmount difficulties, he often abandoned his designs, or relaxed the vigour of pursuit, from impatience, and sometimes from levity. Charles deliberated long and determined with coolness; but having once fixed his plan, he adhered to it with inflexible obstinacy, and neither danger nor discouragement could turn him aside from the execution of it. The success of their enterprises was suitable to the diversity of their characters, and was uniformly influenced by it. Francis, by his impetuous activity, often disconcerted the emperor's best-laid schemes; Charles, by a more calm but steady prosecution of his designs, checked the rapidity of his rival's career, and baffled or repulsed his most vigorous efforts. The former, at the opening of a war or of a campaign, broke in upon his enemy with the violence of a torrent, and carried all before him; the latter, waiting until he saw the force of his rival begin to abate, recovered in the end not only all that he had lost, but made new acquisitions. Few of the French monarch's attempts towards conquest, whatever promising aspect they might wear at first, were conducted to a happy issue; many of the emperor's enterprises, even after they appeared desperate and impracticable, terminated in the most prosperous manner. Francis was dazzled with the splendour of an undertaking; Charles was allured by the prospect of its turning to his advantage.

The degree, however, of their comparative merit and reputation has not been fixed either by a strict scrutiny into their abilities for government or by an impartial consideration of the greatness and success of their undertakings; and Francis is one of those monarchs who occupies a higher rank in the temple of Fame than either his talents or performances entitle him to hold. This pre-eminence he owed to many different circumstances. The superiority which Charles acquired by the victory of Pavia, and which from that period he preserved through the remainder of his reign, was so manifest, that Francis's struggle against his exorbitant and growing dominion was viewed by most of the other powers not only with the partiality which naturally arises for those who gallantly maintain an unequal contest, but with the favour due to one who was resisting a common enemy, and endeavouring to set bounds to a monarch equally formidable to them all. The characters of princes, too, especially among their contemporaries, depend not only upon their talents for government but upon their qualities as men. Francis, notwithstanding the many errors conspicuous in his foreign policy and domestic administration, was nevertheless humane, beneficent, generous. He possessed dignity without pride; affability free from meanness; and courtesy exempt from deceit. All who had access to him, and no man of merit was ever denied that privilege, respected and loved him. Captivated with his personal qualities, his subjects forgot his defects as a monarch; and admiring him as the most accomplished and amiable gentleman in his dominions, they hardly murmured at acts of mal-administration which in a prince of less engaging dispositions would have been deemed unpardonable. This admiration, however, must have been temporary only, and would have died away with the courtiers who bestowed it; the illusion arising from his private virtues must have ceased, and posterity would have judged of his public conduct with its usual impartiality; but another circumstance prevented this, and his name hath been transmitted to posterity with increasing reputation. Science and the arts had at that time made little progress in France. They were just beginning to advance beyond the limits of Italy, where they had revived, and which had hitherto been their only seat. Francis took them immediately under his protection, and vied with Leo himself in the zeal and munificence with which he encouraged them. He invited learned men to his court, he conversed with them familiarly, he employed them in business, he raised them to offices of dignity, and honoured them with his confidence. That order of men, not more prone to complain when denied the respect to which they conceive themselves entitled, than apt to be pleased when treated with the distinction which they consider as their due, thought they could not exceed in gratitude to such a benefactor, and strained their invention and employed all their ingenuity in panegyric. Succeeding authors, warmed with their descriptions of Francis's bounty, adopted their encomiums, and even added to them. The appellation of *Father of Letters* bestowed upon Francis, hath rendered his memory sacred among historians, and they seem to have regarded it as a sort of impiety to uncover his infirmities or to point out his defects. Thus Francis, notwithstanding his inferior abilities and want of success, hath more than equalled the fame of Charles. The good qualities which he possessed as a man have entitled him to greater admiration and praise than have been bestowed upon the extensive genius and fortunate arts of a more capable but less amiable rival.

Effects of Francis's death.

By his death a considerable change was made in the state of Europe. Charles, grown old in the arts of government and command, had now to contend only with younger monarchs, who could not be regarded as worthy to enter the lists with him, who had stood so many encounters with Henry VIII. and Francis I. and come off with honour in all those different struggles. By this event he was eased of all disquietude, and was happy to find that he might begin with safety those operations against the elector of Saxony which he had hitherto been obliged to suspend. He knew the abilities of Henry II., who had just mounted the throne of France, to be greatly inferior to those of his father, and foresaw that he would be so much occupied for some time in displacing the late king's ministers, whom he hated, and in gratifying the ambitious demands of his own favourites,

that he had nothing to dread either from his personal efforts or from any confederacy which this inexperienced prince could form.

Charles marches against the elector of Saxony. April 13.

But as it was uncertain how long such an interval of security might continue, Charles determined instantly to improve it; and as soon as he heard of Francis's demise, he began his march from Egra on the borders of Bohemia. But the departure of the papal troops, together with the retreat of the Flemings, had so much diminished his army, that sixteen thousand men were all he could assemble. With this inconsiderable body he set out on an expedition the event of which was to decide what degree of authority he should possess from that period in Germany: but as this little army consisted chiefly of the veteran Spanish and Italian bands, he did not, in trusting to them, commit much to the decision of chance; and even with so small a force he had reason to entertain the most sanguine hopes of success. The elector had levied an army greatly superior in number; but neither the experience and discipline of his troops, nor the abilities of his officers, were to be compared with those of the emperor. The elector, besides, had already been guilty of an error which deprived him of all the advantage which he might have derived from his superiority in number, and was alone sufficient to have occasioned his ruin. Instead of keeping his forces united, he detached one great body towards the frontiers of Bohemia, in order to facilitate his junction with the malcontents of that kingdom, and cantoned a considerable part of what remained in different places of Saxony, where he expected the emperor would make the first impression, vainly imagining that open towns with small garrisons might be rendered tenable against an enemy.

Progress of his arms.

The emperor entered the southern frontier of Saxony, and attacked Altorf upon the Elster. The impropriety of the measure which the elector had taken was immediately seen, the troops posted in that town surrendering without resistance; and those in all the other places between that and the Elbe either imitated their example or fled as the imperialists approached. Charles, that they might not recover from the panic with which they seemed to be struck, advanced without losing a moment. The elector, who had fixed his headquarters at Meissen, continued in his wonted state of fluctuation and uncertainty. He even became more undetermined in proportion as the danger drew near and called for prompt and decisive resolutions. Sometimes he acted as if he had resolved to defend the banks of the Elbe, and to hazard a battle with the enemy as soon as the detachments which he had called in were able to join him. At other times he abandoned this as rash and perilous, seeming to adopt the more prudent counsels of those who advised him to endeavour at protracting the war, and for that end to retire under the fortifications of Wittemberg, where the imperialists could not attack him without manifest disadvantage, and where he might wait in safety for the succours which he expected from Mecklenburg, Pomerania, and the protestant cities on the Baltic. Without fixing upon either of these plans, he broke down the bridge at Meissen, and marched along the east bank of the Elbe to Muhlberg. There he deliberated anew; and after much hesitation, adopted one of those middle schemes which are always acceptable to feeble minds incapable of deciding. He left a detachment at Muhlberg to oppose the imperialists if they should attempt to pass at that place; and advancing a few miles with his main body, encamped there in expectation of the event, according to which he proposed to regulate his subsequent motions.

Passes the Elbe.

Charles, meanwhile, pushing forward incessantly, arrived the evening of the twenty-third of April on the banks of the Elbe, opposite to Muhlberg. The river, at that place, was three hundred paces in breadth, above four feet in depth, its current rapid, and the bank possessed by the Saxons was higher than that which he occupied. Undismayed, however, by all these obstacles, he called together his general officers, and, without asking their opinions, communicated to them his intention of attempting next morning to force his passage over the river, and to attack the enemy wherever he could come up with them. They all expressed their astonishment at such a bold resolution; and even the duke of Alva, though naturally daring and impetuous, and Maurice of Saxony, notwithstanding his impatience to crush his rival the elector, remonstrated earnestly against it. But the emperor, confiding in his own judgment or good fortune, paid no regard to their arguments, and gave the orders necessary for executing his design.

Early in the morning a body of Spanish and Italian foot marched towards the river, and began an incessant fire upon the enemy. The long heavy muskets used in that age did execution on the opposite bank, and many of the soldiers, hurried on by a martial ardour, in order to get nearer the enemy, rushed into the stream, and advancing breast-high, fired with a more certain arm and with greater effect. Under cover of their fire a bridge of boats was begun to be laid for the infantry; and a peasant having undertaken to conduct the cavalry through the river by a ford with which he was well acquainted, they also were put in motion. The Saxons posted in Muhlberg endeavoured to obstruct these operations by a brisk fire from a battery which they had erected; but as a thick fog covered all the low grounds upon the river, they could not take aim with any certainty, and the imperialists suffered very little; at the same time the Saxons being much galled by the Spaniards and Italians, they set on fire some boats which had been collected near the village, and prepared to retire. The imperialists perceiving this, ten Spanish

soldiers instantly stripped themselves, and holding their swords with their teeth, swam across the river, put to flight such of the Saxons as ventured to oppose them, saved from the flames as many boats as were sufficient to complete their own bridge, and by this spirited and successful action, encouraged their companions no less than they intimidated the enemy.

By this time the cavalry, each trooper having a foot-soldier behind him, began to enter the river, the light horse marching in the front, followed by the men at arms, whom the emperor led in person, mounted on a Spanish horse, dressed in a sumptuous habit, and carrying a javelin in his hand. Such a numerous body struggling through a great river, in which, according to the directions of their guide, they were obliged to make several turns, sometimes treading on a firm bottom, sometimes swimming, presented to their companions, whom they left behind, a spectacle equally magnificent and interesting.[e] Their courage at last surmounted every obstacle, no man betraying any symptom of fear when the emperor shared in the danger no less than the meanest soldier. The moment that they reached the opposite side, Charles, without waiting the arrival of the rest of the infantry, advanced towards the Saxons with the troops which had passed along with him, who, flushed with their good fortune, and despising an enemy who had neglected to oppose them when it might have been done with such advantage, made no account of their superior numbers, and marched on as to a certain victory.

Ill conduct of the elector.

During all these operations, which necessarily consumed much time, the elector remained inactive in his camp; and from an infatuation which appears to be so amazing that the best informed historians impute it to the treacherous arts of his generals, who deceived him by false intelligence, he would not believe that the emperor had passed the river or could be so near at hand.[f] Being convinced at last of his fatal mistake by the concurring testimony of eye-witnesses, he gave orders for retreating towards Wittemberg. But a German army, encumbered, as usual, with baggage and artillery, could not be put suddenly in motion. They had just begun to march when the light troops of the enemy came in view, and the elector saw an engagement to be unavoidable. As he was no less bold in action than irresolute in council, he made the disposition for battle with the greatest presence of mind, and in the most proper manner: taking advantage of a great forest to cover his wings, so as to prevent his being surrounded by the enemy's cavalry, which were far more numerous than his own. The emperor likewise ranged his men in order as they came up, and riding along the ranks, exhorted them with few but efficacious words to do their duty. It was with a very different spirit that the two armies advanced to the charge. As the day, which had hitherto been dark and cloudy, happened to clear up at that moment, this accidental circumstance made an impression on the different parties corresponding to the tone of their minds; the Saxons, surprised and disheartened, felt pain at being exposed fully to the view of the enemy; the imperialists, being now secure that the protestant forces could not escape from them, rejoiced at the return of sunshine as a certain presage of victory. The shock of battle would not have been long doubtful, if the personal courage which the elector displayed, together with the activity which he exerted from the moment that the approach of the enemy rendered an engagement certain, and cut off all possibility of hesitation, had not revived in some degree the spirit of his troops. They repulsed the Hungarian light-horse who began the attack, and received with firmness the men at arms who next advanced to the charge; but as these were the flower of the imperial army, were commanded by experienced officers, and fought under the emperor's eye, the Saxons soon began to give way; and the light troops rallying at the same time and falling on their flanks, the flight became general. A small body of chosen soldiers, among whom the elector had fought in person, still continued to defend themselves, and endeavoured to save their master by retiring into the forest; but being surrounded on every side, the elector wounded in the face, exhausted with fatigue, and perceiving all resistance to be vain, surrendered himself a prisoner. He was conducted immediately towards the emperor, whom he found just returned from the pursuit, standing on the field of battle in the full exultation of success, and receiving the congratulations of his officers upon this complete victory obtained by his valour and conduct. Even in such an unfortunate and humbling situation the elector's behaviour was equally magnanimous and decent. Sensible of his condition, he approached his conqueror without any of the sullenness or pride which would have been improper in a captive; and conscious of his own dignity, he descended to no mean submission unbecoming the high station which he held among the German princes. "The fortune of war," said he, "has made me your prisoner, most gracious emperor, and I hope to be treated———" Here Charles harshly interrupted him: "And am I then at last acknowledged to be emperor? Charles of Ghent was the only title you lately allowed me. You shall be treated as you deserve." At these words he turned from him abruptly with a haughty air. To this cruel repulse the king of the Romans added reproaches in his own name, using expressions still more ungenerous and insulting. The elector made no reply; but with an unaltered countenance, which discovered neither astonishment nor dejection, accompanied the Spanish soldiers appointed to guard him.[g]

Battle of Mulhausen.

The elector defeated and taken prisoner.

His harsh reception by the emperor.

e Avila, 115. a.
f Camerar. ap. Freher. iii. 493. Struv. Corp. Hist. Germ. 1047, 1049.

g Sleid. Hist. 426. Thuan. 136. Hortensius de Bello German. ap. Scard. vol. ii. 498. Descript. Pugnæ Muhlberg, ibid. p. 509. P. Heuter. Rer. Austr. lib. xii. c. 13. p. 298.

Charles's progress after this victory.

This decisive victory cost the imperialists only fifty men. Twelve hundred of the Saxons were killed, chiefly in the pursuit, and a greater number taken prisoners. About four hundred kept in a body and escaped to Wittemberg, together with the electoral prince, who had likewise been wounded in the action. After resting two days in the field of battle, partly to refresh his army and partly to receive the deputies of the adjacent towns, which were impatient to secure his protection by submitting to his will, the emperor began to move towards Wittemberg, that he might terminate the war at once by the reduction of that city. The unfortunate elector was carried along in a sort of triumph, and exposed everywhere, as a captive, to his own subjects; a spectacle extremely afflicting to them, who both honoured and loved him; though the insult was so far from subduing his firm spirit that it did not even ruffle the wonted tranquillity and composure of his mind.

Invests Wittemberg.

As Wittemberg, the residence, in that age, of the electoral branch of the Saxon family, was one of the strongest cities in Germany, and could not be taken, if properly defended, without great difficulty, the emperor marched thither with the utmost despatch, hoping that while the consternation occasioned by his victory was still recent, the inhabitants might imitate the example of their countrymen, and submit to his power as soon as he appeared before their walls. But Sybilla of Cleves, the elector's wife, a woman no less distinguished by her abilities than her virtue, instead of abandoning herself to tears and lamentations upon her husband's misfortune, endeavoured, by her example as well as exhortations, to animate the citizens. She inspired them with such resolution, that when summoned to surrender, they returned a vigorous answer, warning the emperor to behave towards their sovereign with the respect due to his rank, as they were determined to treat Albert of Brandenburg, who was still a prisoner, precisely in the same manner that he treated the elector. The spirit of the inhabitants, no less than the strength of the city, seemed now to render a siege in form necessary. After such a signal victory it would have been disgraceful not to have undertaken it, though at the same time the emperor was destitute of every thing requisite for carrying it on. But Maurice removed all difficulties by engaging to furnish provisions, artillery, ammunition, pioneers, and whatever else should be needed. Trusting to this, Charles gave orders to open the trenches before the town. It quickly appeared that Maurice's eagerness to reduce the capital of those dominions which he expected as his reward for taking arms against his kinsman and deserting the protestant cause, had led him to promise what exceeded his power to perform. A battering-train was, indeed, carried safely down the Elbe from Dresden to Wittemberg; but as Maurice had not sufficient force to preserve a secure communication between his own territories and the camp of the besiegers, count Mansfeldt, who commanded a body of electoral troops, intercepted and destroyed a convoy of provisions and military stores, and dispersed a band of pioneers destined for the service of the imperialists. This put a stop to the progress of the siege, and convinced the emperor, that as he could not rely on Maurice's promises, recourse ought to be had to some more expeditious as well as more certain method of getting possession of the town.

The emperor's ungenerous treatment of the elector.

The unfortunate elector was in his hands, and Charles was ungenerous and hard-hearted enough to take advantage of this, in order to make an experiment whether he might not bring about his design by working upon the tenderness of a wife for her husband, or upon the piety of children towards their parent. With this view he summoned Sybilla a second time to open the gates, letting her know that if she again refused to comply, the elector should answer with his head for her obstinacy. To convince her that this was not an empty threat, he brought his prisoner to an immediate trial. The proceedings against him were as irregular as the stratagem was barbarous. Instead of consulting the states of the empire, or remitting the cause to any court which, according to the German constitution, might have legally taken cognizance of the elector's crime, he subjected the greatest prince in the empire to the jurisdiction of a court-martial composed of Spanish and Italian officers, and in which the unrelenting duke of Alva, a fit instrument for any act of violence, presided. This strange tribunal founded its charge upon the ban of the empire, which had been issued against the prisoner by the sole authority of the emperor, and was destitute of every legal formality which could render it valid. But the court-martial, presuming the elector to be thereby manifestly convicted of treason and rebellion, condemned him to suffer death by being beheaded. This decree was intimated to the elector while he was amusing himself in playing at chess with Ernest of Brunswick, his fellow-prisoner. He paused for a moment, though without discovering any symptom either of surprise or terror; and after taking notice of the irregularity, as well as injustice, of the emperor's proceedings—"It is easy," continued he, "to comprehend his scheme. I must die because Wittemberg will not surrender; and I shall lay down my life with pleasure, if, by that sacrifice, I can preserve the dignity of my house, and transmit to my posterity the inheritance which belongs to them. Would to God that this sentence may not affect my wife and children more than it intimidates me; and that they, for the sake of adding a few days to a life already too long, may not renounce honours and territories which they were born to possess!"[h] He then turned to his

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The elector's magnanimity.

h Thuan. i. 142.

antagonist, whom he challenged to continue the game. He played with his usual attention and ingenuity, and having beat Ernest, expressed all the satisfaction which is commonly felt on gaining such victories. After this he withdrew to his own apartment, that he might employ the rest of his time in such religious exercises as were proper in his situation.[i]

The distress of his family.

It was not with the same indifference or composure that the account of the elector's danger was received in Wittemberg. Sybilla, who had supported with such undaunted fortitude her husband's misfortunes while she imagined that they could reach no further than to diminish his power or territories, felt all her resolution fail as soon as his life was threatened. Solicitous to save that, she despised every other consideration, and was willing to make any sacrifice in order to appease an incensed conqueror. At the same time the duke of Cleves, the elector of Brandenburg, and Maurice, to none of whom Charles had communicated the true motives of his violent proceedings against the elector, interceded warmly with him to spare his life. The first was prompted to do so merely by compassion for his sister and regard for his brother-in-law. The two others dreaded the universal reproach that they would incur, if, after having boasted so often of the ample security which the emperor had promised them with respect to their religion, the first effect of their union with him should be the public execution of a prince who was justly held in reverence as the most zealous protector of the protestant cause. Maurice, in particular, foresaw that he must become the object of detestation to the Saxons, and could never hope to govern them with tranquillity, if he were considered by them as accessory to the death of his nearest kinsman in order that he might obtain possession of his dominions.

His treaty with Charles, by which he surrenders the electorate;

While they, from such various motives, solicited Charles with the most earnest importunity not to execute the sentence, Sybilla and his children conjured the elector, by letters as well as messengers, to scruple at no concession that would extricate him out of the present danger, and deliver them from their fears and anguish on his account. The emperor, perceiving that the expedient which he had tried began to produce the effect that he intended, fell by degrees from his former rigour, and allowed himself to soften into promises of clemency and forgiveness, if the elector would show himself worthy of his favour by submitting to reasonable terms. The elector, on whom the consideration of what he might suffer himself had made no impression, was melted by the tears of a wife whom he loved, and could not resist the entreaties of his family. In compliance with their repeated solicitations, he agreed to articles of accommodation which he would otherwise have rejected with disdain. The chief of them were, that he should resign the electoral dignity, as well for himself as for his posterity, into the emperor's hands, to be disposed of entirely at his pleasure; that he should instantly put the imperial troops in possession of the cities of Wittemberg and Gotha; that he should set Albert of Brandenburg at liberty without ransom; that he should submit to the decrees of the imperial chamber, and acquiesce in whatever reformation the emperor should make in the constitution of that court; that he should renounce all league against the emperor or king of the Romans, and enter into no alliance for the future in which they were not comprehended. In return for these important concessions, the emperor not only promised to spare his life, but to settle on him and his posterity the city of Gotha and its territories, together with an annual pension of fifty thousand florins, payable out of the revenues of the electorate, and likewise to grant him a sum in ready money to be applied towards the discharge of his debts. Even these articles of grace were clogged with the mortifying condition of his remaining the emperor's prisoner during the rest of his life.[k] To the whole Charles had subjoined, that he should submit to the decrees of the pope and council with regard to the controverted points in religion; but the elector, though he had been persuaded to sacrifice all the objects which men commonly hold to be the dearest and most valuable, was inflexible with regard to this point; and neither threats nor entreaties could prevail to make him renounce what he deemed to be truth, or persuade him to act in opposition to the dictates of his conscience.

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and remains a prisoner.

As soon as the Saxon garrison marched out of Wittemberg, the emperor fulfilled his engagements to Maurice; and in reward for his merit in having deserted the protestant cause, and having contributed with such success towards the dissolution of the Smalkaldic league, he gave him possession of that city, together with all the other towns in the electorate. It was not without reluctance, however, that he made such a sacrifice; the extraordinary success of his arms had begun to operate in its usual manner upon his ambitious mind, suggesting new and vast projects for the aggrandisement of his family, towards the accomplishment of which the retaining of Saxony would have been of the utmost consequence. But as this scheme was not then ripe for execution, he durst not yet venture to disclose it; nor would it have been either safe or prudent to offend Maurice at that juncture by such a manifest violation of all the promises which had seduced him to abandon his natural allies.

Maurice put in possession of the electoral dominions.

The landgrave, Maurice's father-in-law, was still in arms; and though now left alone to maintain the protestant cause, was neither a feeble nor contemptible enemy. His dominions were of considerable extent; his subjects animated with zeal for the Refor-

Negociations with the landgrave.

[i] Struvii Corpus, 1050.

[k] Sleid. 427. Thuan. i. 142. Du Mont. Corps. Diplom. iv. p. 11, 332.

mation; and if he could have held the imperialists at bay for a short time, he had much to hope from a party whose strength was still unbroken, whose union as well as vigour might return, and which had reason to depend with certainty on being effectually supported by the king of France. The landgrave thought not of any thing so bold or adventurous; but being seized with the same consternation which had taken possession of his associates, he was intent only on the means of procuring favourable terms from the emperor, whom he viewed as a conqueror to whose will there was a necessity of submitting. Maurice encouraged this tame and pacific spirit by magnifying, on the one hand, the emperor's power; by boasting, on the other, of his own interest with his victorious ally; and by representing the advantageous conditions which he could not fail of obtaining by his intercession for a friend whom he was so solicitous to save. Sometimes the landgrave was induced to place such unbounded confidence in his promises, that he was impatient to bring matters to a final accommodation. On other occasions, the emperor's exorbitant ambition, restrained neither by the scruples of decency nor the maxims of justice, together with the recent and shocking proof which he had given of this in his treatment of the elector of Saxony, came so full into his thoughts, and made such a lively impression on them, that he broke off abruptly the negociations which he had begun, seeming to be convinced that it was more prudent to depend for safety on his own arms than to confide in Charles's generosity. But this bold resolution, which despair had suggested to an impatient spirit fretted by disappointments, was not of long continuance. Upon a more deliberate survey of the enemy's power as well as his own weakness, his doubts and fears returned upon him, and together with them the spirit of negociating and the desire of accommodation.

The conditions prescribed by the emperor;

Maurice and the elector of Brandenburg acted as mediators between him and the emperor; and after all that the former had vaunted of his influence, the conditions prescribed to the landgrave were extremely rigorous. The articles with regard to his renouncing the league of Smalkalde, acknowledging the emperor's authority, and submitting to the decrees of the imperial chamber, were the same which had been imposed on the elector of Saxony. Besides these, he was required to surrender his person and territories to the emperor; to implore for pardon on his knees; to pay an hundred and fifty thousand crowns towards defraying the expenses of the war; to demolish the fortifications of all the towns in his dominions except one; to oblige the garrison which he placed in it to take an oath of fidelity to the emperor; to allow a free passage through his territories to the imperial troops as often as it shall be demanded; to deliver up all his artillery and ammunition to the emperor; to set at liberty, without ransom, Henry of Brunswick, together with the other prisoners whom he had taken during the war; and neither to take arms himself nor to permit any of his subjects to serve against the emperor or his allies for the future.[l]

to which he submits.

The landgrave ratified these articles, though with the utmost reluctance, as they contained no stipulation with regard to the manner in which he was to be treated, and left him entirely at the emperor's mercy. Necessity, however, compelled him to give his assent to them. Charles, who had assumed the haughty and imperious tone of a conqueror ever since the reduction of Saxony, insisted on unconditional submission, and would permit nothing to be added to the terms which he had prescribed that could in any degree limit the fulness of his power, or restrain him from behaving as he saw meet towards a prince whom he regarded as absolutely at his disposal. But though he would not vouchsafe to negociate with the landgrave on such a footing of equality, as to suffer any article to be inserted among those which he had dictated to him, that could be considered as a formal stipulation for the security and freedom of his person, he, or his ministers in his name, gave the elector of Brandenburg and Maurice such full satisfaction with regard to this point, that they assured the landgrave that Charles would behave to him in the same way as he had done to the duke of Wurtemburg, and would allow him, whenever he had made his submission, to return to his own territories. Upon finding the landgrave to be still possessed with his former suspicions of the emperor's intentions, and unwilling to trust verbal or ambiguous declarations in a matter of such essential concern as his own liberty, they sent him a bond signed by them both, containing the most solemn obligations, that if any violence whatsoever was offered to his person during his interview with the emperor, they would instantly surrender themselves to his sons, and remain in their hands to be treated by them in the same manner as the emperor should treat him.[m]

He repairs to the imperial court.

This, together with the indispensable obligation of performing what was contained in the articles of which he had accepted, removed his doubts and scruples, or made it necessary to get over them. He repaired for that purpose to the imperial camp at Halle in Saxony, where a circumstance occurred which revived his suspicions and increased his fears. Just as he was about to enter the chamber of presence in order to make his public submission to the emperor, a copy of the articles which he had approved of was put into his hands, in order that he might ratify them anew. Upon perusing them he perceived that the imperial ministers had added two new articles; one importing, that if any dispute should arise concerning the meaning of the former conditions, the emperor should have the right of putting what interpretation upon them he thought most reasonable; the other,

l Sleid. 430. Thuan. l. iv. 146.

m Du Mont Corps Diplom. iv. p. 11, 336.

that the landgrave was bound to submit implicitly to the decisions of the council of Trent. This unworthy artifice, calculated to surprise him into an approbation of articles to which he had not the most distant idea of assenting, by proposing them to him at a time when his mind was engrossed and disquieted with the thoughts of that humiliating ceremony which he had to perform, filled the landgrave with indignation, and made him break out into all those violent expressions of rage to which his temper was prone. With some difficulty the elector of Brandenburg and Maurice prevailed at length on the emperor's ministers to drop the former article as unjust, and to explain the latter in such a manner that he could agree to it without openly renouncing the protestant religion.

The manner in which the emperor received him.

This obstacle being surmounted, the landgrave was impatient to finish a ceremony which, how mortifying soever, had been declared necessary towards his obtaining pardon. The emperor was seated on a magnificent throne, with all the ensigns of his dignity, surrounded by a numerous train of the princes of the empire, among whom was Henry of Brunswick, lately the landgrave's prisoner, and now, by a sudden reverse of fortune, a spectator of his humiliation. The landgrave was introduced with great solemnity, and advancing towards the throne, fell upon his knees. His chancellor, who walked behind him, immediately read, by his master's command, a paper which contained an humble confession of the crime whereof he had been guilty; an acknowledgment that he had merited on that account the most severe punishment; an absolute resignation of himself and his dominions to be disposed of at the emperor's pleasure; a submissive petition for pardon, his hopes of which were founded entirely on the emperor's clemency; and it concluded with promises of behaving for the future like a subject whose principles of loyalty and obedience would be confirmed and would even derive new force from the sentiments of gratitude which must hereafter fill and animate his heart. While the chancellor was reading this abject declaration, the eyes of all the spectators were fixed on the unfortunate landgrave; few could behold a prince so powerful as well as high-spirited suing for mercy in the posture of a supplicant, without being touched with commiseration, and perceiving serious reflections arise in their minds upon the instability and emptiness of human grandeur. The emperor viewed the whole transaction with a haughty unfeeling composure; and preserving a profound silence himself, made a sign to one of his secretaries to read his answer; the tenor of which was, That though he might have justly inflicted on him the grievous punishment which his crimes deserved, yet, prompted by his own generosity, moved by the solicitations of several princes in behalf of the landgrave, and influenced by his penitential acknowledgments, he would not deal with him according to the rigour of justice, and would subject him to no penalty that was not specified in the articles which he had already subscribed. The moment the secretary had finished, Charles turned away abruptly, without deigning to give the unhappy suppliant any sign of compassion or reconcilement. He did not even desire him to rise from his knees; which the landgrave having ventured to do unbidden, advanced towards the emperor with an intention to kiss his hand, flattering himself that his guilt being now fully expiated, he might presume to take that liberty. But the elector of Brandenburg, perceiving that this familiarity would be offensive to the emperor, interposed, and desired the landgrave to go along with him and Maurice to the duke of Alva's apartments in the castle.

He is detained a prisoner.

He was received and entertained by that nobleman with the respect and courtesy due to such a guest. But after supper, while he was engaged in play, the duke took the elector and Maurice aside, and communicated to them the emperor's orders, that the landgrave must remain a prisoner in that place under the custody of a Spanish guard. As they had not hitherto entertained the most distant suspicion of the emperor's sincerity or rectitude of intention, their surprise was excessive, and their indignation not inferior to it, on discovering how greatly they had been deceived themselves, and how infamously abused, in having been made the instruments of deceiving and ruining their friend. They had recourse to complaints, to arguments, and to entreaties, in order to save themselves from that disgrace, and to extricate him out of the wretched situation into which he had been betrayed by too great confidence in them. But the duke of Alva remained inflexible, and pleaded the necessity of executing the emperor's commands. By this time it grew late; and the landgrave, who knew nothing of what had passed, nor dreaded the snare in which he was entangled, prepared for departing, when the fatal orders were intimated to him. He was struck dumb at first with astonishment; but after being silent a few moments, he broke out into all the violent expressions which horror at injustice accompanied with fraud naturally suggests. He complained, he expostulated, he exclaimed; sometimes inveighing against the emperor's artifices as unworthy of a great and generous prince; sometimes censuring the credulity of his friends in trusting to Charles's insidious promises; sometimes charging them with meanness in stooping to lend their assistance towards the execution of such a perfidious and dishonourable scheme; and in the end he required them to remember their engagements to his children, and instantly to fulfil them. They, after giving way for a little to the torrent of his passion, solemnly asserted their own innocence and upright intention in the whole transaction, and encouraged him to hope that, as soon as they saw the emperor, they would obtain redress of an injury which affected their own honour no less

than it did his liberty. At the same time, in order to soothe his rage and impatience, Maurice remained with him during the night, in the apartment where he was confined.[n]

The elector of Brandenburg and Maurice solicit in vain for his liberty.

Next morning the elector and Maurice applied jointly to the emperor, representing the infamy to which they would be exposed throughout Germany if the landgrave were detained in custody; that they would not have advised nor would he himself have consented to an interview, if they had suspected that the loss of his liberty was to be the consequence of his submission; that they were bound to procure his release, having plighted their faith to that effect, and engaged their own persons as sureties for his. Charles listened to their earnest remonstrances with the utmost coolness. As he now stood no longer in need of their services, they had the mortification to find that their former obsequiousness was forgotten, and little regard paid to their intercession. He was ignorant, he told them, of their particular or private transactions with the landgrave, nor was his conduct to be regulated by any engagements into which they had thought fit to enter; though he knew well what he himself had promised, which was not that the landgrave should be exempt from all restraint, but that he should not be kept a prisoner during life.[o] Having said this with a peremptory and decisive tone, he put an end to the conference; and they seeing no probability, at that time, of making any impression upon the emperor, who seemed to have taken this resolution deliberately, and to be obstinately bent on adhering to it, were obliged to acquaint the unfortunate prisoner with the ill success of their endeavours in his behalf. The disappointment threw him into a new and more violent transport of rage; so that, to prevent his proceeding to some desperate extremity, the elector and Maurice promised that they would not quit the emperor until, by the frequency and fervour of their intercessions, they had extorted his consent to set him free. They accordingly renewed their solicitations a few days afterwards, but found Charles more haughty and intractable than before, and were warned that if they touched again upon a subject so disagreeable, and with regard to which he had determined to hear nothing further, he would instantly give orders to convey the prisoner into Spain. Afraid of hurting the landgrave by an officious or ill-timed zeal to serve him, they not only desisted but left the court; and as they did not choose to meet the first sallies of the landgrave's rage upon his learning the cause of their departure, they informed him of it by a letter, wherein they exhorted him to fulfil all that he had promised to the emperor as the most certain means of procuring a speedy release.

His impatience under restraint.

Whatever violent emotions their abandoning his cause in this manner occasioned, the landgrave's impatience to recover liberty made him follow their advice. He paid the sum which had been imposed on him, ordered his fortresses to be razed, and renounced all alliances which could give offence. This prompt compliance with the will of the conqueror produced no effect. He was still guarded with the same vigilant severity; and being carried about, together with the degraded elector of Saxony, wherever the emperor went, their disgrace and his triumph were each day renewed. The fortitude as well as equanimity with which the elector bore these repeated insults were not more remarkable than the landgrave's fretfulness and impatience. His active impetuous mind could ill brook restraint; and reflection upon the shameful artifices by which he had been decoyed into that situation, as well as indignation at the injustice with which he was still detained in it, drove him often to the wildest excesses of passion.

The rigour of the emperor's exactions in Germany.

The people of the different cities to whom Charles thus wantonly exposed those illustrious prisoners as a public spectacle, were sensibly touched with such an insult offered to the Germanic body, and murmured loudly at this indecent treatment of two of its greatest princes. They had soon other causes of complaint, and such as affected them more nearly. Charles proceeded to add oppression to insult, and arrogating to himself all the rights of a conqueror, exercised them with the utmost rigour. He ordered his troops to seize the artillery and military stores belonging to such as had been members of the Smalkaldic league; and having collected upwards of five hundred pieces of cannon, a great number in that age, he sent part of them into the Low Countries, part into Italy, and part into Spain, in order to spread by this means the fame of his success, and that they might serve as monuments of his having subdued a nation hitherto deemed invincible. He then levied by his sole authority large sums of money, as well upon those who had served him with fidelity during the war as upon such as had been in arms against him; upon the former as their contingent towards a war which, having been undertaken, as he pretended, for the common benefit, ought to be carried on at the common charge; upon the latter as a fine by way of punishment for their rebellion. By these exactions he amassed above one million six hundred thousand crowns, a sum which appeared prodigious in the sixteenth century. But so general was the consternation which had

n Sleid. 433. Thuan. l. iv. 147. Struv. Corp. Hist. Germ. ii. 1052.

o According to several historians of great name, the emperor, in his treaty with the landgrave, stipulated that he would not detain him in any prison. But in executing the deed, which was written in the German tongue, the imperial ministers fraudulently substituted the word *ewiger* instead of *einiger*, and thus the treaty, in place of a promise that he should not be detained in any prison, contained only an engagement that he should not be detained in *perpetual* imprisonment. But authors eminent for historical knowledge and critical accuracy have called in question the truth of this common story. The silence of Sleidan with regard to it, as well as its not being mentioned in the various memorials which he has published concerning the landgrave's imprisonment, greatly favour this opinion. But as several books which contain the information necessary towards discussing this point with accuracy are written in the German language, which I do not understand, I cannot pretend to inquire into this matter with the same precision wherewith I have endeavoured to settle some other controverted facts which have occurred in the course of this history. See Struv. Corp. 1052. Mosheim's Eccles. Hist. vol. ii. p. 161, 162. Eng. edition.

seized the Germans upon his rapid success, and such their dread of his victorious troops, that all implicitly obeyed his commands; though, at the same time, these extraordinary stretches of power greatly alarmed a people jealous of their privileges, and habituated during several ages to consider the imperial authority as neither extensive nor formidable. This discontent and resentment, how industriously soever they concealed them, became universal; and the more these passions were restrained and kept down for the present, the more likely were they to burst out soon with additional violence.

Ferdinand's encroachments on the liberties of his Bohemian subjects.

While Charles gave law to the Germans like a conquered people, Ferdinand treated his subjects in Bohemia with still greater rigour. That kingdom possessed privileges and immunities as extensive as those of any nation in which the feudal institutions were established. The prerogative of their kings was extremely limited, and the crown itself elective. Ferdinand, when raised to the throne, had confirmed their liberties with every solemnity prescribed by their excessive solicitude for the security of a constitution of government to which they were extremely attached. He soon began, however, to be weary of a jurisdiction so much circumscribed, and to despise a sceptre which he could not transmit to his posterity; and notwithstanding all his former engagements, he attempted to overturn the constitution from its foundations, that, instead of an elective kingdom, he might render it hereditary. But the Bohemians were too high-spirited tamely to relinquish privileges which they had long enjoyed. At the same time, many of them having embraced the doctrines of the reformers, the seeds of which John Huss and Jerome of Prague had planted in their country about the beginning of the preceding century, the desire of acquiring religious liberty mingled itself with their zeal for their civil rights; and these two kindred passions heightening, as usual, each other's force, precipitated them immediately into violent measures. They had not only refused to serve their sovereign against the confederates at Smalkalde, but having entered into a close alliance with the elector of Saxony, they had bound themselves by a solemn association to defend their ancient constitution, and to persist until they should obtain such additional privileges as they thought necessary towards perfecting the present model of their government or rendering it more permanent. They chose Caspar Phlug, a nobleman of distinction, to be their general, and raised an army of thirty thousand men to enforce their petitions. But either from the weakness of their leader, or from the dissensions in a great unwieldy body, which having united hastily was not thoroughly compacted, or from some other unknown cause, the subsequent operations of the Bohemians bore no proportion to the zeal and ardour with which they took their first resolutions. They suffered themselves to be amused so long with negociations and overtures of different kinds, that before they could enter Saxony, the battle of Muhlberg was fought, the elector deprived of his dignity and territories, the landgrave confined to close custody, and the league of Smalkalde entirely dissipated. The same dread of the emperor's power which had seized the rest of the Germans reached them. As soon as their sovereign approached with a body of imperial troops, they instantly dispersed, thinking of nothing but how to atone for their past guilt, and to acquire some hope of forgiveness by a prompt submission. But Ferdinand, who entered his dominions full of that implacable resentment which inflames monarchs whose authority has been despised, was not to be mollified by the late repentance and involuntary return of rebellious subjects to their duty. He even heard unmoved the entreaties and tears of the citizens of Prague, who appeared before him in the posture of suppliants, and implored for mercy. The sentence which he pronounced against them was rigorous to extremity; he abolished many of their privileges, he abridged others, and new-modelled the constitution according to his pleasure. He condemned to death many of those who had been most active in forming the late association against him, and punished a still greater number with confiscation of their goods or perpetual banishment. He obliged all his subjects of every condition to give up their arms, to be deposited in forts where he planted garrisons; and after disarming his people, he loaded them with new and exorbitant taxes. Thus by an ill-conducted and unsuccessful effort to extend their privileges, the Bohemians not only enlarged the sphere of the royal prerogative when they intended to have circumscribed it, but they almost annihilated those liberties which they aimed at establishing on a broader and more secure foundation.[p]

Diet held at Augsburg.

The emperor having now humbled, and, as he imagined, subdued, the independent and stubborn spirit of the Germans by the terror of arms and the rigour of punishment, held a diet at Augsburg, in order to compose finally the controversies with regard to religion, which had so long disturbed the empire. He durst not, however, trust the determination of a matter so interesting to the free suffrage of the Germans, broken as their minds now were to subjection. He entered the city at the head of his Spanish troops, and assigned them quarters there. The rest of his soldiers he cantoned in the adjacent villages; so that the members of the diet, while they carried on their deliberations, were surrounded by the same army which had overcome their countrymen. Immediately after his public entry, Charles gave a proof of the violence with which he intended to proceed. He took possession by force of the cathedral, together with one of the principal churches; and his priests having

p Sleid. 408, 419, 434. Thuan. l. iv. 129, 150. Struv. Corp. ii.

by various ceremonies purified them from the pollution with which they supposed the unhallowed ministrations of the protestants to have defiled them, they re-established with great pomp the rites of the Romish worship.[q]

The emperor exhorts them to submit to the general council.

The concourse of members to this diet was extraordinary; the importance of the affairs concerning which it was to deliberate, added to the fear of giving offence to the emperor by an absence which lay open to misconstruction, brought together almost all the princes, nobles, and representatives of cities who had a right to sit in that assembly. The emperor, in the speech with which he opened the meeting, called their attention immediately to that point which seemed chiefly to merit it. Having mentioned the fatal effects of the religious dissensions which had arisen in Germany, and taken notice of his own unwearied endeavours to procure a general council, which alone could provide a remedy adequate to those evils, he exhorted them to recognise its authority, and to acquiesce in the decisions of an assembly to which they had originally appealed as having the sole right of judgment in the case.

Various revolutions in the council.

But the council to which Charles wished them to refer all their controversies had by this time undergone a violent change. The fear and jealousy with which the emperor's first successes against the confederates of Smalkalde had inspired the pope continued to increase. Not satisfied with attempting to retard the progress of the imperial arms by the sudden recall of his troops, Paul began to consider the emperor as an enemy the weight of whose power he must soon feel, and against whom he could not be too hasty in taking precautions. He foresaw that the immediate effect of the emperor's acquiring absolute power in Germany would be to render him entirely master of all the decisions of the council, if it should continue to meet in Trent. It was dangerous to allow a monarch so ambitious to get the command of this formidable engine, which he might employ at pleasure to limit or overturn the papal authority. As the only method of preventing this, he determined to remove the council to some city more immediately under his own jurisdiction, and at a greater distance from the terror of the emperor's arms or the reach of his influence. An incident fortunately occurred which gave this measure the appearance of being necessary. One or two of the fathers of the council, together with some of their domestics, happening to die suddenly, the physicians, deceived by the symptoms, or suborned by the pope's legates, pronounced the distemper to be infectious and pestilential. Some of the prelates, struck with a panic, retired; others were impatient to be gone; and after a short consultation, the council was translated to Bologna, a city subject to the pope. All the bishops in the imperial interest warmly opposed this resolution as taken without necessity, and founded on false or frivolous pretexts. All the Spanish prelates, and most of the Neapolitan, by the emperor's express command, remained at Trent; the rest, to the number of thirty-four, accompanying the legates to Bologna. Thus a schism commenced in that very assembly which had been called to heal the divisions of Christendom; the fathers of Bologna inveighed against those who staid at Trent as contumacious and regardless of the pope's authority; while the other accused them of being so far intimidated by the fears of imaginary danger as to remove to a place where their consultations could prove of no service towards re-establishing peace and order in Germany.[r]

March 11. Translated from Trent to Bologna.

Symptoms of disgust between the pope and emperor.

The emperor, at the same time, employed all his interest to procure the return of the council to Trent. But Paul, who highly applauded his own sagacity in having taken a step which put it out of Charles's power to acquire the direction of that assembly, paid no regard to a request the object of which was so extremely obvious. The summer was consumed in fruitless negociations with respect to this point, the importunity of the one and obstinacy of the other daily increasing. At last an event happened which widened the breach irreparably, and rendered the pope utterly averse from listening to any proposal that came from the emperor. Charles, as has been already observed, had so violently exasperated Peter Lewis Farnese, the pope's son, by refusing to grant him the investiture of Parma and Placentia, that he had watched ever since that time with all the vigilance of resentment for an opportunity of revenging that injury. He had endeavoured to precipitate the pope into open hostilities against the emperor, and had earnestly solicited the king of France to invade Italy. His hatred and resentment extended to all those whom he knew that the emperor favoured; he did every ill office in his power to Gonzaga, governor of Milan, and had encouraged Fiesco in his attempt upon the life of Andrew Doria, because both Gonzaga and Doria possessed a great degree of the emperor's esteem and confidence. His malevolence and secret intrigues were not unknown to the emperor, who could not be more desirous to take vengeance on him than Gonzaga and Doria were to be employed as his instruments in inflicting it. Farnese, by the profligacy of his life, and by enormities of every kind equal to those committed by the worst tyrants who have disgraced human nature, had rendered himself so odious, that it was thought any violence whatever might be lawfully attempted against him. Gonzaga and Doria soon found among his own subjects persons who were eager, and even deemed it meritorious, to lend their hands in such a service. As Farnese, animated with the jealousy which usually possesses petty sovereigns, had employed all the cruelty and fraud whereby they endeavour to supply their defect

q Sleid. 435, 437.

r F. Paul, 248, &c.

of power, in order to humble and extirpate the nobility subject to his government, five noblemen of the greatest distinction in Placentia combined to avenge the injuries which they themselves had suffered, as well as those which he had offered to their order. They formed their plan in conjunction with Gonzaga; but it remains uncertain whether he originally suggested the scheme to them, or only approved of what they proposed, and co-operated in carrying it on. They concerted all the previous steps with such foresight, conducted their intrigues with such secrecy, and displayed such courage in the execution of their design, that it may be ranked among the most audacious deeds of that nature mentioned in history. One body of the conspirators surprised, at mid-day, the gates of the citadel of Placentia, where Farnese resided, overpowered his guards, and murdered him. Another party of them made themselves masters of the town, and called upon their fellow-citizens to take arms in order to recover their liberty. The multitude ran towards the citadel, from which three great guns, a signal concerted with Gonzaga, had been fired; and before they could guess the cause or the authors of the tumult, they saw the lifeless body of the tyrant hanging by the heels from one of the windows of the citadel. But so universally detestable had he become, that not one expressed any sentiment of concern at such a sad reverse of fortune, or discovered the least indignation at this ignominious treatment of a sovereign prince. The exultation at the success of the conspiracy was general, and all applauded the actors in it as the deliverers of their country. The body was tumbled into the ditch that surrounded the citadel, and exposed to the insults of the rabble; the rest of the citizens returned to their usual occupations, as if nothing extraordinary had happened.

Sep. 10. The assassination of the pope's son.

Before next morning a body of troops arriving from the frontiers of the Milanese, where they had been posted in expectation of the event, took possession of the city in the emperor's name, and reinstated the inhabitants in the possession of their ancient privileges. Parma, which the imperialists attempted likewise to surprise, was saved by the vigilance and fidelity of the officers whom Farnese had intrusted with the command of the garrison. The death of a son whom, notwithstanding his infamous vices, Paul loved with an excess of parental tenderness, overwhelmed him with the deepest affliction, and the loss of a city of such consequence as Placentia greatly imbittered his sorrow. He accused Gonzaga, in open consistory, of having committed a cruel murder in order to prepare the way for an unjust usurpation, and immediately demanded of the emperor satisfaction for both; for the former by the punishment of Gonzaga; for the latter by the restitution of Placentia to his grandson Octavia, its rightful owner. But Charles, who, rather than quit a prize of such value, was willing not only to expose himself to the imputation of being accessory to the crime which had given an opportunity of seizing it, but to bear the infamy of defrauding his own son-in-law of the inheritance which belonged to him, eluded all his solicitations, and determined to keep possession of the city, together with its territories.

The imperial troops take possession of Placentia.

This resolution, flowing from an ambition so rapacious as to be restrained by no consideration either of decency or justice, transported the pope so far beyond his usual moderation and prudence, that he was eager to take arms against the emperor, in order to be avenged on the murderers of his son, and to recover the inheritance wrested from his family. Conscious, however, of his own inability to contend with such an enemy, he warmly solicited the French king and the republic of Venice to join in an offensive league against Charles. But Henry was intent at that time on other objects. His ancient allies the Scots, having been defeated by the English in one of the greatest battles ever fought between these two rival nations, he was about to send a numerous body of veteran troops into that country, as well to preserve it from being conquered as to gain the acquisition of a new kingdom to the French monarchy by marrying his son the dauphin to the young queen of Scotland. An undertaking accompanied with such manifest advantages, the success of which appeared to be so certain, was not to be relinquished for the remote prospect of benefit from an alliance depending upon the precarious life of a pope of fourscore, who had nothing at heart but the gratification of his own private resentment. Instead, therefore, of rushing headlong into the alliance proposed, Henry amused the pope with such general professions and promises as might keep him from any thoughts of endeavouring to accommodate his differences with the emperor, but at the same time he avoided any such engagement as might occasion an immediate rupture with Charles, or precipitate him into a war for which he was not prepared. The Venetians, though much alarmed at seeing Placentia in the hands of the imperialists, imitated the wary conduct of the French king, as it nearly resembled the spirit which usually regulated their own conduct.[t]

The pope courts the alliance of the French king and the Venetians.

But though the pope found that it was not in his power to kindle immediately the flames of war, he did not forget the injuries which he was obliged for the present to endure; resentment settled deeper in his mind, and became more rancorous in proportion as he felt the difficulty of gratifying it. It was while these sentiments of enmity were in full force, and the desire of vengeance at its height, that the diet of Augsburg, by the emperor's command,

The diet of Augsburg petitions for the return of the council to Trent.

s F. Paul, 257. Pallavic. 41, 42. Thuan. iv. 156. Mem. de Ribier, 59, 67. Natalis Comitis Histor. lib. iii. p. 64.

t Mem. de Ribier, ii. 63, 71, 78, 85, 95. Paruta Istor. di Venez. 199, 203. Thuan. iv. 160.

petitioned the pope, in the name of the whole Germanic body, to enjoin the prelates who had retired to Bologna to return again to Trent, and to renew their deliberations in that place. Charles had been at great pains in bringing the members to join in this request. Having observed a considerable variety of sentiments among the protestants with respect to the submission which he had required to the decrees of the council, some of them being altogether intractable, while others were ready to acknowledge its right of jurisdiction upon certain conditions, he employed all his address in order to gain or to divide them. He threatened and overawed the elector palatine, a weak prince, and afraid that the emperor might inflict on him the punishment to which he had made himself liable by the assistance that he had given to the confederates of Smalkalde. The hope of procuring liberty for the landgrave, together with the formal confirmation of his own electoral dignity, overcame Maurice's scruples, or prevented him from opposing what he knew would be agreeable to the emperor. The elector of Brandenburg, less influenced by religious zeal than any prince of that age, was easily induced to imitate their example, in assenting to all that the emperor required. The deputies of the cities remained still to be brought over. They were more tenacious of their principles; and though every thing that could operate either on their hopes or fears was tried, the utmost that they would promise was to acknowledge the jurisdiction of the council, if effectual provision were made for securing to the divines of all parties free access to that assembly, with entire liberty of debate; and if all points in controversy were decided according to Scripture and the usage of the primitive church. But when the memorial containing this declaration was presented to the emperor, he ventured to put in practice a very extraordinary artifice. Without reading the paper, or taking any notice of the conditions on which they had insisted, he seemed to take it for granted that they had complied with his demand, and gave thanks to the deputies for their full and unreserved submission to the decrees of the council. The deputies, though astonished at what they had heard, did not attempt to set him right, both parties being better pleased that the matter should remain under this state of ambiguity than to push for an explanation, which must have occasioned a dispute, and would have led, perhaps, to a rupture.[u]

Oct. 9.

Having obtained this seeming submission from the members of the diet to the authority of the council, Charles employed that as an argument to enforce their petition for its return to Trent. But the pope, from the satisfaction which he felt in mortifying the emperor, as well as from his own aversion to what was demanded, resolved without hesitation that his petition should not be granted, though, in order to avoid the imputation of being influenced wholly by resentment, he had the address to throw it upon the fathers at Bologna to put a direct negative upon the request. With this view he referred to their consideration the petition of the diet, and they, ready to confirm by their assent whatever the legates were pleased to dictate, declared that the council could not consistently with its dignity return to Trent, unless the prelates who, by remaining there, had discovered a schismatic spirit, would first repair to Bologna and join their brethren; and that, even after their junction, the council could not renew its consultations with any prospect of benefit to the church, if the Germans did not prove their intention of obeying its future decrees to be sincere, by yielding immediate obedience to those which it had already passed.[x]

Dec. 20.

The pope eludes the demand.

This answer was communicated to the emperor by the pope, who at the same time exhorted him to comply with demands which appeared to be so reasonable. But Charles was better acquainted with the duplicity of the pope's character than to be deceived by such a gross artifice; he knew that the prelates of Bologna durst utter no sentiment but what Paul inspired; and therefore, overlooking them as mere tools in the hands of another, he considered their reply as a full discovery of the pope's intentions. As he could no longer hope to acquire such an ascendant in the council as to render it subservient to his own plan, he saw it to be necessary that Paul should not have it in his power to turn against him the authority of so venerable an assembly. In order to prevent this, he sent two Spanish lawyers to Bologna, who, in the presence of the legate, protested, That the translation of the council to that place had been unnecessary, and founded on false or frivolous pretexts; that while it continued to meet there, it ought to be deemed an unlawful and schismatical conventicle; that all its decisions ought of course to be held as null and invalid; and that since the pope, together with the corrupt ecclesiastics who depended on him, had abandoned the care of the church, the emperor, as its protector, would employ all the power which God had committed to him in order to preserve it from those calamities with which it was threatened. A few days after, the imperial ambassador at Rome demanded an audience of the pope, and, in presence of all the cardinals as well as foreign ministers, protested against the proceedings of the prelates at Bologna in terms equally harsh and disrespectful.[y]

The emperor protests against the council of Bologna.

1548. Jan. 16.

Jan. 23.

The emperor prepares a system, to serve as a rule of faith in Germany.

It was not long before Charles proceeded to carry these threats, which greatly alarmed both the pope and council of Bologna, into execution. He let the diet know the ill success of his endeavours to pro-

u F. Paul, 259. Sleid. 440. Thuan. tom. i. 155.
x F. Paul, 260. Pallav. ii. 49.

y F. Paul, 264. Pallav. 51. Sleid. 446. Goldasti Constit. Imperial. i. 561.

cure a favourable answer to their petition; and that the pope, equally regardless of their entreaties and of his services to the church, had refused to gratify them by allowing the council to meet again at Trent; that though all hope of holding this assembly in a place where they might look for freedom of debate and judgment was not to be given up, the prospect of it was at present distant and uncertain; that, in the mean time, Germany was torn in pieces by religious dissensions, the purity of the faith corrupted, and the minds of the people disquieted with a multiplicity of new opinions and controversies formerly unknown among christians; that, moved by the duty which he owed to them as their sovereign, and to the church as its protector, he had employed some divines of known abilities and learning to prepare a system of doctrine, to which all should conform, until a council such as they wished for could be convocated. This system was compiled by Pflug, Helding, and Agricola, of whom the two former were dignitaries in the Romish church, but remarkable for their pacific and healing spirit; the last was a protestant divine, suspected, not without reason, of having been gained by bribes and promises to betray or mislead his party on this occasion. The articles presented to the diet of Ratisbon in the year one thousand five hundred and forty-one, in order to reconcile the contending parties, served as a model for the present work. But as the emperor's situation was much changed since that time, and he found it no longer necessary to manage the protestants with the same delicacy as at that juncture, the concessions in their favour were not now so numerous, nor did they extend to points of so much consequence. The treatise contained a complete system of theology, conformable in almost every article to the tenets of the Romish church, though expressed, for the most part, in the softest words, or in Scriptural phrases, or in terms of studied ambiguity. Every doctrine, however, peculiar to popery was retained, and the observation of all the rites which the protestants condemned as inventions of men introduced into the worship of God was enjoined. With regard to two points only, some relaxation in the rigour of opinion as well as some latitude in practice was admitted. Such ecclesiastics as had married and would not put away their wives, were allowed, nevertheless, to perform all the functions of their sacred office; and those provinces which had been accustomed to partake of the cup as well as of the bread in the sacrament of the Lord's supper, were still indulged in the privilege of receiving both. Even these were declared to be concessions for the sake of peace, and granted only for a season, in compliance with the weakness or prejudices of their countrymen.[z]

This, which was called the Interim, he lays before the diet. May 15.

This system of doctrine, known afterwards by the name of the *Interim*, because it contained temporary regulations, which were to continue no longer in force than until a free general council could be held, the emperor presented to the diet, with a pompous declaration of his sincere intention to re-establish tranquillity and order in the church, as well as of his hopes that their adopting these regulations would contribute greatly to bring about that desirable event. It was read in presence of the diet, according to form. As soon as it was finished, the archbishop of Mentz, president of the electoral college, rose up hastily, and having thanked the emperor for his unwearied and pious endeavours in order to restore peace to the church, he, in the name of the diet, signified their approbation of the system of doctrine which had been read, together with their resolution of conforming to it in every particular. The whole assembly was amazed at a declaration so unprecedented and unconstitutional, as well as at the elector's presumption in pretending to deliver the sense of the diet upon a point which had not hitherto been the subject of consultation or debate. But not one member had the courage to contradict what the elector had said; some being overawed by fear, others remaining silent through complaisance. The emperor held the archbishop's declaration to be a full constitutional ratification of the Interim, and prepared to enforce the observance of it as a decree of the empire.[a]

and exhorts their approbation of it.

During this diet the wife and children of the landgrave, warmly seconded by Maurice of Saxony, endeavoured to interest the members in behalf of that unhappy prince, who still languished in confinement. But Charles, who did not choose to be brought under the necessity of rejecting any request that came from such a respectable body, in order to prevent their representations, laid before the diet an account of his transactions with the landgrave, together with the motives which had at first induced him to detain that prince in custody, and which rendered it prudent, as he alleged, to keep him still under restraint. It was no easy matter to give any good reason for an action incapable of being justified. But he thought the most frivolous pretexts might be produced in an assembly the members of which were willing to be deceived, and afraid of nothing so much as of discovering that they saw his conduct in its true colours. His account of his own conduct was accordingly admitted to be fully satisfactory, and after some feeble entreaties that he would extend his clemency to his unfortunate prisoner, the landgrave's concerns were no more mentioned.[b]

New and fruitless solicitations for the landgrave's liberty.

In order to counterbalance the unfavourable impression which this inflexible rigour might make, Charles, as a proof that his gratitude was no less permanent and unchangeable than his resentment, invested Maurice in the electoral dignity, with all the legal formalities. The ceremony was performed with extraordinary pomp in an open court, so near

z F. Paul, 270. Pallav. ii. 60. Sleid. 453, 457. Struv. Corp. 1054. Goldast. Constit. Imper. i. 518.

a Sleid. 460. F. Paul, 273. Pallav. 63.

b Sleid. 441.

the apartment in which the degraded elector was kept a prisoner, that he could view it from his windows. Even this insult did not ruffle his usual tranquillity; and turning his eyes that way, he beheld a prosperous rival receiving those ensigns of dignity of which he had been stripped, without uttering one sentiment unbecoming the fortitude that he had preserved amidst all his calamities.[c]

The Interim equally disapproved of by protestants and papists.

Immediately after the dissolution of the diet the emperor ordered the Interim to be published in the German as well as Latin language. It met with the usual reception of conciliating schemes when proposed to men heated with disputation; both parties declaimed against it with equal violence. The protestants condemned it as a system containing the grossest errors of popery, disguised with so little art that it could impose only on the most ignorant, or on those who, by wilfully shutting their eyes, favoured the deception. The papists inveighed against it as a work in which some doctrines of the church were impiously given up, others meanly concealed, and all of them delivered in terms calculated rather to deceive the unwary than to instruct the ignorant, or to reclaim such as were enemies to the truth. While the Lutheran divines fiercely attacked it on one hand, the general of the Dominicans with no less vehemence impugned it on the other. But at Rome, as soon as the contents of the Interim came to be known, the indignation of the courtiers and ecclesiastics rose to the greatest height. They exclaimed against the emperor's profane encroachment on the sacerdotal function, in presuming, with the concurrence of an assembly of laymen, to define articles of faith and to regulate modes of worship. They compared this rash deed to that of Uzzah, who, with an unhallowed hand, had touched the ark of God; or to the bold attempts of those emperors who had rendered their memory detestable by endeavouring to model the christian church according to their pleasure. They even affected to find out a resemblance between the emperor's conduct and that of Henry VIII., and expressed their fear of his imitating the example of that apostate, by usurping the title as well as jurisdiction belonging to the head of the church. All therefore contended with one voice, that as the foundations of ecclesiastical authority were now shaken, and the whole fabric ready to be overturned by a new enemy, some powerful method of defence must be provided, and a vigorous resistance must be made, in the beginning, before he grew too formidable to be opposed.

The sentiments of the pope with regard to it.

The pope, whose judgment was improved by longer experience in great transactions, as well as by a more extensive observation of human affairs, viewed the matter with more acute discernment, and derived comfort from the very circumstance which filled them with apprehension. He was astonished that a prince of such superior sagacity as the emperor should be so intoxicated with a single victory as to imagine that he might give law to mankind, and decide even in those matters with regard to which they are most impatient of dominion. He saw that by joining any one of the contending parties in Germany, Charles might have had it in his power to have oppressed the other, but that the presumption of success had now inspired him with the vain thought of his being able to domineer over both. He foretold that a system which all attacked and none defended, could not be of long duration; and that, for this reason, there was no need of his interposing in order to hasten its fall; for as soon as the powerful hand which now upheld it was withdrawn, it would sink of its own accord, and be forgotten for ever.[d]

The emperor enforces compliance with the Interim.

The emperor, fond of his own plan, adhered to his resolution of carrying it into full execution. But though the elector Palatine, the elector of Brandenburg, and Maurice, influenced by the same considerations as formerly, seemed ready to yield implicit obedience to whatever he should enjoin, he met not every where with a like obsequious submission. John, marquis of Brandenburg-Anspach, although he had taken part with great zeal in the war against the confederates of Smalkalde, refused to renounce doctrines which he held to be sacred; and reminding the emperor of the repeated promises which he had given his protestant allies of allowing them the free exercise of their religion, he claimed, in consequence of these, to be exempted from receiving the Interim. Some other princes also ventured to mention the same scruples and to plead the same indulgence. But on this as on other trying occasions the firmness of the elector of Saxony was most distinguished, and merited the highest praise. Charles, well knowing the authority of his example with all the protestant party, laboured with the utmost earnestness to gain his approbation of the Interim, and by employing sometimes promises of setting him at liberty, sometimes threats of treating him with greater harshness, attempted alternately to work upon his hopes and his fears. But he was alike regardless of both. After having declared his fixed belief in the doctrines of the Reformation, "I cannot now," said he, "in my old age abandon the principles for which I early contended; nor, in order to procure freedom during a few declining years, will I betray that good cause on account of which I have suffered so much, and am still willing to suffer. Better for me to enjoy in this solitude the esteem of virtuous men, together with the approbation of my own conscience, than to return into the world with the imputation and guilt of apostasy to disgrace and imbitter the remainder of my days." By this magnanimous resolution he set

c Thuan. Hist. lib. v. 176. Struv. Corp. 1054. Investitura Mauritii, a Mammerano Lucembergo descripta, ap. Scardium, ii. 508.

d Sleid 468. F. Paul, 271, 277. Pallav. ii. 64.

his countrymen a pattern of conduct so very different from that which the emperor wished him to have exhibited to them, that it drew upon him fresh marks of displeasure. The rigour of his confinement was increased; the number of his servants abridged; the Lutheran clergymen who had hitherto been permitted to attend him were dismissed; and even the books of devotion which had been his chief consolation during a tedious imprisonment were taken from him.[e] The landgrave of Hesse, his companion in misfortune, did not maintain the same constancy. His patience and fortitude were both so much exhausted by the length of his confinement, that, willing to purchase freedom at any price, he wrote to the emperor offering not only to approve of the Interim, but to yield an unreserved submission to his will in every other particular. But Charles, who knew that whatever course the landgrave might hold, neither his example nor authority would prevail on his children or subjects to receive the Interim, paid no regard to his offers. He was kept confined as strictly as ever; and while he suffered the cruel mortification of having his conduct set in contrast to that of the elector, he derived not the smallest benefit from the mean step which exposed him to much deserved censure.[f]

The free cities struggle against receiving the Interim.

But it was in the imperial cities that Charles met with the most violent opposition to the Interim. These small commonwealths, the citizens of which were accustomed to liberty and independence, had embraced the doctrines of the Reformation, when they were first published, with remarkable eagerness; the bold spirit of innovation being peculiarly suited to the genius of free government. Among them the protestant teachers had made the greatest number of proselytes. The most eminent divines of the party were settled in them as pastors. By having the direction of the schools and other seminaries of learning, they had trained up disciples who were as well instructed in the articles of their faith as they were zealous to defend them. Such persons were not to be guided by example or swayed by authority; but having been taught to employ their own understanding in examining and deciding with respect to the points in controversy, they thought that they were both qualified and entitled to judge for themselves. As soon as the contents of the Interim were known, they, with one voice, joined in refusing to admit it. Augsburg, Ulm, Strasburg, Constance, Bremen, Magdeburg, together with many other towns of less note, presented remonstrances to the emperor, setting forth the irregular and unconstitutional manner in which the Interim had been enacted, and beseeching him not to offer such violence to their consciences as to require their assent to a form of doctrine and worship which appeared to them repugnant to the express precepts of the divine law. But Charles, having prevailed on so many princes of the empire to approve of his new model, was not much moved by the representations of those cities, which, how formidable soever they might have proved if they could have been formed into one body, lay so remote from each other, that it was easy to oppress them separately before it was possible for them to unite.

Compelled by violence to submit.

In order to accomplish this, the emperor saw it to be requisite that his measures should be vigorous, and executed with such rapidity as to allow no time for concerting any common plan of opposition. Having laid down this maxim as the rule of his proceedings, his first attempt was upon the city of Augsburg, which, though overawed with the presence of the Spanish troops, he knew to be as much dissatisfied with the Interim as any in the empire. He ordered one body of these troops to seize the gates; he posted the rest in different quarters of the city; and assembling all the burgesses in the town-hall, he, by his sole absolute authority, published a decree abolishing their present form of government, dissolving all their corporations and fraternities, and nominating a small number of persons in whom he vested for the future all the powers of government. Each of the persons thus chosen took an oath to observe the Interim. An act of power so unprecedented as well as arbitrary, which excluded the body of the inhabitants from any share in the government of their own community, and subjected them to men who had no other merit than their servile devotion to the emperor's will, gave general disgust; but as they durst not venture upon resistance, they were obliged to submit in silence. From Augsburg, in which he left a garrison, he proceeded to Ulm, and new-modelling its government with the same violent hand, he seized such of their pastors as refused to subscribe the Interim, committed them to prison, and at his departure carried them along with him in chains.[h] By this severity he not only secured the reception of the Interim in two of the most powerful cities, but gave warning to the rest what such as continued refractory had to expect. The effect of the example was as great as he could have wished; and many towns, in order to save themselves from the like treatment, found it necessary to comply with what he enjoined. This obedience, extorted by the rigour of authority, produced no change in the sentiments of the Germans, and extended no further than to make them conform so far to what he required as was barely sufficient to screen them from punishment. The protestant preachers accompanied those religious rites the observation of which the Interim prescribed, with such an explication of their tendency as served rather to confirm than to remove the scruples of their hearers with regard to them. The people, many of whom had grown up to mature years since the establishment of the reformed religion, and had never known any other form of public worship,

Aug. 3.

e Sleid. 462. f Id. ibid. g Sleid. 469. h Ibid. 472.

beheld the pompous pageantry of the popish service with contempt or horror; and in most places the Romish ecclesiastics who returned to take possession of their churches could hardly be protected from insult or their ministrations from interruption. Thus, notwithstanding the apparent compliance of so many cities, the inhabitants, being accustomed to freedom, submitted with reluctance to the power which now oppressed them. Their understanding as well as inclination revolted against the doctrines and ceremonies imposed on them; and though for the present they concealed their disgust and resentment, it was evident that these passions could not always be kept under restraint, but would break out at last in effects proportional to their violence.[i]

The pope dismisses the council assembled at Bologna.

Charles, however, highly pleased with having bent the stubborn spirit of the Germans to such general submission, departed for the Low Countries, fully determined to compel the cities which still stood out to receive the Interim. He carried his two prisoners, the elector of Saxony and the landgrave of Hesse, along with him, either because he durst not leave them behind him in Germany, or because he wished to give his countrymen the Flemings this illustrious proof of the success of his arms and the extent of his power. Before Charles arrived at Brussels he was informed that the pope's legates at Bologna had dismissed the council by an indefinite prorogation, and that the prelates assembled there had returned to their respective countries. Necessity had driven the pope into this measure. By the secession of those who had voted against the translation, together with the departure of others who grew weary of continuing in a place where they were not suffered to proceed to business, so few and such inconsiderable members remained, that the pompous appellation of a general council could not with decency be bestowed any longer upon them. Paul had no choice but to dissolve an assembly which was become the object of contempt, and exhibited to all Christendom a most glaring proof of the impotence of the Romish see. But unavoidable as the measure was, it lay open to be unfavourably interpreted, and had the appearance of withdrawing the remedy at the very time when those for whose recovery it was provided were prevailed on to acknowledge its virtue and to make trial of its efficacy. Charles did not fail to put this construction on the conduct of the pope; and by an artful comparison of his own efforts to suppress heresy with Paul's scandalous inattention to a point so essential, he endeavoured to render the pontiff odious to all zealous catholics. At the same time he commanded the prelates of his faction to remain at Trent, that the council might still appear to have a being, and might be ready, whenever it was thought expedient, to resume its deliberations for the good of the church.[k]

The motive of Charles's journey to the Low Countries, beside gratifying his favourite passion of travelling from one part of his dominions to another, was to receive Philip his only son, who was now in the twenty-first year of his age, and whom he had called thither, not only that he might be recognised by the states of the Netherlands as heir-apparent, but in order to facilitate the execution of a vast scheme, the object of which, and the reception it met with, shall be hereafter explained. Philip having left the government of Spain to Maximilian, Ferdinand's eldest son, to whom the emperor had given the princess Mary his daughter in marriage, embarked for Italy, attended by a numerous retinue of Spanish nobles.[l] The squadron which escorted him was commanded by Andrew Doria, who, notwithstanding his advanced age, insisted on the honour of performing in person the same duty to the son which he had often discharged towards the father. He landed safely at Genoa; from thence he went to Milan, and proceeding through Germany, arrived at the imperial court in Brussels. The states of Brabant in the first place, and those of the other provinces in their order, acknowledged his right of succession in common form, and he took the customary oath to preserve all the privileges inviolate.[m] In all the towns of the Low Countries through which Philip passed, he was received with extraordinary pomp. Nothing that could either express the respect of the people or contribute to his amusement was neglected; pageants, tournaments, and public spectacles of every kind, were exhibited with that expensive magnificence which commercial nations are fond of displaying when on any occasion they depart from their usual maxims of frugality. But amidst these scenes of festivity and pleasure, Philip's natural severity of temper was discernible. Youth itself could not render him agreeable, nor his being a candidate for power form him to courtesy. He maintained a haughty reserve in his behaviour, and discovered such manifest partiality towards his Spanish attendants, together with such an avowed preference to the manners of their country, as highly disgusted the Flemings, and gave rise to that antipathy which afterwards occasioned a revolution fatal to him in that part of his dominions.[n]

The emperor receives his son Philip in the Low Countries.

Nov. 25.

1549. April 1.

Charles was long detained in the Netherlands by a violent attack of the gout, which returned upon him so frequently, and with such increasing violence, that it had broken to a great degree the vigour of his constitution. He nevertheless did not slacken his endeavours to enforce the Interim. The inhabitants of Strasburg, after a long struggle, found it necessary to yield obedience; those of Constance, who had taken arms in their own defence, were compelled not only to conform to the Interim, but to renounce their privileges as a free city, to do homage

i Mem. de Ribier, ii. 213. Sleid. 491.
k Pallav. p. 11, 72. l Ochoa, Carolea, 362.
m Hareei Annal. Brabant. 652.
n Mem. de Ribier, ii. 29. L'Evesque Mem. de Card. Granville, i. 21.

to Ferdinand as archduke of Austria, and, as his vassals, to admit an Austrian governor and garrison.[o] Magdeburg, Bremen, Hamburg, and Lubec, were the only imperial cities of note that still continued refractory.

BOOK X.

The pope's schemes against the emperor.

While Charles laboured with such unwearied industry to persuade or to force the protestants to adopt his regulations with respect to religion, the effects of his steadiness in the execution of his plan were rendered less considerable by his rupture with the pope, which daily increased. The firm resolution which the emperor seemed to have taken against restoring Placentia, together with his repeated encroachments on the ecclesiastical jurisdiction, not only by the regulations contained in the Interim, but by his attempt to reassemble the council of Trent, exasperated Paul to the utmost, who with the weakness incident to old age, grew more attached to his family and more jealous of his authority as he advanced in years. Pushed on by these passions, he made new efforts to draw the French king into an alliance against the emperor:[a] but finding that monarch, notwithstanding the hereditary enmity between him and Charles, and the jealousy with which he viewed the successful progress of the imperial arms, as unwilling as formerly to involve himself in immediate hostilities, he was obliged to contract his views, and to think of preventing future encroachments, since it was not in his power to inflict vengeance on account of those which were past. For this purpose he determined to recall his grant of Parma and Placentia, and after declaring them to be reannexed to the holy see, to indemnify his grandson Octavio by a new establishment in the ecclesiastical state. By this expedient he hoped to gain two points of no small consequence. He first of all rendered his possession of Parma more secure; as the emperor would be cautious of invading the patrimony of the church, though he might seize without scruple a town belonging to the house of Farnese. In the next place he would acquire a better chance of recovering Placentia, as his solicitations to that effect might decently be urged with greater importunity, and would infallibly be attended with greater effect, when he was considered not as pleading the cause of his own family but as an advocate for the interest of the holy see. But while Paul was priding himself on this device as a happy refinement in policy, Octavio, an ambitious and high-spirited young man, who could not bear with patience to be spoiled of one-half of his territories by the rapaciousness of his father-in-law, and to be deprived of the other by the artifices of his grandfather, took measures in order to prevent the execution of a plan fatal to his interest. He set out secretly from Rome, and having first endeavoured to surprise Parma, which attempt was frustrated by the fidelity of the governor to whom the pope had intrusted the defence of the town, he made overtures to the emperor, of renouncing all connexion with the pope, and of depending entirely on him for his future fortune. This unexpected defection of one of the pope's own family to an enemy whom he hated, irritated, almost to madness, a mind peevish with old age; and there was no degree of severity to which Paul might not have proceeded against a grandson whom he reproached as an unnatural apostate. But happily for Octavio, death prevented his carrying into execution the harsh resolutions which he had taken with respect to him, and put an end to his pontificate in the sixteenth year of his administration and the eighty-second of his age.[b]

As this event had been long expected, there was an extraordinary concourse of cardinals at Rome; and the various competitors having had time to form their parties and to concert their measures, their ambition and intrigues protracted the conclave to a great length. The imperial and French factions strove with emulation to promote one of their own number, and had by turns the prospect of success. But as Paul, during a long pontificate, had raised many to the purple, and those chiefly persons of eminent abilities as well as zealously devoted to his family, cardinal Farnese had the command of a powerful and united squadron, by whose address and firmness he exalted to the papal throne the cardinal di Monte, whom Paul had employed as his principal

1550. Feb. 7. The election of Julius III.

o Sleid. 474, 491.

a Mem. de Ribier, ii. 230.

b Among many instances of the credulity or weakness of historians in attributing the death of illustrious personages to extraordinary causes, this is one. Almost all the historians of the sixteenth century affirm that the death of Paul III. was occasioned by the violent passions which the behaviour of his grandson excited: that being informed, while he was refreshing himself in one of his gardens near Rome, of Octavio's attempt on Parma, as well as of his negociations with the emperor by means of Gonzaga, he fainted away, continued some hours in a swoon, then became feverish, and died within three days. This is the account given of it by Thuanus, lib. vi. 211. Adriani Istor. di suoi Tempi, lib. vii. 480. and by father Paul, 220. Even cardinal Pallavicini, better informed than any writer with regard to the events which happened in the papal court, and, when not warped by prejudice or system, more accurate in relating them, agrees with their narrative in its chief circumstances. Pallav. b. ii. 74. Paruta, who wrote his history by command of the senate of Venice, relates it in the same manner. Historici Venez. vol. iv. 212. But there was no occasion to search for any extraordinary cause to account for the death of an old man of eighty-two. There remains an authentic account of this event, in which we find none of those marvellous circumstances of which the historians are so fond. The cardinal of Ferrara, who was intrusted with the affairs of France at the court of Rome, and M. d'Urfé, Henry's ambassador in ordinary there, wrote an account to that monarch of the affair of Parma, and of the pope's death. By these it appears that Octavio's attempt to surprise Parma was made on the twentieth of October; that next day, in the evening, and not while he was airing himself in the gardens of Monte-Cavallo, the pope received intelligence of what he had done; that he was seized with such a transport of passion, and cried so bitterly, that his voice was heard in several apartments of the palace; that next day, however, he was so well as to give an audience to the cardinal of Ferrara, and to go through business of different kinds; that Octavio wrote a letter to the pope, not to cardinal Farnese his brother, intimating his resolution of throwing himself into the arms of the emperor; that the pope received this on the twenty-first without any new symptoms of emotion, and returned an answer to it; that on the twenty-second of October, the day on which the cardinal of Ferrara's letter is dated, the pope was in his usual state of health. Mem. de Ribier, ii. 247. By a letter of M. d'Urfé, Nov. 5, it appears that the pope was in such good health, that on the third of that month he had celebrated the anniversary of his coronation with the usual solemnities. Ibidem. 251. By another letter from the same person, we learn that on the sixth of November a catarrh or defluxion fell down on the pope's lungs, with such dangerous symptoms that his life was immediately despaired of. Ibid. 252. And by a third letter we are informed that he died November the tenth. In none of these letters is his death imputed to any extraordinary cause. It appears that more than twenty days elapsed between Octavio's attempt on Parma and the death of his grandfather, and that the disease was the natural effect of old age, not one of those occasioned by violence of passion.

legate in the council of Trent, and trusted with his most secret intentions. He assumed the name of Julius III.; and in order to express his gratitude towards his benefactor, the first act of his administration was to put Octavio Farnese in possession of Parma. When the injury which he did to the holy see, by alienating a territory of such value, was mentioned by some of the cardinals, he briskly replied, "That he would rather be a poor pope with the reputation of a gentleman, than a rich one with the infamy of having forgotten the obligations conferred upon him and the promises which he had made."[c] But all the lustre of this candour or generosity he quickly effaced by an action most shockingly indecent. According to an ancient and established practice, every pope upon his election considers it as his privilege to bestow on whom he pleases the cardinal's hat which falls to be disposed of by his being invested with the triple crown. Julius, to the astonishment of the sacred college, conferred this mark of distinction, together with ample ecclesiastical revenues, and the right of bearing his name and arms, upon one Innocent, a youth of sixteen, born of obscure parents, and known by the name of the Ape, from his having been trusted with the care of an animal of that species in the cardinal di Monte's family. Such a prostitution of the highest dignity in the church would have given offence even in those dark periods when the credulous superstition of the people imboldened ecclesiastics to venture on the most flagrant violations of decorum. But in an enlightened age, when, by the progress of knowledge and philosophy, the obligations of duty and decency were better understood, when a blind veneration for the pontifical character was every where abated, and one-half of Christendom in open rebellion against the papal see, this action was viewed with horror. Rome was immediately filled with libels and pasquinades, which imputed the pope's extravagant regard for such an unworthy object to the most criminal passions. The protestants exclaimed against the absurdity of supposing that the infallible spirit of divine truth could dwell in a breast so impure, and called more loudly than ever, and with greater appearance of justice, for the immediate and thorough reformation of a church the head of which was a disgrace to the christian name.[d] The rest of the pope's conduct was of a piece with this first specimen of his dispositions. Having now reached the summit of ecclesiastical ambition, he seemed eager to indemnify himself, by an unrestrained indulgence of his desires, for the self-denial or dissimulation which he had thought it prudent to practise while in a subordinate station. He became careless to so great a degree of all serious business, that he could seldom be brought to attend to it but in cases of extreme necessity; and giving up himself to amusements and dissipation of every kind, he imitated the luxurious elegance of Leo rather than the severe virtue of Adrian, the latter of which it was necessary to display in contending with a sect which derived great credit from the rigid and austere manners of its teachers.[e]

His charater and conduct.

The pope, however ready to fulfil his engagements to the family of Farnese, discovered no inclination to observe the oath which each cardinal had taken when he entered the conclave, that if the choice should fall on him, he would immediately call the council to reassume its deliberations. Julius knew by experience how difficult it was to confine such a body of men within the narrow limits which it was the interest of the see of Rome to prescribe, and how easily the zeal of some members, the rashness of others, or the suggestions of the princes on whom they depended, might precipitate a popular and ungovernable assembly into forbidden inquiries as well as dangerous decisions. He wished, for these reasons, to have eluded the obligation of his oath, and gave an ambiguous answer to the first proposals which were made to him by the emperor with regard to that matter. But Charles, either from his natural obstinacy in adhering to the measures which he had once adopted, or from the mere pride of accomplishing what was held to be almost impossible, persisted in his resolution of forcing the protestants to return into the bosom of the church. Having persuaded himself that the authoritative decisions of the council might be employed with efficacy in combating their prejudices, he, in consequence of that persuasion, continued to solicit earnestly that a new bull of convocation might be issued; and the pope could not with decency reject that request. When Julius found that he could not prevent the calling of a council, he endeavoured to take to himself all the merit of having procured the meeting of an assembly which was the object of such general desire and expectation. A congregation of cardinals to whom he referred the consideration of what was necessary for restoring peace to the church, recommended, by his direction, the speedy convocation of a council, as the most effectual expedient for that purpose; and as the new heresies raged with the greatest violence in Germany, they proposed Trent as the place of its meeting, that, by a near inspection of the evil, the remedy might be applied with greater discernment and certainty of success. The pope warmly approved of this advice, which he himself had dictated, and sent nuncios to the imperial and French courts, in order to make known his intentions.[f]

His views and proceedings with respect to the general council.

About this time the emperor had summoned a new diet to meet at Augsburg, in order to enforce the observation of the Interim, and to procure a more authentic act of the supreme court in the empire, acknow

A diet at Augsburg to enforce the Interim.

c Mem. de Ribier.
d Sleid. 492. F. Paul, 281. Pallavic. ii. 76. Thuan. lib. vi. 215.

e F. Paul, 281.
f Ibid. Pallav. ii. 77.

ledging the jurisdiction of the council, as well as an explicit promise of conforming to its decrees. He appeared there in person, together with his son the prince of Spain. Few electors were present, but all sent deputies in their name. Charles, notwithstanding the despotic authority with which he had given law in the empire during two years, knew that the spirit of independence among the Germans was not entirely subdued, and for that reason took care to overawe the diet by a considerable body of Spanish troops which escorted him thither. The first point submitted to the consideration of the diet was the necessity of holding a council. All the popish members agreed without difficulty, that the meeting of that assembly should be renewed at Trent, and promised an implicit acquiescence in its decrees. The protestants, intimidated and disunited, must have followed their example, and the resolution of the diet would have proved unanimous, if Maurice of Saxony had not begun at this time to disclose new intentions, and to act a part very different from that which he had so long assumed.

June 25.

Maurice begins to form designs against the emperor.

By an artful dissimulation of his own sentiments, by address in paying court to the emperor, and by the seeming zeal with which he forwarded all his ambitious schemes, Maurice had raised himself to the electoral dignity; and having added the dominions of the elder branch of the Saxon family to his own, he was become the most powerful prince in Germany. But his long and intimate union with the emperor had afforded him many opportunities of observing narrowly the dangerous tendency of that monarch's schemes. He saw the yoke that was preparing for his country; and from the rapid as well as formidable progress of the imperial power, was convinced that but a few steps more remained to be taken in order to render Charles as absolute a monarch in Germany as he had become in Spain. The more eminent the condition was to which he himself had been exalted, the more solicitous did Maurice naturally become to maintain all its rights and privileges, and the more did he dread the thoughts of descending from the rank of a prince almost independent to that of a vassal subject to the commands of a master. At the same time he perceived that Charles was bent on exacting a rigid conformity to the doctrines and rites of the Romish church, instead of allowing liberty of conscience, the promise of which had allured several protestant princes to assist him in the war against the confederates of Smalkalde. As he himself, notwithstanding all the compliances which he had made from motives of interest or an excess of confidence in the emperor, was sincerely attached to the Lutheran tenets, he determined not to be a tame spectator of the overthrow of a system which he believed to be founded in truth.

The political motives which influenced him.

This resolution, flowing from the love of liberty or zeal for religion, was strengthened by political and interested considerations. In that elevated station in which Maurice was now placed, new and more extensive prospects opened to his view. His rank and power entitled him to be the head of the protestants in the empire. His predecessor, the degraded elector, with inferior abilities and territories less considerable, had acquired such an ascendant over the councils of the party; and Maurice neither wanted discernment to see the advantage of this pre-eminence, nor ambition to aim at attaining it. But he found himself in a situation which rendered the attempt no less difficult than the object of it was important. On the one hand, the connexion which he had formed with the emperor was so intimate, that he could scarcely hope to take any step which tended to dissolve it, without alarming his jealousy, and drawing on himself the whole weight of that power which had crushed the greatest confederacy ever formed in Germany. On the other hand, the calamities which he had brought on the protestant party were so recent as well as great, that it seemed almost impossible to regain their confidence, or to rally and reanimate a body, after he himself had been the chief instrument in breaking its union and vigour. These considerations were sufficient to have discouraged any person of a spirit less adventurous than Maurice's. But to him the grandeur and difficulty of the enterprise were allurements; and he boldly resolved on measures the idea of which a genius of an inferior order could not have conceived, or would have trembled at the thoughts of the danger that attended the execution of them.

The passions which co-operated with these.

His passions concurred with his interest in confirming this resolution; and the resentment excited by an injury which he sensibly felt, added new force to the motives for opposing the emperor, which sound policy suggested. Maurice, by his authority, had prevailed on the landgrave of Hesse to put his person in the emperor's power, and had obtained a promise from the imperial ministers that he should not be detained a prisoner. This had been violated in the manner already related. The unhappy landgrave exclaimed as loudly against his son-in-law as against Charles. The princes of Hesse required Maurice to fulfil his engagements to their father, who had lost his liberty by trusting to him; and all Germany suspected him of having betrayed to an implacable enemy the friend whom he was most bound to protect. Roused by these solicitations or reproaches, as well as prompted by duty and affection to his father-in-law, Maurice had employed not only entreaties but remonstrances in order to procure his release. All these Charles had disregarded; and the shame of having been first deceived and then slighted by a prince whom he had served with zeal as well as success, which merited a very different return, made such a deep impression on Maurice, that he waited with impatience for an opportunity of being revenged.

The caution and address with which he carries on his schemes.

The utmost caution as well as the most delicate address were requisite in taking every step toward this end; as he had to guard, on the one hand, against giving a premature alarm to the emperor; while, on the other, something considerable and explicit was necessary to be done, in order to regain the confidence of the protestant party. Maurice had accordingly applied all his powers of art and dissimulation to attain both these points. As he knew Charles to be inflexible with regard to the submission which he required to the Interim, he did not hesitate one moment whether he should establish that form of doctrine and worship in his dominions; but being sensible how odious it was to his subjects, instead of violently imposing it on them by the mere terror of authority, as had been done in other parts of Germany, he endeavoured to render their obedience a voluntary deed of their own. For this purpose he had assembled the clergy of his country at Leipsic, and had laid the Interim before them, together with the reasons which made it necessary to conform to it. He had gained some of them by promises, others he had wrought upon by threats, and all were intimidated by the rigour with which obedience to the Interim was extorted in the neighbouring provinces. Even Melancthon, whose merit of every kind entitled him to the first place among the protestant divines, being now deprived of the manly counsels of Luther, which were wont to inspire him with fortitude, and to preserve him steady amidst the storms and dangers that threatened the church, was seduced into unwarrantable concessions by the timidity of his temper, his fond desire of peace, and his excessive complaisance towards persons of high rank. By his arguments and authority, no less than by Maurice's address, the assembly was prevailed on to declare, "that in points which were purely indifferent, obedience was due to the commands of a lawful superior." Founding upon this maxim, no less incontrovertible in theory than dangerous when carried into practice, especially in religious matters, many of the protestant ecclesiastics whom Maurice consulted proceeded to class among the number of things indifferent several doctrines which Luther had pointed out as gross and pernicious errors in the Romish creed; and placing in the same rank many of those rites which distinguished the reformed from the popish worship, they exhorted their people to comply with the emperor's injunctions concerning these particulars.[g]

He enforces the Interim in Saxony.

Makes professions of zeal for the protestant religion.

By this dexterous conduct the introduction of the Interim excited none of those violent convulsions in Saxony which it occasioned in other provinces. But though the Saxons submitted, the more zealous Lutherans exclaimed against Melancthon and his associates as false brethren, who were either so wicked as to apostatize from the truth altogether, or so crafty as to betray it by subtle distinctions, or so feeble-spirited as to give it up, from pusillanimity and criminal complaisance, to a prince capable of sacrificing to his political interest that which he himself regarded as most sacred. Maurice being conscious what a colour of probability his past conduct gave to those accusations, as well as afraid of losing entirely the confidence of the protestants, issued a declaration containing professions of his zealous attachment to the reformed religion, and of his resolution to guard against all the errors or encroachments of the papal see.[h]

At the same time courts the emperors.

Having gone so far in order to remove the fears and jealousies of the protestants, he found it necessary to efface the impression which such a declaration might make upon the emperor. For that purpose he not only renewed his professions of an inviolable adherence to his alliance with him, but as the city of Magdeburg still persisted in rejecting the Interim, he undertook to reduce it to obedience, and instantly set about levying troops to be employed in that service. This damped all the hopes which the protestants began to conceive of Maurice in consequence of his declaration, and left them more than ever at a loss to guess at his real intentions. Their former suspicion and distrust of him revived, and the divines of Magdeburg filled Germany with writings in which they represented him as the most formidable enemy of the protestant religion, who treacherously assumed an appearance of zeal for its interest that he might more effectually execute his schemes for its destruction.

Protests against the mode of proceeding in the council.

This charge, supported by the evidence of recent facts as well as by his present dubious conduct, gained such universal credit, that Maurice was obliged to take a vigorous step in his own vindication. As soon as the re-assembling of the council of Trent was proposed in the diet, his ambassadors protested that their master would not acknowledge its authority unless all the points which had been already decided there were reviewed, and considered as still undetermined; unless the protestant divines had a full hearing granted them, and were allowed a decisive voice in the council; and unless the pope renounced his pretensions to preside in the council, engaged to submit to its decrees, and to absolve the bishops from their oath of obedience, that they might deliver their sentiments with greater freedom. These demands, which were higher than any that the reformers had ventured to make, even when the zeal of their party was warmest or their affairs most prosperous, counterbalanced in some degree the impression which Maurice's preparations against Magdeburg had made upon the minds of the protestants, and kept them in suspense with regard to his designs. At the same time he had dexterity enough to re-

g Sleid. 481, 485. Jo. Laur. Moshemii Institutionem Hist. Ecclesiasticæ, lib. iv. Helmst. 1755, 4to. p. 748. Jo. And. Schmidii Historia Interimistica, p. 70, &c. Helmst. 1730.

h Sleid. 485.

present this part of his conduct in such a light to the emperor, that it gave him no offence, and occasioned no interruption of the strict confidence which subsisted between them. What the pretexts were which he employed in order to give such a bold declaration an innocent appearance, the contemporary historians have not explained; that they imposed upon Charles is certain, for he still continued not only to prosecute his plan, as well concerning the Interim as the council, with the same ardour, but to place the same confidence in Maurice with regard to the execution of both.

The diet resolve to make war on the city of Magdeburg.

The pope's resolution concerning the council not being yet known at Augsburg, the chief business of the diet was to enforce the observation of the Interim. As the senate of Magdeburg, notwithstanding various endeavours to frighten or to soothe them into compliance, not only persevered obstinately in their opposition to the Interim, but began to strengthen the fortifications of their city and to levy troops in their own defence, Charles required the diet to assist him in quelling this audacious rebellion against a decree of the empire. Had the members of the diet been left to act agreeably to their own inclination, this demand would have been rejected without hesitation. All the Germans who favoured in any degree the new opinions in religion, and many who were influenced by no other consideration than jealousy of the emperor's growing power, regarded this effort of the citizens of Magdeburg as a noble stand for the liberties of their country. Even such as had not resolution to exert the same spirit, admired the gallantry of their enterprise, and wished it success. But the presence of the Spanish troops, together with the dread of the emperor's displeasure, overawed the members of the diet to such a degree, that without venturing to utter their own sentiments, they tamely ratified, by their votes, whatever the emperor was pleased to prescribe. The rigorous decrees which Charles had issued by his own authority against the Magdeburgers were confirmed; a resolution was taken to raise troops in order to besiege the city in form; and persons were named to fix the contingent in men or money to be furnished by each state. At the same time the diet petitioned that Maurice might be intrusted with the command of that army: to which Charles gave his consent with great alacrity, and with high encomiums upon the wisdom of the choice which they had made.[i] As Maurice conducted all his schemes with profound and impenetrable secrecy, it is probable that he took no step avowedly in order to obtain this charge. The recommendation of his countrymen was either purely accidental, or flowed from the opinion generally entertained of his great abilities; and neither the diet had any foresight, nor the emperor any dread, of the consequences which followed upon this nomination. Maurice accepted without hesitation

Appoint Maurice general.

i Sleid. 503, 512.

the command to which he was recommended, instantly discerning the important advantages which he might derive from having it committed to him.

The council summoned to re-assemble at Trent. December.

Meanwhile Julius, in preparing the bull for the convocation of the council, observed all those tedious forms which the court of Rome can artfully employ to retard any disagreeable measure. At last, however, it was published, and the council was summoned to meet at Trent on the first day of the ensuing month of May. As he knew that many of the Germans rejected or disputed the authority and jurisdiction which the papal see claims with respect to general councils, he took care, in the preamble of the bull, to assert in the strongest terms his own right, not only to call and preside in that assembly, but to direct its proceedings; nor would he soften these expressions in any degree, in compliance with the repeated solicitations of the emperor, who foresaw what offence they would give, and what construction might be put on them. They were censured accordingly with great severity by several members of the diet; but whatever disgust or suspicion they excited, such complete influence over all their deliberations had the emperor acquired, that he procured a recess in which the authority of the council was recognised, and declared to be the proper remedy for the evils which at that time afflicted the church; all the princes and states of the empire, such as had made innovations in religion, as well as those who adhered to the system of their forefathers, were required to send their representatives to the council; the emperor engaged to grant a safe-conduct to such as demanded it, and to secure them an impartial hearing in the council; he promised to fix his residence in some city of the empire in the neighbourhood of Trent, that he might protect the members of the council by his presence, and take care that, by conducting their deliberations agreeably to Scripture and the doctrine of the fathers, they might bring them to a desirable issue. In this recess the observation of the Interim was more strongly enjoined than ever; and the emperor threatened all who had hitherto neglected or refused to conform to it, with the severest effects of his vengeance, if they persisted in their disobedience.[k]

1551. Feb. 13.

Another fruitless attempt to procure the landgrave liberty.

During the meeting of this diet, a new attempt was made in order to procure liberty to the landgrave. That prince, nowise reconciled to his situation by time, grew every day more impatient of restraint. Having often applied to Maurice and the elector of Brandenburg, who took every occasion of soliciting the emperor in his behalf, though without any effect, he now commanded his sons to summon them, with legal formality, to perform what was contained in the bond which they had granted him, by surrendering themselves into their hands to be treated

k Sleid. 512. Thuan. lib. vi. 233. Goldasti Constit. Imperiales, vol. ii. 340.

with the same rigour as the emperor had used him. This furnished them with a fresh pretext for renewing their application to the emperor, together with an additional argument to enforce it. Charles firmly resolved not to grant their request; though at the same time, being extremely desirous to be delivered from their incessant importunity, he endeavoured to prevail on the landgrave to give up the bond which he had received from the two electors. But that prince refusing to part with a security which he deemed essential to his safety, the emperor boldly cut the knot which he could not untie; and by a public deed annulled the bond which Maurice and the elector of Brandenburg had granted, absolving them from all their engagements to the landgrave. No pretension to a power so pernicious to society as that of abrogating at pleasure the most sacred laws of honour and most formal obligations of public faith, had hitherto been formed by any but the Roman pontiffs, who, in consequence of their claim of supreme power on earth, arrogate the right of dispensing with precepts and duties of every kind. All Germany was filled with astonishment when Charles assumed the same prerogative. The state of subjection to which the empire was reduced, appeared to be more rigorous as well as intolerable than that of the most wretched and enslaved nations, if the emperor, by an arbitrary decree, might cancel those solemn contracts which are the foundation of that mutual confidence whereby men are held together in social union. The landgrave himself now gave up all hopes of recovering his liberty by the emperor's consent, and endeavoured to procure it by his own address. But the plan which he had formed to deceive his guards being discovered, such of his attendants as he had gained to favour his escape were put to death, and he was confined in the citadel of Mechlin more closely than ever.[1]

Charles's plan of procuring the imperial crown for his son Philip.

Another transaction was carried on during this diet, with respect to an affair more nearly interesting to the emperor, and which occasioned likewise a general alarm among the princes of the empire. Charles, though formed with talents which fitted him for conceiving and conducting great designs, was not capable, as has been often observed, of bearing extraordinary success. Its operation on his mind was so violent and intoxicating, that it elevated him beyond what was moderate or attainable, and turned his whole attention to the pursuit of vast but chimerical objects. Such had been the effect of his victory over the confederates of Smalkalde. He did not long rest satisfied with the substantial and certain advantages which were the result of that event, but despising these as poor or inconsiderable fruits of such great success, he aimed at nothing less than at bringing all Germany to an uniformity in religion, and at rendering the imperial power despotic. These were objects extremely splendid indeed, and alluring to an ambitious mind; the pursuit of them, however, was attended with manifest danger, and the hope of attaining them very uncertain. But the steps which he had already taken towards them having been accompanied with such success, his imagination, warmed with contemplating this alluring object, overlooked or despised all remaining difficulties. As he conceived the execution of his plan to be certain, he began to be solicitous how he might render the possession of such an important acquisition perpetual in his family, by transmitting the German empire, together with the kingdoms of Spain and his dominions in Italy and the Low Countries, to his son. Having long revolved this flattering idea in his mind, without communicating it even to those ministers whom he most trusted, he had called Philip out of Spain, in hopes that his presence would facilitate the carrying forward the scheme.

The obstacles that stood in its way.

Great obstacles, however, and such as would have deterred any ambition less accustomed to overcome difficulties, were to be surmounted. He had, in the year one thousand five hundred and thirty, imprudently assisted in procuring his brother Ferdinand the dignity of king of the Romans; and there was no probability that this prince, who was still in the prime of life, and had a son grown up to the years of manhood, would relinquish in favour of his nephew the near prospect of the imperial throne, which Charles's infirmities and declining state of health opened to himself. This did not deter the emperor from venturing to make the proposition; and when Ferdinand, notwithstanding his profound reverence for his brother, and obsequious submission to his will in other instances, rejected it in a peremptory tone, he was not discouraged by one repulse. He renewed his applications to him by his sister, Mary, queen of Hungary, to whom Ferdinand stood indebted for the crowns both of Hungary and Bohemia, and who, by her great abilities, tempered with extreme gentleness of disposition, had acquired an extraordinary influence over both the brothers. She entered warmly into a measure which tended so manifestly to aggrandize the house of Austria; and flattering herself that she could tempt Ferdinand to renounce the reversionary possession of the imperial dignity for an immediate establishment, she assured him that the emperor, by way of compensation for his giving up his chance of succession, would instantly bestow upon him territories of very considerable value, and pointed out in particular those of the duke of Wurtemburg, which might be confiscated upon different pretexts. But neither by her address nor entreaties could she induce Ferdinand to approve of a plan which would not only have degraded him from the highest rank among the monarchs of Europe to that of a subordinate and dependent prince, but would have involved both him and his posterity in perpetual contests. He was, at the

1 Sleid. 504. Thuan. l. vi. 234, 235.

same time, more attached to his children than by a rash concession to frustrate all the high hopes in prospect of which they had been educated.

His endeavours to surmount these.

Notwithstanding the immovable firmness which Ferdinand discovered, the emperor did not abandon his scheme. He flattered himself that he might attain the object in view by another channel, and that it was not impossible to prevail on the electors to cancel their former choice of Ferdinand, or at least to elect Philip a second king of the Romans, substituting him as next in succession to his uncle. With this view he took Philip along with him to the diet, that the Germans might have an opportunity to observe and become acquainted with the prince in behalf of whom he courted their interest; and he himself employed all the arts of address or insinuation to gain the electors, and to prepare them for listening with a favourable ear to the proposal. But no sooner did he venture upon mentioning it to them, than they at once saw and trembled at the consequences with which it would be attended. They had long felt all the inconveniences of having placed at the head of the empire a prince whose power and dominions were so extensive; if they should now repeat the folly, and continue the imperial crown, like an hereditary dignity, in the same family, they foresaw that they would give the son an opportunity of carrying on that system of oppression which the father had begun, and would put it in his power to overturn whatever was yet left entire in the ancient and venerable fabric of the German constitution.

Philip's character disagreeable to the Germans.

The character of the prince in whose favour this extraordinary proposition was made, rendered it still less agreeable. Philip, though possessed with an insatiable desire of power, was a stranger to all the arts of a conciliating good-will. Haughty, reserved, and severe, he, instead of gaining new friends, disgusted the ancient and most devoted partisans of the Austrian interest. He scorned to take the trouble of acquiring the language of the country to the government of which he aspired; nor would he condescend to pay the Germans the compliment of accommodating himself, during his residence among them, to their manners and customs. He allowed the electors and most illustrious princes in Germany to remain in his presence uncovered, affecting a stately and distant demeanour, which the greatest of the German emperors, and even Charles himself, amidst the pride of power and victory, had never assumed.[l] On the other hand, Ferdinand, from the time of his arrival in Germany, had studied to render himself acceptable to the people, by a conformity to their manners which seemed to flow from choice; and his son Maximilian, who was born in Germany, possessed in an eminent degree such amiable qualities as rendered him the darling of his countrymen, and induced them to look forward to his election as a most desirable event. Their esteem and affection for him fortified the resolution which sound policy had suggested, and determined the Germans to prefer the popular virtues of Ferdinand and his son to the stubborn austerity of Philip, which interest could not soften, nor ambition teach him to disguise. All the electors, the ecclesiastical as well as secular, concurred in expressing such strong disapprobation of the measure, that Charles, notwithstanding the reluctance with which he gave up any point, was obliged to drop the scheme as impracticable. By his unseasonable perseverance in pushing it, he had not only filled the Germans with new jealousy of his ambitious designs, but laid the foundation of rivalship and discord in the Austrian family, and forced his brother Ferdinand, in self-defence, to court the electors, particularly Maurice of Saxony, and to form such connexions with them as cut off all prospect of renewing the proposal with success. Philip, soured by his disappointment, was sent back to Spain, to be called thence when any new scheme of ambition should render his presence necessary.[m]

Charles obliged to relinquish this scheme.

Having relinquished this plan of domestic ambition, which had long occupied and engrossed him, Charles imagined that he would now have leisure to turn all his attention towards his grand scheme of establishing uniformity of religion in the empire, by forcing all the contending parties to acquiesce in the decisions of the council of Trent. But such was the extent of his dominions, the variety of connexions in which this entangled him, and the multiplicity of events to which these gave rise, as seldom allowed him to apply his whole force to any one object. The machine which he had to conduct was so great and complicated, that an unforeseen irregularity or obstruction in one of the inferior wheels often disconcerted the motion of the whole, and prevented his deriving from them all the beneficial effects which he expected. Such an unlooked for occurrence happened at this juncture, and created new obstacles to the execution of his schemes with regard to religion. Julius III. though he had confirmed Octavio Farnese in the possession of the duchy of Parma during the first effusions of his joy and gratitude on his promotion to the papal throne, soon began to repent of his own generosity, and to be apprehensive of consequences which either he did not foresee or had disregarded while the sense of his obligations to the family of Farnese was recent. The emperor still retained Placentia in his hands, and had not relinquished his pretensions to Parma as a fief of the empire. Gonzaga, the governor of Milan, having, by the part which he took in the murder of the late duke Peter Ludovico, offered an insult to the family of Farnese, which he knew could never be forgiven, had for that reason

The pope and emperor form a design to recover Parma and Placentia.

l Frediman Andreæ Zulich Dissertatio politico-historica de Nævis politicis Caroli V. Lips. 1706. 4to. p. 21.

m Sleid. 505. Thuan. 180, 238. Memoir. de Ribier, ii. 219, 281, 314. Adriani Istor. lib. viii. 507, 520.

vowed its destruction, and employed all the influence which his great abilities as well as long services gave him with the emperor, in persuading him to seize Parma by force of arms. Charles, in compliance with his solicitations, and that he might gratify his own desire of annexing Parma to the Milanese, listened to the proposal; and Gonzaga, ready to take encouragement from the slightest appearance of approbation, began to assemble troops and to make other preparations for the execution of his scheme.

Octavio Farnese courts the assistance of France.

Octavio, who saw the impending danger, found it necessary for his own safety to increase the garrison of his capital, and to levy soldiers for defending the rest of the country. But as the expense of such an effort far exceeded his scanty revenues, he represented his situation to the pope, and implored that protection and assistance which was due to him as a vassal of the church. The imperial minister, however, had already preoccupied the pope's ear; and by discoursing continually concerning the danger of giving offence to the emperor, as well as the imprudence of supporting Octavio in an usurpation so detrimental to the holy see, had totally alienated him from the family of Farnese. Octavio's remonstrance and petition met, of consequence, with a cold reception; and he, despairing of any assistance from Julius, began to look round for protection from some other quarter. Henry II. of France was the only prince powerful enough to afford him this protection, and fortunately he was now in a situation which allowed him to grant it. He had brought his transactions with the two British kingdoms, which had hitherto diverted his attention from the affairs of the continent, to such an issue as he desired. This he had effected partly by the vigour of his arms, partly by his dexterity in taking advantage of the political factions which raged in both kingdoms to such a degree, as rendered the councils of the Scots violent and precipitate, and the operations of the English feeble and unsteady. He had procured from the English favourable conditions of peace for his allies the Scots; he had prevailed on the nobles of Scotland not only to affiance their young queen to his son the dauphin, but even to send her into France, that she might be educated under his eye; and had recovered Boulogne, together with its dependences, which had been conquered by Henry VIII.

His league with Henry II.;

The French king having gained points of so much consequence to his crown, and disengaged himself with such honour from the burden of supporting the Scots and maintaining a war against England, was now at full leisure to pursue the measures which his hereditary jealousy of the emperor's power naturally suggested. He listened, accordingly, to the first overtures which Octavio Farnese made him; and embracing eagerly an opportunity of recovering footing in Italy, he instantly concluded a treaty in which he bound himself to espouse his cause, and to furnish him all the assistance which he desired. This transaction could not long be kept secret from the pope, who, foreseeing the calamities which must follow if war were rekindled so near the ecclesiastical state, immediately issued monitory letters, requiring Octavio to relinquish his new alliance. Upon his refusal to comply with the requisition, he soon after pronounced his fief to be forfeited, and declared war against him as a disobedient and rebellious vassal. But as with his own forces alone he could not hope to subdue Octavio while supported by such a powerful ally as the king of France, he had recourse to the emperor, who being extremely solicitous to prevent the establishment of the French in Parma, ordered Gonzaga to second Julius with all his troops. Thus the French took the field as the allies of Octavio; the imperialists as the protectors of the holy see; and hostilities commenced between them, while Charles and Henry themselves still affected to give out that they would adhere inviolably to the peace of Crespy. The war of Parma was not distinguished by any memorable event. Many small rencounters happened with alternate success; the French ravaged part of the ecclesiastical territories; the imperialists laid waste the Parmesan; and the latter, after having begun to besiege Parma in form, were obliged to abandon the enterprise with disgrace.[n]

occasions the renewal of hostilities between Charles and Henry;

But the motions and alarm which this war or the preparations for it occasioned in Italy, prevented most of the Italian prelates from repairing to Trent on the first of May, the day appointed for re-assembling the council; and though the papal legate and nuncios resorted thither, they were obliged to adjourn the council to the first of September, hoping such a number of prelates might then assemble, that they might with decency begin their deliberations. At that time about sixty prelates, mostly from the ecclesiastical state or from Spain, together with a few Germans, convened.[o] The session was opened with the accustomed formalities, and the fathers were about to proceed to business, when the abbot of Bellozane appeared, and presenting letters of credence as ambassador from the king of France, demanded audience. Having obtained it, he protested, in Henry's name, against an assembly called at such an improper juncture, when a war wantonly kindled by the pope made it impossible for the deputies from the Gallican church to resort to Trent in safety, or to deliberate concerning articles of faith and discipline with the requisite tranquillity; he declared that his master did not acknowledge this to be a general or œcumenic council, but must consider and

retards the meeting of the council.

Henry protests against the council.

n Adriani Istor. lib. viii. 505, 514, 524. Sleid. 513. Paruta, p. 220. Lettere del Caro scritte al nome del Card. Farnese, tom. ii. p. 11, &c.

o F. Paul, 258.

would treat it as a particular and partial convention.[p] The legate affected to despise this protest; and the prelates proceeded, notwithstanding, to examine and decide the great points in controversy, concerning the sacrament of the Lord's supper, penance, and extreme unction. This measure of the French monarch, however, gave a deep wound to the credit of the council at the very commencement of its deliberations. The Germans could not pay much regard to an assembly the authority of which the second prince in Christendom had formally disclaimed, or feel any great reverence for the decisions of a few men who arrogated to themselves all the rights belonging to the representatives of the church universal, a title to which they had such poor pretensions.

Violence of the emperor's proceedings against the protestants.

The emperor, nevertheless, was straining his authority to the utmost in order to establish the reputation and jurisdiction of the council. He had prevailed on the three ecclesiastical electors, the prelates of greatest power and dignity in the church next to the pope, to repair thither in person. He had obliged several German bishops of inferior rank to go to Trent themselves, or to send their proxies. He granted an imperial safe-conduct to the ambassadors nominated by the elector of Brandenburg, the duke of Wurtemburg, and other protestants, to attend the council; and exhorted them to send their divines thither, in order to propound, explain, and defend their doctrine. At the same time his zeal anticipated the decrees of the council; and as if the opinions of the protestants had already been condemned, he took large steps towards exterminating them. With this intention he called together the ministers of Augsburg; and after interrogating them concerning several controverted points, enjoined them to teach nothing, with respect to these, contrary to the tenets of the Romish church. Upon their declining to comply with a requisition so contrary to the dictates of their consciences, he commanded them to leave the town in three days, without revealing to any person the cause of their banishment; he prohibited them to preach for the future in any province of the empire; and obliged them to take an oath that they would punctually obey these injunctions. They were not the only victims to his zeal. The protestant clergy in most of the cities in the circle of Suabia were ejected with the same violence; and in many places, such magistrates as had distinguished themselves by their attachment to the new opinions were dismissed with the most abrupt irregularity, and their offices filled, in consequence of the emperor's arbitrary appointment, with the most bigoted of their adversaries. The reformed worship was almost entirely suppressed throughout that extensive province. The ancient and fundamental privileges of the free cities were violated. The people were compelled to attend the ministration of priests whom they regarded with horror as idolaters, and to submit to the jurisdiction of magistrates whom they detested as usurpers.[q]

His endeavours to support the council.

The emperor, after this discovery, which was more explicit than any that he had hitherto made, of his intention to subvert the German constitution, as well as to extirpate the protestant religion, set out for Inspruck in the Tyrol. He fixed his residence in that city, as, by his situation in the neighbourhood of Trent and on the confines of Italy, it appeared a commodious station whence he might inspect the operations of the council and observe the progress of the war in the Parmesan, without losing sight of such occurrences as might happen in Germany.[r]

November.

The siege of Magdeburg.

During these transactions the siege of Magdeburg was carried on with various success. At the time when Charles proscribed the citizens of Magdeburg, and put them under the ban of the empire, he had exhorted and even enjoined all the neighbouring states to take arms against them as rebels and common enemies. Encouraged by his exhortations as well as promises, George of Mecklenburg, a younger brother of the reigning duke, an active and ambitious prince, collected a considerable number of those soldiers of fortune who had accompanied Henry of Brunswick in all his wild enterprises; and though a zealous Lutheran himself, invaded the territories of the Magdeburgers, hoping that by the merit of this service he might procure some part of their domains to be allotted to him as an establishment. The citizens, unaccustomed as yet to endure patiently the calamities of war, could not be restrained from sallying out in order to save their lands from being laid waste. They attacked the duke of Mecklenburg with more resolution than conduct, and were repulsed with great slaughter. But as they were animated with that unconquerable spirit which flows from zeal for religion co-operating with the love of civil liberty, far from being disheartened by their misfortune, they prepared to defend themselves with vigour. Many of the veteran soldiers who had served in the long wars between the emperor and king of France, crowding to their standards under able and experienced officers, the citizens acquired military skill by degrees, and added all the advantages of that to the efforts of undaunted courage. The duke of Mecklenburg, notwithstanding the severe blow which he had given the Magdeburgers, not daring to invest a town strongly fortified, and defended by such a garrison, continued to ravage the open country.

Maurice takes the command of the army which carried on the siege.

As the hopes of booty drew many adventurers to the camp of this young prince, Maurice of Saxony began to be jealous of the power which he possessed by being at the head of such a numerous body, and marching towards Magdeburg with his own troops, assumed the supreme command of the whole army, an honour to which his high rank and

p Sleid. 518. Thuan. 282. F. Paul, 301.

q Sleid. 516, 528. Thuan. 276.

r Sleid. 329.

great abilities, as well as the nomination of the diet, gave him an indisputable title. With this united force he invested the town, and began the siege in form; claiming great merit with the emperor on that account, as, from his zeal to execute the imperial decree, he was exposing himself once more to the censures and maledictions of the party with which he agreed in religious sentiments. But the approaches to the town went on slowly; the garrison interrupted the besiegers by frequent sallies, in one of which George of Mecklenburg was taken prisoner, levelled part of their works, and cut off the soldiers in their advanced posts. While the citizens of Magdeburg, animated by the discourses of their pastors, and the soldiers, encouraged by the example of their officers, endured all the hardships of a siege without murmuring, and defended themselves with the same ardour which they had at first discovered, —the troops of the besiegers acted with extreme remissness, repining at every thing that they suffered in a service which they disliked. They broke out more than once into open mutiny, demanding the arrears of their pay, which, as the members of the Germanic body sent in their contributions towards defraying the expenses of the war sparingly and with great reluctance, amounted to a considerable sum.[s] Maurice, too, had particular motives, though such as he durst not avow at that juncture, which induced him not to push the siege with vigour, and made him choose rather to continue at the head of an army exposed to all the imputations which his dilatory proceedings drew upon him than to precipitate a conquest that might have brought him some accession of reputation, but would have rendered it necessary to disband his forces.

The city surrenders to Maurice.

At last the inhabitants of the town beginning to suffer distress from want of provisions, and Maurice finding it impossible to protract matters any longer without filling the emperor with such suspicions as might have disconcerted all his measures, he concluded a treaty of capitulation with the city upon the following conditions:—That the Magdeburgers should humbly implore pardon of the emperor; that they should not for the future take arms or enter into any alliance against the house of Austria; that they should submit to the authority of the imperial chamber; that they should conform to the decree of the diet at Augsburg with respect to religion; that the new fortifications added to the town should be demolished; that they should pay a fine of fifty thousand crowns, deliver up twelve pieces of ordnance to the emperor, and set the duke of Mecklenburg, together with their other prisoners, at liberty without ransom. Next day their garrison marched out, and Maurice took possession of the town with great military pomp.

Nov. 3.

Maurice's views at this juncture.

Before the terms of capitulation were settled, Maurice had held many conferences with Albert, count Mansfeldt, who had the chief command in Magdeburg. He consulted likewise with count Heideck, an officer who had served with great reputation in the army of the league of Smalkalde, whom the emperor had proscribed on account of his zeal for that cause, but whom Maurice had, notwithstanding, secretly engaged in his service, and admitted into the most intimate confidence. To them he communicated a scheme which he had long revolved in his mind, for procuring liberty to his father-in-law, the landgrave, for vindicating the privileges of the Germanic body, and setting bounds to the dangerous encroachments of the imperial power. Having deliberated with them concerning the measures which might be necessary for securing the success of such an arduous enterprise, he gave Mansfeldt secret assurances that the fortifications of Magdeburg should not be destroyed, and that the inhabitants should neither be disturbed in the exercise of their religion nor be deprived of any of their ancient immunities. In order to engage Maurice more thoroughly from considerations of interest to fulfil these engagements, the senate of Magdeburg elected him their Burgrave, a dignity which had formerly belonged to the electoral house of Saxony, and which entitled him to a very ample jurisdiction not only in the city but in its dependences.[t]

The advantages he derived from his negociations with the Magdeburgers.

Thus the citizens of Magdeburg, after enduring a siege of twelve months, and struggling for their liberties, religious and civil, with an invincible fortitude worthy of the cause in which it was exerted, had at last the good fortune to conclude a treaty which left them in a better condition than the rest of their countrymen, whom their timidity or want of public spirit had betrayed into such mean submissions to the emperor. But while a great part of Germany applauded the gallant conduct of the Magdeburgers, and rejoiced in their having escaped the destruction with which they had been threatened, all admired Maurice's address in the conduct of his negociation with them, as well as the dexterity with which he converted every event to his own advantage. They saw with amazement, that after having afflicted the Magdeburgers during many months with all the calamities of war, he was at last, by their voluntary election, advanced to the station of highest authority in that city which he had so lately besieged; that after having been so long the object of their satirical invective as an apostate and an enemy to the religion which he professed, they seemed now to place unbounded confidence in his zeal and good-will.[u] At the same time the public articles in the treaty of capitulation were so perfectly conformable to those which the emperor had granted to the other protestant cities, and Maurice took such care to magnify his merit in having reduced a place which had defended itself with so

s Thuan. 277. Sleid. 514.

t Sleid. 528. Thuan. 276. Obsidionis Magdeburgici Descriptio per Sebast. Besselmeierum, ap. Scard. ii. 518.

u Arnoldi Vita Maurit. apud Menken, ii. 1227.

much obstinacy, that Charles, far from suspecting any thing fraudulent or collusive in the terms of accommodation, ratified them without hesitation, and absolved the Magdeburgers from the sentence of ban which had been denounced against them.

His expedient for keeping an army on foot.

The only point that now remained to embarrass Maurice was how to keep together the veteran troops which had served under him, as well as those which had been employed in the defence of the town. For this, too, he found an expedient with singular art and felicity. His schemes against the emperor were not yet so fully ripened that he durst venture to disclose them, and proceed openly to carry them into execution. The winter was approaching, which made it impossible to take the field immediately. He was afraid that it would give a premature alarm to the emperor if he should retain such a considerable body in his pay until the season of action returned in the spring. As soon, then, as Magdeburg opened its gates, he sent home his Saxon subjects, whom he could command to take arms and re-assemble on the shortest warning; and at the same time paying part of the arrears due to the mercenary troops who had followed his standard, as well as to the soldiers who had served in the garrison, he absolved them from their respective oaths of fidelity, and disbanded them. But the moment he gave them their discharge, George of Mecklenburg, who was now set at liberty, offered to take them into his service, and to become surety for the payment of what was still owing to them. As such adventurers were accustomed often to change masters, they instantly accepted the offer. Thus these troops were kept united, and ready to march wherever Maurice should call them, while the emperor, deceived by this artifice, and imagining that George of Mecklenburg had hired them with an intention to assert his claim to a part of his brother's territories by force of arms, suffered this transaction to pass without observation, as if it had been a matter of no consequence.[x]

His address in concealing his intentions from the emperor.

Having ventured to take these steps, which were of so much consequence towards the execution of his schemes, Maurice, that he might divert the emperor from observing their tendency too narrowly, and prevent the suspicions which that must have excited, saw the necessity of employing some new artifice in order to engage his attention and to confirm him in his present security. As he knew that the chief object of the emperor's solicitude at this juncture, was how he might prevail with the protestant states of Germany to recognise the authority of the council of Trent, and to send thither ambassadors in their own name, as well as deputies from their respective churches, he took hold of this predominating passion in order to amuse and to deceive him. He affected a wonderful zeal to gratify Charles in what he desired with regard to this matter; he nominated ambassadors whom he empowered to attend the council; he made choice of Melancthon and some of the most eminent among his brethren to prepare a confession of faith, and to lay it before that assembly. After his example, and probably in consequence of his solicitations, the duke of Wurtemburg, the city of Strasburg, and other protestant states, appointed ambassadors and divines to attend the council. They all applied to the emperor for his safe-conduct, which they obtained in the most ample form. This was deemed sufficient for the security of the ambassadors, and they proceeded accordingly on their journey: but a separate safe-conduct from the council itself was demanded for the protestant divines. The fate of John Huss and Jerome of Prague, whom the council of Constance, in the preceding century, had condemned to the flames without regarding the imperial safe-conduct which had been granted them, rendered this precaution prudent and necessary. But as the pope was no less unwilling that the protestants should be admitted to a hearing in the council than the emperor had been eager in bringing them to demand it, the legate, by promises and threats, prevailed on the fathers of the council to decline issuing a safe-conduct in the same form with that which the council of Basil had granted to the followers of Huss. The protestants, on their part, insisted upon the council's copying the precise words of that instrument. The imperial ambassadors interposed, in order to obtain what would satisfy them. Alterations in the form of the writ were proposed; expedients were suggested; protests and counter-protests were taken: the legate, together with his associates, laboured to gain their point by artifice and chicane; the protestants adhered to theirs with firmness and obstinacy. An account of every thing that passed in Trent was transmitted to the emperor at Inspruck, who attempting, from an excess of zeal or of confidence in his own address, to reconcile the contending parties, was involved in a labyrinth of inextricable negociations. By means of this, however, Maurice gained all that he had in view; the emperor's time was wholly engrossed and his attention diverted; while he himself had leisure to mature his schemes, to carry on his intrigues, and to finish his preparations, before he threw off the mask, and struck the blow which he had so long meditated.[y]

The affairs of Hungary.

But previous to entering into any further detail concerning Maurice's operations, some account must be given of a new revolution in Hungary, which contributed not a little towards their producing such extraordinary effects. When Solyman, in the year 1541, by a stratagem which suited the base and insidious policy of a petty usurper rather than the magnanimity of a mighty conqueror, deprived the young king of Hungary of the dominions which his father had left him, he had granted that unfortunate prince the country

x Thuan. 278. Struv. Corp. Hist. Germ. 1061. Arnoldi vita Mauritii, apud Menken, ii. 1227.

y Sleid. 526, 529. F. Paul, 323, 338. Thuan. 286.

of Transylvania, a province of his paternal kingdom. The government of this, together with the care of educating the young king, for he still allowed him to retain that empty title, though he had rendered it only an empty name, he committed to the queen and Martinuzzi, bishop of Waradin, whom the late king had appointed joint guardians of his son and regents of his dominions, at a time when those offices were of greater importance. This co-ordinate jurisdiction occasioned the same dissensions in a small principality as it would have excited in a great kingdom; an ambitious young queen, possessed with a high opinion of her own capacity for governing, and a high-spirited prelate, fond of power, contending who should engross the greatest share in the administration. Each had their partisans among the nobles; but as Martinuzzi, by his great talents, began to acquire the ascendant, Isabella turned his own arts against him, and courted the protection of the Turks.

Martinuzzi favours Ferdinand's pretensions in that kingdom.

The neighbouring bashaws, jealous of the bishop's power as well as abilities, readily promised her the aid which she demanded, and would soon have obliged Martinuzzi to have given up to her the sole direction of affairs, if his ambition, fertile in expedients, had not suggested to him a new measure, and one that tended not only to preserve but to enlarge his authority. Having concluded an agreement with the queen by the mediation of some of the nobles, who were solicitous to save their country from the calamities of a civil war, he secretly despatched one of his confidants to Vienna, and entered into a negociation with Ferdinand. As it was no difficult matter to persuade Ferdinand that the same man whose enmity and intrigues had driven him out of a great part of his Hungarian dominions, might, upon a reconciliation, become equally instrumental in recovering them, he listened eagerly to the first overtures of an union with that prelate. Martinuzzi allured him by such prospects of advantage, and engaged with so much confidence that he would prevail on the most powerful of the Hungarian nobles to take arms in his favour, that Ferdinand, notwithstanding his truce with Solyman, agreed to invade Transylvania. The command of the troops destined for that service, consisting of veteran Spanish and German soldiers, was given to Castaldo, marquis de Piadena, an officer formed by the famous marquis de Pescara, whom he strongly resembled, both in his enterprising genius for civil business and in his great knowledge in the art of war. This army, more formidable by the discipline of the soldiers and the abilities of the general than by its numbers, was powerfully seconded by Martinuzzi and his faction among the Hungarians. As the Turkish bashaws, the sultan himself being at the head of his army on the frontiers of Persia, could not afford the queen such immediate or effectual assistance as the exigency of her affairs required, she quickly lost all hopes of being able to retain any longer the authority which she possessed as regent, and even began to despair of her son's safety.

The success of his measures.

Martinuzzi did not suffer this favourable opportunity of accomplishing his own designs to pass unimproved; and ventured, while she was in this state of dejection, to lay before her a proposal which at any other time she would have rejected with disdain. He represented how impossible it was for her to resist Ferdinand's victorious arms; that even if the Turks should enable her to make head against them, she would be far from changing her condition for the better, and could not consider them as deliverers, but as masters to whose commands she must submit; he conjured her, therefore, as she regarded her own dignity, the safety of her son, or the security of Christendom, rather to give up Transylvania to Ferdinand, and to make over to him her son's title to the crown of Hungary, than to allow both to be usurped by the inveterate enemy of the christian faith. At the same time he promised her, in Ferdinand's name, a compensation for herself as well as for her son, suitable to their rank, and proportional to the value of what they were to sacrifice. Isabella, deserted by some of her adherents, distrusting others, destitute of friends, and surrounded by Castaldo's and Martinuzzi's troops, subscribed these hard conditions, though with a reluctant hand. Upon this she surrendered such places of strength as were still in her possession; she gave up all the ensigns of royalty, particularly a crown of gold which, as the Hungarians believed, had descended from heaven, and conferred on him who wore it an undoubted right to the throne. As she could not bear to remain a private person in a country where she had once enjoyed sovereign power, she instantly set out with her son for Silesia, in order to take possession of the principalities of Oppelen and Ratibor, the investiture of which Ferdinand had engaged to grant her son, and likewise to bestow one of his daughters upon him in marriage.

Appointed governor of that part of Hungary which was subject to Ferdinand.

Upon the resignation of the young king, Martinuzzi, and after his example the rest of the Transylvanian grandees, swore allegiance to Ferdinand, who, in order to testify his grateful sense of the zeal as well success with which that prelate had served him, affected to distinguish him by every possible mark of favour and confidence. He appointed him governor of Transylvania with almost unlimited authority; he publicly ordered Castaldo to pay the greatest deference to his opinion and commands; he increased his revenues, which were already very great, by new appointments; he nominated him archbishop of Gran, and prevailed on the pope to raise him to the dignity of a cardinal. All this ostentation of good-will, however, was void of sincerity, and calculated to conceal sentiments the most perfectly its reverse. Ferdinand dreaded Martinuzzi's abilities; distrusted his fidelity; and foresaw that as his extensive authority enabled him

to check any attempt towards circumscribing or abolishing the extensive privileges which the Hungarian nobility possessed, he would stand forth on every occasion the guardian of the liberties of his country, rather than act the part of a viceroy devoted to the will of his sovereign.

Ferdinand begins to form designs against him.

For this reason he secretly gave it in charge to Castaldo to watch his motions, to guard against his designs, and to thwart his measures. But Martinuzzi, either because he did not perceive that Castaldo was placed as a spy on his actions, or because he despised Ferdinand's insidious arts, assumed the direction of the war against the Turks with his usual tone of authority, and conducted it with great magnanimity and no less success. He recovered some places of which the infidels had taken possession; he rendered their attempts to reduce others abortive; and established Ferdinand's authority not only in Transylvania, but in the Bannat of Temeswar and several of the countries adjacent. In carrying on these operations he often differed in sentiments from Castaldo and his officers, and treated the Turkish prisoners with a degree not only of humanity but even of generosity, which Castaldo loudly condemned. This was represented at Vienna as an artful method of courting the friendship of the infidels, that, by securing their protection, he might shake off all dependence upon the sovereign whom he now acknowledged. Though Martinuzzi, in justification of his own conduct, contended that it was impolitic by unnecessary severities to exasperate an enemy prone to revenge, Castaldo's accusations gained credit with Ferdinand, prepossessed already against Martinuzzi, and jealous of every thing that could endanger his own authority in Hungary, in proportion as he knew it to be precarious and ill-established. These suspicions Castaldo confirmed and strengthened by the intelligence which he transmitted continually to his confidants at Vienna. By misrepresenting what was innocent, and putting the worst construction on what seemed dubious in Martinuzzi's conduct; by imputing to him designs which he never formed, and charging him with actions of which he was not guilty,—he at last convinced Ferdinand, that in order to preserve his Hungarian crown, he must cut off that ambitious prelate. But Ferdinand, foreseeing that it would be dangerous to proceed in the regular course of law against a subject of such exorbitant power as might enable him to set his sovereign at defiance, determined to employ violence in order to obtain that satisfaction which the laws were too feeble to afford him.

He is assassinated by his command.

He issued his orders accordingly to Castaldo, who willingly undertook that infamous service. Having communicated the design to some Italian and Spanish officers whom he could trust, and concerted with them the plan of executing it, they entered Martinuzzi's apartment early one morning, Dec. 18. under pretence of presenting to him some despatches which were to be sent off immediately to Vienna; and while he perused a paper with attention, one of their number struck him with his poniard in the throat. The blow was not mortal. Martinuzzi started up with the intrepidity natural to him, and grappling the assassin, threw him to the ground. But the other conspirators rushing in, an old man unarmed and alone was unable long to sustain such an unequal conflict, and sunk under the wounds which he received from so many hands. The Transylvanians were restrained by dread of the foreign troops stationed in their country, from rising in arms in order to take vengeance on the murderers of a prelate who had long been the object of their love as well as veneration. They spoke of the deed, however, with horror and execration; and exclaimed against Ferdinand, whom neither gratitude for recent and important services, nor reverence for a character considered as sacred and inviolable among christians, could restrain from shedding the blood of a man whose only crime was attachment to his native country. The nobles, detesting the jealous as well as cruel policy of a court which, upon uncertain and improbable surmises, had given up a person no less conspicuous for his merit than his rank to be butchered by assassins, either retired to their own estates, or if they continued with the Austrian army, grew cold to the service. The Turks, encouraged by the death of an enemy whose abilities they knew and dreaded, prepared to renew hostilities early in the spring; and instead of the security which Ferdinand had expected from the removal of Martinuzzi, it was evident that his territories in Hungary were about to be attacked with greater vigour and defended with less zeal than ever.[z]

The effect of that violent action.

Maurice courts the protection of the French king.

By this time Maurice, having almost finished his intrigues and preparations, was on the point of declaring his intentions openly, and of taking the field against the emperors. His first care, after he came to this resolution, was to disclaim that narrow and bigoted maxim of the confederates of Smalkalde, which had led them to shun all connexion with foreigners. He had observed how fatal this had been to their cause; and instructed by their error, he was as eager to court the protection of Henry II. as they had been solicitous to prevent the interposition of Francis I. Happily for him, he found Henry in a disposition to listen to the first overture on his part, and in a situation which enabled him to bring the whole force of the French monarchy into action. Henry had long observed the progress of the emperor's arms with jealousy, and wished to distinguish himself by entering the lists against the same

z Sleid. 535. Thuan. lib. ix. 309, &c. Istuanhaffii Hist. Regn. Hungarici, lib. xvi. 189, &c. Mem. de Ribier, ii. 871. Natalis Comitis Historia, ib. iv. 84, &c.

enemy whom it had been the glory of his father's reign to oppose. He had laid hold on the first opportunity in his power of thwarting the emperor's designs, by taking the duke of Parma under his protection; and hostilities were already begun, not only in that duchy but in Piedmont. Having terminated the war with England by a peace no less advantageous to himself than honourable for his allies the Scots, the restless and enterprising courage of his nobles was impatient to display itself on some theatre of action more conspicuous than the petty operations in Parma or Piedmont afforded them.

His treaty with him.

John de Fienne, bishop of Bayonne, whom Henry had sent into Germany under pretence of hiring troops to be employed in Italy, was empowered to conclude a treaty in form with Maurice and his associates. As it would have been very indecent in a king of France to have undertaken the defence of the protestant church, the interests of religion, how much soever they might be affected by the treaty, were not once mentioned in any of the articles. Religious concerns they pretended to commit to the disposition of Divine Providence; the only motives assigned for their present confederacy against Charles were to procure the landgrave liberty, and to prevent the subversion of the ancient constitution and laws of the German empire. In order to accomplish these ends, it was agreed that all the contracting parties should at the same time declare war against the emperor; that neither peace nor truce should be made but by common consent, nor without including each of the confederates; that in order to guard against the inconveniences of anarchy or of pretensions to joint command, Maurice should be acknowledged as head of the German confederates, with absolute authority in all military affairs; that Maurice and his associates should bring into the field seven thousand horse, with a proportional number of infantry; that towards the subsistence of this army, during the first three months of the war, Henry should contribute two hundred and forty thousand crowns, and afterwards sixty thousand crowns a month, as long as they continued in arms; that Henry should attack the emperor on the side of Lorrain with a powerful army; that if it were found requisite to elect a new emperor, such a person should be nominated as shall be agreeable to the king of France.[a] This treaty was concluded on the fifth of October, some time before Magdeburg surrendered, and the preparatory negociations were conducted with such profound secrecy, that of all the princes who afterwards aceeded to it, Maurice communicated what he was carrying on to two only, John Albert, the reigning duke of Mecklenburg, and William of Hesse, the landgrave's eldest son. The league itself was no less anxiously concealed, and with such fortunate care, that no rumour concerning it reached the ears of the emperor or his ministers, nor do they seem to have conceived the most distant suspicion of such a transaction.

Solicits the aid of Edward VI. of England.

At the same time, with a solicitude which was careful to draw some accession of strength from every quarter, Maurice applied to Edward VI. of England, and requested a subsidy of four hundred thousand crowns for the support of a confederacy formed in defence of the protestant religion. But the factions which prevailed in the English court during the minority of that prince, and which deprived both the councils and arms of the nation of their wonted vigour, left the English ministers neither time nor inclination to attend to foreign affairs, and prevented Maurice's obtaining that aid which their zeal for the Reformation would have prompted them to grant him.[b]

Demands once more that the landgrave should be set at liberty.

Maurice, however, having secured the protection of such a powerful monarch as Henry II., proceeded with great confidence, but with equal caution, to execute his plan. As he judged it necessary to make one effort more in order to obtain the emperor's consent that the landgrave should be set at liberty, he sent a solemn embassy in his own name and in that of the elector of Brandenburg, to Inspruck. After resuming at great length all the facts and arguments upon which they founded their claim, and representing in the strongest terms the peculiar engagements which bound them to be so assiduous in their solicitations, they renewed the request in behalf of the unfortunate prisoner, which they had so often preferred in vain. The elector palatine, the duke of Wurtemburg, the dukes of Mecklenburg, the duke of Deuxponts, the marquis of Brandenburg-Bareith, and the marquis of Baden, by their ambassadors, concurred with them in their suit. Letters were likewise delivered to the same effect from the king of Denmark, the duke of Bavaria, and the dukes of Lunenburg. Even the king of the Romans joined in this application, being moved with compassion towards the landgrave in his wretched situation, or influenced, perhaps, by a secret jealousy of his brother's power and designs, which, since his attempt to alter the order of succession in the empire, he had come to view with other eyes than formerly, and dreaded to a great degree.

December.

But Charles, constant to his own system with regard to the landgrave, eluded a demand urged by such powerful intercessors; and having declared that he would communicate his resolution concerning the matter to Maurice as soon as he arrived at Inspruck, where he was every day expected, he did not deign to descend into any more particular explication of his intentions.[c] This application, though of no benefit to the landgrave, was of great advantage to Maurice. It served to justify his subse-

a Recueil des Traitez, tom. ii. 258. Thuan. lib. viii. 279.
b Burnet's Hist. of the Reform. vol. ii. Append. 37.
c Sleid. 531. Thuan. lib. viii. 280.

quent proeeedings, and to demonstrate the necessity of employing arms in order to extort that equitable concession which his mediation or entreaty could not obtain. It was of use, too, to confirm the emperor in his security, as both the solemnity of the application, and the solicitude with which so many princes were drawn in to enforce it, led him to conclude that they placed all their hopes of restoring the landgrave to liberty in gaining his eonsent to dismiss him.

1552. Maurice continues to amuse the emperor.

Maurice employed artifices still more refined to conceal his machinations, to amuse the emperor, and to gain time. He affected to be more solicitous than ever to find out some expedient for removing the difficulties with regard to the safe-conduct for the protestant divines appointed to attend the council, so that they might repair thither without any apprehension of danger. His ambassadors at Trent had frequent conferences concerning this matter with the imperial ambassadors in that city, and laid open their sentiments to them with the appearanee of the most unreserved confidence. He was willing, at last, to have it believed that he thought all differenees with respect to this preliminary artiele were on the point of being adjusted; and in order to give credit to this opinion, he commanded Melancthon, together with his brethren, to set out on their journey to Trent. At the same time he held a close correspondence with the imperial eourt at Inspruck, and renewed on every occasion his professions not only of fidelity but of attachment to the emperor. He talked continually of his intention of going to Inspruck in person; he gave orders to hire a house for him in that eity, and to fit it up with the greatest despateh for his reeeption.[d]

The emperor conceives some suspicion concerning his intentions.

But profoundly skilled as Maurice was in the arts of deceit, and impenetrable as he thought the veil to be under which he eoncealed his designs, there were several things in his conduet which alarmed the emperor amidst his seeurity, and tempted him frequently to suspect that he was meditating something extraordinary. As these suspicions took their rise from circumstances ineonsiderable in themselves, or of an ambiguous as well as uncertain nature, they were more than counterbalanced by Maurice's address; and the emperor would not lightly give up his confidenee in a man whom he had onee trusted and loaded with favours. One partieular alone seemed to be of such consequenee, that he thought it neeessary to demand an explanation with regard to it. The troops which George of Mecklenburg had taken into pay after the eapitulation of Magdeburg having fixed their quarters in Thuringia, lived at discretion on the lands of the rich ecclesiastics in their neighbourhood. Their licence and rapaciousness were intolerable. Sueh as felt or dreaded their exaetions complained loudly to the emperor, and represented them as a body of men kept in readiness for some desperate enterprise. But Maurice, partly by extenuating the enormities of which they had been guilty, partly by representing the impossibility of disbanding these troops, or of keeping them to regular discipline, unless the arrears still due to them by the emperor were paid, either removed the apprehensions which this had occasioned, or, as Charles was not in a condition to satisfy the demands of these soldiers, obliged him to be silent with regard to the matter.[e]

Maurice prepares for action.

The time of action was now approaching. Maurice had privately despatched Albert of Brandenburg to Paris, in order to confirm his league with Henry, and to hasten the march of the French army. He had taken measures to bring his own subjects together on the first summons; he had provided for the security of Saxony while he should be absent with the army; and he held the troops in Thuringia, on which he chiefly depended, ready to advance on a moment's warning. All these complicated operations were carried on without being discovered by the court at Inspruck, and the emperor remained there in perfeet tranquillity, busied entirely in counteraeting the intrigues of the pope's legate at Trent, and in settling the conditions on which the protestant divines should be admitted into the council, as if there had not been any transaction of greater moment in agitation.

Circumstances which contributed to deceive the emperor;

This eredulous security in a prince who, by his sagacity in observing the conduct of all around him, was commonly led to an excess of distrust, may seem unaccountable, and has been imputed to infatuation. But besides the exquisite address with which Maurice concealed his intentions, two eircumstances contributed to the delusion. The gout had returned upon Charles, soon after his arrival at Inspruck, with an increase of violence; and his constitution being broken by such frequent attacks, he was seldom able to exert his natural vigour of mind, or to consider affairs with his usual vigilance and penetration; and Granvelle, bishop of Arras, his prime minister, though one of the most subtle statesmen of that or perhaps of any age, was on this occasion the dupe of his own craft. He entertained such a high opinion of his own abilities, and held the political talents of the Germans in such contempt, that he despised all the intimations given him concerning Maurice's secret machinations or the dangerous designs which he was carrying on. When the duke of Alva, whose dark suspicious mind harboured many doubts eoneerning the elector's sineerity, proposed calling him immediately to court to answer for his conduct, Granvelle replied with great scorn, That these apprehensions were groundless, and that a drunken German head was too gross to form any scheme which he could not easily penetrate and baffle. Nor did he assume this peremptory tone

and his ministers.

d Arnoldi Vita Maurit. ap. Menken. ii. 1229.

e Sleid. 549. Thuan. 339.

merely from confidence in his own discernment; he had bribed two of Maurice's ministers, and received from them frequent and minute information concerning all their master's motions. But through this very channel, by which he expected to gain access to all Maurice's counsels, and even to his thoughts, such intelligence was conveyed to him as completed his deception. Maurice fortunately discovered the correspondence of the two traitors with Granvelle; but instead of punishing them for their crime, he dexterously availed himself of their fraud, and turned his own arts against the bishop. He affected to treat these ministers with greater confidence than ever; he admitted them to his consultations; he seemed to lay open his heart to them; and taking care all the while to let them be acquainted with nothing but what it was his interest should be known, they transmitted to Inspruck such accounts as possessed Granvelle with a firm belief of his sincerity as well as good intentions.[f] The emperor himself, in the fullness of security, was so little moved by a memorial in the name of the ecclesiastical electors, admonishing him to be on his guard against Maurice, that he made light of this intelligence; and his answer to them abounds with declarations of his entire and confident reliance on the fidelity as well as attachment of that prince.[g]

Maurice takes the field against the emperor.

At last Maurice's preparations were completed, and he had the satisfaction to find that his intrigues and designs were still unknown. But though now ready to take the field, he did not lay aside the arts which he had hitherto employed; and by one piece of craft more, he deceived his enemies a few days longer. He gave out that he was about to begin that journey to Inspruck of which he had so often talked, and he took one of the ministers whom Granvelle had bribed, to attend him thither. After travelling post a few stages, he pretended to be indisposed by the fatigue of the journey; and despatching the suspected minister to make his apology to the emperor for this delay, and to assure him that he would be at Inspruck within a few days, he mounted on horseback as soon as this spy on his actions was gone, rode full speed towards Thuringia, joined his army, which amounted to twenty thousand foot and five thousand horse, and put it immediately in motion.[h]

March 18.

Publishes a manifesto, justifying his conduct.

At the same time he published a manifesto containing his reasons for taking arms. These were three in number: That he might secure the protestant religion, which was threatened with immediate destruction; that he might maintain the constitution and laws of the empire, and save Germany from being subjected to the dominion of an absolute monarch; that he might deliver the landgrave of Hesse from the miseries of a long and unjust imprisonment. By the first he roused all the favourers of the Reformation, a party formidable by their zeal as well as numbers, and rendered desperate by oppression. By the second he interested all the friends of liberty, catholics no less than protestants, and made it their interest to unite with him in asserting the rights and privileges common to both. The third, besides the glory which he acquired by his zeal to fulfil his engagements to the unhappy prisoner, was become a cause of general concern, not only from the compassion which the landgrave's sufferings excited, but from indignation at the injustice and rigour of the emperor's proceedings against him. Together with Maurice's manifesto, another appeared in the name of Albert, marquis of Brandenburg-Culmbach, who had joined him with a body of adventurers whom he had drawn together. The same grievances which Maurice had pointed out are mentioned in it, but with an excess of virulence and animosity suitable to the character of the prince in whose name it was published.

He is powerfully supported by the French king.

The king of France added to these a manifesto in his own name; in which, after taking notice of the ancient alliance between the French and German nations, both descended from the same ancestors, and after mentioning the applications which, in consequence of this, some of the most illustrious among the German princes had made to him for his protection, he declared that he now took arms to re-establish the ancient constitution of the empire, to deliver some of its princes from captivity, and to secure the privileges and independence of all the members of the Germanic body. In this manifesto Henry assumed the extraordinary title of *Protector of the Liberties of Germany and of its captive Princes;* and there was engraved on it a cap, the ancient symbol of freedom, placed between two daggers, in order to intimate to the Germans that this blessing was to be acquired and secured by force of arms.[i]

Maurice's operations in the field.

Maurice had now to act a part entirely new, but his flexible genius was capable of accommodating itself to every situation. The moment he took arms he was as bold and enterprising in the field as he had been cautious and crafty in the cabinet. He advanced by rapid marches towards the Upper Germany. All the towns in his way opened their gates to him. He reinstated the magistrates whom the emperor had deposed, and gave possession of the churches to the protestant ministers whom he had ejected. He directed his march to Augsburg: and as the imperial garrison, which was too inconsiderable to think of defending it, retired immediately, he took possession of that great city, and made the same changes there as in the towns through which he had passed.[k]

April 1.

f Melvil's Memoirs, fol. edit. p. 12. g Sleid. 535.
h Melv. Mem. p. 13. These circumstances concerning the Saxon ministers whom Granvelle had bribed are not mentioned by the German historians; but as sir James Melvil received his information from the elector Palatine, and as they are perfectly agreeable to the rest of Maurice's conduct, they may be considered as authentic.
i Sleid. 549. Thuan. lib. x. 339. Mem. de Ribier, ii. 371.
k Sleid. 555. Thuan. 342.

The emperor's astonishment and distress.

No words can express the emperor's astonishment and consternation at events so unexpected. He saw a great number of the German princes in arms against him, and the rest either ready to join them or wishing success to their enterprise. He beheld a powerful monarch united with them in close league, seconding their operations in person at the head of a formidable army, while he, through negligence and credulity, which exposed him no less to scorn than to danger, had neither made nor was in condition to make any effectual provision, either for crushing his rebellious subjects or resisting the invasion of the foreign enemy. Part of his Spanish troops had been ordered into Hungary against the Turks; the rest had marched back to Italy upon occasion of the war in the duchy of Parma. The bands of veteran Germans had been dismissed because he was not able to pay them, or had entered into Maurice's service after the siege of Magdeburg; and he remained at Inspruck with a body of soldiers hardly strong enough to guard his own person. His treasury was as much exhausted as his army was reduced. He had received no remittances for some time from the New World. He had forfeited all credit with the merchants of Genoa and Venice, who refused to lend him money, though tempted by the offer of exorbitant interest. Thus Charles, though undoubtedly the most considerable potentate in Christendom, and capable of exerting the greatest strength, (his power, notwithstanding the violent attack made upon it, being still unimpaired,) found himself in a situation which rendered him unable to make such a sudden and vigorous effort as the juncture required, and was necessary to have saved him from the present danger.

Endeavours to gain time by a negociation.

In this situation the emperor placed all his hopes on negociation, the only resource of such as are conscious of their own weakness. But thinking it inconsistent with his dignity to make the first advances to subjects who were in arms against him, he avoided that indecorum by employing the mediation of his brother Ferdinand. Maurice, confiding in his own talents to conduct any negociation in such a manner as to derive advantage from it, and hoping that, by the appearance of facility in hearkening to the first overture of accommodation, he might amuse the emperor, and tempt him to slacken the activity with which he was now preparing to defend himself, readily agreed to an interview with Ferdinand in the town of Lintz in Austria; and having left his army to proceed on its march under the command of the duke of Mecklenburg, he repaired thither.

Progress of the French army.

Meanwhile the king of France punctually fulfilled his engagements to his allies. He took the field early, with a numerous and well appointed army; and marching directly into Lorrain, Toul and Verdun opened their gates at his approach. His forces appeared next before Metz, and that city, by a fraudulent stratagem of the constable Montmorency, who having obtained permission to pass through it with a small guard, introduced as many troops as were sufficient to overpower the garrison, was likewise seized without bloodshed. Henry made his entry into all these towns with great pomp; he obliged the inhabitants to swear allegiance to him, and annexed those important conquests to the French monarchy. He left a strong garrison in Metz. From thence he advanced towards Alsace, in order to attempt new conquests, to which the success that had hitherto attended his arms invited him.[1]

The negociations between the emperor and Maurice of no effect.

The conference of Lintz did not produce any accommodation. Maurice when he consented to it seems to have had nothing in view but to amuse the emperor; for he made such demands both in behalf of his confederates and their ally the French king, as he knew would not be accepted by a prince too haughty to submit at once to conditions dictated by an enemy. But however firmly Maurice adhered during the negociation to the interests of his associates, or how steadily soever he kept in view the objects which had induced him to take arms, he often professed a strong inclination to terminate the differences with the emperor in an amicable manner. Encouraged by this appearance of a pacific disposition, Ferdinand proposed a second interview at Passau on the twenty-sixth of May, and that a truce should commence on that day, and continue to the tenth of June, in order to give them leisure for adjusting all the points in dispute.

Maurice advances towards Inspruck.

Upon this Maurice rejoined his army on the ninth of May, which had now advanced to Gundelfingen. He put his troops in motion next morning; and as sixteen days yet remained for action before the commencement of the truce, he resolved during that period to venture upon an enterprise, the success of which would be so decisive as to render the negociations at Passau extremely short, and entitle him to treat upon his own terms. He foresaw that the prospect of a cessation of arms, which was to take place so soon, together with the opinion of his earnestness to re-establish peace, with which he had artfully amused Ferdinand, could hardly fail of inspiring the emperor with such false hopes, that he would naturally become remiss, and relapse into some degree of that security which had already been so fatal to him. Relying on this conjecture, he marched directly at the head of his army towards Inspruck, and advanced with the most rapid motion that could be given to so great a body of troops. On the eighteenth he arrived at Fiessen, a post of great consequence, at the entrance into the Tyrolese. There he found a body of eight hundred men whom the emperor had assembled, strongly intrenched, in order to oppose his progress. He attacked them instantly with such violence and impetuosity that

1 Thuan. 349.

they abandoned their lines precipitately, and falling back on a second body posted near Ruten, communicated the panic terror with which they themselves had been seized to those troops; so that they likewise took to flight after a feeble resistance.

Takes the castle of Ehrenberg.

Elated with this success, which exceeded his most sanguine hopes, Maurice pressed forward to Ehrenberg, a castle situated on a high and steep precipice, which commanded the only pass through the mountains. As this fort had been surrendered to the protestants at the beginning of the Smalkaldic war, because the garrison was then too weak to defend it, the emperor, sensible of its importance, had taken care at this juncture to throw into it a body of troops sufficient to maintain it against the greatest army. But a shepherd, in pursuing a goat which had strayed from his flock, having discovered an unknown path by which it was possible to ascend to the top of the rock, came with this seasonable piece of intelligence to Maurice. A small band of chosen soldiers, under the command of George of Mecklenburg, was instantly ordered to follow this guide. They set out in the evening, and clambering up the rugged track with infinite fatigue as well as danger, they reached the summit unperceived, and at an hour which had been agreed on, when Maurice began the assault on the one side of the castle, they appeared on the other, ready to scale the walls, which were feeble in that place, because it had been hitherto deemed inaccessible. The garrison, struck with terror at the sight of an enemy on a quarter where they had thought themselves perfectly secure, immediately threw down their arms. Maurice, almost without bloodshed, and (which was of greater consequence to him) without loss of time, took possession of a place the reduction of which might have retarded him long, and have required the utmost efforts of his valour and skill.[m]

A mutiny of his troops retards his march.

Maurice was now only two days march from Inspruck, and without losing a moment he ordered his infantry to advance thither, having left his cavalry, which was unserviceable in that mountainous country, at Fiessen, to guard the mouth of the pass. He proposed to advance with such rapidity as to anticipate any accounts of the loss of Ehrenberg, and to surprise the emperor, together with his attendants, in an open town incapable of defence. But just as his troops began to move, a battalion of mercenaries mutinied, declaring that they would not stir until they had received the gratuity which, according to the custom of that age, they claimed as the recompence due to them for having taken a place by assault. It was with great difficulty as well as danger, and not without some considerable loss of time, that Maurice quieted this insurrection, and prevailed on the soldiers to follow him to a place where he promised them such rich booty as would be an ample reward for all their services.

m Arnoldi vita Maurit. 123.

The emperor flies in confusion from Inspruck.

To the delay occasioned by this unforeseen accident the emperor owed his safety. He was informed of the approaching danger late in the evening, and knowing that nothing could save him but a speedy flight, he instantly left Inspruck, without regarding the darkness of the night or the violence of the rain which happened to fall at that time; and notwithstanding the debility occasioned by the gout, which rendered him unable to bear any motion but that of a litter, he travelled by the light of torches, taking his way over the Alps, by roads almost impassable. His courtiers and attendants followed him with equal precipitation, some of them on such horses as they could hastily procure, many of them on foot, and all in the utmost confusion. In this miserable plight, very unlike the pomp with which Charles had appeared during the five preceding years as the conqueror of Germany, he arrived at length, with his dejected train, at Villach in Carinthia, and scarcely thought himself secure even in that remote inaccessible corner.

Maurice enters that town.

Maurice entered Inspruck a few hours after the emperor and his attendants had left it; and enraged that the prey should escape out of his hands when he was just ready to seize it, he pursued them some miles; but finding it impossible to overtake persons to whom their fear gave speed, he returned to the town and abandoned all the emperor's baggage, together with that of his ministers, to be plundered by the soldiers; while he preserved untouched every thing belonging to the king of the Romans, either because he had formed some friendly connexion with that prince, or because he wished to have it believed that such a connexion subsisted between them. As there now remained only three days to the commencement of the truce, (with such nicety had Maurice calculated his operations,) he set out for Passau, that he might meet Ferdinand on the day appointed.

The emperor sets the elector of Saxony at liberty.

Before Charles left Inspruck, he withdrew the guards placed on the degraded elector of Saxony, whom, during five years, he had carried about with him as a prisoner; and set him entirely at liberty, either with an intention to embarrass Maurice by letting loose a rival who might dispute his title to his dominions and dignity, or from a sense of the indecency of detaining him a prisoner while he himself ran the risk of being deprived of his own liberty. But that prince seeing no other way of escaping than that which the emperor took, and abhorring the thoughts of falling into the hands of a kinsman whom he justly considered as the author of all his misfortunes, chose rather to accompany Charles in his flight, and to expect the final decision of his fate from the treaty which was now approaching.

The council of Trent breaks up in great consternation.

These were not the only effects which Maurice's operations produced. It was no sooner known at Trent that he had

taken arms, than a general consternation seized the fathers of the council. The German prelates immediately returned home, that they might provide for the safety of their respective territories. The rest were extremely impatient to be gone; and the legate, who had hitherto disappointed all the endeavours of the imperial ambassadors to procure an audience in the council for the protestant divines, laid hold with joy on such a plausible pretext for dismissing an assembly which he had found it so difficult to govern. In a congregation held on the twenty-eighth of April, a decree was issued, proroguing the council during two years, and appointing it to meet at the expiration of that time, if peace were then re-established in Europe.[n] This prorogation, however, continued no less than ten years; and the proceedings of the council, when re-assembled in the year one thousand five hundred and sixty-two, fall not within the period prescribed to this history.

The effect of its decrees.

The convocation of this assembly had been passionately desired by all the states and princes in Christendom, who, from the wisdom as well as piety of prelates representing the whole body of the faithful, expected some charitable and efficacious endeavours towards composing the dissensions which unhappily had arisen in the church. But the several popes by whose authority it was called had other objects in view. They exerted all their power or policy to attain these; and by the abilities as well as address of their legates, by the ignorance of many of the prelates, and by the servility of the indigent Italian bishops, acquired such influence in the council, that they dictated all its decrees, and framed them, not with an intention to restore unity and concord to the church, but to establish their own dominion, or to confirm those tenets upon which they imagined that dominion to be founded. Doctrines which had hitherto been admitted upon the credit of tradition alone, and received with some latitude of interpretation, were defined with a scrupulous nicety, and confirmed by the sanction of authority. Rites which had formerly been observed only in deference to custom supposed to be ancient, were established by the decrees of the church, and declared to be essential parts of its worship. The breach, instead of being closed, was widened and made irreparable. In place of any attempt to reconcile the contending parties, a line was drawn with such studied accuracy as ascertained and marked out the distinction between them. This still serves to keep them at a distance; and, without some signal interposition of Divine Providence, must render the separation perpetual.

Character of the historians of this council.

Our knowledge of the proceedings of this assembly is derived from three different authors. Father Paul of Venice wrote his history of the council of Trent while the memory of what had passed there was recent, and some who had been members of it were still alive. He has exposed the intrigues and artifices by which it was conducted with a freedom and severity which have given a deep wound to the credit of the council. He has described its deliberations and explained its decrees with such perspicuity and depth of thought, with such various erudition and such force of reason, as have justly entitled his work to be placed among the most admired historical compositions. About half a century thereafter, the Jesuit Pallavicini published his history of the council in opposition to that of father Paul, and by employing all the force of an acute and refining genius to invalidate the credit or to confute the reasonings of his antagonist, he labours to prove, by artful apologies for the proceedings of the council, and subtle interpretations of its decrees, that it deliberated with impartiality, and decided with judgment as well as candour. Vargas, a Spanish doctor of laws, who was appointed to attend the imperial ambassadors at Trent, sent the bishop of Arras a regular account of the transactions there, explaining all the arts which the legate employed to influence or overawe the council. His letters have been published, in which he inveighs against the papal court with that asperity of censure which was natural to a man whose situation enabled him to observe its intrigues thoroughly, and who was obliged to exert all his attention and talents in order to disappoint them. But whichsoever of these authors an intelligent person takes for his guide in forming a judgment concerning the spirit of the council, he must discover so much ambition as well as artifice among some of the members, so much ignorance and corruption among others; he must observe such a large infusion of human policy and passions, mingled with such a scanty portion of that simplicity of heart, sanctity of manners, and love of truth, which alone qualify men to determine what doctrines are worthy of God and what worship is acceptable to him, that he will find it no easy matter to believe that any extraordinary influence of the Holy Ghost hovered over this assembly and dictated its decrees.

The French endeavour to surprise Strasburg;

While Maurice was employed in negociating with the king of the Romans at Lintz, or in making war on the emperor in the Tyrol, the French king had advanced into Alsace as far as Strasburg; and having demanded leave of the senate to march through the city, he hoped that by repeating the same fraud which he had practised at Metz, he might render himself master of the place, and by that means secure a passage over the Rhine into the heart of Germany. But the Strasburgers, instructed and put on their guard by the credulity and misfortune of their neighbours, shut their gates; and having assembled a garrison of five thousand soldiers, repaired their fortifications, rased the houses in their suburbs, and determined to defend themselves to the

[n] F. Paul, 353.

utmost. At the same time they sent a deputation of their most respectable citizens to the king, in order to divert him from making any hostile attempt upon them. The electors of Treves and Cologne, the duke of Cleves, and other princes in the neighbourhood, interposed in their behalf, beseeching Henry that he would not forget so soon the title which he had generously assumed, and instead of being the Deliverer of Germany, become its Oppressor. The Swiss cantons seconded them with zeal, soliciting Henry to spare a city which had long been connected with their community in friendship and alliance.

but without success.

Powerful as this united intercession was, it would not have prevailed on Henry to forego a prize of so much value, if he had been in a condition to have seized it. But in that age the method of subsisting numerous armies at a distance from the frontiers of their own country was imperfectly understood, and neither the revenues of princes nor their experience in the art of war were equal to the great and complicated efforts which such an undertaking required. The French, though not far removed from their own frontier, began already to suffer from scarcity of provisions, and had no sufficient magazines collected to support them during a siege which must necessarily have been of great length.[o] At the same time, the queen of Hungary, governess of the Low Countries, had assembled a considerable body of troops, which, under the command of Martin de Rossem, laid waste Champagne, and threatened the adjacent provinces of France. These concurring circumstances obliged the king, though with reluctance, to abandon the enterprise. But being willing to acquire some merit with his allies by this retreat which he could not avoid, he pretended to the Swiss that he had taken the resolution merely in compliance with their request;[p] and then, after giving orders that all the horses in his army should be led to drink in the Rhine, as a proof of his having pushed his conquest so far, he marched back towards Champagne.

The operations of Albert of Brandenburg.

While the French king and the main army of the confederates were thus employed, Albert of Brandenburg was intrusted with the command of a separate body of eight thousand men, consisting chiefly of mercenaries, who had resorted to his standard rather from the hope of plunder than the expectation of regular pay. That prince seeing himself at the head of such a number of desperate adventurers, ready to follow wherever he should lead them, soon began to disdain a state of subordination, and to form such extravagant schemes of aggrandizing himself as seldom occur, even to ambitious minds, unless when civil war or violent factions rouse them to bold exertions, by alluring them with immediate hopes of success. Full of these aspiring thoughts, Albert made war in a manner very different from the other confederates. He endeavoured to spread the terror of his arms by the rapidity of his motions as well as the extent and rigour of his devastations; he exacted contributions wherever he came, in order to amass such a sum of money as would put it in his power to keep his army together; he laboured to get possession of Nuremberg, Ulm, or some other of the free cities in Upper Germany, in which, as a capital, he might fix the seat of his power. But finding these cities on their guard, and in a condition to resist his attacks, he turned all his rage against the popish ecclesiastics, whose territories he plundered with such wanton and merciless barbarity as gave them a very unfavourable impression of the spirit of that reformation in religion with zeal for which he pretended to be animated. The bishops of Bamberg and Wurtzburg, by their situation, lay particularly exposed to his ravages; he obliged the former to transfer to him in property almost one half of his extensive diocese, and compelled the latter to advance a great sum of money in order to save his territories from ruin and desolation. During all those wild sallies Albert paid no regard either to Mauriee's orders, whose commands as generalissimo of the league he had engaged to obey, or to the remonstrances of the other confederates; and manifestly discovered that he attended only to his own private emolument, without any solicitude about the common cause or the general objects which had induced them to take arms.[q]

The negociations of peace at Passau.

Maurice having ordered his army to march back into Bavaria, and having published a proclamation enjoining the Lutheran clergy and instructors of youth to resume the exercise of their functions in all the cities, schools, and universities from which they had been ejected, met Ferdinand at Passau on the twenty-sixth day of May. As matters of the greatest consequence to the future peace and independence of the empire were to be settled in this congress, the eyes of all Germany were fixed upon it. Besides Ferdinand and the imperial ambassadors, the duke of Bavaria, the bishops of Saltzburg and Aichstadt, the ministers of all the electors, together with deputies from most of the considerable princes and free cities, resorted to Passau. Maurice in the name of his associates, and the king of the Romans as the emperor's representative, opened the negociation. The princes who were present, together with the deputies of such as were absent, acted as intercessors or mediators between them.

The terms which Maurice proposed.

Maurice, in a long discourse, explained the motives of his own conduct. After having enumerated all the unconstitutional and oppressive acts of the emperor's administration, he, agreeably to the manifesto which he had published when he took arms against him, limited his demands to three articles: That the landgrave of Hesse should be immediately set at liberty; that the grievances in the civil government

o Thuan. 351, 352. p Sleid. 557. Brantome, tom. vii. 39.

q Sleid. 561. Thuan. 357.

of the empire should be redressed; and that the protestants should be allowed the public exercise of their religion without molestation. Ferdinand and the imperial ambassadors discovering their unwillingness to gratify him with regard to all these points, the mediators wrote a joint letter to the emperor, beseeching him to deliver Germany from the calamities of a civil war, by giving such satisfaction to Maurice and his party as might induce them to lay down their arms; and at the same time they prevailed upon Maurice to grant a prolongation of the truce for a short time, during which they undertook to procure the emperor's final answer to his demands.

Powerfully supported by the princes of the empire.

This request was presented to the emperor in the name of all the princes of the empire, popish as well as protestant, in the name of such as had lent a helping hand to forward his ambitious schemes, as well as of those who had viewed the progress of his power with jealousy and dread. The uncommon and cordial unanimity with which they concurred at this juncture in enforcing Maurice's demands and in recommending peace, flowed from different causes. Such as were most attached to the Roman catholic church could not help observing that the protestant confederates were at the head of a numerous army, while the emperor was but just beginning to provide for his own defence. They foresaw that great efforts would be required of them, and would be necessary on their part, in order to cope with enemies who had been allowed to get the start so far, and to attain such formidable power. Experience had taught them that the fruit of all these efforts would be reaped by the emperor alone, and the more complete any victory proved which they should gain, the faster would they bind their own fetters, and render them the more intolerable. These reflections made them cautious how they contributed a second time, by their indiscreet zeal, to put the emperor in possession of power which would be fatal to the liberties of their country. Notwithstanding the intolerant spirit of bigotry in that age, they chose rather that the protestants should acquire that security for their religion which they demanded, than by assisting Charles to oppress them, to give such additional force to the imperial prerogative as would overturn the constitution of the empire. To all these considerations the dread of seeing Germany laid waste by a civil war added new force. Many states of the empire already felt the destructive rage of Albert's arms, others dreaded it, and all wished for an accommodation between the emperor and Maurice, which they hoped would save them from that cruel scourge.

The motives which influenced the emperor at this juncture.

Such were the reasons that induced so many princes, notwithstanding the variety of their political interests and the opposition in their religious sentiments, to unite in recommending to the emperor an accommodation with Maurice, not only as a salutary but as a necessary measure. The motives which prompted Charles to desire it were not fewer or of less weight. He was perfectly sensible of the superiority which the confederates had acquired through his own negligence; and he now felt the insufficiency of his own resources to oppose them. His Spanish subjects, disgusted at his long absence, and weary of endless wars which were of little benefit to their country, refused to furnish him any considerable supply either of men or money; and although by his address or importunity he might have hoped to draw from them at last more effectual aid, that, he knew, was too distant to be of any service in the present exigency of his affairs. His treasury was drained; his veteran forces were dispersed or disbanded, and he could not depend much either on the fidelity or courage of the new-levied soldiers whom he was collecting. There was no hope of repeating with success the same artifices which had weakened and ruined the Smalkaldic league. As the end at which he aimed was now known, he could no longer employ the specious pretexts which had formerly concealed his ambitious designs. Every prince in Germany was alarmed and on his guard; and it was vain to think of blinding them a second time to such a degree as to make one part of them instruments to enslave the other. The spirit of a confederacy whereof Maurice was the head, experience had taught him to be very different from that of the league of Smalkalde; and from what he had already felt, he had no reason to flatter himself that its councils would be as irresolute or its efforts as timid and feeble. If he should resolve on continuing the war, he might be assured that the most considerable states in Germany would take part in it against him; and a dubious neutrality was the utmost he could expect from the rest. While the confederates found full employment for his arms in one quarter, the king of France would seize the favourable opportunity, and push on his operations in another with almost certain success. That monarch had already made conquests in the empire, which Charles was no less eager to recover than impatient to be revenged on him for aiding his malcontent subjects. Though Henry had now retired from the banks of the Rhine, he had only varied the scene of hostilities, having invaded the Low Countries with all his forces. The Turks, roused by the solicitations of the French king, as well as stimulated by resentment against Ferdinand for having violated the truce in Hungary, had prepared a powerful fleet to ravage the coasts of Naples and Sicily, which he had left almost defenceless, by calling thence the greatest part of the regular troops to join the army which he was now assembling.

Ferdinand zealous to promote an accommodation.

Ferdinand, who went in person to Villach, in order to lay before the emperor the result of the conferences at Passau, had likewise reasons peculiar to himself for desiring an accommodation. These prompted him to second with the greatest earnestness the argu-

ments which the princes assembled there had employed in recommending it. He had observed, not without secret satisfaction, the fatal blow that had been given to the despotic power which his brother had usurped in the empire. He was extremely solicitous to prevent Charles from recovering his former superiority, as he foresaw that ambitious prince would immediately resume, with increased eagerness, and with a better chance of success, his favourite scheme of transmitting that power to his son, by excluding his brother from the right of succession to the imperial throne. On this account he was willing to contribute towards circumscribing the imperial authority, in order to render his own possession of it certain. Besides, Solyman, exasperated at the loss of Transylvania, and still more at the fraudulent arts by which it had been seized, had ordered into the field an army of an hundred thousand men, which having defeated a great body of Ferdinand's troops and taken several places of importance, threatened not only to complete the conquest of the province, but to drive them out of that part of Hungary which was still subject to his jurisdiction. He was unable to resist such a mighty enemy; the emperor, while engaged in a domestic war, could afford him no aid; and he could not even hope to draw from Germany the contingent, either of troops or money, usually furnished to repel the invasions of the infidels. Maurice having observed Ferdinand's perplexity with regard to this last point, had offered, if peace were re-established on a secure foundation, that he would march in person with his troops into Hungary against the Turks. Such was the effect of this well-timed proposal, that Ferdinand, destitute of every other prospect of relief, became the most zealous advocate whom the confederates could have employed to urge their claims, and there was hardly any thing that they could have demanded which he would not have chosen to grant, rather than have retarded a pacification to which he trusted as the only means of saving his Hungarian crown.

Circumstances which retard it.

When so many causes conspired in rendering an accommodation eligible, it might have been expected that it would have taken place immediately. But the inflexibility of the emperor's temper, together with his unwillingness at once to relinquish objects which he had long pursued with such earnestness and assiduity, counterbalanced, for some time, the force of all the motives which disposed him to peace, and not only put that event at a distance, but seemed to render it uncertain. When Maurice's demands, together with the letter of the mediators at Passau, were presented to him, he peremptorily refused to redress the grievances which were pointed out, nor would he agree to any stipulation for the immediate security of the protestant religion, but proposed referring both these to the determination of a future diet. On his part he required that instant reparation should be made to all who, during the present war, had suffered either by the licentiousness of the confederate troops or the exactions of their leaders.

Maurice's vigorous operations facilitate it.

Maurice, who was well acquainted with the emperor's arts, immediately concluded that he had nothing in view by these overtures but to amuse and deceive; and therefore, without listening to Ferdinand's entreaties, he left Passau abruptly, and joined his troops, which were encamped at Mergentheim, a city in Franconia, belonging to the knights of the Teutonic order, he put them in motion and renewed hostilities. As three thousand men in the emperor's pay had thrown themselves into Francfort on the Maine, and might from thence invest the neighbouring country of Hesse, he marched towards that city, and laid siege to it in form. The briskness of this enterprise, and the vigour with which Maurice carried on his approaches against the town, gave such an alarm to the emperor, as disposed him to lend a more favourable ear to Ferdinand's arguments in behalf of an accommodation. Firm and haughty as his nature was, he found it necessary to bend, and signified his willingness to make concessions on his part, if Maurice, in return, would abate somewhat of the rigour of his demands. Ferdinand, as soon as he perceived that his brother began to yield, did not desist from his importunities until he prevailed on him to declare what was the utmost that he would grant for the security of the confederates. Having gained this difficult point, he instantly despatched a messenger to Maurice's camp, and imparting to him the emperor's final resolution, conjured him not to frustrate his endeavours for the re-establishment of peace; or, by an unseasonable obstinacy on his side, to disappoint the wishes of all Germany for that salutary event.

July 17.

Maurice desirous of an accommodation.

Maurice, notwithstanding the prosperous situation of his affairs, was strongly inclined to listen to this advice. The emperor, though overreached and surprised, had now begun to assemble troops, and however slow his motions might be while the first effects of his consternation remained, he was sensible that Charles must at last act with vigour proportional to the extent of his power and territories, and lead into Germany an army formidable by its numbers, and still more by the terror of his name as well as the remembrance of his past victories. He could scarcely hope that a confederacy composed of so many members would continue to operate with union and perseverance sufficient to resist the consistent and well-directed efforts of an army at the absolute disposal of a leader accustomed to command and to conquer. He felt already, although he had not hitherto experienced the shock of any adverse event, that he himself was the head of a disjointed body. He saw from the example of Albert of Brandenburg how difficult it would be, with all his address and credit, to prevent any particular member from detaching himself from the whole, and how impossible to recall him to his pro-

per rank and subordination. This filled him with apprehensions for the common cause. Another consideration gave him no less disquiet with regard to his own particular interests. By setting at liberty the degraded elector, and by repealing the act by which that prince was deprived of his hereditary honours and dominions, the emperor had it in his power to wound him in the most tender part. The efforts of a prince beloved by his ancient subjects and revered by all the protestant party, in order to recover what had been unjustly taken from him, could hardly have failed of exciting commotions in Saxony, which would endanger all that he had acquired at the expense of so much dissimulation and artifice. It was no less in the emperor's power to render vain all the solicitations of the confederates in behalf of the landgrave. He had only to add one act of violence more to the injustice and rigour with which he had already treated him; and he had accordingly threatened the sons of that unfortunate prince, that if they persisted in their present enterprise, instead of seeing their father restored to liberty, they should hear of his having suffered the punishment which his rebellion had merited.[r]

The peace of religion concluded at Passau.

Having deliberated upon all these points with his associates, Maurice thought it more prudent to accept of the conditions offered, though less advantageous than those which he had proposed, than again to commit all to the doubtful issue of war.[s] He repaired forthwith to Passau, and signed the treaty of peace; of which the chief articles were,—That before the twelfth day of August, the confederates shall lay down their arms and disband their forces; that on or before that day the landgrave shall be set at liberty, and conveyed in safety to his castle of Rheinfels; that a diet shall be held within six months, in order to deliberate concerning the most proper and effectual method of preventing for the future all disputes and dissensions about religion; that in the mean time, neither the emperor nor any other prince shall, upon any pretext whatever, offer any injury or violence to such as adhered to the confession of Augsburg, but allow them to enjoy the free and undisturbed exercise of their religion; that in return the protestants shall not molest the catholics either in the exercise of their ecclesiastical jurisdiction or in performing their religious ceremonies; that the imperial chamber shall administer justice impartially to persons of both parties, and protestants be admitted indiscriminately with the catholics to sit as judges in that court; that if the next diet should not be able to terminate the disputes with regard to religion, the stipulations in the present treaty in behalf of the protestants shall continue for ever in full force and vigour; that none of the confederates shall be liable to any action on account of what had happened during the course of the war; that the consideration of those encroachments which had been made, as Maurice pretended, upon the constitution and liberties of the empire shall be remitted to the approaching diet; that Albert of Brandenburg shall be comprehended in the treaty, provided he shall accede to it, and disband his forces before the twelfth of August.[t]

Aug. 2.

Reflections upon this peace, and upon the conduct of Maurice.

Such was the memorable treaty of Passau, that overturned the vast fabric in erecting which Charles had employed so many years, and had exerted the utmost efforts of his power and policy; that annulled all his regulations with regard to religion, defeated all his hopes of rendering the imperial authority absolute and hereditary in his family, and established the protestant church, which had hitherto subsisted precariously in Germany, through connivance or by expedients, upon a firm and secure basis. Maurice reaped all the glory of having concerted and completed this unexpected revolution. It is a singular circumstance that the Reformation should be indebted for its security and full establishment in Germany to the same hand which had brought it to the brink of destruction, and that both events should have been accomplished by the same arts of dissimulation. The ends, however, which Maurice had in view at those different junctures, seem to have been more attended to than the means by which he attained them; and he was now as universally extolled for his zeal and public spirit as he had lately been condemned for his indifference and interested policy. It is no less worthy of observation, that the French king, a monarch zealous for the catholic faith, should employ his power in order to protect and maintain the Reformation in the empire, at the very time when he was persecuting his own protestant subjects with all the fierceness of bigotry; and that the league for this purpose, which proved so fatal to the Romish church, should be negociated and signed by a Roman catholic bishop. So wonderfully doth the wisdom of God superintend and regulate the caprice of human passions, and render them subservient towards the accomplishment of his own purposes.

Little attention paid to the French king in this treaty.

Little attention was paid to the interests of the French king during the negociations at Passau. Maurice and his associates having gained what they had in view, discovered no great solicitude about an ally whom, perhaps, they reckoned to be overpaid for the assistance which he had given them, by his acquisitions in Lorrain. A short clause which they procured to be inserted in the treaty, importing that the king of France might communicate to the confederates his particular pretensions or causes of hostility, which they would lay before the emperor, was the only sign that they gave of their remembering how much they had been indebted to him for their success. Henry experienced the same treatment which every prince who lends his aid to the authors of a civil

r Sleid. 571. s Ibid. Hist. 563, &c. Thuan. lib. x. 359, &c.

t Recueil des Traitez, ii. 261.

war may expect. As soon as the rage of faction began to subside, and any prospect of accommodation to open, his services were forgotten, and his associates made a merit with their sovereign of the ingratitude with which they abandoned their protector. But how much soever Henry might be enraged at the perfidy of his allies, or at the impatience with which they hastened to make their peace with the emperor at his expense, he was perfectly sensible that it was more his interest to keep well with the Germanic body than to resent the indignities offered him by any particular members of it. For that reason he dismissed the hostages which he had received from Maurice and his associates, and affected to talk in the same strain as formerly concerning his zeal for maintaining the ancient constitution and liberties of the empire.

BOOK XI.

Aug. 3. Maurice marches into Hungary against the Turks.

As soon as the treaty of Passau was signed, Maurice, in consequence of his engagements with Ferdinand, marched into Hungary at the head of twenty thousand men. But the great superiority of the Turkish armies, the frequent mutinies both of the Spanish and German soldiers, occasioned by their want of pay, together with the dissensions between Maurice and Castaldo, who was piqued at being obliged to resign the chief command to him, prevented his performing any thing in that country suitable to his former fame, or of great benefit to the king of the Romans.[a]

The landgrave of Hesse recovers his liberty.

When Maurice set out for Hungary, the prince of Hesse parted from him with the forces under his command, and marched back into his own country, that he might be ready to receive his father upon his return, and give up to him the reins of government, which he had held during his absence. But fortune was not yet weary of persecuting the landgrave. A battalion of mercenary troops which had been in the pay of Hesse, being seduced by Reifenberg their colonel, a soldier of fortune, ready to engage in any enterprise, secretly withdrew from the young prince as he was marching homewards, and joined Albert of Bradenburg, who still continued in arms against the emperor, refusing to be included in the treaty of Passau. Unhappily for the landgrave an account of this reached the Netherlands just as he was dismissed from the citadel of Mechlin where he had been confined, but before he had got beyond the frontiers of that country. The queen of Hungary, who governed there in her brother's name, incensed at such an open violation of the treaty to which he owed his liberty, issued orders to arrest him, and committed him again to the custody of the same Spanish captain who had guarded him for five years with the most severe vigilance. Philip beheld all the horrors of his imprisonment renewed; and his spirits subsiding in the same proportion as they had risen during the short interval in which he had enjoyed liberty, he sunk into despair, and believed himself to be doomed to perpetual captivity. But the matter being so explained to the emperor as fully satisfied him that the revolt of Reifenberg's mercenaries could be imputed neither to the landgrave nor to his son, he gave orders for his release, and Philip at last obtained the liberty for which he had so long languished.[b] But though he recovered his freedom and was reinstated in his dominions, his sufferings seem to have broken the vigour and to have extinguished the activity of his mind: from being the boldest as well as most enterprising prince in the empire, he became the most timid and cautious, and passed the remainder of his days in a pacific indolence.

Likewise the elector of Saxony.

The degraded elector of Saxony likewise procured his liberty in consequence of the treaty of Passau. The emperor having been obliged to relinquish all his schemes of extirpating the protestant religion, had no longer any motive for detaining him a prisoner; and being extremely solicitous, at that juncture, to recover the confidence and good-will of the Germans, whose assistance was essential to the success of the enterprise which he meditated against the king of France, he, among other expedients for that purpose, thought of releasing from imprisonment a prince whose merit entitled him no less to esteem than his sufferings rendered him the object of compassion. John Frederic took possession accordingly of that part of his territories which had been reserved for him when Maurice was invested with the electoral dignity. As in this situation he continued to display the same virtuous magnanimity for which he had been conspicuous in a more prosperous and splendid state, and which he had retained amidst all his sufferings, he maintained during the remainder of his life that high reputation to which he had so just a title.

The emperor resolves to make war upon France.

The loss of Metz, Toul, and Verdun, had made a deep impression on the emperor. Accustomed to terminate all his operations against France with advantage to himself, he thought that it nearly concerned his honour not to allow Henry the superiority in this war, or to suffer his own administration to be stained with the infamy of having permitted territories of such consequence to be dismembered from the empire. This was no less a point of interest than of honour. As the frontier of Champagne was more naked and lay more exposed than that of any province in France, Charles had frequently, during his wars with that kingdom, made inroads upon that quarter with great success and effect; but if Henry were allowed to retain his late conquests, France would gain such a formidable bar-

a Istuanhaffii Hist. Hungar. 228. Thuan. lib. x. 371.

b Sleid. 573. Belcarii Comment. 831.

rier on that side as to be altogether secure where formerly she had been weakest. On the other hand, the empire had now lost as much in point of security as France had acquired; and being stripped of the defence which those cities afforded it, lay open to be invaded on a quarter where all the towns having been hitherto considered as interior, and remote from any enemy, were but slightly fortified. These considerations determined Charles to attempt recovering the three towns of which Henry had made himself master; and the preparations which he had made against Maurice and his associates enabled him to carry his resolution into immediate execution.

His preparations for this purpose.

As soon, then, as the peace was concluded at Passau, he left his inglorious retreat at Villach, and advanced to Augsburg, at the head of a considerable body of Germans which he had levied, together with all the troops which he had drawn out of Italy and Spain. To these he added several battalions, which having been in the pay of the confederates, entered into his service when dismissed by them; and he prevailed likewise on some princes of the empire to join him with their vassals. In order to conceal the destination of this formidable army, and to guard against alarming the French king, so as to put him on preparing for the defence of his late conquests, he gave out that he was to march forthwith into Hungary, in order to second Maurice in his operations against the infidels. When he began to advance towards the Rhine, and could no longer employ that pretext, he tried a new artifice, and spread a report that he took this route in order to chastise Albert of Brandenburg, whose cruel exactions in that part of the empire called loudly for his interposition to check them.

The precautions of the French for the defence of Metz.

But the French having grown acquainted, at last, with arts by which they had been so often deceived, viewed all Charles's motions with distrust. Henry immediately discerned the true object of his vast preparations, and resolved to defend the important conquests which he had gained with vigour equal to that with which they were about to be attacked. As he foresaw that the whole weight of the war would be turned against Metz, by whose fate that of Toul and Verdun would be determined, he nominated Francis of Lorrain, duke of Guise, to take the command in that city during the siege, the issue of which would equally affect the honour and interest of his country. His choice could not have fallen upon any person more worthy of that trust. The duke of Guise possessed in a high degree all the talents of courage, sagacity, and presence of mind, which render men eminent in military command. He was largely endowed with that magnanimity of soul which delights in bold enterprises, and aspires to fame by splendid and extraordinary actions. He repaired with joy to the dangerous station assigned him, as to a theatre on which he might display his great qualities under the immediate eye of his countrymen, all ready to applaud him. The martial genius of the French nobility in that age, which considered it as the greatest reproach to remain inactive when there was any opportunity of signalizing their courage, prompted great numbers to follow a leader who was the darling as well as the pattern of every one that courted military fame. Several princes of the blood, many noblemen of the highest rank, and all the young officers who could obtain the king's permission, entered Metz as volunteers. By their presence they added spirit to the garrison, and enabled the duke of Guise to employ on every emergency persons eager to distinguish themselves and fit to conduct any service.

The duke of Guise appointed governor of the town.

Prepares for a vigorous defence.

But with whatever alacrity the duke of Guise undertook the defence of Metz, he found every thing upon his arrival there in such a situation as might have induced any person of less intrepid courage to despair of defending it with success. The city was of great extent, with large suburbs; the walls were in many places feeble and without ramparts; the ditch narrow; and the old towers, which projected instead of bastions, were at too great distance from each other to defend the space between them. For all these defects he endeavoured to provide the best remedy which the time would permit. He ordered the suburbs, without sparing the monasteries or churches, not even that of St. Arnulph, in which several kings of France had been buried, to be levelled with the ground; but in order to guard against the imputation of impiety, to which such a violation of so many sacred edifices as well as of the ashes of the dead might expose him, he executed this with much religious ceremony. Having ordered all the holy vestments and utensils, together with the bones of the kings and other persons deposited in these churches, to be removed, they were carried in solemn procession to a church within the walls, he himself walking before them bare-headed with a torch in his hand. He then pulled down such houses as stood near the walls, cleared and enlarged the ditch, repaired the ruinous fortifications, and erected new ones. As it was necessary that all these works should be finished with the utmost expedition, he laboured at them with his own hands: the officers and volunteers imitated his example, and the soldiers submitted with chcerfulness to the most severe and fatiguing service when they saw that their superiors did not decline to bear a part in it. At the same time he compelled all useless persons to leave the place; he filled the magazines with provisions and military stores; he burnt the mills and destroyed the corn and forage for several miles round the town. Such were his popular talents, as well as his arts of acquiring an ascendant over the minds of men, that the citizens seconded him with no less ardour than the soldiers; and every other passion being swallowed up in the zeal to repulse the enemy with

which he inspired them, they beheld the ruin of their estates, together with the havoc which he made among their public and private buildings, without any emotion of resentment.[c]

Charles advances towards Metz.

Meantime the emperor, having collected all his forces, continued his march towards Metz. As he passed through the cities on the Rhine, he saw the dismal effects of that licentious and wasteful war which Albert had carried on in these parts. Upon his approach, that prince, though at the head of twenty thousand men, withdrew into Lorrain, as if he had intended to join the French king, whose arms he had quartered with his own in all his standards and ensigns. Albert was not in a condition to cope with the imperial troops,[d] which amounted at least to sixty thousand men, forming one of the most numerous and best-appointed armies which had been brought into the field during that age, in any of the wars among christian princes.

Invests the town.

The chief command, under the emperor, was committed to the duke of Alva, assisted by the marquis de Marignano, together with the most experienced of the Italian and Spanish generals. As it was now towards the end of October, these intelligent officers represented the great danger of beginning at such an advanced season a siege which could not fail to prove very tedious. But Charles adhered to his own opinion with his usual obstinacy; and being confident that he had made such preparations and taken such precautions as would insure success, he ordered the city to be invested. As soon as the duke of Alva

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appeared, a large body of the French sallied out and attacked his vanguard with great vigour, put it in confusion, and killed or took prisoners a considerable number of men. By this early specimen which they gave of the conduct of their officers as well as the valour of their troops, they showed the imperialists what an enemy they had to encounter, and how dear every advantage must cost them. The place, however, was completely invested, the trenches were opened, and the other works begun.

Both parties endeavour to gain Albert of Brandenburg.

The attention both of the besiegers and besieged was turned for some time towards Albert of Brandenburg, and they strove with emulation which should gain that prince, who still hovered in the neighbourhood, fluctuating in all the uncertainty of irresolution natural to a man who, being swayed by no principle, was allured different ways by contrary views of interest. The French tempted him with offers extremely beneficial; the imperialists scrupled at no promise which they thought might allure him. After much hesitation he was gained by the emperor, from whom he expected to receive advantages which were both more immediate and more permanent. As the French king, who began to suspect his intentions, had appointed a body of troops under the duke of Aumale, brother to the duke of Guise, to watch his motions, Albert fell upon them unexpectedly with such vigour, that he routed them entirely, killed many of the officers, wounded Aumale himself, and took him prisoner. Immediately after this victory he marched in

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triumph to Metz, and joined his army to that of the emperor. Charles, in reward for this service, and the great accession of strength which he brought him, granted Albert a formal pardon of all past offences, and confirmed him in the possession of the territories which he had violently usurped during the war.[e]

The gallant behaviour of the duke of Guise and his garrison.

The duke of Guise, though deeply affected with his brother's misfortune, did not remit in any degree the vigour with which he defended the town. He harassed the besiegers by frequent sallies, in which his officers were so eager to distinguish themselves, that his authority being hardly sufficient to restrain the impetuosity of their courage, he was obliged at different times to shut the gates and to conceal the keys, in order to prevent the princes of the blood, and noblemen of the first rank, from exposing themselves to danger in every sally. He repaired in the night what the enemy's artillery had beat down during the day, or erected behind the ruined works new fortifications of almost equal strength. The imperialists, on their part, pushed on the attack with great spirit, and carried forward, at once, approaches against different parts of the town. But the art of attacking fortified places was not then arrived at that degree of perfection to which it was carried towards the close of the sixteenth century, during the long war in the Netherlands. The besiegers, after the unwearied labour of many weeks, found that they had made but little progress; and although their batteries had made breaches in different places, they saw, to their astonishment, works suddenly appear in demolishing which their fatigues and dangers would be renewed. The emperor, enraged at the obstinate resistance which his army met with, left Thionville where he had been confined by a violent fit of the gout, and though still so infirm that he was obliged to be carried in a litter, he repaired to the camp, that by his presence he might animate the soldiers,

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and urge on the attack with greater spirit. Upon his arrival, new batteries were erected, and new efforts were made with redoubled ardour.

The distress of the imperial army.

But by this time winter had set in with great rigour; the camp was alternately deluged with rain or covered with snow; at the same time provisions were become extremely scarce, as a body of French cavalry which hovered in the neighbourhood often intercepted the convoys, or rendered their arrival difficult and uncertain. Diseases began to spread among the soldiers, especially among the Italians and Spaniards, unaccustomed to such inclement wea-

c Thuan. xi. 387.

d Natal. Comitis Hist. 127.

e Sleid. 575. Thuan. lib. xi. 389, 392.

ther; great numbers were disabled from serving, and many died. At length such breaches were made as seemed praeticable, and Charles resolved to hazard a general assault, in spite of all the remonstranees of his generals against the imprudence of attaeking a numerous garrison eonducted and animated by the most gallant of the French nobility, with an army weakened by diseases and disheartened with ill suceess. The duke of Guise suspecting the emperor's intentions from the extraordinary movements which he observed in the enemy's camp, ordered all his troops to their respeetive posts. They appeared immediately on the walls and behind the breaches, with such a determined countenance, so eager for the combat, and so well prepared to give the assailants a warm reception, that the imperialists, instead of advancing to the charge when the word of command was given, stood motionless in a timid dejected silence. The emperor pereeiving that he could not trust troops whose spirits were so mueh broken, retired abruptly to his quarters, complaining that he was now deserted by his soldiers, who deserved no longer the name of men.[f]

The emperor changes the method of attack.

Deeply as this behaviour of his troops mortified and affected Charles, he would not hear of abandoning the siege, though he saw the necessity of changing the method of attack. He suspended the fury of his batteries, and proposed to proceed by the more secure but tedious method of sapping. But as it still continued to rain or to snow almost incessantly, sueh as were employed in this service endured incredible hardships; and the duke of Guise, whose industry was not inferior to his valour, diseovering all their mines, eounter-worked them, and prevented their effect. At last Charles finding it impossible to contend any longer with the severity of the season, and with enemies whom he could neither overpower by force nor subdue by art, while at the same time a eontagious distemper raged among his troops, and eut off daily great numbers of the officers as well as soldiers, yielded to the solicitations of his generals, who eonjured him to save the remains of his army by a timely retreat: "Fortune," says he, "I now perceive, resembles other females, and ehooses to confer her favours on young men, while she turns her back on those who are advanced in years."

Dec. 26. Obliged to raise the siege.

Upon this he gave orders immediately to raise the siege, and submitted to the disgrace of abandoning the enterprise after having continued fifty-six days before the town, during which time he had lost upwards of thirty thousand men, who died of diseases or were killed by the enemy. The duke of Guise, as soon as he perceived the intention of the imperialists, sent out several bodies both of cavalry and infantry to infest their rear, to pick up stragglers, and to seize every opportunity of attacking them with advantage. Such was the confusion with whieh they made their retreat, that the French might have harassed them in the most cruel manner. But when they sallied out, a spectacle presented itself to their view which extinguished at once all hostile rage, and melted them into tenderness and compassion. The imperial eamp was filled with the sick and wounded, with the dead and the dying. In all the different roads by which the army retired, numbers were found, who having made an effort to eseape beyond their strength, were left, when they could go no further, to perish without assistance. This they received from their enemies, and were indebted to them for all the kind offices which their friends had not the power to perform. The duke of Guise immediatcly ordered proper refreshments for such as were dying of hunger; he appointed surgeons to attend the sick and wounded; he removed such as could bear it into the adjacent villages; and those who would have suffered by being carried so far, he admitted into the hospitals which he had fitted up in the city for his own soldiers. As soon as they recovered, he sent them home under an escort of soldiers, and with money to bear their charges. By these acts of humanity, whieh were uncommon in that age, when war was carried on with greater rancour and ferocity than at present, the duke of Guise completed the fame which he had acquired by his gallant and successful dcfence of Metz, and engaged those whom he had vanquished to vie with his own countrymen in extolling his name.[g]

Ruin of the imperial army, and humanity of the French.

To these calamities in Germany were added such unfortunate events in Italy as rendered this the most disastrous year in the emperor's life. During his residence at Villach, Charles had applied to Cosmo di Medici for the loan of two hundred thousand crowns. But his credit at that time was so low, that in order to obtain this inconsiderable sum, he was obliged to put him in possession of the principality of Piombino; and by giving up that, he lost the footing which he had hitherto maintained in Tuscany, and enabled Cosmo to assume, for the future, the tone and deportment of a prince altogether independent. Much about the time that his indigence constrained him to part with this valuable territory, he lost Siena, which was of still greater consequence, through the ill conduct of don Diego de Mendoza.[h]

Bad situation of the emperor's affairs in Italy.

Siena, like most of the great eities in Italy, had long enjoyed a republican government under the protection of the empire; but being torn in pieces by the dissensions between the nobility and the people which divided all the Italian commonwealths, the faetion of the people, which gained the ascendant, besought the emperor to become the guardian of the administration which they had established, and admitted into their city a small body of Spanish soldiers, whom he had sent

The revolt of Siena.

f Thuan. 397.
g Sleid. 575. Thuan. lib. xi. 389, &c. Pere Daniel, Hist. de France, tom. iii. 392. Pere Daniel's account of this siege is taken from the journal of the Sieur de Salignac, who was present. Natal. Comit. Hist. 129.
h Thuan. lib. xi. 376.

to countenance the execution of the laws and to preserve tranquillity among them. The command of these troops was given to Mendoza, at that time ambassador for the emperor at Rome, who persuaded the credulous multitude that it was necessary, for their security against any future attempt of the nobles, to allow him to build a citadel in Siena; and as he flattered himself that by means of this fortress he might render the emperor master of the city, he pushed on the works with all possible despatch. But he threw off the mask too soon. Before the fortifications were completed, he began to indulge his natural haughtiness and severity of temper, and to treat the citizens with great insolence. At the same time the soldiers in garrison being paid as irregularly as the emperor's troops usually were, lived almost at discretion upon the inhabitants, and were guilty of many acts of licence and oppression.

The Sienese court the assistance of France.

These injuries awakened the Sienese to a sense of their danger. As they saw the necessity of exerting themselves while the unfinished fortifications of the citadel left them any hopes of success, they applied to the French ambassador at Rome, who readily promised them his master's protection and assistance. At the same time, forgetting their domestic animosities when such a mortal blow was aimed at the liberty and existence of the republic, they sent agents to the exiled nobles, and invited them to concur with them in saving their country from the servitude with which it was threatened. As there was not a moment to lose, measures were concerted speedily but with great prudence, and were executed with equal vigour. The citizens rose suddenly in arms; the exiles flocked into the town from different parts, with all their partisans and what troops they could draw together; and several bodies of mercenaries in the pay of France appeared to support them. The Spaniards, though surprised and much inferior in number, defended themselves with great courage; but seeing no prospect of relief, and having no hopes of maintaining their station long in a half-finished fortress, they soon gave it up. The Sienese, with the utmost alacrity, levelled it with the ground, that no monument might remain of that odious structure which had been raised in order to enslave them. At the same time renouncing all connexion with the emperor, they sent ambassadors to thank the king of France as the restorer of their liberty, and to entreat that he would secure to them the perpetual enjoyment of that blessing, by continuing his protection to their republic.[i]

Descent of the Turks in the kingdom of Naples.

To these misfortunes one still more fatal had almost succeeded. The severe administration of Don Pedro de Toledo, viceroy of Naples, having filled that kingdom with murmuring and disaffection, the prince of Salerno, the head of the malcontents, had fled to the court of France, where all who bore ill-will to the emperor or his ministers were sure of finding protection and assistance. That nobleman, in the usual style of exiles, boasting much of the number and power of his partisans, and of his great influence with them, prevailed on Henry to think of invading Naples, from an expectation of being joined by all those with whom the prince of Salerno held correspondence, or who were dissatisfied with Toledo's government. But though the first hint of this enterprise was suggested by the prince of Salerno, Henry did not choose that its success should entirely depend upon his being able to fulfil the promises which he had made. He applied for aid to Solyman, whom he courted, after his father's example, as his most vigorous auxiliary against the emperor, and solicited him to second his operations by sending a powerful fleet into the Mediterranean. It was not difficult to obtain what he requested of the sultan, who at this time was highly incensed against the house of Austria on account of the proceedings in Hungary. He ordered an hundred and fifty ships to be equipped, that they might sail towards the coast of Naples at whatever time Henry should name, and might co-operate with the French troops in their attempts upon that kingdom. The command of this fleet was given to the corsair Dragut, an officer trained up under Barbarossa, and scarcely inferior to his master in courage, in talents, or in good fortune. He appeared on the coast of Calabria at the time which had been agreed on, landed at several places, plundered and burnt several villages; and at last casting anchor in the bay of Naples, filled that city with consternation. But as the French fleet, detained by some accident which the contemporary historians have not explained, did not join the Turks according to concert, they, after waiting twenty days without hearing any tidings of it, set sail for Constantinople, and thus delivered the viceroy of Naples from the terror of an invasion which he was not in a condition to have resisted.[k]

1553. The emperor sensibly affected with the state of his affairs.

As the French had never given so severe a check to the emperor in any former campaign, they expressed immoderate joy at the success of their arms. Charles himself, accustomed to a long series of prosperity, felt the calamity most sensibly, and retired from Metz into the Low Countries, much dejected with the cruel reverse of fortune, which affected him in his declining age, when the violence of the gout had increased to such a pitch as entirely broke the vigour of his constitution, and rendered him peevish, difficult of access, and often incapable of applying to business. But whenever he enjoyed any interval of ease, all his thoughts were bent on revenge; and he deliberated with the greatest solicitude concerning the most proper means of annoying France, and of effacing the stain which had obscured the re-

i Pecci Memorie de Siena, vol. iii. p. 230, 261. Thuan. 375, 377, &c. Paruta Hist. Venet. 267. Mem. de Ribier, 424, &c.

k Thuan. 375, 380. Mem. de Ribier, ii. 403. Giannone.

putation and glory of his arms. All the schemes concerning Germany, which had engrossed him so long, being disconcerted by the peace of Passau, the affairs of the empire became only secondary objects of attention, and enmity to France was the predominant passion which chiefly occupied his mind.

The violent proceedings of Albert of Brandenburg.

The turbulent ambition of Albert of Brandenburg excited violent commotions, which disturbed the empire during this year. That prince's troops having shared in the calamities of the siege of Metz, were greatly reduced in number. But the emperor, prompted by gratitude for his distinguished services on that occasion, or perhaps with a secret view of fomenting divisions among the princes of the empire, having paid up all the money due to him, he was enabled, with that sum, to hire so many of the soldiers dismissed from the imperial army, that he was soon at the head of a body of men as numerous as ever. The bishops of Bamberg and Wurtzburg having solicited the imperial chamber to annul, by its authority, the iniquitous conditions which Albert had compelled them to sign, that court unanimously found all their engagements with him to be void in their own nature, because they had been extorted by force; enjoined Albert to renounce all claim to the performance of them; and if he should persist in such an unjust demand, exhorted all the princes of the empire to take arms against him as a disturber of the public tranquillity. To this decision Albert opposed the confirmation of his transactions with the two prelates, which the emperor had granted him as the reward of his having joined the imperial army at Metz; and in order to intimidate his antagonists, as well as to convince them of his resolution not to relinquish his pretensions, he put his troops in motion, that he might secure the territory in question. Various endeavours were employed, and many expedients proposed, in order to prevent the kindling of a new war in Germany. But the same warmth of temper which rendered Albert turbulent and enterprising, inspiring him with the most sanguine hopes of success even in his wildest undertakings, he disdainfully rejected all reasonable overtures of accommodation.

He is condemned by the imperial chamber.

Upon this the imperial chamber issued its decree against him, and required the elector of Saxony, together with several other princes mentioned by name, to take arms in order to carry it into execution. Maurice and those associated with him were not unwilling to undertake this service. They were extremely solicitous to maintain public order by supporting the authority of the imperial chamber, and saw the necessity of giving a timely check to the usurpations of an ambitious prince, who had no principle of action but regard to his own interest, and no motive to direct him but the impulse of ungovernable passions. They had good reason to suspect that the emperor encouraged Albert in his extravagant and irregular proceedings, and secretly afforded him assistance, that, by raising him up to rival Maurice in power, he might in any future broil make use of his assistance to counterbalance and control the authority which the other had acquired in the empire.[l]

April 2. A confederacy formed against him, of which Maurice was head.

These considerations united the most powerful princes in Germany in a league against Albert, of which Maurice was declared generalissimo. This formidable confederacy, however, wrought no change in Albert's sentiments; but as he knew that he could not resist so many princes if he should allow them time to assemble their forces, he endeavoured, by his activity, to deprive them of all the advantages which they might derive from their united power and numbers; and, for that reason, marched directly against Maurice, the enemy whom he dreaded most. It was happy for the allies that the conduct of their affairs was committed to a prince of such abilities. He, by his authority and example, had inspired them with vigour; and having carried on their preparations with a degree of rapidity of which confederate bodies are seldom capable, he was in a condition to face Albert before he could make any considerable progress.

He attacks Albert,

Their armies, which were nearly equal in number, each consisting of twenty-four thousand men, met at Sieverhausen, in the duchy of Lunenburg; and the violent animosity against each other which possessed the two leaders, did not suffer them to continue long inactive. The troops, inflamed with the same hostile rage, marched fiercely to the combat; they fought with the greatest obstinacy; and as both generals were capable of availing themselves of every favourable occurrence, the battle remained long doubtful, each gaining ground upon the other alternately. At last victory declared for Maurice, who was superior in cavalry, and Albert's army fled in confusion, leaving four thousand dead on the field, and their camp, baggage, and artillery in the hands of the conquerors. The allies bought their victory dear; their best troops suffered greatly,—two sons of the duke of Brunswick, a duke of Lunenburg, and many other persons of distinction, were among the number of the slain.[m] But all these were soon forgotten; for Maurice himself, as he led up to a second charge a body of horse which had been broken, received a wound with a pistol-bullet in the belly, of which he died two days after the battle, in the thirty-second year of his age, and in the sixth after his attaining the electoral dignity.

June 9.

and defeats his army:

but is killed in the battle.

His character.

Of all the personages who have appeared in the history of this active

l Sleid. 585. Mem. de Ribier, ii. 442. Arnoldi Vita Maurit. ap. Menken. ii. 1242.

m Historia Pugnæ infelicis inter Maurit. et Albert. Thom. Wintzero auctore apud Scard. ii. 559. Sleid. 583. Ruscelli Epistres aux Princes, 154. Arnoldi Vita Maurit. 1245.

age, when great occurrences and sudden revolutions called forth extraordinary talents to view, and afforded them full opportunity to display themselves, Maurice may justly be considered as the most remarkable. If his exorbitant ambition, his profound dissimulation, and his unwarrantable usurpation of his kinsman's honours and dominions, exclude him from being praised as a virtuous man, —his prudence in concerting his measures, his vigour in executing them, and the uniform success with which they were attended, entitle him to the appellation of a great prince. At an age when impetuosity of spirit commonly predominates over political wisdom, when the highest effort even of a genius of the first order is to fix on a bold scheme and to execute it with promptitude and courage, he formed and conducted an intricate plan of policy which deceived the most artful monarch in Europe. At the very juncture when the emperor had attained to almost unlimited despotism, Maurice, with power seemingly inadequate to such an undertaking, compelled him to relinquish all his usurpations, and established not only the religious but civil liberties of Germany on such foundations as have hitherto remained unshaken. Although, at one period of his life, his conduct excited the jealousy of the protestants, and at another drew on him the resentment of the Roman catholics, such was his masterly address, that he was the only prince of the age who in any degree possessed the confidence of both, and whom both lamented as the most able as well as faithful guardian of the constitution and laws of his country.

Albert continues the war.

The consternation which Maurice's death occasioned among his troops prevented them from making the proper improvement of the victory which they had gained. Albert, whose active courage and profuse liberality rendered him the darling of such military adventurers as were little solicitous about the justice of his cause, soon re-assembled his broken forces, and made fresh levies with such success, that he was quickly at the head of fifteen thousand men, and renewed his depredations with additional fury. But Henry of Brunswick having taken the command of the allied troops, defeated him in a second battle, scarcely less bloody than the former. Even then his courage did not sink, nor were his resources exhausted. He made several efforts, and some of them very vigorous, to retrieve his affairs: but being laid under the ban of the empire by the imperial chamber; being driven by degrees out of all his hereditary territories as well as those which he had usurped; being forsaken by many of his officers, and overpowered by the number of his enemies, he fled for refuge into France. After having been for a considerable time the terror and scourge of Germany, he lingered out some years in an indigent and dependent state of exile, the miseries of which his restless and arrogant spirit endured with the most indignant impatience. Upon his death without issue, his territories, which had been seized by the princes who took arms against him, were restored, by a decree of the empire, to his collateral heirs of the house of Brandenburg.[n]

Sept. 12.

He is driven out of Germany.

Jan. 12, 1557.

Maurice having left only one daughter, who was afterwards married to William, prince of Orange, by whom she had a son who bore his grandfather's name, and inherited the great talents for which he was conspicuous, a violent dispute arose concerning the succession to his honours and territories. John Frederic, the degraded elector, claimed the electoral dignity, and that part of his patrimonial estate of which he had been violently stripped after the Smalkaldic war. Augustus, Maurice's only brother, pleaded his right not only to the hereditary possessions of their family, but to the electoral dignity, and to the territories which Maurice had acquired. As Augustus was a prince of considerable abilities, as well as of great candour and gentleness of manners, the states of Saxony, forgetting the merits and sufferings of their former master, declared warmly in his favour. His pretensions were powerfully supported by the king of Denmark, whose daughter he had married, and zealously espoused by the king of the Romans, out of regard to Maurice's memory. The degraded elector, though secretly favoured by his ancient enemy the emperor, was at last obliged to relinquish his claim upon obtaining a small addition to the territories which had been allotted to him, together with a stipulation, securing to his family the eventual succession upon a failure of male heirs in the Albertine line. That unfortunate but magnanimous prince died next year, soon after ratifying this treaty of agreement; and the electoral dignity is still possessed by the descendants of Augustus.[o]

Maurice's brother Augustus succeeds him in the electoral dignity.

During these transactions in Germany, war was carried on in the Low Countries with considerable vigour. The emperor, impatient to efface the stain which his ignominious repulse at Metz left upon his military reputation, had an army early in the field, and laid siege to Terouane. Though the town was of such importance, that Francis used to call it one of the two pillows on which a king of France might sleep with security, the fortifications were in bad repair. Henry, trusting to what had happened at Metz, thought nothing more was necessary to render all the efforts of the enemy abortive than to reinforce the garrison with a considerable number of the young nobility. But D'Essé, a veteran officer who commanded them, being killed, and the imperialists pushing the siege with great vigour and perseverance, the place was taken by assault. That it might not fall again into the hands of the French, Charles ordered not only the

Hostilities in the Low Countries.

June 21.

n Sleid. 592, 594, 599. Struv. Corp. Hist. Germ. 1075.

o Sleid. 587. Thuan. 409. Struv. Corp. Hist. Germ.

fortifications but the town itself to be razed, and the inhabitants to be dispersed in the adjacent cities. Elated with this success, the imperialists immediately invested Hesden, which, though defended with great bravery, was likewise taken by assault, and such of the garrison as escaped the sword were made prisoners. The emperor intrusted the conduct of this siege to Emanuel Philibert of Savoy, prince of Piedmont, who on that occasion gave the first display of those great talents for military command which soon entitled him to be ranked among the first generals of the age, and facilitated his re-establishment in his hereditary dominions, the greater part of which, having been overrun by Francis in his expeditions into Italy, were still retained by Henry.[p]

The progress of the imperialists disquiets the French king.

The loss of these towns, together with so many persons of distinction either killed or taken by the enemy, was no inconsiderable calamity to France, and Henry felt it very sensibly; but he was still more mortified at the emperor's having recovered his wonted superiority in the field so soon after the blow at Metz, which the French had represented as fatal to his power. He was ashamed, too, of his own remissness and excessive security at the opening of the campaign; and in order to repair that error, he assembled a numerous army, and led it into the Low Countries.

Roused at the approach of such a formidable enemy, Charles left Brussels, where he had been shut up so closely during seven months, that it came to be believed in many parts of Europe that he was dead; and though he was so much debilitated by the gout that he could hardly bear the motion of a litter, he hastened to join his army. The eyes of all Europe were turned with expectation towards those mighty and exasperated rivals, between whom a decisive battle was now thought unavoidable. But Charles having prudently declined to hazard a general engagement, and the violence of the autumnal rains rendering it impossible for the French to undertake any siege, they retired without having performed any thing suitable to the great preparations which they had made.[q]

The imperialists unsuccessful in Italy,

The imperial arms were not attended with the same success in Italy. The narrowness of the emperor's finances seldom allowed him to act with vigour in two different places at the same time; and having exerted himself to the utmost in order to make a great effort in the Low Countries, his operations on the other side of the Alps were proportionally feeble. The viceroy of Naples, in conjunction with Cosmo di Medici, who was greatly alarmed at the introduction of French troops into Siena, endeavoured to become master of that city. But instead of reducing the Sienese, the imperialists were obliged to retire abruptly, in order to defend their own country, upon the appearance of the Turkish fleet, which threatened the coast of Naples; and the French not only established themselves more firmly in Tuscany, but, by the assistance of the Turks, conquered a great part of the island of Corsica, subject at that time to the Genoese.[r]

and in Hungary.

The affairs of the house of Austria declined no less in Hungary during the course of this year. As the troops which Ferdinand kept in Transylvania received their pay very irregularly, they lived almost at discretion upon the inhabitants; and their insolence and rapaciousness greatly disgusted all ranks of men, and alienated them from their new sovereign, who, instead of protecting, plundered his subjects. Their indignation at this, added to their desire of revenging Martinuzzi's death, wrought so much upon a turbulent nobility impatient of injury, and upon a fierce people prone to change, that they were ripe for a revolt. At that very juncture their late queen Isabella, together with her son, appeared in Transylvania. Her ambitious mind could not bear the solitude and inactivity of a private life; and repenting quickly of the cession which she had made of the crown in the year one thousand five hundred and fifty-one, she left the place of her retreat, hoping that the dissatisfaction of the Hungarians with the Austrian government would prompt them once more to recognise her son's right to the crown. Some noblemen of great eminence declared immediately in his favour. The bashaw of Belgrade, by Solyman's order, espoused his cause, in opposition to Ferdinand; the Spanish and German soldiers, instead of advancing against the enemy, mutinied for want of pay, declaring that they would march back to Vienna; so that Castaldo, their general, was obliged to abandon Transylvania to Isabella and the Turks, and to place himself at the head of the mutineers, that by his authority he might restrain them from plundering the Austrian territories through which they passed.[s]

Ferdinand obliged to abandon Transylvania.

Solyman's domestic distresses.

Ferdinand's attention was turned so entirely towards the affairs of Germany, and his treasures so much exhausted by his late efforts in Hungary, that he made no attempt to recover this valuable province, although a favourable opportunity for that purpose presented itself, as Solyman was then engaged in a war with Persia, and involved besides in domestic calamities which engrossed and disturbed his mind. Solyman, though distinguished by many accomplishments from the other Ottoman princes, had all the passions peculiar to that violent and haughty race. He was jealous of his authority, sudden as well as furious in his anger, and susceptible of all that rage and love which reigns in the east, and often produces the wildest and most tragical effects. His favourite mistress was a Circassian slave of exquisite beauty, who bore him a son called Mustapha, whom, both on ac-

The tragical history of his son Mustapha.

p Thuan. 411. Haræi Annales Brabant. 669.

q Haræus, 672. Thuan. 414.

r Thuan. 417.

s Ibid. 430.

count of his birth-right and his merit, he destined to be the heir of his crown. Roxalana, a Russian captive, soon supplanted the Circassian, and gained the sultan's heart. Having the address to retain the conquest which she had made, she kept possession of his love without any rival for many years, during which she brought him several sons and one daughter. All the happiness, however, which she derived from the unbounded sway that she had acquired over a monarch whom one half of the world revered or dreaded, was imbittered by perpetual reflections on Mustapha's accession to the throne, and the certain death of her sons, who, she foresaw, would be immediately sacrificed, according to the barbarous jealousy of Turkish policy, to the safety of the new emperor. By dwelling continually on this melancholy idea, she came gradually to view Mustapha as the enemy of her children, and to hate him with more than a stepmother's ill-will. This prompted her to wish his destruction, in order to secure for one of her own sons the throne which was destined for him. Nor did she want either ambition to attempt such a high enterprise, or the arts requisite for carrying it into execution. Having prevailed on the sultan to give her only daughter in marriage to Rustan the grand visier, she disclosed her scheme to that crafty minister, who perceiving that it was his own interest to co-operate with her, readily promised his assistance towards aggrandizing that branch of the royal line to which he was so nearly allied.

As soon as Roxalana had concerted her measures with this able confidant, she began to affect a wonderful zeal for the Mahometan religion, to which Solyman was superstitiously attached, and proposed to found and endow a royal mosque, a work of great expense, but deemed by the Turks meritorious in the highest degree. The mufti whom she consulted approved much of her pious intention; but having been gained and instructed by Rustan, told her that she being a slave could derive no benefit herself from that holy deed, for all the merit of it would accrue to Solyman, the master whose property she was. Upon this she seemed to be overwhelmed with sorrow, and to sink into the deepest melancholy, as if she had been disgusted with life and all its enjoyments. Solyman, who was absent with the army, being informed of this dejection of mind, and of the cause from which it proceeded, discovered all the solicitude of a lover to remove it, and by a writing under his hand declared her a free woman. Roxalana having gained this point, proceeded to build the mosque, and reassumed her usual gaiety of spirit. But when Solyman, on his return to Constantinople, sent an eunuch, according to the custom of the seraglio, to bring her to partake of his bed, she, seemingly with deep regret, but in the most peremptory manner, declined to follow the eunuch, declaring that what had been an honour to her while a slave became a crime as she was now a free woman, and that she would not involve either the sultan or herself in the guilt that must be contracted by such an open violation of the law of their prophet. Solyman, whose passion this difficulty, as well as the affected delicacy which gave rise to it, heightened and inflamed, had recourse immediately to the mufti for his direction. He replied, agreeably to the Koran, that Roxalana's scruples were well founded; but added artfully, in words which Rustan had taught him to use, that it was in the sultan's power to remove these difficulties by espousing her as his lawful wife. The amorous monarch closed eagerly with the proposal, and solemnly married her according to the form of the Mahometan ritual; though by so doing he disregarded a maxim of policy which the pride of the Ottoman blood had taught all the sultans since Bajazet I. to consider as inviolable. From his time none of the Turkish monarchs had married, because when he was vanquished and taken prisoner by Tamerlane, his wife had been abused with barbarous insolence by the Tartars. That no similar calamity might again subject the Ottoman family to the same disgrace, the sultans admitted none to their beds but slaves, whose dishonour could not bring any such stain upon their house.

But the more uncommon the step was, the more it convinced Roxalana of the unbounded influence which she had acquired over the sultan's heart, and imboldened her to prosecute, with greater hopes of success, the scheme that she had formed in order to destroy Mustapha. This young prince having been intrusted by his father, according to the practice of the sultans in that age, with the government of several different provinces, was at that time invested with the administration in Diarbequir, the ancient Mesopotamia, which Solyman had wrested from the Persians and added to his empire. In all these different commands Mustapha had conducted himself with such cautious prudence as could give no offence to his father, though at the same time he governed with so much moderation as well as justice, and displayed such valour and generosity, as rendered him equally the favourite of the people and the darling of the soldiery.

There was no room to lay any folly or vice to his charge that could impair the high opinion which his father entertained of him. Roxalana's malevolence was more refined; she turned his virtues against him, and made use of these as engines for his destruction. She often mentioned in Solyman's presence the splendid qualities of his son; she celebrated his courage, his liberality, his popular arts, with malicious and exaggerated praise. As soon as she perceived that the sultan heard these encomiums, which were often repeated, with uneasiness; that suspicion of his son began to mingle itself with his former esteem; and that by degrees he came to view him with jealousy and fear,—she introduced, as by accident, some discourse concerning the rebellion of his father Selim against Bajazet

his grandfather; she took notice of the bravery of the veteran troops under Mustapha's command, and of the neighbourhood of Diarbequir to the territories of the Persian sophi, Solyman's mortal enemy. By these arts whatever remained of paternal tenderness was gradually extinguished, and such passions were kindled in the breast of the sultan as gave all Roxalana's malignant suggestions the colour not only of probability but of truth. His suspicions and fear of Mustapha settled into deep-rooted hatred. He appointed spies to observe and report all his words and actions; he watched and stood on his guard against him as his most dangerous enemy.

Having thus alienated the sultan's heart from Mustapha, Roxalana ventured upon another step. She entreated Solyman to allow her own sons the liberty of appearing at court, hoping that, by gaining access to their father, they might, by their good qualities and dutiful deportment, insinuate themselves into that place in his affections which Mustapha had formerly held; and though what she demanded was contrary to the practice of the Ottoman family in that age, the uxorious monarch granted her request. To all these female intrigues Rustan added an artifice still more subtle, which completed the sultan's delusion and heightened his jealousy and fear. He wrote to the bashaws of the provinces adjacent to Diarbequir, instructing them to send him regular intelligence of Mustapha's proceedings in his government; and to each of them he gave a private hint, flowing in appearance from his zeal for their interest, that nothing would be more acceptable to the sultan than to receive favourable accounts of a son whom he destined to sustain the glory of the Ottoman name. The bashaws, ignorant of his fraudulent intention, and eager to pay court to their sovereign at such an easy price, filled their letters with studied but fatal panegyrics of Mustapha, representing him as a prince worthy to succeed such an illustrious father, and as endowed with talents which might enable him to emulate, perhaps to equal, his fame. These letters were industriously shown to Solyman at the seasons when it was known that they would make the deepest impression. Every expression in recommendation of his son wounded him to the heart; he suspected his principal officers of being ready to favour the most desperate attempts of a prince whom they were so fond of praising; and fancying that he saw them already assaulting his throne with rebellious arms, he determined, while it was yet in his power, to anticipate the blow, and to secure his own safety by his son's death.

For this purpose, though under pretence of renewing the war against Persia, he ordered Rustan to march towards Diarbequir at the head of a numerous army, and to rid him of a son whose life he deemed inconsistent with his own safety. But that crafty minister did not choose to be loaded with the odium of having executed this cruel order. As soon as he arrived in Syria, he wrote to Solyman that the danger was so imminent as called for his immediate presence; that the camp was full of Mustapha's emissaries; that many of the soldiers were corrupted; that the affections of all leaned towards him; that he had discovered a negociation which had been carried on with the sophi of Persia in order to marry Mustapha with one of his daughters; that he already felt his own talents as well as authority to be inadequate to the exigencies of such an arduous conjuncture; that the sultan alone had sagacity to discern what resolution should be taken in those circumstances, and power to carry that resolution into execution.

This charge of courting the friendship of the sophi, Roxalana and Rustan had reserved as the last and most envenomed of all their calumnies. It operated with the violence which they expected from Solyman's inveterate abhorrence of the Persians, and threw him into the wildest transports of rage. He set out instantly for Syria, and hastened thither with all the precipitation and impatience of fear and revenge. As soon as he joined his army near Aleppo, and had concerted measures with Rustan, he sent a chiaus or messenger of the court to his son, requiring him to repair immediately to his presence. Mustapha, though no stranger to his stepmother's machinations, or to Rustan's malice, or to his father's violent temper, yet relying on his own innocence, and hoping to discredit the accusations of his enemies by the promptitude of his obedience, followed the messenger without delay to Aleppo. The moment he arrived in the camp he was introduced into the sultan's tent. As he entered it he observed nothing that could give him any alarm; no additional crowd of attendants, no body of armed guards, but the same order and silence which always reign in the sultan's apartments. In a few minutes, however, several mutes appeared, at the sight of whom Mustapha, knowing what was his doom, cried with a loud voice, "Lo, my death!" and attempted to fly. The mutes rushed forward to seize him; he resisted and struggled, demanding with the utmost earnestness to see the sultan; and despair, together with the hope of finding protection from the soldiers if he could escape out of the tent, animated him with such extraordinary strength, that for some time he baffled all the efforts of the executioners. Solyman was within hearing of his son's cries, as well as of the noise which the struggle occasioned. Impatient of this delay of his revenge, and struck with terror at the thoughts of Mustapha's escaping, he drew aside the curtain which divided the tent, and thrusting in his head, darted a fierce look towards the mutes, and, with wild and threatening gestures, seemed to condemn their sloth and timidity. At sight of his father's furious and unrelenting countenance, Mustapha's strength failed and his courage forsook him; the mutes fastened the bowstring about his neck, and in a moment put an end to his life.

The dead body was exposed before the sultan's

tent. The soldiers gathered round it, and contemplating that mournful object with astonishment, and sorrow, and indignation, were ready, if a leader had not been wanting, to have broke out into the wildest excesses of rage. After giving vent to the first expressions of their grief, they retired each man to his tent, and shutting themselves up, bewailed in secret the cruel fate of their favourite; nor was there one of them who tasted food, or even water, during the remainder of that day. Next morning the same solitude and silence reigned in the camp; and Solyman being afraid that some dreadful storm would follow this sullen calm, in order to appease the enraged soldiers, deprived Rustan of the seals, ordered him to leave the camp, and raised Achmet, a gallant officer, much beloved in the army, to the dignity of visier. This change, however, was made in concert with Rustan himself; that crafty minister suggesting it as the only expedient which could save himself or his master. But within a few months, when the resentment of the soldiers began to subside and the name of Mustapha to be forgotten, Achmet was strangled by the sultan's command, and Rustan reinstated in the office of visier. Together with his former power, he reassumed the plan for exterminating the race of Mustapha which he had concerted with Roxalana; and as they were afraid that an only son whom Mustapha had left might grow up to avenge his death, they redoubled their activity, and by employing the same arts against him which they had practised against his father, they inspired Solyman with the same fears, and prevailed on him to issue orders for putting to death that young innocent prince. These orders were executed with barbarous zeal, by a eunuch, who was despatched to Burso, the place where the prince resided; and no rival was left to dispute the Ottoman throne with the sons of Roxalana.[t]

Charles project a marriage between his son and Mary of England.

Such tragical scenes, productive of so deep distress, seldom occur but in the history of the great monarchies of the east, where the warmth of the climate seems to give every emotion of the heart its greatest force, and the absolute power of sovereigns accustoms and enables them to gratify all their passions without control. While this interesting transaction in the court of Solyman engaged his whole attention, Charles was pursuing with the utmost ardour a new scheme for aggrandizing his family. About this time Edward VI. of England, after a short reign, in which he displayed such virtues as filled his subjects with sanguine hopes of being happy under his government, and made them bear with patience all that they suffered from the weakness, the dissensions, and the ambition of the ministers who assumed the administration during his minority, was seized with a lingering distemper which threatened his life. The emperor no sooner received an account of this, than his ambition, always attentive to seize every opportunity of acquiring an increase of power or of territories to his son, suggested the thought of adding England to his other kingdoms by the marriage of Philip with the princess Mary, the heir of Edward's crown. Being apprehensive, however, that his son, who was then in Spain, might decline a match with a princess in her thirty-eighth year, and eleven years older than himself,[u] Charles determined, notwithstanding his own age and infirmities, to make offer of himself as a husband to his cousin.

To which Philip gives his consent.

But though Mary was so far advanced in years, and destitute of every charm either of person or manners that could win affection or command esteem, Philip without hesitation gave his consent to the match proposed by his father, and was willing, according to the usual maxim of princes, to sacrifice his inclination to his ambition. In order to insure the success of his scheme, the emperor, even before Edward's death, began to take such steps as might facilitate it. Upon Edward's demise, Mary mounted the throne of England; the pretensions of the lady Jane Grey proving as unfortunate as they were ill-founded.[x] Charles sent immediately a pompous embassy to London to congratulate Mary on her accession to the throne, and to propose the alliance with his son.

The sentiments of Mary and of the English with regard to it.

The queen, dazzled with the prospect of marrying the heir of the greatest monarch in Europe; fond of uniting more closely with her mother's family, to which she had been always warmly attached; and eager to secure the powerful aid which she knew would be necessary towards carrying on her favourite scheme of re-establishing the Romish religion in England, listened in the most favourable manner to the proposal. Among her subjects it met with a very different reception. Philip, it was well known, contended for all the tenets of the church of Rome with a sanguinary zeal which exceeded the measure even of Spanish bigotry: this alarmed all the numerous partisans of the Reformation. The Castilian haughtiness and reserve were far from being acceptable to the English, who having several times seen their throne occupied by persons who were born subjects, had become accustomed to an unceremonious and familiar intercourse with their sovereigns. They could not think without the utmost uneasiness of admitting a foreign prince to that influence in their councils which the husband of their queen would naturally possess. They dreaded, both from Philip's overbearing temper and from the maxims of the Spanish monarchy which he had imbibed, that he would infuse ideas into the queen's mind dangerous to the liberties of the nation, and would introduce foreign troops and money into the kingdom, to assist her in any attempt against them.

t Auderii Gislenii Busbequii Legationis Turcicæ Epistolæ iv. Franc. 1615, p. 37. Thuan. lib. 12. p. 432. Mem. de Ribier, ii. 457. Maurocen Histor. Veneta, lib. vii. p. 60.

u Palav. Hist. Concil. Trid. v. ii. c. 13. p. 150.
x Carte's Hist. of England, iii. 287.

The house of commons remonstrate against it.

Full of these apprehensions, the house of commons, though in that age extremely obsequious to the will of their monarchs, presented a warm address against the Spanish match; many pamphlets were published, representing the dangerous consequences of the alliance with Spain, and describing Philip's bigotry and arrogance in the most odious colours. But Mary, inflexible in all her resolutions, paid no regard to the remonstrances of her commons or to the sentiments of the people. The emperor having secured, by various arts, the ministers whom she trusted most, they approved warmly of the match, and large sums were remitted by him in order to gain the rest of the council. Cardinal Pole, whom the pope, immediately upon Mary's accession, had despatched as his legate into England, in order to reconcile his native country to the see of Rome, was detained by the emperor's command at Dillinghen in Germany, lest by his presence he should thwart Philip's pretensions, and employ his interest in favour of his kinsman Courtenay, earl of Devonshire, whom the English ardently wished their sovereign to choose for a husband.[y]

The marriage-treaty concluded.

As the negociation did not admit of delay, it was carried forward with the greatest rapidity, the emperor agreeing, without hesitation, to every article in favour of England which Mary's ministers either represented as necessary to soothe the people and reconcile them to the match, or that was suggested by their own fears and jealousy of a foreign master. The chief articles were, That Philip during his marriage with the queen, should bear the title of king of England, but the entire administration of affairs, as well as the sole disposal of all revenues, offices, and benefices, should remain with the queen; that the heirs of the marriage should, together with the crown of England, inherit the duchy of Burgundy and the Low Countries; that if prince Charles, Philip's only son by a former marriage, should die without issue, his children by the queen, whether male or female, should succeed to the crown of Spain and all the emperor's hereditary dominions; that before the consummation of the marriage, Philip should swear solemnly that he would retain no domestic who was not a subject of the queen, and would bring no foreigners into the kingdom that might give umbrage to the English; that he would make no alteration in the constitution or laws of England; that he would not carry the queen, or any of the children born of this marriage, out of the kingdom; that if the queen should die before him without issue, he would immediately leave the crown to the lawful heir, without claiming any right of administration whatever; that in consequence of this marriage, England should not be engaged in any war subsisting between France and Spain; and that the alliance between France and England should remain in full force.[z]

1554. Jan. 12.

y Carte, iii. 288.

Discontent and apprehensions of the English.

But this treaty, though both the emperor and Mary's ministers employed their utmost address in framing it so as to please the English, was far from quieting their fears and jealousies. They saw that words and promises were a feeble security against the encroachments of an ambitious prince, who, as soon as he got possession of the power and advantages which the queen's husband must necessarily enjoy, could easily evade any of the articles which either limited his authority or obstructed his schemes. They were convinced that the more favourable the conditions of the present treaty were to England, the more Philip would be tempted hereafter to violate them. They dreaded that England, like Naples, Milan, and the other countries annexed to Spain, would soon feel the dominion of that crown to be intolerably oppressive, and be constrained, as they had been, to waste its wealth and vigour in wars wherein it had no interest, and from which it could derive no advantage. These sentiments prevailed so generally, that every part of the kingdom was filled with discontent at the match, and with indignation against the advisers of it. Sir Thomas Wyat, a gentleman of some note, and of good intentions towards the public, took advantage of this, and roused the inhabitants of Kent to arms, in order to save their country from a foreign yoke. Great numbers resorted in a short time to his standard; he marched to London with such rapidity, and the queen was so utterly unprovided for defence, that the aspect of affairs was extremely threatening; and if any nobleman of distinction had joined the malcontents, or had Wyat possessed talents equal in any degree to the boldness of his enterprise, the insurrection must have proved fatal to Mary's power. But all Wyat's measures were concerted with so little prudence, and executed with such irresolution, that many of his followers forsook him; the rest were dispersed by a handful of soldiers; and he himself was taken prisoner, without having made any effort worthy of the cause that he had undertaken, or suitable to the ardour with which he engaged in it. He suffered the punishment due to his rashness and rebellion. The queen's authority was confirmed and increased by her success in defeating this inconsiderable attempt to abridge it. The lady Jane Grey, whose title the ambition of her relations had set up in opposition to that of the queen, was, notwithstanding her youth and innocence, brought to the scaffold. The lady Elizabeth, the queen's sister, was observed with the most jealous attention. The treaty of marriage was ratified by the parliament.

Wyat's insurrection.

The marriage celebrated.

Philip landed in England with a magnificent retinue, celebrated his nuptials with great solemnity; and though he could not lay aside his natural severity and pride, or assume gracious and popular manners, he endeavoured to conciliate the favour of the English nobility by

z Rymer's Fœd. vol. xv. 377, 393. Mem. de Ribier, ii. 498.

his extraordinary liberality. Lest that should fail of acquiring him such influence in the government of the kingdom as he aimed at obtaining, the emperor kept a body of twelve thousand men on the coast of Flanders, in readiness to embark for England, and to support his son in all his enterprises.

Mary's measures to overturn the protestant religion in England.

Imboldened by all these favourable circumstances, Mary pursued the scheme of extirpating the protestant religion out of her dominions with the most precipitate zeal. The laws of Edward the sixth in favour of the Reformation were repealed; the protestant clergy ejected; all the forms and rites of the popish worship were re-established; the nation was solemnly absolved from the guilt which it had contracted during the period of its apostasy, and was publicly reconciled to the church of Rome by cardinal Pole, who, immediately after the queen's marriage, was permitted to continue his journey to England, and to exercise his legantine functions with the most ample power. Not satisfied with having overturned the protestant church, and re-establishing the ancient system on its ruins, Mary insisted that all her subjects should conform to the same mode of worship which she preferred, should profess their faith in the same creed which she had approved, and abjure every practice or opinion that was deemed repugnant to either of them. Powers altogether unknown in the English constitution were vested in certain persons appointed to take cognizance of heresy, and they proceeded to exercise them with more than inquisitorial severity. The prospect of danger, however, did not intimidate the principal teachers of the protestant doctrines, who believed that they were contending for truths of the utmost consequence to the happiness of mankind. They boldly avowed their sentiments, and were condemned to that cruel death which the church of Rome reserves for its enemies. This shocking punishment was inflicted with that barbarity which the rancour of false zeal alone can inspire. The English, who are inferior in humanity to no people in Europe, and remarkable for the mildness of their public executions, beheld with astonishment and horror persons who had filled the most respectable stations in their church, and who were venerable on account of their age, their piety, and their literature, condemned to endure torments to which their laws did not subject even the most atrocious criminals.

The obstacles which she had to surmount.

This extreme rigour did not accomplish the end at which Mary aimed. The patience and fortitude with which these martyrs for the Reformation submitted to their sufferings, the heroic contempt of death expressed by persons of every rank, and age, and sex, confirmed many more in the protestant faith than the threats of their enraged persecutors could frighten into apostasy. The business of such as were intrusted with trying heretics multiplied continually, and appeared to be as endless as it was odious. The queen's ablest ministers became sensible how impolitic as well as dangerous it was to irritate the people by the frequent spectacle of public executions, which they detested as no less unjust than cruel. Even Philip was so thoroughly convinced of her having run to an excess of rigour, that on this occasion he assumed a part to which he was little accustomed, becoming an advocate for moderation and lenity.[a]

The English jealous of Philip.

But notwithstanding this attempt to ingratiate himself with the English, they discovered a constant jealousy and distrust of all his intentions; and when some members who had been gained by the court ventured to move in the house of commons that the nation ought to assist the emperor, the queen's father-in-law, in his war against France, the proposal was rejected with general dissatisfaction. A motion which was made, that the parliament should give its consent that Philip might be publicly crowned as the queen's husband, met with such a cold reception, that it was instantly withdrawn.[b]

The French king alarmed at the match between Philip and Mary.

The king of France had observed the progress of the emperor's negociation in England with much uneasiness. The great accession of territories as well as reputation which his enemy would acquire by the marriage of his son with the queen of such a powerful kingdom, was obvious and formidable. He easily foresaw that the English, notwithstanding all their fears and precautions, would be soon drawn in to take part in the quarrels on the continent, and be compelled to act in subserviency to the emperor's ambitious schemes. For this reason Henry had given it in charge to his ambassador at the court of London, to employ all his address in order to defeat or retard the treaty of marriage; and as there was not, at that time, any prince of the blood in France whom he could propose to the queen as a husband, he instructed him to co-operate with such of the English as wished their sovereign to marry one of her own subjects. But the queen's ardour and precipitation in closing with the first overtures in favour of Philip having rendered all his endeavours ineffectual, Henry was so far from thinking it prudent to give any aid to the English malcontents, though earnestly solicited by Wyat and their other leaders, who tempted him to take them under his protection by offers of great advantage to France, that he commanded his ambassador to congratulate the queen in the warmest terms upon the suppression of the insurrection.

His preparations for a vigorous campaign.

Notwithstanding these external professions, Henry dreaded so much the consequence of this alliance, which more than compensated for all the emperor had lost in Germany, that he determined to carry on his mi-

a Godwin's Annals of Q. Mary, ap. Kennet, v. ii. p. 329. Burnet's Hist. of Reform. ii. 298, 305.

b Carte's Hist. of England, iii. 314.

litary operations, both in the Low Countries and in Italy, with extraordinary vigour, in order that he might compel Charles to accept of an equitable peace before his daughter-in-law could surmount the aversion of her subjects to a war on the continent, and prevail on them to assist the emperor either with money or troops. For this purpose he exerted himself to the utmost in order to have a numerous army early assembled on the frontiers of the Netherlands, and while one part of it laid waste the open country of Artois, the main body, under the constable Montmorency, advanced towards the provinces of Liege and Hainault by the forest of Ardennes.

The progress of his arms.

The campaign was opened with the siege of Mariemburg, a town which the queen of Hungary, the governess of the Low Countries, had fortified at great expense; but being destitute of a sufficient garrison, it surrendered in six days. Henry, elated with this success, put himself at the head of his army, and investing Bouvines, took it by assault, after a short resistance. With equal facility he became master of Dinant; and then turning to the left, bent his march towards the province of Artois.

June 28.

The emperor little able to obstruct it.

The large sums which the emperor had remitted into England had so exhausted his treasury, as to render his preparations, at this juncture, slower and more dilatory than usual. He had no body of troops to make head against the French at their first entrance into his territories; and though he drew together all the forces in the country in the utmost hurry, and gave the command of them to Emanuel Philibert of Savoy, they were in no condition to face an enemy so far superior in number. The prince of Savoy, however, by his activity and good conduct, made up for his want of troops. By watching all the motions of the French at a distance, and by choosing his own posts with skill, he put it out of their power either to form any siege of consequence or to attack him. Want of subsistence soon obliged them to fall back towards their own frontiers, after having burnt all the open towns, and having plundered the country through which they marched, with a cruelty and licence more becoming a body of light troops than a royal army led by a great monarch.

The French invest Renti.

But Henry, that he might not dismiss his army without attempting some conquest adequate to the great preparations as well as sanguine hopes with which he had opened the campaign, invested Renti, a place deemed in that age of great importance, as, by its situation on the confines of Artois and the Boulonnois, it covered the former province, and protected the parties which made incursions into the latter. The town, which was strongly fortified, and provided with a numerous garrison, made a gallant defence; but being warmly pressed by a powerful army, it must soon have yielded. The emperor, who at that time enjoyed a short interval of ease from the gout, was so solicitous to save it, that although he could bear no other motion but that of a litter, he instantly put himself at the head of his army, which having received several reinforcements, was now strong enough to approach the enemy. The French were eager to decide the fate of Renti by a battle, and expected it from the emperor's arrival in his camp; but Charles avoided a general action with great industry; and as he had nothing in view but to save the town, he hoped to accomplish that without exposing himself to the consequences of such a dangerous and doubtful event.

An action between the two armies. Aug. 13.

Notwithstanding all his precautions, a dispute about a post which both armies endeavoured to seize, brought on an engagement which proved almost general. The duke of Guise, who commanded the wing of the French which stood the brunt of the combat, displayed valour and conduct worthy of the defender of Metz; the imperialists, after an obstinate struggle, were repulsed; the French remained masters of the post in dispute; and if the constable, either from his natural caution and slowness, or from unwillingness to support a rival whom he hated, had not delayed bringing up the main body to second the impression which Guise had made, the rout of the enemy must have been complete. The emperor, notwithstanding the loss which he had sustained, continued in the same camp; and the French being straitened for provisions, and finding it impossible to carry on the siege in the face of an hostile army, quitted their entrenchments. They retired openly, courting the enemy to approach rather than shunning an engagement.

But Charles having gained his end, suffered them to march off unmolested. As soon as his troops entered their own country, Henry threw garrisons into the frontier towns, and dismissed the rest of the army. This encouraged the imperialists to push forward with a considerable body of troops into Picardy, and by laying waste the country with fire and sword, they endeavoured to revenge themselves for the ravages which the French had committed in Hainault and Artois.[c] But as they were not able to reduce any place of importance, they gained nothing more than the enemy had done by this cruel and inglorious method of carrying on the war.

The imperialists invade Picardy.

Affairs of Italy.

The arms of France were still more unsuccessful in Italy. The footing which the French had acquired in Siena occasioned much uneasiness to Cosmo di Medici, the most sagacious and enterprising of all the Italian princes. He dreaded the neighbourhood of a powerful people, to whom all who favoured the ancient republican government in Florence would have recourse, as to their natural protectors, against that absolute authority which the emperor had enabled him to usurp; he knew how odious he was to the French on account of his attachment to the imperial

c Thuan. 460, &c. Haræi Ann. Brab. 674.

Cosmo di Medici's schemes with regard to Siena.

party; and he foresaw that if they were permitted to gather strength in Siena, Tuscany would soon feel the effects of their resentment. For these reasons he wished with the utmost solicitude for the expulsion of the French out of the Sienese, before they had time to establish themselves thoroughly in the country, or to receive such reinforcements from France as would render it dangerous to attack them. As this, however, was properly the emperor's business, who was called by his interest as well as honour to dislodge those formidable intruders into the heart of his dominions, Cosmo laboured to throw the whole burden of the enterprise on him; and on that account had given no assistance during the former campaign, but by advancing some small sums of money towards the payment of the imperial troops.

He negociates with the emperor.

But as the defence of the Netherlands engrossed all the emperor's attention, and his remittances into England had drained his treasury, it was obvious that his operations in Italy would be extremely feeble; and Cosmo plainly perceived that if he himself did not take part openly in the war and act with vigour, the French would scarcely meet with any annoyance. As his situation rendered this resolution necessary and unavoidable, his next care was to execute it in such a manner that he might derive from it some other advantage beside that of driving the French out of his neighbourhood. With this view he despatched an envoy to Charles, offering to declare war against France and to reduce Siena at his own charges, on condition that he should be repaid whatever he might expend in the enterprise, and be permitted to retain all his conquests until his demands were fully satisfied. Charles, to whom at this juncture the war against Siena was an intolerable burden, and who had neither expedient nor resource that could enable him to carry it on with proper vigour, closed gladly with this overture; and Cosmo, well acquainted with the low state of the imperial finances, flattered himself that the emperor, finding it impossible to reimburse him, would suffer him to keep quiet possession of whatever places he should conquer.[d]

Enters into war with France.

Full of these hopes, he made great preparations for war; and as the French king had turned the strength of his arms against the Netherlands, he did not despair of assembling such a body of men as would prove more than a sufficient match for any force which Henry could bring into the field in Italy. He endeavoured, by giving one of his daughters to the pope's nephew, to obtain assistance from the holy see, or at least to secure his remaining neutral. He attempted to detach the duke of Orsini, whose family had been long attached to the French party, from his ancient confederates, by bestowing on him another of his daughters; and what was of greater consequence than either of these, he engaged John James Medecino, marquis of Marignano, to take the command of his army.[e] This officer, from a very low condition in life, had raised himself through all the ranks of service to high command, and had displayed talents and acquired reputation in war which entitled him to be placed on a level with the greatest generals in that martial age. Having attained a station of eminence so disproportionate to his birth, he laboured with a fond solicitude to conceal his original obscurity, by giving out that he was descended of the family of Medici, to which honour the casual resemblance of his name was his only pretension. Cosmo, happy that he could gratify him at such an easy rate, flattered his vanity in this point, acknowledged him as a relation, and permitted him to assume the arms of his family. Medecino, eager to serve the head of that family of which he now considered himself as a branch, applied with wonderful zeal and assiduity to raise troops; and as, during his long service, he had acquired great credit with the leaders of those mercenary bands which formed the strength of Italian armies, he engaged the most eminent of them to follow Cosmo's standard.

Gives the command of his army to Medecino.

To oppose this able general and the formidable army which he had assembled, the king of France made choice of Peter Strozzi, a Florentine nobleman who had resided long in France as an exile, and who had risen by his merit to high reputation as well as command in the army. He was the son of Philip Strozzi, who, in the year one thousand five hundred and thirty-seven, had concurred with such ardour in the attempt to expel the family of Medici out of Florence, in order to re-establish the ancient republican form of government, and who had perished in the undertaking. The son inherited the implacable aversion to the Medici, as well as the same enthusiastic zeal for the liberty of Florence, which had animated his father, whose death he was impatient to revenge. Henry flattered himself that his army would make rapid progress under a general whose zeal to promote his interest was roused and seconded by such powerful passions; especially as he had allotted him for the scene of action his native country, in which he had many powerful partisans, ready to facilitate all his operations.

Peter Strozzi intrusted with the command of the French army in Italy.

But how specious soever the motives might appear which induced Henry to make this choice, it proved fatal to the interests of France in Italy. Cosmo, as soon as he heard that the mortal enemy of his family was appointed to take the command in Tuscany, concluded that the king of France aimed at something more than the protection of the Sienese, and saw the necessity of making extraordinary efforts, not merely to reduce Siena, but to save himself from destruction.[f] At

The imprudence of this choice.

d Adriani Istoria de suoi Tempi, vol. i. 662.
e Adriani Istoria, vol. i. p. 663.

f Pecci Memorie di Siena, vol. iv. p. 103. &c.

the same time the cardinal of Ferrara, who had the entire direction of the French affairs in Italy, considered Strozzi as a formidable rival in power, and in order to prevent his acquiring any increase of authority from success, he was extremely remiss in supplying him either with money to pay his troops or with provisions to support them. Strozzi himself, blinded by his resentment against the Medici, pushed on his operations with the impetuosity of revenge rather than with the caution and prudence becoming a great general.

The battle of Marciano;

At first, however, he attacked several towns in the territory of Florence with such vigour as obliged Medecino, in order to check his progress, to withdraw the greater part of his army from Siena, which he had invested before Strozzi's arrival in Italy. As Cosmo sustained the whole burden of military operations, the expense of which must soon have exhausted his revenues; as neither the viceroy of Naples nor governor of Milan was in condition to afford him any effectual aid; and as the troops which Medecino had left in the camp before Siena could attempt nothing against it during his absence, it was Strozzi's business to have protracted the war, and to have transferred the seat of it into the territories of Florence; but the hope of

August 3.

ruining his enemy by one decisive blow precipitated him into a general engagement not far from Marciano. The armies were nearly equal in number; but a body of Italian cavalry, in which Strozzi placed great confidence, having fled without making any resistance, either

in which the French are defeated.

through the treachery or cowardice of the officers who commanded it, his infantry remained exposed to the attacks of all Medecino's troops. Encouraged, however, by Strozzi's presence and example, who, after receiving a dangerous wound in endeavouring to rally the cavalry, placed himself at the head of the infantry, and manifested an admirable presence of mind as well as extraordinary valour, they stood their ground with great firmness, and repulsed such of the enemy as ventured to approach them. But those gallant troops being surrounded at last on every side, and torn in pieces by a battery of cannon which Medecino brought to bear upon them, the Florentine cavalry broke in on their flanks, and a general rout ensued. Strozzi, faint with the loss of blood, and deeply affected with the fatal consequences of his own rashness, found the utmost difficulty in making his escape with a handful of men.[g]

Medecino besieges Siena,

Medecino returned immediately to the siege of Siena with his victorious forces; and as Strozzi could not, after the greatest efforts of activity, collect as many men as to form the appearance of a regular army, he had leisure to carry on his approaches against the town without molestation. But the Sienese, instead of sinking into despair upon this cruel disappointment of their only hope of obtaining relief, prepared to defend themselves to the utmost extremity, with that undaunted fortitude which the love of liberty alone can inspire.

which is gallantly defended by the citizens and Monluc.

This generous resolution was warmly seconded by Monluc, who commanded the French garrison in the town. The active and enterprising courage which he had displayed on many occasions had procured him this command; and as he had ambition which aspired at the highest military dignities, without any pretensions to attain them but what he could derive from merit, he determined to distinguish his defence of Siena by extraordinary efforts of valour and perseverance. For this purpose he repaired and strengthened the fortifications with unwearied industry; he trained the citizens to the use of arms, and accustomed them to go through the fatigues and dangers of service in common with the soldiers; and as the enemy were extremely strict in guarding all the avenues to the city, he husbanded the provisions in the magazines with the most parsimonious economy, and prevailed on the soldiers as well as the citizens to restrict themselves to a very moderate daily allowance for their subsistence. Medecino, though his army was not numerous enough to storm the town by open force, ventured twice to assault it by surprise; but he was received each time with so much spirit, and repulsed with such loss, as discouraged him from repeating the attempt, and left him no hopes of reducing the town but by famine.

Medecino converts the siege into a blockade.

With this view he fortified his own camp with great care, occupied all the posts of strength round the place, and having entirely cut off the besieged from any communication with the adjacent country, he waited patiently until necessity should compel them to open their gates. But their enthusiastic zeal for liberty made the citizens despise the distresses occasioned by the scarcity of provisions, and supported them long under all the miseries of famine: Monluc, by his example and exhortations, taught his soldiers to vie with them in patience and abstinence; and it was not until they had withstood a siege of ten months, until they had eaten up all the horses, dogs, and other animals in the place, and were reduced almost to their last morsel of bread, that they proposed a capitulation.

1555.

Even then they demanded honourable terms; and as Cosmo, though no stranger to the extremity of their condition, was afraid that despair might prompt them to venture upon some wild enterprise, he immediately granted them conditions more favourable than they could have expected.

April 22. The town obliged by famine to capitulate.

The capitulation was made in the emperor's name, who engaged to take the republic of Siena under the protection of the empire; he promised to maintain the ancient liberties of the city, to allow the magistrates the full exercise of their former authority, to secure the citizens in the undisturbed possession of their

g Pecci Memoire della Siena, vol. iv. p. 157.

privileges and property; he granted an ample and unlimited pardon to all who had borne arms against him; he reserved to himself the right of placing a garrison in the town, but engaged not to rebuild the citadel without the consent of the citizens. Monluc and his French garrison were allowed to march out with all the honours of war.

Medecino observed the articles of capitulation, as far as depended on him, with great exactness. No violence or insult whatever was offered to the inhabitants, and the French garrison was treated with all the respect due to their spirit and bravery. But many of the citizens suspecting, from the extraordinary facility with which they had obtained such favourable conditions, that the emperor as well as Cosmo would take the first opportunity of violating them, and disdaining to possess a precarious liberty which depended on the will of another, abandoned the place of their nativity, and accompanied the French to Monte-Alcino, Porto Ercole, and other small towns in the territory of the republic. They established in Monte-Alcino the same model of government to which they had been accustomed at Siena, and, appointing magistrates with the same titles and jurisdiction, solaced themselves with this image of their ancient liberty.

Many of the Sienese retire to Monte-Alcino;

and establish a free government there.

The fears of the Sienese concerning the fate of their country were not imaginary, or their suspicion of the emperor and Cosmo ill-founded; for no sooner had the imperial troops taken possession of the town, than Cosmo, without regarding the articles of capitulation, not only displaced the magistrates who were in office, and nominated new ones devoted to his own interest, but commanded all the citizens to deliver up their arms to persons whom he appointed to receive them. They submitted to the former from necessity, though with all the reluctance and regret which men accustomed to liberty feel in obeying the first commands of a master. They did not yield the same tame obedience to the latter; and many persons of distinction, rather than degrade themselves from the rank of freemen to the condition of slaves by surrendering their arms, fled to their countrymen at Monte-Alcino, and chose to endure all the hardships and encounter all the dangers which they had reason to expect in that new station, where they had fixed the seat of their republic.

Hardships to which the citizens of Siena were subjected.

Cosmo not reckoning himself secure while such numbers of implacable and desperate enemies were settled in his neighbourhood, and retained any degree of power, solicited Medecino to attack them in their different places of retreat, before they had time to recruit their strength and spirits after the many calamities which they had suffered. He prevailed on him, though his army was much weakened by hard duty during the siege of Siena, to invest Porto Ercole, and the fortifications being both slight and incomplete, the besieged were soon compelled to open their gates. An unexpected order which Medecino received from the emperor, to detach the greater part of his troops into Piedmont, prevented further operations, and permitted the Sienese exiles to reside for some time undisturbed in Monte-Alcino. But their unhappy countrymen who remained at Siena were not yet at the end of their sufferings; for the emperor, instead of adhering to the articles of capitulation, granted his son Philip the investiture of that city and all its dependences; and Francis de Toledo, in the name of their new master, proceeded to settle the civil and military government, treated them like a conquered people, and subjected them to the Spanish yoke, without paying any regard whatever to their privileges or ancient form of government.[h]

Cosmo attacks those who had retired.

June 13.

The imperial army in Piedmont had been so feeble for some time, and its commander so inactive, that the emperor, in order to give vigour to his operations in that quarter, found it necessary not only to recall Medecino's troops from Tuscany while in the career of conquest, but to employ in Piedmont a general of such reputation and abilities as might counterbalance the great military talents of the mareschal Brissac, who was at the head of the French forces in that country.

Operations in Piedmont.

He pitched on the duke of Alva for that purpose; but that choice was as much the effect of a court intrigue as of his opinion with respect to the duke's merit. Alva had long made court to Philip with the utmost assiduity, and had endeavoured to work himself into his confidence by all the insinuating arts of which his haughty and inflexible nature was capable. As he nearly resembled that prince in many features of his character, he began to gain much of his good-will. Ruy Gomez de Silva, Philip's favourite, who dreaded the progress which this formidable rival made in his master's affections, had the address to prevail with the emperor to name Alva to this command. The duke, though sensible that he owed this distinction to the malicious arts of an enemy who had no other aim than to remove him at a distance from court, was of such punctilious honour that he would not decline a command that appeared dangerous and difficult, but at the same time was so haughty that he would not accept of it but on his own terms, insisting on being appointed the emperor's vicar-general in Italy, with the supreme military command in all the imperial and Spanish territories in that country. Charles granted all his demands; and he took possession of his new dignity with almost unlimited authority.

Charles appoints the duke of Alva generalissimo there.

h Sleid. 617. Thuan. lib. xv. 526, 537. Joan. Camerarii adnot. rer. præcipuarum ab anno 1550 ad 1561 ap. Freherum, vol. iii. p. 564. Pecci Memorie della Siena, iv. 64, &c.

His operations there inconsiderable.

His first operations, however, were neither proportioned to his former reputation and the extensive powers with which he was invested, not did they come up to the emperor's expectations. Brissac had under his command an army which, though inferior in number to the imperialists, was composed of chosen troops, which having grown old in service in that country, where every town was fortified and every castle capable of being defended, were perfectly acquainted with the manner of carrying on war there. By their valour and his own good conduct, Brissac not only defeated all the attempts of the imperialists, but added new conquests to the territories of which he was formerly master. Alva, after having boasted with his usual arrogance that he would drive the French out of Piedmont in a few weeks, was obliged to retire into winter-quarters, with the mortification of being unable to preserve entire that part of the country of which the emperor had hitherto kept possession.[i]

A conspiracy to betray Metz to the imperialists.

As the operations of this campaign in Piedmont were indecisive, those in the Netherlands were inconsiderable, neither the emperor nor king of France being able to bring into the field an army strong enough to undertake any enterprise of moment. But what Charles wanted in force he endeavoured to supply by a bold stratagem, the success of which would have been equal to that of the most vigorous campaign. During the siege of Metz, Leonard, father guardian of a convent of Franciscans in that city, had insinuated himself far into the esteem and favour of the duke of Guise, by his attachment to the French. Being a man of an active and intriguing spirit, he had been extremely useful both in animating the inhabitants to sustain with patience all the hardships of the siege, and in procuring intelligence of the enemy's designs and motions. The merit of those important services, together with the warm recommendations of the duke of Guise, secured him such high confidence with Vielleville, who was appointed governor of Metz when Guise left the town, that he was permitted to converse or correspond with whatever persons he thought fit, and nothing that he did created any suspicion. This monk, from the levity natural to bold and projecting adventurers; or from resentment against the French, who had not bestowed on him such rewards as he thought due to his own merit; or tempted, by the unlimited confidence which was placed in him, to imagine that he might carry on and accomplish any scheme with perfect security, formed a design of betraying Metz to the imperialists.

The plan of it.

He communicated his intentions to the queen-dowager of Hungary, who governed the Low Countries in the name of her brother. She approving, without any scruple, any act of treachery from which the emperor might derive such signal advantage, assisted the father guardian in concerting the most proper plan for insuring its success. They agreed that the father guardian should endeavour to gain his monks to concur in promoting the design; that he should introduce into the convent a certain number of chosen soldiers, disguised in the habit of friars; that when every thing was ripe for execution, the governor of Thionville should march towards Metz in the night with a considerable body of troops, and attempt to scale the ramparts; that while the garrison was employed in resisting the assailants, the monks should set fire to the town in different places; that the soldiers who lay concealed should sally out of the convent, and attack those who defended the ramparts in the rear. Amidst the universal terror and confusion which events so unexpected would occasion, it was not doubted but that the imperialists might become masters of the town. As a recompence for this service, the father guardian stipulated that he should be appointed bishop of Metz; and ample rewards were promised to such of his monks as should be most active in co-operating with him.

Its progress.

The father guardian accomplished what he had undertaken to perform with great secrecy and despatch. By his authority and arguments, as well as by the prospect of wealth and honours which he set before his monks, he prevailed on all of them to enter into the conspiracy. He introduced into the convent, without being suspected, as many soldiers as were thought sufficient. The governor of Thionville, apprised in due time of the design, had assembled a proper number of troops for executing it; and the moment approached which probably would have wrested from Henry the most important of all his conquests.

Is discovered.

But, happily for France, on the very day that was fixed for striking the blow, Vielleville, an able and vigilant officer, received information from a spy whom he entertained at Thionville, that certain Franciscan friars resorted frequently thither, and were admitted to many private conferences with the governor, who was carrying on preparations for some military enterprise with great despatch, but with a most mysterious secrecy. This was sufficient to awaken Vielleville's suspicions. Without communicating these to any person, he instantly visited the convent of Franciscans; detected the soldiers who were concealed there; and forced them to discover as much as they knew concerning the nature of the enterprise. The father guardian, who had gone to Thionville that he might put the last hand to his machinations, was seized at the gate as he returned; and he, in order to save himself from the rack, revealed all the circumstances of the conspiracy.

A body of imperialists defeated.

Vielleville, not satisfied with having seized the traitors and having frustrated their schemes, was solicitous to take advantage of the discoveries which he had made, so as to be revenged on the imperialists. For this

i Thuan. lib. xv. 529. Guichenon Hist. de Savoye, tom. i. 670.

purpose he marched out with the best troops in his garrison, and placing these in ambush near the road by which the father guardian had informed him that the governor of Thionville would approach Metz, he fell upon the imperialists with great fury, as they advanced in perfect security, without suspecting any danger to be near. Confounded at this sudden attack by an enemy whom they expected to surprise, they made little resistance; and a great part of the troops employed in this service, among whom were many persons of distinction, were killed or taken prisoners. Before next morning Vielleville returned to Metz in triumph.

The conspirators punished.

No resolution was taken for some time concerning the fate of the father guardian and his monks, the framers and conductors of this dangerous conspiracy. Regard for the honour of a body so numerous and respectable as the Franciscans, and unwillingness to afford a subject of triumph to the enemies of the Romish church by their disgrace, seem to have occasioned this delay. But at length the necessity of inflicting exemplary punishment upon them, in order to deter others from venturing to commit the same crime, became so evident, that orders were issued to proceed to their trial. The guilt was made apparent by the clearest evidence; and sentence of death was passed upon the father guardian, together with twenty monks. On the evening previous to the day fixed for their execution, the jailer took them out of the dungeons in which they had hitherto been confined separately, and shut them all up in one great room, that they might confess their sins one to another, and join together in preparing for a future state. But as soon as they were left alone, instead of employing themselves in the religious exercises suitable to their condition, they began to reproach the father guardian and four of the senior monks who had been most active in seducing them, for their inordinate ambition, which had brought such misery on them and such disgrace upon their order. From reproaches they proceeded to curses and execrations, and at last, in a phrensy of rage and despair, they fell upon them with such violence, that they murdered the father guardian on the spot, and so disabled the other four, that it became necessary to carry them next morning in a cart, together with the dead body of the father guardian, to the place of execution. Six of the youngest were pardoned, the rest suffered the punishment which their crime merited.[k]

A fruitless negociation in order to establish peace.

Though both parties, exhausted by the length of the war, carried it on in this languishing manner, neither of them showed any disposition to listen to overtures of peace. Cardinal Pole, indeed, laboured with all the zeal becoming his piety and humanity to reestablish concord among the princes of Christendom. He had not only persuaded his mistress, the queen of England, to enter warmly into his sentiments, and to offer her mediation to the contending powers, but had prevailed both on the emperor and king of France to send their plenipotentiaries to a village between Gravelines and Ardres. He himself, together with Gardiner, bishop of Winchester, repaired thither in order to preside as mediators in the conferences which were to be held for adjusting all the points in difference. But though each of the monarchs committed this negociation to some of their ministers in whom they placed the greatest confidence, it was soon evident that they came together with no sincere desire of accommodation. Each proposed articles so extravagant, that they could have no hopes of their being accepted. Pole, after exerting in vain all his zeal and address in order to persuade them to relinquish such extravagant demands, and to consent to the substitution of more equal conditions, became sensible of the folly of wasting time in attempting to re-establish concord between those whom their obstinacy rendered irreconcilable, broke off the conference, and returned to England.[l] May 21.

Affairs of Germany.

During these transactions in other parts of Europe, Germany enjoyed such profound tranquillity as afforded the diet full leisure to deliberate, and to establish proper regulations concerning a point of the greatest consequence to the internal peace of the empire. By the treaty of Passau, in one thousand five hundred and fifty-two, it had been referred to the next diet of the empire to confirm and perfect the plan of religious pacification which was there agreed upon. The terror and confusion with which the violent commotions excited by Albert of Brandenburg had filled Germany, as well as the constant attention which Ferdinand was obliged to give to the affairs of Hungary, had hitherto prevented the holding a diet, though it had been summoned, soon after the conclusion of the treaty, to meet at Augsburg.

Diet held at Augsburg, and Ferdinand's speech in it.

But as a diet was now necessary on many accounts, Ferdinand about the beginning of this year had repaired to Augsburg. Though few of the princes were present either in person or by their deputies, he opened the assembly by a speech, in which he proposed a termination of the dissensions to which the new tenets and controversies with regard to religion had given rise, not only as the first and great business of the diet, but as the point which both the emperor and he had most at heart. He represented the innumerable obstacles which the emperor had to surmount before he could procure the convocation of a general council, as well as the fatal accidents which had for some time retarded and had at last suspended the consultations of that assembly. He observed, that experience had already taught them how vain it was to expect any remedy for evils which demanded immediate redress from a general council, the assembling of which would

k Thuan. lib. xv. p. 522. Belcar. Com. Rer. Gal. 866. Memoires du Marech. Vielleville, par M. Charloix. tom. iii. p. 249, &c. p. 347. Par. 1757.

l Thuan. lib. xv. p. 523. Mem. de Ribier, tom. ii. p. 613.

either be prevented, or its deliberations be interrupted by the dissensions and hostilities of the princes of Christendom: that a national council in Germany, which, as some imagined, might be called with greater ease, and deliberate with more perfect security, was an assembly of an unprecedented nature, the jurisdiction of which was uncertain in its extent, and the form of its proceedings undefined: that in his opinion there remained but one method for composing their unhappy differences, which though it had been often tried without success, might yet prove effectual, if it were attempted with a better and more pacific spirit than had appeared on former occasions; and that was to choose a few men of learning, abilities, and moderation, who by discussing the disputed articles in an amicable conference, might explain them in such a manner as to bring the contending parties either to unite in sentiment or to differ with charity.

Suspicions and fears of the protestants.

This speech being printed in common form and dispersed over the empire, revived the fears and jealousies of the protestants: Ferdinand, they observed with much surprise, had not once mentioned in his address to the diet the treaty of Passau, the stipulations of which they considered as the great security of their religious liberty. The suspicions to which this gave rise were confirmed by the accounts which they daily received of the extreme severity with which Ferdinand treated their protestant brethren in his hereditary dominions; and as it was natural to consider his actions as the surest indication of his intentions, this diminished their confidence in those pompous professions of moderation and of zeal for the re-establishment of concord, to which his practice seemed to be so repugnant.

These increased by the arrival of a nuncio from the pope to the diet.

The arrival of the cardinal Moroné, whom the pope had appointed to attend the diet as his nuncio, completed their conviction, and left them no room to doubt that some dangerous machination was forming against the peace or safety of the protestant church. Julius, elated with the unexpected return of the English nation from apostasy, began to flatter himself that the spirit of mutiny and revolt having now spent its force, the happy period was come when the church might resume its ancient authority, and be obeyed by the people with the same tame submission as formerly. Full of these hopes, he had sent Moroné to Augsburg, with instructions to employ his eloquence to excite the Germans to imitate the laudable example of the English, and his political address in order to prevent any decree of the diet to the detriment of the catholic faith. As Moroné inherited from his father, the chancellor of Milan, uncommon talents for negociation and intrigue, he could hardly have failed of embarrassing the measures of the protestants in the diet, or of defeating whatever they aimed at obtaining in it for their further security.

The death of Julius III.

But an unforeseen event delivered them from all the danger which they had reason to apprehend from Moroné's presence. Julius, by abandoning himself to pleasures and amusements no less unbecoming his age than his character, having contracted such habits of dissipation, that any serious occupation, especially if attended with difficulty, became an intolerable burden to him, had long resisted the solicitations of his nephew to hold a consistory, because he expected there a violent opposition to his schemes in favour of that young man. But when all the pretexts which he could invent for eluding this request were exhausted, and at the same time his indolent aversion to business continued to grow upon him, he feigned indisposition rather than yield to his nephew's importunity; and that he might give the deceit a greater colour of probability, he not only confined himself to his apartment, but changed his usual diet and manner of life. By persisting too long in acting this ridiculous part, he contracted a real disease, of which he died in a few days, leaving his infamous minion the cardinal de Monte to bear his name, and to disgrace the dignity which he had conferred upon him.[m]

March 23.

The nuncio sets out for Rome.

As soon as Moroné heard of his death, he set out abruptly from Augsburg, where he had resided only a few days, that he might be present at the election of a new pontiff.

Ferdinand's reasons for wishing to satisfy the protestants.

One cause of their suspicions and fears being thus removed, the protestants soon became sensible that their conjectures concerning Ferdinand's intentions, however specious, were ill-founded, and that he had no thoughts of violating the articles favourable to them in the treaty of Passau. Charles, from the time that Maurice had defeated all his schemes in the empire, and overturned the great system of religious and civil despotism which he had almost established there, gave little attention to the internal government of Germany, and permitted his brother to pursue whatever measures he judged most salutary and expedient. Ferdinand, less ambitious and enterprising than the emperor, instead of resuming a plan which he, with power and resources so far superior, had failed of accomplishing, endeavoured to attach the princes of the empire to his family by an administration uniformly moderate and equitable. To this he gave, at present, particular attention, because his situation at this juncture rendered it necessary to court their favour and support with more than usual assiduity.

Charles had resumed his plan of altering the succession to the empire.

Charles had again resumed his favourite project of acquiring the imperial crown for his son Philip, the prosecution of which the reception it had met with when first proposed had obliged him to suspend, but had not induced him to relinquish. This led him warmly to renew his request to his brother, that he would accept of some compensation

m Onuphr. Panvinius de Vitis Pontificum, p. 320. Thuan. lib. xv. 517.

for his prior right of succession, and sacrifice that to the grandeur of the house of Austria. Ferdinand, who was as little disposed as formerly to give such an extraordinary proof of self-denial, being sensible that in order to defeat this scheme, not only the most inflexible firmness on his part, but a vigorous declaration from the princes of the empire in behalf of his title, were requisite, was willing to purchase their favour by gratifying them in every point that they deemed interesting or essential.

The Turks were ready to invade Hungary.

At the same time he stood in need of immediate and extraordinary aid from the Germanic body, as the Turks, after having wrested from him great part of his Hungarian territories, were ready to attack the provinces still subject to his authority with a formidable army, against which he could bring no equal force into the field. For this aid from Germany he could not hope, if the internal peace of the empire were not established on a foundation solid in itself, and which should appear, even to the protestants, so secure and so permanent, as might not only allow them to engage in a distant war with safety, but might encourage them to act in it with vigour.

He is alarmed at some steps taken by the protestants.

A step taken by the protestants themselves, a short time after the opening of the diet, rendered him still more cautious of giving them any new cause of offence. As soon as the publication of Ferdinand's speech awakened the fears and suspicions which have been mentioned, the electors of Saxony and Brandenburg, together with the landgrave of Hesse, met at Naumburg; and confirming the ancient treaty of confraternity which had long united their families, they added to it a new article, by which the contracting parties bound themselves to adhere to the confession of Augsburg, and to maintain the doctrine which it contained in their respective dominions.[n]

Ferdinand zealous to promote an accommodation.

Ferdinand, influenced by all these considerations, employed his utmost address in conducting the deliberations of the diet, so as not to excite the jealousy of a party on whose friendship he depended, and whose enmity, as they had not only taken the alarm, but had begun to prepare for their defence, he had so much reason to dread. The members of the diet readily agreed to Ferdinand's proposal of taking the state of religion into consideration previous to any other business. But as soon as they entered upon it, both parties discovered all the zeal and animosity which a subject so interesting naturally engenders, and which the rancour of controversy, together with the violence of civil war, had inflamed to the highest pitch.

The pretensions of the catholics and protestants.

The protestants contended, that the security which they claimed in consequence of the treaty of Passau should extend, without limitation, to all who had hitherto embraced the doctrine of Luther, or who should hereafter embrace it. The catholics having first of all asserted the pope's right as the supreme and final judge with respect to all articles of faith, declared, that though, on account of the present situation of the empire, and for the sake of peace, they were willing to confirm the toleration granted by the treaty of Passau to such as had already adopted the new opinions, they must insist that this indulgence should not be extended either to those cities which had conformed to the Interim, or to such ecclesiastics as should for the future apostatize from the church of Rome. It was no easy matter to reconcile such opposite pretensions, which were supported on each side by the most elaborate arguments and the greatest acrimony of expression that the abilities or zeal of theologians long exercised in disputation could suggest. Ferdinand, however, by his address and perseverance; by softening some things on each side; by putting a favourable meaning upon others; by representing incessantly the necessity as well as the advantages of concord; and by threatening on some occasions, when all other considerations were disregarded, to dissolve the diet, brought them at length to a conclusion in which they all agreed.

Sept. 25. The peace of religion established.

Conformably to this, a recess was framed, approved of, and published with the usual formalities. The following are the chief articles which it contained:—That such princes and cities as have declared their approbation of the confession of Augsburg, shall be permitted to profess the doctrine and exercise the worship which it authorizes, without interruption or molestation from the emperor, the king of the Romans, or any power or person whatsoever; that the protestants, on their part, shall give no disquiet to the princes and states who adhere to the tenets and rites of the church of Rome; that, for the future, no attempt shall be made towards terminating religious differences but by the gentle and pacific methods of persuasion and conference; that the popish ecclesiastics shall claim no spiritual jurisdiction in such states as receive the confession of Augsburg; that such as had seized the benefices or revenues of the church previous to the treaty of Passau, shall retain possession of them, and be liable to no persecution in the imperial chamber on that account; that the supreme civil power in every state shall have right to establish what form of doctrine and worship it shall deem proper, and if any of its subjects refuse to conform to these, shall permit them to remove with all their effects whithersoever they shall please; that if any prelate or ecclesiastic shall hereafter abandon the Romish religion, he shall instantly relinquish his diocese or benefice, and it shall be lawful for those in whom the right of nomination is vested, to proceed immediately to an election, as if the office were vacant by death or translation, and to appoint a successor of undoubted attachment to the ancient system.[o]

n Chytræi Saxonia, 480.

o Sleid. 620. F. Paul, 368. Pallav. p. 11, 161.

Reflections on the progress of the principles of toleration.

Such are the capital articles in this famous recess, which is the basis of religious peace in Germany, and the bond of union among its various states, the sentiments of which are so extremely different with respect to points the most interesting as well as important. In our age and nation, to which the idea of toleration is familiar, and its beneficial effects well known, it may seem strange that a method of terminating their dissensions so suitable to the mild and charitable spirit of the christian religion, did not sooner occur to the contending parties. But this expedient, however salutary, was so repugnant to the sentiments and practice of christians during many ages, that it did not lie obvious to discovery. Among the ancient heathens, all whose deities were local and tutelary, diversity of sentiments concerning the object or rites of religious worship seems to have been no source of animosity, because the acknowledging veneration to be due to any one god did not imply denial of the existence or the power of any other god; nor were the modes and rites of worship established in one country incompatible with those which other nations approved of and observed. Thus the errors in their system of theology were of such a nature as to be productive of concord; and notwithstanding the amazing number of their deities, as well as the infinite variety of their ceremonies, a sociable and tolerating spirit subsisted almost universally in the pagan world.

But when the christian revelation declared one Supreme Being to be the sole object of religious veneration, and prescribed the form of worship most acceptable to him, whoever admitted the truth of it held, of consequence, every other system of religion as a deviation from what was established by divine authority to be false and impious. Hence arose the zeal of the first converts to the christian faith in propagating its doctrines, and the ardour with which they laboured to overturn every other form of worship. They employed, however, for this purpose, no methods but such as suited the nature of religion. By the force of powerful arguments they convinced the understandings of men; by the charms of superior virtue they allured and captivated their hearts. At length the civil power declared in favour of christianity; and though numbers, imitating the example of their superiors, crowded into the church, many still adhered to their ancient superstitions. Enraged at their obstinacy, the ministers of religion, whose zeal was still unabated, though their sanctity and virtue were much diminished, forgot so far the nature of their own mission, and of the arguments which they ought to have employed, that they armed the imperial power against these unhappy men, and as they could not persuade, they tried to compel them to believe.

At the same time controversies concerning articles of faith multiplied, from various causes, among christians themselves, and the same unhallowed weapons which had first been used against the enemies of their religion, were turned against each other. Every zealous disputant endeavoured to interest the civil magistrate in his cause, and each in his turn employed the secular arm to crush or to exterminate his opponents. Not long after, the bishops of Rome put in their claim to infallibility in explaining articles of faith and deciding points in controversy; and bold as the pretension was, they, by their artifices and perseverance, imposed on the credulity of mankind, and brought them to recognise it. To doubt or to deny any doctrine to which these unerring instructors had given the sanction of their approbation, was held to be not only a resisting of truth, but an act of rebellion against their sacred authority: and the secular power, of which, by various arts, they had acquired the absolute direction, was instantly employed to avenge both.

Thus Europe had been accustomed, during many centuries, to see speculative opinions propagated or defended by force; the charity and mutual forbearance which christianity recommends with so much warmth were forgotten; the sacred rights of conscience and of private judgment were unheard of; and not only the idea of toleration, but even the word itself in the sense now affixed to it, was unknown. A right to extirpate error by force was universally allowed to be the prerogative of such as possessed the knowledge of truth; and as each party of christians believed that they had got possession of this invaluable attainment, they all claimed and exercised, as far as they were able, the rights which it was supposed to convey. The Roman catholics, as their system rested on the decisions of an infallible judge, never doubted that truth was on their side, and openly called on the civil power to repel the impious and heretical innovators who had risen up against it. The protestants, no less confident that their doctrine was well founded, required, with equal ardour, the princes of their party to check such as presumed to impugn it. Luther, Calvin, Cranmer, Knox, the founders of the reformed church in their respective countries, as far as they had power and opportunity, inflicted the same punishments upon such as called in question any article in their creeds which were denounced against their own disciples by the church of Rome. To their followers, and perhaps to their opponents, it would have appeared a symptom of diffidence in the goodness of their cause, or an acknowledgment that it was not well founded, if they had not employed in its defence all those means which it was supposed truth had a right to employ.

It was towards the close of the seventeenth century before toleration, under its present form, was admitted first into the republic of the United Provinces, and from thence introduced into England. Long experience of the calamities flowing from mutual persecution, the influence of free government,

the light and humanity acquired by the progress of science, together with the prudence and authority of the civil magistrate, were all requisite in order to establish a regulation so repugnant to the ideas which all the different sects had adopted, from mistaken conceptions, concerning the nature of religion and the rights of truth, or which all of them had derived from the erroneous maxims established by the church of Rome.

Advantages of the religious peace to the Lutherans;

The recess of Augsburg, it is evident, was founded on no such liberal and enlarged sentiments concerning freedom of religious inquiry, or the nature of toleration. It was nothing more than a scheme of pacification which political considerations alone had suggested to the contending parties, and regard for their mutual tranquillity and safety had rendered necessary. Of this there can be no stronger proof than an article in the recess itself, by which the benefits of the pacification are declared to extend only to the catholics on the one side, and to such as adhered to the confession of Augsburg on the other. The followers of Zuinglius and Calvin remained, in consequence of that exclusion, without any protection from the rigour of the laws denounced against heretics. Nor did they obtain any legal security until the treaty of Westphalia, near a century after this period, provided that they should be admitted to enjoy, in as ample a manner as the Lutherans, all the advantages and protection which the recess of Augsburg affords.

and to the catholics.

But if the followers of Luther were highly pleased with the security which they acquired by this recess, such as adhered to the ancient system had no less reason to be satisfied with that article in it, which preserved entire to the Roman catholic church the benefices of such ecclesiastics as should hereafter renounce its doctrines. This article, known in Germany by the name of the *Ecclesiastical Reservation*, was apparently so conformable to the idea and to the rights of an established church, and it seemed so equitable to prevent revenues which had been originally appropriated for the maintenance of persons attached to a certain system from being alienated to any other purpose, that the protestants, though they foresaw its consequences, were obliged to relinquish their opposition to it. As the Roman catholic princes of the empire have taken care to see this article exactly observed in every case where there was an opportunity of putting it in execution, it has proved the great barrier of the Romish church in Germany against the Reformation; and as, from this period, the same temptation of interest did not allure ecclesiastics to relinquish the established system, there have been few of that order who have loved truth with such disinterested and ardent affection, as for its sake to abandon the rich benefices which they had in possession.

During the sitting of the diet, Marcellus Cervino, cardinal of Santo Croce, was elected pope in room of Julius. He, in imitation of Adrian, did not change his name on being exalted to the papal chair. As he equalled that pontiff in purity of intention, while he excelled him much in the arts of government, and still more in knowledge of the state and genius of the papal court; as he had capacity to discern what reformation it needed, as well as what it could bear, such regulations were expected from his virtue and wisdom as would have removed many of its grossest and most flagrant corruptions, and have contributed towards reconciling to the church such as, from indignation at these enormities, had abandoned its communion. But this excellent pontiff was only shown to the church, and immediately snatched away. The confinement in the conclave had impaired his health, and the fatigue of tedious ceremonies upon his accession, together with too intense and anxious application of mind to the schemes of improvement which he meditated, exhausted so entirely the vigour of his feeble constitution, that he sickened on the twelfth and died on the twentieth day after his election.[p]

Marcellus II. elected pope, April 9.

His character.

His death.

All the refinements in artifice and intrigue peculiar to conclaves were displayed in that which was held for electing a successor to Marcellus; the cardinals of the imperial and French factions labouring, with equal ardour, to gain the necessary number of suffrages for one of their own party. But after a struggle of no long duration, though conducted with all the warmth and eagerness natural to men contending for so great an object, they united in choosing John Peter Caraffa, the eldest member of the sacred college, and the son of count Montorio, a nobleman of an illustrious family in the kingdom of Naples. The address and influence of cardinal Farnese, who favoured his pretensions, Caraffa's own merit, and perhaps his great age, which soothed all the disappointed candidates with the near prospect of a new vacancy, concurred in bringing about this speedy union of suffrages. In order to testify his respect for the memory of Paul III., by whom he had been created cardinal, as well as his gratitude to the family of Farnese, he assumed the name of Paul IV.

The election of Paul IV.

May 23.

The choice of a prelate of such a singular character, and who had long held a course extremely different from that which usually led to the dignity now conferred upon him, filled the Italians, who had nearest access to observe his manners and deportment, with astonishment, and kept them in suspense and solicitude with regard to his future conduct. Paul, though born in a rank of life which, without any other merit, might have secured to him the highest ecclesiastical preferments, had, from his early years, applied to study with all the assiduity of a man who had nothing

His rise and character.

[p] Thuan. 520. F. Paul, 365. Onuph. Panvin. 321, &c.

but his personal attainments to render him conspicuous. By means of this he not only acquired profound skill in scholastic theology, but added to that a considerable knowledge of the learned languages and of polite literature, the study of which had been lately revived in Italy, and was pursued at this time with great ardour. His mind, however, naturally gloomy and severe, was more formed to imbibe the sour spirit of the former than to receive any tincture of elegance or liberality of sentiment from the latter; so that he acquired rather the qualities and passions of a recluse ecclesiastic than the talents necessary for the conduct of great affairs. Accordingly, when he entered into orders, although several rich benefices were bestowed upon him, and he was early employed as a nuncio in different courts, he soon became disgusted with that course of life, and languished to be in a situation more suited to his taste and temper. With this view he resigned at once all his ecclesiastical preferments, and having instituted an order of regular priests whom he denominated Theatines, from the name of the archbishopric which he had held, he associated himself as a member of their fraternity, conformed to all the rigorous rules to which he had subjected them, and preferred the solitude of a monastic life, with the honour of being the founder of a new order, to all the great objects which the court of Rome presented to his ambition.

In this retreat he remained for many years, until Paul III., induced by the fame of his sanctity and knowledge, called him to Rome, in order to consult with him concerning the measures which might be most proper and effectual for suppressing heresy and re-establishing the ancient authority of the church. Having thus allured him from his solitude, the pope, partly by his entreaties and partly by his authority, prevailed on him to accept of a cardinal's hat, to reassume the benefices which he had resigned, and to return again into the usual path of ecclesiastical ambition, which he seemed to have relinquished. But during two successive pontificates, under the first of which the court of Rome was the most artful and interested, and under the second the most dissolute, of any in Europe, Caraffa retained his monastic austerity. He was an avowed and bitter enemy not only of all innovation in opinion, but of every irregularity in practice; he was the chief instrument in establishing the formidable and odious tribunal of the inquisition in the papal territories; he appeared a violent advocate on all occasions for the jurisdiction and discipline of the church, and a severe censurer of every measure which seemed to flow from motives of policy or interest rather than from zeal for the honour of the ecclesiastical order and the dignity of the holy see. Under a prelate of such a character, the Roman courtiers expected a severe and violent pontificate, during which the principles of sound policy would be sacrificed to the narrow prejudices of priestly zeal; while the people of Rome were apprehensive of seeing the sordid and forbidding rigour of monastic manners substituted in place of the magnificence to which they had long been accustomed in the papal court. These apprehensions Paul was extremely solicitous to remove. At his first entrance upon the administration, he laid aside that austerity which had hitherto distinguished his person and family, and when the master of his household inquired in what manner he would choose to live, he haughtily replied, "As becomes a great prince." He ordered the ceremony of his coronation to be conducted with more than usual pomp; and endeavoured to render himself popular by several acts of liberality and indulgence towards the inhabitants of Rome.[q]

The first steps of his administration.

His natural severity of temper, however, would have soon returned upon him, and would have justified the conjectures of the courtiers as well as the fears of the people, if he had not, immediately after his election, called to Rome two of his nephews, the sons of his brother the count of Montorio. The eldest he promoted to be governor of Rome. The youngest, who had hitherto served as a soldier of fortune in the armies of Spain or France, and whose disposition as well as manners were still more foreign from the clerical character than his profession, he created a cardinal, and appointed him legate of Bologna, the second office in power and dignity which a pope can bestow. These marks of favour, no less sudden than extravagant, he accompanied with the most unbounded confidence and attachment; and forgetting all his former severe maxims, he seemed to have no other object than the aggrandizing of his nephews. Their ambition, unfortunately for Paul, was too aspiring to be satisfied with any moderate acquisition. They had seen the family of Medici raised by the interest of the popes of that house to supreme power in Tuscany; Paul III. had, by his abilities and address, secured the duchies of Parma and Placentia to the family of Farnese. They aimed at some establishment for themselves, no less considerable and independent; and as they could not expect that the pope would carry his indulgence towards them so far as to secularize any part of the patrimony of the church, they had no prospect of attaining what they wished but by dismembering the imperial dominions in Italy, in hopes of seizing some portion of them. This alone they would have deemed a sufficient reason for sowing the seeds of discord between their uncle and the emperor.

The excess of his attachment to his nephews.

Their ambitious projects.

But cardinal Caraffa had, besides, private reasons which filled him with hatred and enmity to the emperor. While he served in the Spanish troops he had not received such marks of honour and distinction as he thought due to his birth and merit. Disgusted

Reasons of their disgust with the emperor.

q Platina, p. 327. Castaldo Vita di Paolo IV. Rom. 1615. p. 70.

with this ill usage, he had abruptly quitted the imperial service; and entering into that of France, he had not only met with such a reception as soothed his vanity and attached him to the French interest, but by contracting an intimate friendship with Strozzi, who commanded the French army in Tuscany, he had imbibed a mortal antipathy to the emperor, as the great enemy to the liberty and independence of the Italian states. Nor was the pope himself indisposed to receive impressions unfavourable to the emperor. The opposition given to his election by the cardinals of the imperial faction left in his mind deep resentment, which was heightened by the remembrance of ancient injuries from Charles or his ministers.

They endeavour to alienate the pope from the emperor.

Of this his nephews took advantage, and employed various devices in order to exasperate him beyond a possibility of reconciliation. They aggravated every circumstance which could be deemed any indication of the emperor's dissatisfaction with his promotion; they read to him an intercepted letter, in which Charles taxed the cardinals of his party with negligence or incapacity in not having defeated Paul's election; they pretended, at one time, to have discovered a conspiracy formed by the imperial minister and Cosmo di Medici against the pope's life; they alarmed him, at another, with accounts of a plot for assassinating themselves. By these artifices they kept his mind, which was naturally violent and become suspicious from old age, in such perpetual agitation as precipitated him into measures which otherwise he would have been the first person to condemn.[r] He seized some of the cardinals who were most attached to the emperor, and confined them in the castle of St. Angelo: he persecuted the Colonnas and other Roman barons, the ancient retainers to the imperial faction, with the utmost severity; and discovering on all occasions his distrust, fear, or hatred of the emperor, he began at last to court the friendship of the French king, and seemed willing to throw himself absolutely upon him for support and protection

Induce him to court the king of France.

This was the very point to which his nephews wished him as most favourable to their ambitious schemes; and as the accomplishment of these depended on their uncle's life, whose advanced age did not admit of losing a moment unnecessarily in negociations, instead of treating at second-hand with the French ambassador at Rome, they prevailed on the pope to despatch a person of confidence directly to the court of France, with such overtures on his part as they hoped would not be rejected. He proposed an alliance offensive and defensive between Henry and the pope; that they should attack the duchy of Tuscany and the kingdom of Naples with their united forces; and if their arms should prove successful, that the ancient republican form of government should be re-established in the former, and the investiture of the latter should be granted to one of the French king's sons, after reserving a certain territory which should be annexed to the patrimony of the church, together with an independent and princely establishment for each of the pope's nephews.

Constable Montmorency opposes the alliance with the pope.

The king, allured by these specious projects, gave a most favourable audience to the envoy. But when the matter was proposed in council, the constable Montmorency, whose natural caution and aversion to daring enterprises increased with age and experience, remonstrated with great vehemence against the alliance. He put Henry in mind how fatal to France every expedition into Italy had been during three successive reigns; and if such an enterprise had proved too great for the nation, even when its strength and finances were entire, there was no reason to hope for success, if it should be attempted now, when both were exhausted by extraordinary efforts during wars which had lasted with little interruption almost half a century. He represented the manifest imprudence of entering into engagements with a pope of fourscore, as any system which rested on no better foundation than his life must be extremely precarious, and upon the event of his death, which could not be distant, the face of things, together with the inclination of the Italian states, must instantly change, and the whole weight of the war be left upon the king alone. To these considerations he added the near prospect which they now had of a final accommodation with the emperor, who having taken the resolution of retiring from the world, wished to transmit his kingdoms in peace to his son; and he concluded with representing the absolute certainty of drawing the arms of England upon France, if it should appear that the re-establishment of tranquillity in Europe was prevented by the ambition of its monarch.

The duke of Guise favours it.

These arguments, weighty in themselves, and urged by a minister of great authority, would probably have determined the king to decline any connexion with the pope. But the duke of Guise, and his brother the cardinal of Lorrain, who delighted no less in bold and dangerous undertakings than Montmorency shunned them, declared warmly for an alliance with the pope. The cardinal expected to be intrusted with the conduct of the negociations in the court of Rome to which this alliance would give rise; the duke hoped to obtain the command of the army which would be appointed to invade Naples; and considering themselves as already in these stations, vast projects opened to their aspiring and unbounded ambition. Their credit, together with the influence of the king's mistress, the famous Diana of Poitiers, who was at that time entirely devoted to the interest of the family of Guise, more than counterbalanced all Montmorency's prudent remonstrances, and prevailed on an inconsiderate prince to listen to the overtures of the pope's envoy.

r Ripamontii Hist. Patriæ, lib. iii. 1146. ap. Græv. Thes. vol. ii. Mem. de Ribier, ii. 616. Adriani Istor. i. 906.

Cardinal of Lorrain sent to negociate with the pope.

The cardinal of Lorrain, as he had expected, was immediately sent to Rome with full powers to conclude the treaty, and to concert measures for carrying it into execution. Before he could reach that city, the pope, either from reflecting on the danger and uncertain issue of all military operations, or through the address of the imperial ambassador, who had been at great pains to soothe him, had not only begun to lose much of the ardour with which he had commenced the negociation with France, but even discovered great unwillingness to continue it. In order to rouse him from this fit of despondency, and to rekindle his former rage, his nephews had recourse to the arts which they had already practised with so much success. They alarmed him with new representations of the emperor's hostile intentions, with fresh accounts which they had received of threats uttered against him by the imperial ministers, and with new discoveries which they pretended to have made of conspiracies formed, and just ready to take effect, against his life.

Paul enraged at the proceedings of the diet of Augsburg;

But these artifices having been formerly tried would not have operated a second time with the same force, nor have made the impression which they wished, if Paul had not been excited by an offence of that kind which he was least able to bear. He received advice of the recess of the diet of Augsburg, and of the toleration which was thereby granted to the protestants; and this threw him at once into such transports of passion against the emperor and king of the Romans, as carried him headlong into all the violent measures of his nephews. Full of high ideas with respect to the papal prerogative, and animated with the fiercest zeal against heresy, he considered the liberty of deciding concerning religious matters, which had been assumed by an assembly composed chiefly of laymen, as a presumptuous and unpardonable encroachment on that jurisdiction which belonged to him alone; and regarded the indulgence which had been given to the protestants as an impious act of that power which the diet had usurped. He complained loudly of both to the imperial ambassador. He insisted that the recess of the diet should immediately be declared illegal and void. He threatened the emperor and king of the Romans, in case they should either refuse or delay to gratify him in this particular, with the severest effects of his vengeance. He talked in a tone of authority and command which might have suited a pontiff of the twelfth century, when a papal decree was sufficient to have shaken or to have overturned the throne of the greatest monarch in Europe; but which was altogether improper in that age, especially when addressed to the minister of a prince who had so often made pontiffs more formidable than Paul feel the weight of his power. The ambassador, however, heard all his extravagant propositions and menaces with much patience, and endeavoured to soothe him, by putting him in mind of the extreme distress to which the emperor had been reduced at Inspruck, of the engagements which he had come under to the protestants in order to extricate himself, of the necessity of fulfilling these, and of accommodating his conduct to the situation of his affairs. But weighty as these considerations were, they made no impression on the mind of the haughty and bigoted pontiff, who instantly replied, that he would absolve him by his apostolic authority from those impious engagements, and even command him not to perform them; that in carrying on the cause of God and of the church, no regard ought to be had to the maxims of worldly prudence and policy; and that the ill success of the emperor's schemes in Germany might justly be deemed a mark of the divine displeasure against him, on account of his having paid little attention to the former, while he regulated his conduct entirely by the latter. Having said this, he turned from the ambassador abruptly without waiting for a reply.

and exasperated by his nephews.

His nephews took care to applaud and cherish these sentiments, and easily wrought up his arrogant mind, fraught with all the monkish ideas concerning the extent of the papal supremacy, to such a pitch of resentment against the house of Austria, and to such an high opinion of his own power, that he talked continually of his being the successor of those who had deposed kings and emperors; that he was exalted as head over them all, and would trample such as opposed him under his feet. In this disposition the cardinal of Lorrain found the pope, and easily persuaded him to sign a treaty which had for its object the ruin of a prince against whom he was so highly exasperated. The stipulations in the treaty were much the same as had been proposed by the pope's envoy at Paris; and it was agreed to keep the whole transaction secret, until their united forces should be ready to take the field.[s]

Dec. 15. Concludes a treaty with France.

The emperor resolves to resign his hereditary dominions.

During the negociation of this treaty at Rome and Paris, an event happened which seemed to render the fears that had given rise to it vain, and the operations which were to follow upon it unnecessary. This was the emperor's resignation of his hereditary dominions to his son Philip, together with his resolution to withdraw entirely from any concern in business or the affairs of this world, in order that he might spend the remainder of his days in retirement and solitude. Though it requires neither deep reflection nor extraordinary discernment to discover that the state of royalty is not exempt from care and disappointment, though most of those who are exalted to a throne find solicitude, and satiety, and disgust to be their perpetual attendants in that envied pre-eminence; yet to descend voluntarily from the supreme to a subordinate station, and to relin-

s Pallav. lib. xiii. p. 163. F. Paul, 365. Thuan. lib. xv. 525. lib. xvi. 540. Mem. de Ribier, ii. 609, &c.

quish the possession of power in order to attain the enjoyment of happiness, seems to be an effort too great for the human mind. Several instances, indeed, occur in history, of monarchs who have quitted a throne, and have ended their days in retirement. But they were either weak princes, who took this resolution rashly, and repented of it as soon as it was taken; or unfortunate princes, from whose hands some stronger rival had wrested their sceptre, and compelled them to descend with reluctance into a private station. Dioclesian is perhaps the only prince capable of holding the reins of government who ever resigned them from deliberate choice, and who continued during many years to enjoy the tranquillity of retirement without fetching one penitent sigh, or casting back one look of desire towards the power or dignity which he had abandoned.

The motives of this resignation.

No wonder, then, that Charles's resignation should fill all Europe with astonishment, and give rise, both among his contemporaries and among the historians of that period, to various conjectures concerning the motives which determined a prince whose ruling passion had been uniformly the love of power, at the age of fifty-six, when objects of ambition continue to operate with full force on the mind, and are pursued with the greatest ardour, to take a resolution so singular and unexpected. But while many authors have imputed it to motives so frivolous and fantastical as can hardly be supposed to influence any reasonable mind; while others have imagined it to be the result of some profound scheme of policy,—historians more intelligent and better informed, neither ascribe it to caprice, nor search for mysterious secrets of state, where simple and obvious causes will fully account for the emperor's conduct. Charles had been attacked early in life with the gout; and notwithstanding all the precautions of the most skilful physicians, the violence of the distemper increased as he advanced in age, and the fits became every year more frequent as well as more severe. Not only was the vigour of his constitution broken, but the faculties of his mind were impaired by the excruciating torments which he endured. During the continuance of the fits, he was altogether incapable of applying to business, and even when they began to abate, as it was only at intervals that he could attend to what was serious, he gave up a great part of his time to trifling and even childish occupations, which served to relieve or to amuse his mind, enfeebled and worn out with excess of pain. Under these circumstances, the conduct of such affairs as occurred of course in governing so many kingdoms, was a burden more than sufficient; but to push forward and complete the vast schemes which the ambition of his more active years had formed, or to keep in view and carry on the same great system of policy, extending to every nation in Europe, and connected with the operations of every different court, were functions which so far exceeded his strength that they oppressed and overwhelmed his mind. As he had been long accustomed to view the business of every department, whether civil or military or ecclesiastical, with his own eyes, and to decide concerning it according to his own ideas, it gave him the utmost pain when he felt his infirmities increase so fast upon him, that he was obliged to commit the conduct of all affairs to his ministers. He imputed every misfortune which befell him, and every miscarriage that happened, even when the former was unavoidable, or the latter accidental, to his inability to take the inspection of business himself. He complained of his hard fortune in being opposed, in his declining years, to a rival who was in the full vigour of life; and that while Henry could take and execute all his resolutions in person, he should now be reduced, both in council and in action, to rely on the talents and exertions of other men. Having thus grown old before his time, he wisely judged it more decent to conceal his infirmities in some solitude, than to expose them any longer to the public eye; and prudently determined not to forfeit the fame or lose the acquisitions of his better years, by struggling with a vain obstinacy to retain the reins of government, when he was no longer able to hold them with steadiness or to guide them with address.[t]

Circumstances which had retarded it.

But though Charles had revolved this scheme in his mind for several years, and had communicated it to his sisters the dowager queens of France and Hungary, who not only approved of his intention, but offered to accompany him to whatever place of retreat he should choose, several things had hitherto prevented his carrying it into execution. He could not think of loading his son with the government of so many kingdoms, until he should attain such maturity of age and of abilities as would enable him to sustain that weighty burden. But as Philip had now reached his twenty-eighth year, and had been early accustomed to business, for which he discovered both inclination and capacity, it can hardly be imputed to the partiality of paternal affection, that his scruples with regard to this point were entirely removed, and that he thought he might place his son, without further hesitation or delay, on the throne which he himself was about to abandon.

t Don Levesque, in his Memoirs of cardinal Granvelle, gives a reason for the emperor's resignation, which, as far as I recollect, is not mentioned by any other historian. He says, that the emperor having ceded the government of the kingdom of Naples and the duchy of Milan to his son upon his marriage with the queen of England; Philip, notwithstanding the advice and entreaties of his father, removed most of the ministers and officers whom he had employed in those countries, and appointed creatures of his own to fill the places which they held. That he aspired openly, and with little delicacy, to obtain a share in the administration of affairs in the Low Countries. That he endeavoured to thwart the emperor's measures and to limit his authority, behaving towards him sometimes with inattention, and sometimes with haughtiness. That Charles, finding that he must either yield on every occasion to his son, or openly contend with him, in order to avoid either of these, which were both disagreeable and mortifying to a father, he took the resolution of resigning his crowns, and of retiring from the world, vol. i. p. 24, &c. Don Levesque derived his information concerning these curious facts, which he relates very briefly, from the original papers of cardinal Granvelle. But as that vast collection of papers, which has been preserved and arranged by M. l'Abbé Boizot of Besançon, though one of the most valuable historical monuments of the sixteenth century, and which cannot fail of throwing much light on the transactions of Charles V., is not published, I cannot determine what degree of credit should be given to this account of Charles's resignation. I have therefore taken no notice of it in relating this event.

His mother's situation had been another obstruction in his way. For although she had continued almost fifty years in confinement, and under the same disorder of mind which concern for her husband's death had brought upon her, yet the government of Spain was still vested in her jointly with the emperor; her name was inserted, together with his, in all the public instruments issued in that kingdom; and such was the fond attachment of the Spaniards to her, that they would probably have scrupled to recognise Philip as their sovereign, unless she had consented to assume him as her partner on the throne. Her utter incapacity for business rendered it impossible to obtain her consent. But her death, which happened this year, removed this difficulty; and as Charles, upon that event, became sole monarch of Spain, it left the succession open to his son. The war with France had likewise been a reason for retaining the administration of affairs in his own hand, as he was extremely solicitous to have terminated it, that he might have given up his kingdoms to his son at peace with all the world. But as Henry had discovered no disposition to close with any of his overtures, and had even rejected proposals of peace which were equal and moderate, in a tone that seemed to indicate a fixed purpose of continuing hostilities, he saw that it was vain to wait longer in expectation of an event which, however desirable, was altogether uncertain.

The formalities with which he executed it.

As this, then, appeared to be the proper juncture for executing the scheme which he had long meditated, Charles resolved to resign his kingdoms to his son, with a solemnity suitable to the importance of the transaction, and to perform this last act of sovereignty with such formal pomp as might leave a lasting impression on the minds not only of his subjects but of his successor. With this view he called Philip out of England, where the peevish temper of his queen, which increased with her despair of having issue, rendered him extremely unhappy; and the jealousy of the English left him no hopes of obtaining the direction of their affairs. Having assembled the states of the Low Countries at Brussels, on the twenty-fifth of October, Charles seated himself for the last time in the chair of state, on one side of which was placed his son, and on the other his sister the queen of Hungary, regent of the Netherlands, with a splendid retinue of the princes of the empire and grandees of Spain standing behind him. The president of the council of Flanders, by his command, explained in few words his intention in calling this extraordinary meeting of the states. He then read the instrument of resignation, by which Charles surrendered to his son Philip all his territories, jurisdiction, and authority in the Low Countries, absolving his subjects there from the oath of allegiance to him, which he required them to transfer to Philip his lawful heir, and to serve him with the same loyalty and zeal which they had manifested, during so long a course of years, in support of his government.

Charles then rose from his seat, and leaning on the shoulder of the prince of Orange, because he was unable to stand without support, he addressed himself to the audience, and from a paper which he held in his hand, in order to assist his memory, he recounted, with dignity, but without ostentation, all the great things which he had undertaken and performed since the commencement of his administration. He observed, that, from the seventeenth year of his age, he had dedicated all his thoughts and attention to public objects, reserving no portion of his time for the indulgence of his ease, and very little for the enjoyment of private pleasure; that either in a pacific or hostile manner, he had visited Germany nine times, Spain six times, France four times, Italy seven times, the Low Countries ten times, England twice, Africa as often, and had made eleven voyages by sea; that while his health permitted him to discharge his duty, and the vigour of his constitution was equal, in any degree, to the arduous office of governing such extensive dominions, he had never shunned labour, nor repined under fatigue; that now, when his health was broken, and his vigour exhausted by the rage of an incurable distemper, his growing infirmities admonished him to retire, nor was he so fond of reigning, as to retain the sceptre in an impotent hand, which was no longer able to protect his subjects, or to secure to them the happiness which he wished they should enjoy; that instead of a sovereign worn out with diseases, and scarcely half alive, he gave them one in the prime of life, accustomed already to govern, and who added to the vigour of youth all the attention and sagacity of maturer years; that if, during the course of a long administration, he had committed any material error in government, or if, under the pressure of so many and great affairs, and amidst the attention which he had been obliged to give to them, he had either neglected or injured any of his subjects, he now implored their forgiveness; that, for his part, he should ever retain a grateful sense of their fidelity and attachment, and would carry the remembrance of it along with him to the place of his retreat, as his sweetest consolation, as well as the best reward for all his services, and in his last prayers to Almighty God would pour forth his most earnest petitions for their welfare.

Then turning towards Philip, who fell on his knees and kissed his father's hand,—"If," says he, "I had left you by my death this rich inheritance, to which I have made such large additions, some regard would have been justly due to my memory on that account; but now, when I voluntarily resign to you what I might have still retained, I may well expect the warmest expression of thanks on your part. With these, however, I dispense, and shall consider your concern for the welfare of your subjects, and your love of them, as the best and most acceptable testimony of your gratitude to me. It is

in your power, by a wise and virtuous administration, to justify the extraordinary proof which I, this day, give of my paternal affection, and to demonstrate that you are worthy of the confidence which I repose in you. Preserve an inviolable regard for religion; maintain the catholic faith in its purity; let the laws of your country be sacred in your eyes; encroach not on the rights and privileges of your people; and if the time should ever come, when you shall wish to enjoy the tranquillity of private life, may you have a son endowed with such qualities, that you can resign your sceptre to him with as much satisfaction as I give up mine to you."

As soon as Charles had finished this long address to his subjects and to their new sovereign, he sunk into the chair, exhausted and ready to faint with the fatigue of such an extraordinary effort. During his discourse, the whole audience melted into tears, some from admiration of his magnanimity, others softened by the expressions of tenderness towards his son, and of love to his people; and all were affected with the deepest sorrow at losing a sovereign, who, during his administration, had distinguished the Netherlands, his native country, with particular marks of his regard and attachment.

Philip then arose from his knees, and after returning thanks to his father, with a low and submissive voice, for the royal gift which his unexampled bounty had bestowed upon him, he addressed the assembly of the states, and regretting his inability to speak the Flemish language with such facility as to express what he felt on this interesting occasion, as well as what he owed to his good subjects in the Netherlands, he begged that they would permit Granvelle, bishop of Arras, to deliver what he had given him in charge to speak in his name. Granvelle, in a long discourse, expatiated on the zeal with which Philip was animated for the good of his subjects, on his resolution to devote all his time and talents to the promoting of their happiness, and on his intention to imitate his father's example in distinguishing the Netherlands with peculiar marks of his regard. Maës, a lawyer of great eloquence, replied, in the name of the states, with large professions of their fidelity and affection to their new sovereign.

1556. January 6. Then Mary, queen dowager of Hungary, resigned the regency, with which she had been intrusted by her brother during the space of twenty-five years. Next day Philip, in presence of the states, took the usual oaths to maintain the rights and privileges of his subjects; and all the members in their own name, and in that of their own constituents, swore allegiance to him.[u]

A few weeks after this transaction, Charles, in an assembly no less splendid, and with a ceremonial equally pompous, resigned to his son the crowns of Spain, with all the territories depending on them, both in the old and in the new world. Of all these vast possessions he reserved nothing for himself but an annual pension of an hundred thousand crowns, to defray the charges of his family, and to afford him a small sum for acts of beneficence and charity.[x]

Resolves to fix his residence in Spain.

As he had fixed on a place of retreat in Spain, hoping that the dryness and the warmth of the climate in that country might mitigate the violence of his disease, which had been much increased by the moisture of the air and the rigour of the winters in the Netherlands; he was extremely impatient to embark for that kingdom, and to disengage himself entirely from business, which he found to be impossible while he remained in Brussels. But his physicians remonstrated so strongly against his venturing to sea at that cold and boisterous season of the year, that he consented, though with reluctance, to put off his voyage for some months.

Obliged to remain for some time in the Netherlands.

Promotes the negociation for peace.

By yielding to their entreaties, he had the satisfaction, before he left the Low Countries, of taking a considerable step towards a peace with France, which he ardently wished for, not only on his son's account, but that he might have the merit, when quitting the world, of re-establishing that tranquillity in Europe which he had banished out of it almost from the time that he assumed the administration of affairs. Previous to his resignation, commissioners had been appointed by him and by the French king in order to treat of an exchange of prisoners. In their conferences at the abbey of Vaucelles, near Cambray, an expedient was accidentally proposed for terminating hostilities between the contending monarchs by a long truce, during the subsistence of which, and without discussing their respective claims, each should retain what was now in his possession. Charles, sensible how much his kingdoms were exhausted by the expensive and almost continual wars in which his ambition had engaged him, and eager to gain for his son a short interval of peace, that he might estab-

u Godleveus Relatio Abdicationis Car. V. ap. Goldast. Polit. Imper. p. 377. Strada de Bello Belgico, lib. i. p. 5.

x The emperor's resignation is an event not only of such importance, but of such a nature, that the precise date of it, one would expect, should have been ascertained by historians with the greatest accuracy. There is, however, an amazing and unaccountable diversity among them with regard to this point. All agree that the deed by which Charles transferred to his son his dominions in the Netherlands, bears date at Brussels the 25th of October. Sandoval fixes on the 28th of October, as the day on which the ceremony of resignation happened, and he was present at the transaction, vol. ii. p. 592. Godleveus, who published a treatise De Abdicatione Caroli V. fixes the public ceremony, as well as the date of the instrument of resignation, on the 25th. Pere Barre, I know not on what authority, fixes it on the 24th of November, Hist. d'Alem. viii. 976. Herrera agrees with Godleveus in his account of this matter, tom. i. 155. As likewise does Pallavicini, whose authority with respect to dates, and every thing where a minute accuracy is requisite, is of great weight, Hist. lib. xvi. p. 168. Historians differ no less with regard to the day on which Charles resigned the crown of Spain to his son. According to M. de Thou, it was a month after his having resigned his dominions in the Netherlands, i. e. about the 25th of November, Thuan. lib. xvi. p. 571. According to Sandoval, it was on the 16th of January 1556, Sand. ii. 603. Antonio de Vera agrees with him, Epitome del Vida del Car. V. p. 110. According to Pallavicini, it was on the 17th, Pal. lib. xvi. p. 168. and with him Herrera agrees, Vida del D. Felipe, tom. i. p. 233. But Ferreras fixes it on the 1st day of January, Hist. Gener. tom. ix. p. 371. M. de Beaucaire supposes the resignation of the crown of Spain to have been executed a few days after the resignation of the Netherlands, Com. de Reb. Gall. p. 879. It is remarkable, that in the treaty of truce at Vaucelles, though Charles had made over all his dominions to his son some weeks previous to the conclusion of it, all the stipulations are in the emperor's name, and Philip is only styled king of England and Naples. It is certain Philip was not proclaimed king of Castile, &c. at Valladolid sooner than the 24th of March, Sandov. ii. p. 606. and, previous to that ceremony, he did not choose, it should seem, to assume the title of king of any of his Spanish kingdoms, or to perform any act of royal jurisdiction. In a deed annexed to the treaty of truce, dated April 19. he assumes the title of king of Castile, &c. in the usual style of the Spanish monarchs in that age. Corps Dipl. tom. iv. Append. p. 85.

lish himself firmly on his throne, declared warmly for closing with the overture, though manifestly dishonourable as well as disadvantageous; and such was the respect due to his wisdom and experience, that Philip, notwithstanding his unwillingness to purchase peace by such concessions, did not presume to urge his opinion in opposition to that of his father.

A truce concluded.

Henry could not have hesitated one moment about giving his consent to a truce on such conditions as would leave him in quiet possession of the greater part of the duke of Savoy's dominions, together with the important conquests which he had made on the German frontier. But it was no easy matter to reconcile such a step with the engagements which he had come under to the pope in his late treaty with him. The constable Montmorency, however, represented in such a striking light the imprudence of sacrificing the true interests of his kingdom to these rash obligations, and took such advantage of the absence of the cardinal of Lorrain, who had seduced the king into his alliance with the Caraffas, that Henry, who was naturally fluctuating and unsteady, and apt to be influenced by the advice last given him, authorized his ambassadors to sign a treaty of truce with the emperor for five years, on the terms which had been proposed. But that he might not seem to have altogether forgotten his ally the pope, who he foresaw would be highly exasperated, he, in order to soothe him, took care that he should be expressly included in the truce.[y]

5th Feb.

Ratified by both monarchs.

The count of Lalain repaired to Blois, and the admiral Coligny to Brussels; the former to be present when the king of France, and the latter when the emperor and his son, ratified the treaty and bound themselves by oath to observe it.[z]

The pope's astonishment and distress.

When an account of the conferences at Vaucelles, and of the conditions of truce which had been proposed there, was first carried to Rome, it gave the pope no manner of disquiet. He trusted so much to the honour of the French monarch, that he would not allow himself to think that Henry could forget so soon, or violate so shamefully, all the stipulations in his league with him. He had such a high opinion of the emperor's wisdom, that he made no doubt of his refusing his consent to a truce on such unequal terms; and on both these accounts he confidently pronounced that this, like many preceding negociations, would terminate in nothing. But later and more certain intelligence soon convinced him that no reasoning in political affairs is more fallacious than, because an event is improbable, to conclude that it will not happen. The sudden and unexpected conclusion of the truce filled Paul with astonishment and terror. The cardinal of Lorrain durst not encounter that storm of indignation to which he knew that he should be exposed from the haughty pontiff, who had so good reason to be incensed; but departing abruptly from Rome, he left to the cardinal Tournon the difficult task of attempting to soothe Paul and his nephews. They were fully sensible of the perilous situation in which they now stood. By their engagements with France, which were no longer secret, they had highly irritated Philip. They dreaded the violence of his implacable temper. The duke of Alva, a minister fitted, as well by his abilities as by the severity of his nature, for executing all Philip's rigorous schemes, had advanced from Milan to Naples, and began to assemble troops on the frontiers of the ecclesiastical state; while they, if deserted by France, must not only relinquish all the hopes of dominion and sovereignty to which their ambition aspired, but remain exposed to the resentment of the Spanish monarch, without one ally to protect them against an enemy with whom they were so little able to contend.

He attempts to rekindle the war.

Under these circumstances Paul had recourse to the arts of negociation and intrigue, of which the papal court knows well how to avail itself in order to ward off any calamity threatened by an enemy superior in power. He affected to approve highly of the truce as a happy expedient for putting a stop to the effusion of christian blood. He expressed his warmest wishes that it might prove the forerunner of a definitive peace. He exhorted the rival princes to embrace this favourable opportunity of setting on foot a negociation for that purpose, and offered, as their common father, to be mediator between them. Under this pretext he appointed cardinal Rebiba his nuncio to the court of Brussels, and his nephew cardinal Caraffa to that of Paris. The public instructions given to both were the same; that they should use their utmost endeavours to prevail with the two monarchs to accept of the pope's mediation, that, by means of it, peace might be re-established, and measures might be taken for assembling a general council. But under this specious appearance of zeal for attaining objects so desirable in themselves, and so becoming his sacred character to pursue, Paul concealed very different intentions. Caraffa, besides his public instructions, received a private commission to solicit the French king to renounce the treaty of truce, and to renew his engagements with the holy see; and he was empowered to spare neither entreaties, nor promises, nor bribes in order to gain that point. This both the uncle and the nephew considered as the real end of the embassy; while the other served to amuse the vulgar or to deceive the emperor and his son. The cardinal accordingly set out instantly for Paris, and travelled with the greatest expedition, while Rebiba was detained some weeks at Rome,

11th May.

y Mem. de Ribier, ii. 626. Corps Diplom. tom. iv. App. 81.

z One of admiral de Coligny's attendants, who wrote to the court of France an account of what happened while they resided at Brussels, takes notice, as an instance of Philip's unpoliteness, that he received the French ambassador in an apartment hung with tapestry, which represented the battle of Pavia, the manner in which Francis I. was taken prisoner, his voyage to Spain, with all the mortifying circumstances of his captivity and imprisonment at Madrid. Mem. de Ribier, ii. 634.

and when it became necessary for him to begin his journey, he received secret orders to protract it as much as possible, that the issue of Caraffa's negociation might be known before he should reach Brussels, and according to that, proper directions might be given to him with regard to the tone which he should assume in treating with the emperor and his son.[a]

His negociations for that purpose.

Caraffa made his entry into Paris with extraordinary pomp; and having presented a consecrated sword to Henry as the protector on whose aid the pope relied in the present exigency, he besought him not to disregard the entreaties of a parent in distress, but to employ that weapon which he gave him in his defence. This he represented not only as a duty of filial piety, but as an act of justice. As the pope, from confidence in the assistance and support which his late treaty with France entitled him to expect, had taken such steps as had irritated the king of Spain, he conjured Henry not to suffer Paul and his family to be crushed under the weight of that resentment, which they had drawn on themselves merely by their attachment to France. Together with this argument addressed to his generosity, he employed another which he hoped would work on his ambition. He affirmed that now was the time when, with the most certain prospect of success, he might attack Philip's dominions in Italy; that the flower of the veteran Spanish bands had perished in the wars of Hungary, Germany, and the Low Countries; that the emperor had left his son an exhausted treasury, and kingdoms drained of men; that he had no longer to contend with the abilities, the experience, and good fortune of Charles, but with a monarch scarcely seated on his throne, unpractised in command, odious to many of the Italian states, and dreaded by all. He promised that the pope, who had already levied soldiers, would bring a considerable army into the field, which, when joined by a sufficient number of French troops, might by one brisk and sudden effort drive the Spaniards out of Naples, and add to the crown of France a kingdom the conquest of which had been the great object of all his predecessors during half a century, and the chief motive of all their expeditions into Italy.

Their effect. July 31.

Every word Caraffa spoke made a deep impression on Henry; conscious, on the one hand, that the pope had just cause to reproach him with having violated the laws not only of generosity but of decency when he renounced his league with him, and had agreed to the truce of Vaucelles; and eager, on the other hand, not only to distinguish his reign by a conquest which three former monarchs had attempted without success, but likewise to acquire an establishment of such dignity and value for one of his sons. Reverence, however, for the oath by which he had so lately confirmed the truce of Vaucelles; the extreme old age of the pope, whose death might occasion an entire revolution in the political system of Italy; together with the representations of Montmorency, who repeated all the arguments he had used against the first league with Paul, and pointed out the great and immediate advantages which France derived from the truce, kept Henry for some time in suspense, and might possibly have outweighed all Caraffa's arguments. But the cardinal was not such a novice in the arts of intrigue and negociation as not to have expedients ready for removing or surmounting all these obstacles. To obviate the king's scruple with regard to his oath, he produced powers from the pope to absolve him from the obligation of it. By way of security against any danger which he might apprehend from the pope's death, he engaged that his uncle would make such a nomination of cardinals as should give Henry the absolute command of the next election, and enable him to place in the papal chair a person entirely devoted to his interest.

In order to counterbalance the effect of the constable's opinion and influence, he employed not only the active talents of the duke of Guise, and the eloquence of his brother the cardinal of Lorrain, but the address of the queen, aided by the more powerful arts of Diana of Poitiers, who, unfortunately for France, co-operated with Catharine in this point, though she took pleasure, on almost every other occasion, to thwart and mortify her. They, by their united solicitations, easily swayed the king, who leaned, of his own accord, to that side towards which they wished him to incline. All Montmorency's prudent remonstrances were disregarded; the nuncio absolved Henry from his oath; and he signed a new league with the pope, which rekindled the flames of war both in Italy and in the Low Countries.

July 31. The pope's violent proceedings against Philip.

As soon as Paul was informed by his nephew that there was a fair prospect of his succeeding in this negociation, he despatched a messenger after the nuncio Rebiba, with orders to return to Rome without proceeding to Brussels. As it was now no longer necessary to preserve that tone of moderation which suited the character of a mediator, and which he had affected to assume, or to put any further restraint upon his resentment against Philip, he boldly threw off the mask, and took such violent steps as rendered a rupture unavoidable. He seized and imprisoned the Spanish envoy at his court. He excommunicated the Colonnas; and having deprived Mark Antonio, the head of that family, of the dukedom of Paliano, he granted that dignity, together with the territory annexed to it, to his nephew the count of Montorio. He ordered a legal information to be presented in the consistory of cardinals against Philip, setting forth that he, notwithstanding the fidelity and allegiance due by him to the holy see, of which he held the kingdom of Naples, had not only afforded a retreat in his dominions to the Colonnas, whom the pope had

a Pallav. lib. xiii. p. 169. Burnet, Hist. of Reform. ii. App. 309.

excommunicated and declared rebels, but had furnished them with arms, and was ready, in conjunction with them, to invade the ecclesiastical state in a hostile manner; that such conduct in a vassal was to be deemed treason against his liege lord, the punishment of which was the forfeiture of his fief. Upon this, the consistorial advocate requested the pope to take cognizance of the cause, and to appoint a day for hearing of it, when he would make good every article of the charge, and expect from his justice that sentence which the heinousness of Philip's crimes merited. Paul, whose pride was highly flattered with the idea of trying and passing judgment on so great a king, assented to his request; and as if it had been no less easy to execute than to pronounce such a sentence, declared that he would consult with the cardinals concerning the formalities requisite in conducting the trial.[b]

July 27.

Philip's superstitious scruples.

But while Paul allowed his pride and resentment to drive him on with such headlong impetuosity, Philip discovered an amazing moderation on his part. He had been taught by the Spanish ecclesiastics, who had the charge of his education, a profound veneration for the holy see. This sentiment, which had been early infused, grew up with him as he advanced in years, and took full possession of his mind, which was naturally thoughtful, serious, and prone to superstition. When he foresaw a rupture with the pope approaching, he had such violent scruples with respect to the lawfulness of taking arms against the vicegerent of Christ, and the common father of all christians, that he consulted some Spanish divines upon that point. They, with the usual dexterity of casuists in accommodating their responses to the circumstances of those who apply to them for direction, assured him that, after employing prayers and remonstrances in order to bring the pope to reason, he had full right, both by the laws of nature and of christianity, not only to defend himself when attacked, but to begin hostilities, if that were judged the most proper expedient for preventing the effects of Paul's violence and injustice. Philip nevertheless continued to deliberate and delay, considering it as a most cruel misfortune, that his administration should open with an attack upon a person whose sacred function and character he so highly respected.[c]

The duke of Alva takes the field against the pope. Sept. 5.

At last the duke of Alva, who, in compliance with his master's scruples, had continued to negociate long after he should have begun to act, finding Paul inexorable, and that every overture of peace, and every appearance of hesitation on his part, increased the pontiff's natural arrogance, took the field and entered the ecclesiastical territories. His army did not exceed twelve thousand men, but it was composed of veteran soldiers, and commanded chiefly by those Roman barons whom Paul's violence had driven into exile. The valour of the troops, together with the animosity of their leaders, who fought in their own quarrel, and to recover their own estates, supplied the want of numbers. As none of the French forces were yet arrived, Alva soon became master of the Campagna Romana; some cities being surrendered through the cowardice of the garrisons, which consisted of raw soldiers, ill disciplined and worse commanded; the gates of others being opened by the inhabitants, who were eager to receive back their ancient masters. Alva, that he might not be taxed with impiety in seizing the patrimony of the church, took possession of the towns which capitulated, in the name of the college of cardinals, to which, or to the pope that should be chosen to succeed Paul, he declared that he would immediately restore them.

A truce between the pope and Philip.

The rapid progress of the Spaniards, whose light troops made excursions even to the gates of Rome, filled that city with consternation. Paul, though inflexible and undaunted himself, was obliged to give way so far to the fears and solicitations of the cardinals, as to send deputies to Alva, in order to propose a cessation of arms. The pope yielded the more readily, as he was sensible of a double advantage which might be derived from obtaining that point. It would deliver the inhabitants of Rome from their present terror, and would afford time for the arrival of the succours which he expected from France. Nor was Alva unwilling to close with the overture, both as he knew how desirous his master was to terminate a war which he had undertaken with reluctance, and as his army was so much weakened by garrisoning the great number of towns which he had reduced, that it was hardly in a condition to keep the field without fresh recruits.

Nov. 19.

A truce was accordingly concluded first for ten, and afterwards for forty days, during which, various schemes of peace were proposed, and perpetual negociations were carried on, but with no sincerity on the part of the pope. The return of his nephew the cardinal to Rome, the receipt of a considerable sum remitted by the king of France, the arrival of one body of French troops, together with the expectation of others which had begun their march, rendered him more arrogant than ever, and banished all thoughts from his mind but those of war and revenge.[d]

BOOK XII.

Charles's new attempt to alter the succession of empire.

WHILE these operations or intrigues kept the pope and Philip busy and attentive, the emperor disentangled himself finally from all the affairs of this world,

b Pallav. lib. xiii. 171.
c Ferrer. Hist. de Espagne, ix. 373. Herrera, i. 308.

d Pallav. lib. xiii. 177. Thuan. lib. xvii. 588. Mem. de. Ribier, ii. 664.

and set out for the place of his retreat. He had hitherto retained the imperial dignity, not from any unwillingness to relinquish it; for after having resigned the real and extensive authority that he enjoyed in his hereditary dominions, to part with the limited and often ideal jurisdiction which belongs to an elective crown, was no great sacrifice. His sole motive for delay was to gain a few months, for making one trial more, in order to accomplish his favourite scheme in behalf of his son. At the very time Charles seemed to be most sensible of the vanity of worldly grandeur, and when he appeared to be quitting it not only with indifferenee, but with contempt, the vast schemes of ambition which had so long oeeupied and engrossed his mind, still kept possession of it. He eould not think of leaving his son in a rank inferior to that which he himself had held among the princes of Europe. As he had, some years before, made a fruitless attempt to secure the imperial crown to Philip, that by uniting it to the kingdoms of Spain, and the dominions of the house of Burgundy, he might put it in his power to prosecute, with a better prospect of success, those great plans whieh his own infirmities had obliged him to abandon, he was still unwilling to relinquish this flattering project as ehimerical or unattainable.

Which proves unsuccessful.

Notwithstanding the repulse whieh he had formerly met with from his brother Ferdinand, he renewed his solicitations with fresh importunity; and during the summer, had tried every art, and employed every argument, which he thought could induce him to quit the imperial throne to Philip, and to accept of the investiture of some province, either in Italy or in the Low Countries, as an equivalent.[a] But Ferdinand, who was so firm and inflexible with regard to this point, that he had paid no regard to the solieitations of the emperor, even when they were enforced with all the weight of authority which aecompanies supreme power, received the overture that now came from him in the situation to which he had descended, with great indifference, and would hardly deign to listen to it. Charles, ashamed of his own credulity in having imagined that he might accomplish that now which he had attempted formerly without suecess, desisted finally from his scheme. He then resigned the government of the empire, and having transferred all his elaims of obedienee and allegiance from the Germanic body to his brother the king of the Romans, he executed a deed to that effect, with all the formalities requisite in such an important transaction. The instrument of resignation he committed to William, prince of Orange, and empowered him to lay it before the college of electors.[b]

Aug. 27.

Charles sets out for Spain.

Nothing now remained to detain Charles from that retreat for which he languished. The preparations for his voyage having been made for some time, he set out for Zuitburg in Zealand, where the fleet whieh was to convoy him had orders to assemble. In his way thither he passed through Ghent, and after stopping there a few days to indulge that tender and pleasing melancholy which arises in the mind of every man in the deeline of life on visiting the place of his nativity, and viewing the scenes and objeets familiar to him in his early youth, he pursued his journey accompanied by his son Philip, his daughter the archduchess, his sisters the dowager queens of France and Hungary, Maximilian his son-in-law, and a numerous retinue of the Flemish nobility. Before he went on board, he dismissed them with marks of his attention or regard, and taking leave of Philip with all the tenderness of a father who embraced his son for the last time, he set sail on the seventeenth of September, under the convoy of a large fleet of Spanish, Flemish, and English ships. He declined a pressing invitation from the queen of England to land in some part of her dominions, in order to refresh himself, and that she might have the comfort of seeing him once more. "It cannot, surely," said he, "be agreeable to a queen to receive a visit from a father-in-law, who is now nothing more than a private gentleman."

His arrival and reception there.

His voyage was prosperous, and he arrived at Laredo in Biscay on the eleventh day after he left Zealand. As soon as he landed he fell prostrate on the ground; and eonsidering himself now as dead to the world, he kissed the earth, and said, "Naked came I out of my mother's womb, and naked I now retúrn to thee, thou common mother of mankind." From Laredo he pursued his journey to Burgos, carried sometimes in a chair and sometimes in a horse-litter, suffering exquisite pain at every step, and advaneing with the greatest difficulty. Some of the Spanish nobility repaired to Burgos, in order to pay court to him; but they were so few in number, and their attendance was so negligent, that Charles observed it, and felt, for the first time, that he was no longer a monareh. Accustomed from his early youth to the dutiful and officious respect with which those who possess sovereign power are attended, he had received it with the eredulity common to princes, and was sensibly mortified, when he now discovered, that he had been indebted to his rank and power for much of that obsequious regard whieh he had fondly thought was paid to his personal qualities. But though he might have soon learned to view with unconcern the levity of his subjects, or to have despised their neglect, he was more deeply afflicted with the ingratitude of his son, who, forgetting already how much he owed to his father's bounty, obliged him to remain some weeks at Burgos, before he paid him the first moiety of that small pension, which was all that he had reserved of so many kingdoms. As without this sum, Charles could not dismiss his domesties with such rewards as their serviees merited, or his generosity had destined for them, he eould not help expressing both

a Ambassades des Noailles, tom. v. 356.

b Goldast. Constit. Imper. par i. 576.

surprise and dissatisfaction.[c] At last the money was paid, and Charles having dismissed a great number of his domestics, whose attendance he thought would be superfluous or cumbersome in his retirement, he proceeded to Valladolid. There he took a last and tender leave of his two sisters, whom he would not permit to accompany him to his solitude, though they requested him with tears, not only that they might have the consolation of contributing by their attendance and care to mitigate or to soothe his sufferings, but that they might reap instruction and benefit by joining with him in those pious exercises, to which he had consecrated the remainder of his days.

1557. The place of his retreat.

From Valladolid he continued his journey to Plazencia in Estremadura. He had passed through this place a great many years before, and having been struck at that time with the delightful situation of the monastery of St. Justus, belonging to the order of St. Jerome, not many miles distant from the town, he had then observed to some of his attendants, that this was a spot to which Dioclesian might have retired with pleasure. The impression had remained so strong on his mind, that he pitched upon it as the place of his own retreat. It was seated in a vale of no great extent, watered by a small brook, and surrounded by rising grounds, covered with lofty trees; from the nature of the soil, as well as the temperature of the climate, it was esteemed the most healthful and delicious situation in Spain. Some months before his resignation he had sent an architect thither, to add a new apartment to the monastery, for his accommodation; but he gave strict orders that the style of the building should be such as suited his present station, rather than his former dignity. It consisted only of six rooms, four of them in the form of friars' cells, with naked walls; the other two, each twenty feet square, were hung with brown cloth, and furnished in the most simple manner. They were all on a level with the ground; with a door on one side into a garden, of which Charles himself had given the plan, and had filled it with various plants which he intended to cultivate with his own hands. On the other side they communicated with the chapel of the monastery, in which he was to perform his devotions. Into this humble retreat, hardly sufficient for the comfortable accommodation of a private gentleman, did Charles

Feb. 21.

enter with twelve domestics only. He buried there, in solitude and silence, his grandeur, his ambition, together with all those vast projects, which, during almost half a century, had alarmed and agitated Europe, filling every kingdom in it, by turns, with the terror of his arms, and the dread of being subdued by his power.[d]

Contrast between the behaviour of Charles and the pope.

The contrast between Charles's conduct and that of the pope at this juncture, was so obvious, that it struck even the most careless observers; nor was the comparison which they made to the advantage of Paul. The former, a conqueror, born to reign, long accustomed to the splendour which accompanies supreme power, and to those busy and interesting scenes in which an active ambition had engaged him, quitted the world at a period of life not far advanced, that he might close the evening of his days in tranquillity, and secure some interval for sober thought and serious recollection. The latter, a priest, who had passed the early part of his life in the shade of the schools, and in the study of the speculative sciences, who was seemingly so detached from the world, that he had shut himself up for many years in the solitude of a cloister, and who was not raised to the papal throne until he had reached the extremity of old age, discovered at once all the impetuosity of youthful ambition, and formed extensive schemes, in order to accomplish which, he scrupled not to scatter the seeds of discord, and to kindle the flames of war, in every corner of Europe. But Paul, regardless of the opinion or censures of mankind, held on his own course with his wonted arrogance and violence. These, although they seemed already to have exceeded all bounds, rose to a still greater height, upon the arrival of the duke of Guise in Italy.

The duke of Guise leads the French army into Italy.

That which the two princes of Lorrain foresaw and desired, had happened. The duke of Guise was intrusted with the command of the army appointed to march to the pope's assistance. It consisted of twenty thousand men of the best troops in the service of France. So high was the duke's reputation, and such the general expectation of beholding some extraordinary exertion of his courage and abilities in a war into which he had precipitated his country, chiefly with the design of obtaining a field where he might display his own talents, that many of the French nobility who had no command in the troops employed, accompanied him as volunteers. This army passed the Alps in an inclement season, and advanced towards Rome without any opposition from the Spaniards, who, as they were not strong enough to act in different parts, had collected all their forces into one body on the frontiers of Naples, for the defence of that kingdom.

The pope renews hostilities against Philip.

Imboldened by the approach of the French, the pope let loose all the fury of his resentment against Philip, which notwithstanding the natural violence of his temper, prudential considerations had hitherto obliged him to keep under some restraint. He named commissioners, whom he empowered to pass judgment in the suit which the consistorial advocate had commenced against Philip, in order to prove that he had forfeited the crown of Naples, by

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taking arms against the holy see, of which he was a vassal. He recalled all the nuncios resident in the courts of Charles V., of Philip, or of any of their allies. This was levelled chiefly against cardinal Pole, the pa-

April 9.

c Strada de Bello Belg. lib. i. 9.

d Sandov. ii. 607, et Zuniga, 100. Thuan. lib. xvii. 609.

pal legate in the court of England, whose great merit, in having contributed so successfully to reconcile that kingdom to the church of Rome, together with the expectation of further services which he might perform, was not sufficient to screen him from the resentment that he had incurred by his zealous endeavours to establish peace between the house of Austria and France. He commanded an addition to be made to the anathemas annually denounced against the enemies of the church on Maundy-Thursday, whereby he inflicted the censure of excommunication on the authors of the late invasion of the ecclesiastical territories, whatever their rank or dignity might be; and, in consequence of this, the usual prayers for the emperor were omitted next day in the pope's chapel.[e]

His military preparations inadequate.

But while the pope indulged himself in those wild and childish sallies of rage, either he neglected, or found that it exceeded his power, to take such measures as would have rendered his resentment really formidable, and fatal to his enemies. For when the duke of Guise entered Rome, where he was received with a triumphal pomp, which would have been more suitable if he had been returning after having terminated the war with glory, than when he was going to begin it with a doubtful chance of success, he found none of the preparations for war in such forwardness as cardinal Caraffa had promised, or he had expected. The papal troops were far inferior in number to the quota stipulated; no magazines sufficient for their subsistence were formed; nor was money for paying them provided. The Venetians, agreeably to that cautious maxim which the misfortunes of their state had first led them to adopt, and which was now become a fundamental principle in their policy, declared their resolution to preserve an exact neutrality, without taking any part in the quarrels of princes, so far superior to themselves in power. The other Italian states were either openly united in league with Philip, or secretly wished success to his arms against a pontiff, whose inconsiderate ambition had rendered Italy once more the seat of war.

Duke of Guise's operations.

The duke of Guise perceived that the whole weight of the war would devolve on the French troops under his command; and became sensible, though too late, how imprudent it is to rely, in the execution of great enterprises, on the aid of feeble allies.

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Pushed on, however, by the pope's impatience for action, as well as by his own desire of performing some part of what he had so confidently undertaken, he marched towards Naples, and began his operations. But the success of these fell far short of his former reputation, of what the world expected, and of what he himself had promised. He opened the campaign with the siege of Civitella, a town of some importance on the Neapolitan frontier. But the obstinacy with which the Spanish governor defended it baffled all the impetuous efforts of the French valour, and obliged the duke of Guise, after a siege of three weeks, to retire from the town with disgrace. He endeavoured to wipe off that stain, by advancing boldly towards the duke of Alva's camp, and offering him battle. But that prudent commander, sensible of all the advantages of standing on the defensive before an invading enemy, declined an engagement, and kept within his intrenchment; and, adhering to his plan with the steadiness of a Castilian, eluded with great address all the Duke of Guise's stratagems to draw him into action.[f] By this time sickness began to waste the French army; violent dissensions had arisen between the duke of Guise and the commander of the pope's forces; the Spaniards renewed their incursions into the ecclesiastical state; the pope, when he found, instead of the conquests and triumphs which he had fondly expected, that he could not secure his own territories from depredation, murmured, complained, and began to talk of peace. The duke of Guise, mortified to the last degree with having acted such an inglorious part, not only solicited his court either to reinforce his army, or to recall him, but urged Paul to fulfil his engagements; and called on cardinal Caraffa, sometimes with reproaches, sometimes with threats, to make good those magnificent promises, from a rash confidence in which he had advised his master to renounce the truce of Vaucelles, and to join in league with the pope.[g]

Hostilities in the Low Countries.

But while the French affairs in Italy were in this wretched situation, an unexpected event happened in the Low Countries, which called the duke of Guise from a station wherein he could acquire no honour, to the most dignified and important charge which could be committed to a subject. As soon as the French had discovered their purpose of violating the truce of Vaucelles, not only by sending an army into Italy, but by attempting to surprise some of the frontier towns in Flanders, Philip, though willing to have avoided a rupture, determined to prosecute the war with such spirit, as should make his enemies sensible that his father had not erred, when he judged him to be so capable of government, that he had given up the reins into his hands. As he knew that Henry had been at great expense in fitting out the army under the duke of Guise, and that his treasury was hardly able to answer the exorbitant and endless demands of a distant war, he foresaw that all his operations in the Low Countries must, of consequence, prove feeble, and be considered only as secondary to those in Italy. For that reason, he prudently resolved to make his principal effort in that place where he expected the French to be weakest, and to bend his chief force against that quarter where they would feel a blow

e Pal. lib. xiii. 180. Mem. de Ribier, ii. 678.
f Herrera Vida de Felipe, 181.

g Thuan. lib. xxviii. 614. Pallav. lib. xiii. 181. Burn. ii. app. 317.

most sensibly. With this view, he assembled in the Low Countries an army of about fifty thousand men, the Flemings serving him on this occasion with that active zeal which subjects are wont to exert in obeying the first commands of a new sovereign. But Philip, cautious and provident, even at this early period of life, did not rest all his hopes of success on that formidable force alone.

Philip endeavours to engage England in the war.

He had been labouring for some time to engage the English to espouse his quarrel; and though it was manifestly the interest of that kingdom to maintain a strict neutrality, and the people themselves were sensible of the advantages which they derived from it; though he knew how odious his name was to the English, and how averse they would be to co-operate with him in any measure, he nevertheless did not despair of accomplishing his point. He relied on the affection with which the queen doated on him, which was so violent, that even his coldness and neglect had not extinguished it; he knew her implicit reverence for his opinion, and her fond desire of gratifying him in every particular. That he might work on these with greater facility and more certain success, he set out for England. The queen, who, during her husband's absence, had languished in perpetual dejection, resumed fresh spirits on his arrival; and without paying the least attention either to the interest or to the inclinations of her people, entered warmly into all his schemes. In vain did her privy council remonstrate against the imprudence as well as danger of involving the nation in an unnecessary war; in vain did they put her in mind of the solemn treaties of peace subsisting between England and France, which the conduct of that nation had afforded her no pretext to violate. Mary, soothed by Philip's caresses, or intimidated by the threats which his ascendant over her imboldened him at some times to throw out, was deaf to every thing that could be urged in opposition to his sentiments, and insisted with the greatest vehemence on an immediate declaration of war against France. The council, though all Philip's address and Mary's authority were employed to gain or overawe them, after struggling long, yielded at last, not from conviction, but merely from deference to the will of their sovereign. War was

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declared against France, the only one perhaps against that kingdom into which the English ever entered with reluctance. As Mary knew the aversion of the nation to this measure, she durst not call a parliament in order to raise money for carrying on the war. She supplied this want, however, by a stretch of royal prerogative, not unusual in that age; and levied large sums on her subjects by her own authority. This enabled her to assemble a sufficient body of troops, and to send eight thousand men under the conduct of the earl of Pembroke, to join Philip's army.[h]

Operations of Philip's army in the Low Countries.

Philip, who was not ambitious of military glory, gave the command of his army to Emanuel Philibert, duke of Savoy, and fixed his own residence at Cambray, that he might be at hand to receive the earliest intelligence of his motions, and to aid him with his counsels. The duke opened the campaign with a masterly stroke of address, which justified Philip's choice, and discovered such a superiority of genius over the French generals, as almost insured success in his subsequent operations. He appointed the general rendezvous of his troops at a place considerably distant from the country which he destined to be the scene of action; and having kept the enemy in suspense for a good time with regard to his intentions, he at last deceived them so effectually by the variety of his marches and countermarches, as led them to conclude that he meant to bend all his force against the province of Champagne, and would attempt to penetrate into the kingdom on that side. In consequence of this opinion, they drew all their strength towards that quarter, and reinforcing the garrison there, left the town on other parts of the frontier destitute of troops sufficient to defend them.

Invests St. Quintin.

The duke of Savoy, as soon as he perceived that this feint had its full effect, turned suddenly to the right, advanced by rapid marches into Picardy, and sending his cavalry, in which he was extremely strong, before him, invested St. Quintin. This was a town deemed in that age of considerable strength, and of great importance, as there were few fortified cities between it and Paris. The fortifications, however, had been much neglected; the garrison, weakened by draughts sent towards Champagne, did not amount to a fifth part of the number requisite for its defence; and the governor, though a brave officer, was neither of rank nor authority equal to the command in a place of so much consequence, besieged by such a formidable army. A few days must have put the duke of Savoy in possession of the town, if the admiral de Coligny, who thought it concerned his honour to attempt saving a place of such importance to his country, and which lay within his jurisdiction as governor of Picardy, had not taken the gallant resolution of throwing himself into it, with such a body of men as he could collect on a sudden. This resolution he executed with great intrepidity, and if the nature of the enterprise be considered, with no contemptible success; for though one half of his small body of troops was cut off, he, with the other, broke through the enemy, and entered the town. The unexpected arrival of an officer of such high rank and reputation, and who had exposed himself to such danger in order to join them, inspired the desponding garrison with courage. Every thing that the admiral's great skill and experience in the art of war could suggest, for annoying the enemy or defending the town, was attempted; and the citizens, as well as the garrison, seconding his zeal with

h Carte, iii. 337.

equal ardour, seemed to be determined that they would hold out to the last, and sacrifice themselves in order to save their country.[i]

The French endeavour to relieve the town.

The duke of Savoy, whom the English under the earl of Pembroke joined about this time, pushed on the siege with the greatest vigour. An army so numerous, and so well supplied with every thing requisite, carried on its approaches with great advantage against a garrison which was still so feeble that it durst seldom venture to disturb or retard the enemy's operations by sallies. The admiral, sensible of the approaching danger, and unable to avert it, acquainted his uncle the constable Montmorency, who had the command of the French army, with his situation, and pointed out to him a method by which he might throw relief into the town. The constable, solicitous to save a town, the loss of which would open a passage for the enemy into the heart of France; and eager to extricate his nephew out of that perilous situation, in which zeal for the public had engaged him,—resolved, though aware of the danger, to attempt what he desired. With this view, he marched from La Fere towards St. Quintin at the head of his army, which was not by one half so numerous as that of the enemy, and having given the command of a body of chosen men to Coligny's brother Dandelot, who was colonel-general of the French infantry, he ordered him to force his way into the town by that avenue which the admiral had represented as most practicable, while he himself, with the main army, would give the alarm to the enemy's camp on the opposite side, and endeavour to draw all their attention towards that quarter. Dandelot executed his orders with greater intrepidity than conduct. He rushed on with such headlong impetuosity, that, though it broke the first body of the enemy which stood in his way, it threw his own soldiers into the utmost confusion; and as they were attacked in that situation by fresh troops which closed in upon them on every side, the greater part of them were cut in pieces, Dandelot, with about five hundred of the most adventurous and most fortunate, making good his entrance into the town.

Aug. 10

The battle of St. Quintin.

Meanwhile the constable, in executing his part of the plan, advanced so near the camp of the besiegers, as rendered it impossible to retreat with safety in the face of an enemy so much superior in number. The duke of Savoy instantly perceived Montmorency's error, and prepared, with the presence of mind and abilities of a great general, to avail himself of it. He drew up his army in order of battle, with the greatest expedition; and watching the moment when the French began to file off towards La Fere, he detached all his cavalry, under the command of the count of Egmont, to fall on their rear, while he himself, at the head of his infantry, advanced to support him. The French retired at first in perfect order, and with a good countenance: but when they saw Egmont draw near with his formidable body of cavalry, the shock of which they were conscious that they could not withstand, the prospect of imminent danger, added to distrust of their general, whose imprudence every soldier now perceived, struck them with general consternation. They began insensibly to quicken their pace, and those in the rear pressed so violently on such as were before them, that in a short time their march resembled a flight rather than a retreat. Egmont, observing their confusion, charged them with the greatest fury, and in a moment all their men at arms, the pride and strength of the French troops in that age, gave way, and fled with precipitation. The infantry, however, whom the constable, by his presence and authority, kept to their colours, still continued to retreat in good order, until the enemy brought some pieces of cannon to bear upon their centre, which threw them into such confusion, that the Flemish cavalry, renewing their attack, broke in, and the rout became universal. About four thousand of the French fell in the field, and among these the duke of Enghien, a prince of the blood, together with six hundred gentlemen. The constable, as soon as he perceived the fortune of the day to be irretrievable, rushed into the thickest of the enemy, with a resolution not to survive the calamity which his ill-conduct had brought upon his country; but having received a dangerous wound, and being wasted with the loss of blood, he was surrounded by some Flemish officers, to whom he was known, who protected him from the violence of the soldiers, and obliged him to surrender. Besides the constable, the dukes of Montpensier and Longueville, the mareschal of St. André, many officers of distinction, three hundred gentlemen, and near four thousand private soldiers, were taken prisoners. All the colours belonging to the infantry, all the ammunition, and all the cannon, two pieces excepted, fell into the enemy's hands. The victorious army did not lose above fourscore men.[k]

Total defeat of the French.

The first effects of it.

This battle, no less fatal to France than the ancient victories of Crecy and Agincourt, gained by the English on the same frontier, bore a near resemblance to those disastrous events, in the suddenness of the rout; in the ill conduct of the commander-in-chief; in the number of persons of note slain or taken; and in the small loss sustained by the enemy. It filled France with equal consternation. Many inhabitants of Paris, with the same precipitancy and trepidation as if the enemy had been already at their gates, quitted the city, and retired into the interior provinces. The king, by his presence and exhortations, endeavoured to console and to animate such as remained, and applying himself with the greatest diligence to repair the ruinous fortifications of the city, prepared to defend it against the attack which he instantly expected. But happily for France, Philip's caution,

i Thuan. lib. xix. 647.

k Thuan. 650. Haræi Annal. Brabant. ii. 692. Herrera, 291.

together with the intrepid firmness of the admiral de Coligny, not only saved the capital from the danger to which it was exposed, but gained the nation a short interval, during which the people recovered from the terror and dejection occasioned by a blow no less severe than unexpected, and Henry had leisure to take measures for the public security, with the spirit which became the sovereign of a powerful and martial people.

Philip repairs to his army.

Philip, immediately after the battle, visited the camp at St. Quintin, where he was received with all the exultation of military triumph; and such were his transports of joy on account of an event which threw so much lustre on the beginning of his reign, that they softened his severe and haughty temper into an unusual flow of courtesy. When the duke of Savoy approached, and was kneeling to kiss his hands, he caught him in his arms, and embracing him with warmth, "It becomes me," says he, "rather to kiss your hands, which have gained me such a glorious and almost bloodless victory."

His deliberations concerning the prosecution of the war.

As soon as the rejoicings and congratulations on Philip's arrival were over, a council of war was held, in order to determine how they might improve their victory to the best advantage. The duke of Savoy, seconded by several of the ablest officers formed under Charles V., insisted that they should immediately relinquish the siege of St. Quintin, the reduction of which was now an object below their attention, and advance directly towards Paris; that as there were neither troops to oppose, nor any town of strength to retard their march, they might reach that capital while under the full impression of the astonishment and terror occasioned by the rout of the army, and take possession of it without resistance. But Philip, less adventurous or more prudent than his generals, preferred a moderate but certain advantage to an enterprise of greater splendour, but of more doubtful success. He represented to the council the infinite resources of a kingdom so powerful as France; the great number as well as martial spirit of its nobles; their attachment to their sovereign; the manifold advantages with which they could carry on war in their own territories; and the unavoidable destruction which must be the consequence of their penetrating too rashly into the enemy's country, before they had secured such a communication with their own as might render a retreat safe, if, upon any disastrous event, that measure should become necessary. On all these accounts, he advised the continuance of the siege; and his generals acquiesced the more readily in his opinion, as they made no doubt of being masters of the town in a few days, a loss of time of so little consequence in the execution of their plan, that they might easily repair it by their subsequent activity.[1]

The weakness of the fortifications, and the small number of the garrison, which could no longer hope either for reinforcement or relief, seemed to authorize this

St. Quintin defended by admiral Coligny;

calculation of Philip's generals. But in making it, they did not attend sufficiently to the character of admiral de Coligny, who commanded in the town. A courage undismayed, and tranquil amidst the greatest dangers, an invention fruitful in resources, a genius which roused and seemed to acquire new force upon every disaster, a talent of governing the minds of men, together with a capacity of maintaining his ascendant over them even under circumstances the most adverse and distressful, were qualities which Coligny possessed in a degree superior to any general of that age. These qualities were peculiarly adapted to the station in which he was now placed; and as he knew the infinite importance to his country of every hour which he could gain at this juncture, he exerted himself to the utmost in contriving how to protract the siege, and to detain the enemy from attempting any enterprise more dangerous to France. Such were the perseverance and skill with which he conducted the defence, and such the fortitude as well as patience with which he animated the garrison, that though the Spaniards, the Flemings, and the English, carried on the attack with all the ardour which national emulation inspires, he held out the town seventeen days. He was taken prisoner, at last, on the breach, overpowered by the superior number of the enemy.

which is taken by assault.

Aug. 27.

Henry's measures for the defence of his kingdom.

Henry availed himself, with the utmost activity, of the interval which the admiral's well-timed obstinacy had afforded him. He appointed officers to collect the scattered remains of the constable's army; he issued orders for levying soldiers in every part of the kingdom; he commanded the ban and arriere ban of the frontier provinces instantly to take the field, and to join the duke of Nevers at Laon in Picardy; he recalled the greater part of the veteran troops which served under the mareschal Brissac at Piedmont; he sent courier after courier to the duke of Guise, requiring him, together with all his army, to return instantly for the defence of their country; he despatched one envoy to the grand seignior, to solicit the assistance of his fleet, and the loan of a sum of money; he sent another into Scotland, to incite the Scots to invade the north of England, that, by drawing Mary's attention to that quarter, he might prevent her from reinforcing her troops which served under Philip. These efforts of the king were warmly seconded by the zeal of his subjects. The city of Paris granted him a free gift of three hundred thousand livres. The other great towns imitated the liberality of the capital, and contributed in proportion. Several noblemen of distinction engaged, at their own expense, to garrison and defend the towns which lay most exposed to the enemy.

1 Belcar. Commentar. de Reb. Gallic. 901.

Nor was the general concern for the public confined to corporate bodies alone, or to those in the higher sphere of life, but diffusing itself among persons of every rank, each individual seemed disposed to act with as much vigour as if the honour of the king, and the safety of the state, had depended solely on his single efforts.[m]

The victory of St. Quintin productive of few beneficial consequences.

Philip, who was no stranger either to the prudent measures taken by the French monarch for the security of his dominions, or to the spirit with which his subjects prepared to defend themselves, perceived, when it was too late, that he had lost an opportunity which could never be recalled, and that it was now vain to think of penetrating into the heart of France. He abandoned, therefore, without much reluctance, a scheme which was too bold and hazardous to be perfectly agreeable to his cautious temper; and employed his army, during the remainder of the campaign, in the sieges of Ham and Catelet. Of these he soon became master; and the reduction of two such petty towns, together with the acquisition of St. Quintin, were all the advantages which he derived from one of the most decisive victories gained in that century. Philip himself, however, continued in high exultation on account of his success; and as all his passions were tinged with superstition, he, in memory of the battle of St. Quintin, which had been fought on the day consecrated to St. Laurence, vowed to build a church, a monastery, and a palace, in honour of that saint and martyr. Before the expiration of the year, he laid the foundation of an edifice in which all these were united, at the Escurial in the neighbourhood of Madrid; and the same principle which dictated the vow directed the building. For the plan of the work was so formed as to resemble a gridiron, which, according to the legendary tale, had been the instrument of St. Laurence's martyrdom. Notwithstanding the great and expensive schemes in which his restless ambition involved him, Philip continued the building with such perseverance for twenty-two years, and reserved such large sums for this monument of his devotion and vanity, that the monarchs of Spain are indebted to him for a royal residence, which, though not the most elegant, is certainly the most sumptuous and magnificent, of any in Europe.[n]

The French army recalled out of Italy.

The first account of that fatal blow which the French had received at St. Quintin was carried to Rome by the courier whom Henry had sent to recall the duke of Guise. As Paul, even with the assistance of his French auxiliaries, had hardly been able to check the progress of the Spanish arms, he foresaw that, as soon as he was deprived of their protection, his territories must be overrun in a moment. He remonstrated, therefore, with the greatest violence against the departure of the French army, reproaching the duke of Guise for his ill conduct, which had brought him into such an unhappy situation; and complaining of the king for deserting him so ungenerously under such circumstances. The duke of Guise's orders, however, were peremptory. Paul, inflexible as he was, found it necessary to accommodate his conduct to the exigency of his affairs, and to employ the mediation of the Venetians, and of Cosmo di Medici, in order to obtain peace. Philip, who had been forced unwillingly to a rupture with the pope, and who, even while success crowned his arms, doubted so much the justice of his own cause, that he had made frequent overtures of pacification, listened eagerly to the first proposals of this nature from Paul, and discovered such moderation in his demands as could hardly have been expected from a prince elated with victory.

A treaty of peace between the pope and Philip.

The duke of Alva on the part of Philip, and the cardinal Caraffa in the name of his uncle, met at Cavi, and both being equally disposed to peace, they, after a short conference, terminated the war by a treaty on the following terms:—That Paul should renounce his league with France, and maintain for the future such a neutrality as became the common father of Christendom; that Philip should instantly restore all the towns of the ecclesiastical territory of which he had taken possession; that the claims of the Caraffas to the duchy of Paliano, and other demesnes of the Colonnas, should be referred to the decision of the republic of Venice; that the duke of Alva should repair in person to Rome, and after asking pardon of Paul in his own name, and in that of his master, for having invaded the patrimony of the church, should receive the pope's absolution from that crime. Thus Paul, through Philip's scrupulous timidity, finished an unprosperous war without any detriment to the papal see. The conqueror appeared humble, and acknowledged his error; while he who had been vanquished retained his usual haughtiness, and was treated with every mark of superiority.[o] The duke of Alva, in terms of the treaty, repaired to Rome, and, in the posture of a supplicant, kissed the feet, and implored the forgiveness, of that very person whom his arms had reduced to the last extremity. Such was the superstitious veneration of the Spaniards for the papal character, that Alva, though perhaps the proudest man of the age, and accustomed from his infancy to a familiar intercourse with princes, acknowledged that when he approached the pope, he was so much overawed, that his voice failed, and his presence of mind forsook him.[p]

Philip restores Placentia to Octavio Farnese

But though this war, which at its commencement threatened mighty revolutions, was brought to an end without occasioning any alteration in those states which were its immediate object, it had produced during its progress effects of considerable consequence in other parts of Italy. As Philip was extremely so-

m Mem. de Ribier, ii. 701, 703.
n Colmenar Annales d'Espagne, tom. ii. p. 136.

o Pallav. lib. xiii. 183. F. Paul, 380. Herrera, vol. i. 310.
p Pallav. lib. xiii. 185. Summonte Istoria di Napoli, iv. 286.

licitous to terminate his quarrel with Paul as speedily as possible, he was willing to make any sacrifice in order to gain those princes, who, by joining their troops to the papal and French army, might have prolonged the war. With this view, he entered into a negociation with Octavio Farnese, duke of Parma, and, in order to seduce him from his alliance with France, he restored to him the city of Placentia, with the territory depending on it, which Charles V. had seized in the year one thousand five hundred and forty-seven, had kept from that time in his possession, and had transmitted, together with his other dominions, to Philip.

Cosmo di Medici's measures for obtaining Siena.

This step made such a discovery of Philip's character and views to Cosmo di Medici, the most sagacious as well as provident of all the Italian princes, that he conceived hopes of accomplishing his favourite scheme of adding Siena and its territories to his dominions in Tuscany. As his success in this attempt depended entirely on the delicacy of address with which it should be conducted, he employed all the refinements of policy in the negociation which he set on foot for this purpose. He began with soliciting Philip, whose treasury he knew to be entirely drained by the expense of the war, to repay the great sums which he had advanced to the emperor during the siege of Siena. When Philip endeavoured to elude a demand which he was unable to satisfy, Cosmo affected to be extremely disquieted, and making no secret of his disgust, instructed his ambassador at Rome to open a negociation with the pope, which seemed to be the effect of it. The ambassador executed his commission with such dexterity that Paul, imagining Cosmo to be entirely alienated from the Spanish interest, proposed to him an alliance with France, which should be cemented by the marriage of his eldest son to one of Henry's daughters. Cosmo received the overture with such apparent satisfaction, and with so many professions of gratitude for the high honour of which he had the prospect, that not only the pope's ministers, but the French envoy at Rome, talked confidently, and with little reserve, of the accession of that important ally, as a matter certain and decided. The account of this was quickly carried to Philip; and Cosmo, who foresaw how much it would alarm him, had despatched his nephew Ludovico de Toledo into the Netherlands, that he might be at hand to observe and take advantage of his consternation, before the first impression which it made should in any degree abate. Cosmo was extremely fortunate in the choice of the instrument whom he employed. Toledo waited with patience, until he discovered with certainty, that Philip had received such intelligence of his uncle's negociations at Rome, as must have filled his suspicious mind with fear and jealousy; and then craving an audience, he required payment of the money which had been borrowed by the emperor, in the most earnest and peremptory terms. In urging that point, he artfully threw out several dark hints and ambiguous declarations, concerning the extremities to which Cosmo might be driven by a refusal of this just demand, as well as by other grievances of which he had good reason to complain.

Their success.

Philip, astonished at an address in such a strain, from a prince so far his inferior as the duke of Tuscany, and comparing what he now heard with the information which he had received from Italy, immediately concluded that Cosmo had ventured to assume this bold and unusual tone on the prospect of his union with France. In order to prevent the pope and Henry from acquiring an ally, who, by his abilities, as well as the situation of his dominions, would have added both reputation and strength to their confederacy, he offered to grant Cosmo the investiture of Siena, if he would consent to accept of it as an equivalent for the sums due to him, and engage to furnish a body of troops towards the defence of Philip's territories in Italy, against any power who should attack them. As soon as Cosmo had brought Philip to make this concession, which was the object of all his artifices and intrigues, he did not protract the negociation by an unnecessary delay, or any excess of refinement, but closed eagerly with the proposal; and Philip, in spite of the remonstrances of his ablest counsellors, signed a treaty with him to that effect.[q]

As no prince was ever more tenacious of his rights than Philip, or less willing to relinquish any territory which he possessed, by what tenure soever he held it, these unusual concessions to the dukes of Parma and Tuscany, by which he wantonly gave up countries, in acquiring or defending which his father had employed many years, and wasted much blood and treasure, cannot be accounted for from any motive, but his superstitious desire of extricating himself out of the war which he had been forced to wage against the pope. By these treaties, however, the balance of power among the Italian states was poised with greater equality, and rendered less variable than it had been since it received the first violent shock from the invasion of Charles VIII. of France. From this period Italy ceased to be the great theatre on which the monarchs of Spain, France, and Germany, contended for power or for fame. Their dissensions and hostilities, though as frequent and violent as ever, being excited by new objects, stained other regions of Europe with blood, and rendered them miserable, in their turn, by the devastations of war.

Sept. 29. The duke of Guise's reception in France.

The duke of Guise left Rome on the same day that his adversary the duke Alva made his humiliating submission to the pope. He was received in France as the guardian angel of the kingdom. His late ill success in Italy seemed to be forgotten, while his former services, particularly his defence of Metz, were recounted with exaggerated praise; and he

q Thuan. lib. xviii. 624. Herrera i. 263, 275. Pallav. lib. xiii. 180.

was welcomed in every city through which he passed, as the restorer of public security, who, after having set bounds by his conduct and valour to the victorious arms of Charles V., returned now, at the call of his country, to check the formidable progress of Philip's power. The reception which he met with from Henry was no less cordial and honourable. New titles were invented, and new dignities created, in order to distinguish him. He was appointed lieutenant-general-in-chief both within and without the kingdom, with a jurisdiction almost unlimited, and hardly inferior to that which was possessed by the king himself. Thus, through the singular felicity which attended the princes of Lorrain, the miscarriage of their own schemes contributed to aggrandize them. The calamities of his country, and the ill conduct of his rival the constable, exalted the duke of Guise to a height of dignity and power, which he could not have expected to attain by the most fortunate and most complete success of his own ambitious projects.

Takes the command of the army.

The duke of Guise, eager to perform something suitable to the high expectations of his countrymen, and that he might justify the extraordinary confidence which the king had reposed in him, ordered all the troops which could be got together to assemble at Compeigne. Though the winter was well advanced, and had set in with extreme severity, he placed himself at their head, and took the field. By Henry's activity and the zeal of his subjects, so many soldiers had been raised in the kingdom, and such considerable reinforcements had been drawn from Germany and Switzerland, as formed an army respectable even in the eyes of a victorious enemy. Philip, alarmed at seeing it put in motion at such an uncommon season, began to tremble for his new conquests, particularly St. Quintin, the fortifications of which were hitherto but imperfectly repaired.

He invests Calais. 1558. Jan. 1st.

But the duke of Guise meditated a more important enterprise; and after amusing the enemy with threatening successively different towns on the frontiers of Flanders, he turned suddenly to the left, and invested Calais with his whole army. Calais had been taken by the English under Edward III., and was the fruit of that monarch's glorious victory at Crecy. Being the only place that they retained of their ancient and extensive territories in France, and which opened to them, at all times, an easy and secure passage into the heart of that kingdom, their keeping possession of it soothed the pride of the one nation as much as it mortified the vanity of the other. Its situation was naturally so strong, and its fortifications deemed so impregnable, that no monarch of France, how adventurous soever, had been bold enough to attack it. Even when the domestic strength of England was broken and exhausted by the bloody wars between the houses of York and Lancaster, and its attention entirely diverted from foreign objects, Calais had remained undisturbed and unthreatened. Mary and her council, composed chiefly of ecclesiastics, unacquainted with military affairs, and whose whole attention was turned towards extirpating heresy out of the kingdom, had not only neglected to take any precautions for the safety of this important place, but seemed to think that the reputation of its strength was alone sufficient for its security. Full of this opinion, they ventured, even after the declaration of war, to continue a practice which the low state of the queen's finances had introduced in times of peace. As the country adjacent to Calais was overflowed during the winter, and the marshes around it became impassable, except by one avenue, which the forts of St. Agatha and Newnham-bridge commanded, it had been the custom of the English to dismiss the greater part of the garrison towards the end of autumn, and to replace it in the spring. In vain did lord Wentworth, the governor of Calais, remonstrate against this ill-timed parsimony, and represent the possibility of his being attacked suddenly, while he had not troops sufficient to man the works. The privy-council treated these remonstrances with scorn, as if they had flowed from the timidity or the rapaciousness of the governor; and some of them, with that confidence which is the companion of ignorance, boasted that they would defend Calais with their white rods against any enemy who should approach it during winter.[r] In vain did Philip, who had passed through Calais as he returned from England to the Netherlands, warn the queen of the danger to which it was exposed; and, acquainting her with what was necessary for its security, in vain did he offer to reinforce the garrison during winter with a detachment of his own troops. Mary's counsellors, though obsequious to her in all points wherein religion was concerned, distrusted, as much as the rest of their countrymen, every proposition that came from her husband; and suspecting this to be an artifice of Philip's, in order to gain the command of the town, they neglected his intelligence, declined his offer, and left Calais with less than a fourth part of the garrison requisite for its defence.

Its defenceless state.

His knowledge of this encouraged the duke of Guise to venture on an enterprise, that surprised his own countrymen no less than his enemies. As he knew that its success depended on conducting his operations with such rapidity as would afford the English no time for throwing relief into the town by sea, and prevent Philip from giving him any interruption by land, he pushed the attack with a degree of vigour little known in carrying on sieges during that age. He drove the English from fort St. Agatha at the first assault. He obliged them to abandon the fort of Newnham-bridge, after defending it only three days. He took the castle which commanded the harbour

Guise pushes the siege with vigour;

r Carte, iii. 345.

takes the town, by storm; and, on the eighth day after he appeared before Calais, compelled the governor to surrender; as his feeble garrison, which did not exceed five hundred men, was worn out with the fatigue of sustaining so many attacks, and defending such extensive works.

and likewise Guisnes and Hames. The duke of Guise, without allowing the English time to recover from the consternation occasioned by this blow, immediately invested Guisnes, the garrison of which, though more numerous, defended itself with less vigour, and, after standing one brisk assault, gave up the town. The castle of Hames was abandoned by the troops posted there, without waiting the approach of the enemy.

The splendour and effect of these conquests. Thus, in a few days, during the depth of winter, and at a time when the fatal battle of St. Quintin had so depressed the sanguine spirit of the French, that their utmost aim was to protect their own country, without dreaming of making conquests on the enemy, the enterprising valour of one man drove the English out of Calais, after they had held it two hundred and ten years, and deprived them of every foot of land in a kingdom where their dominions had been once very extensive. This exploit, at the same time that it gave a high idea of the power and resources of France to all Europe, set the duke of Guise, in the opinion of his countrymen, far above all the generals of the age. They celebrated his conquests with immoderate transports of joy; while the English gave vent to all the passions which animate a high-spirited people, when any great national calamity is manifestly owing to the ill conduct of their rulers. Mary and her ministers, formerly odious, were now contemptible in their eyes. All the terrors of her severe and arbitrary administration could not restrain them from uttering execrations and threats against those who, having wantonly involved the nation in a quarrel wherein it was nowise interested, had, by their negligence or incapacity, brought irreparable disgrace on their country, and lost the most valuable possession belonging to the English crown.

The king of France imitated the conduct of its former conqueror, Edward III., with regard to Calais. He commanded all the English inhabitants to quit the town; and giving their houses to his own subjects, whom he allured to settle there by granting them various immunities, he left a numerous garrison, under an experienced governor, for their defence. After this, his victorious army was conducted into quarters of refreshment, and the usual inaction of winter returned.

Feb. 24. Charles's resignation of the imperial crown. During these various operations, Ferdinand assembled the college of electors at Francfort, in order to lay before them the instrument whereby Charles V. had resigned the imperial crown, and transferred it to him. This he had hitherto delayed on account of some difficulties which had occurred, concerning the formalities requisite in supplying a vacancy occasioned by an event to which there was no parallel in the annals of the empire. These being at length adjusted, the prince of Orange executed the commission with which he had been intrusted by Charles; the electors accepted of his resignation; declared Ferdinand his lawful successor; and put him in possession of all the ensigns of the imperial dignity.

The pope refuses to acknowledge Ferdinand as emperor. But when the new emperor sent Gusman, his chancellor, to acquaint the pope with this transaction, to testify his reverence towards the holy see, and to signify that, according to form, he would soon despatch an ambassador extraordinary to treat with his holiness concerning his coronation; Paul, whom neither experience nor disappointments could teach to bring down his lofty ideas of the papal prerogative to such a moderate standard as suited the genius of the times, refused to admit the envoy into his presence, and declared all the proceedings at Francfort irregular and invalid. He contended that the pope, as the vicegerent of Christ, was intrusted with the keys both of spiritual and of civil government; that from him the imperial jurisdiction was derived; that though his predecessors had authorized the electors to choose an emperor whom the holy see confirmed, this privilege was confined to those cases when a vacancy was occasioned by death; that the instrument of Charles's resignation had been presented in an improper court, as it belonged to the pope alone to reject or to accept of it, and to nominate a person to fill the imperial throne; that, setting aside all these objections, Ferdinand's election laboured under two defects, which alone were sufficient to render it void, for the protestant electors had been admitted to vote, though, by their apostasy from the catholic faith, they had forfeited that and every other privilege of the electoral office; and Ferdinand, by ratifying the concessions of several diets in favour of heretics, had rendered himself unworthy of the imperial dignity, which was instituted for the protection, not for the destruction, of the church. But after thundering out these extravagant maxims, he added, with an appearance of condescension, that if Ferdinand would renounce all title to the imperial crown, founded on the election at Francfort, make professions of repentance for his past conduct, and supplicate him with due humility to confirm Charles's resignation, as well as his own assumption to the empire, he might expect every mark of favour from his paternal clemency and goodness. Gusman, though he had foreseen considerable difficulties in his negociation with the pope, little expected that he would have revived those antiquated and wild pretensions, which astonished him so much, that he hardly knew in what tone he ought to reply. He prudently declined entering into any controversy concerning the nature or extent of the papal jurisdiction, and confining himself to the political considerations which should determine the pope to recognise an emperor already

in possession, he endeavoured to place them in such a light as he imagined could scarcely fail to strike Paul, if he were not altogether blind to his own interest. Philip seconded Gusman's arguments with great earnestness, by an ambassador whom he sent to Rome on purpose, and besought the pope to desist from claims so unseasonable, as might not only irritate and alarm Ferdinand and the princes of the empire, but furnish the enemies of the holy see with a new reason for representing its jurisdiction as incompatible with the rights of princes, and subversive of all civil authority. But Paul, who deemed it a crime to attend to any consideration suggested by human prudence or policy, when he thought himself called upon to assert the prerogatives of the papal see, remained inflexible; and, during his pontificate, Ferdinand was not acknowledged as emperor by the court of Rome.[s]

Henry endeavours to excite the Scots against England.

While Henry was intent upon his preparations for the approaching campaign, he received accounts of the issue of his negociations in Scotland. Long experience having at last taught the Scots the imprudence of involving their country in every quarrel between France and England, neither the solicitation of the French ambassador, nor the address and authority of the queen regent, could prevail on them to take arms against a kingdom with which they were at peace. On this occasion the ardour of a martial nobility and of a turbulent people was restrained by regard for the public interest and tranquillity, which in former deliberations of this kind had been seldom attended to by a nation always prone to rush into every new war. But though the Scots adhered with steadiness to their pacific system, they were extremely ready to gratify the French king in another particular, which he had given in charge to his ambassador.

Marriage of the dauphin with the queen of Scots.

The young queen of Scots had been affianced to the dauphin in the year one thousand five hundred and forty-eight, and having been educated since that time in the court of France, she had grown up to be the most amiable and one of the most accomplished princesses of that age. Henry demanded the consent of her subjects to the celebration of the marriage; and a parliament, which was held for that purpose, appointed eight commissioners to represent the whole body of the nation at that solemnity, with power to sign such deeds as might be requisite before it was concluded. In settling the articles of the marriage, the Scots took every precaution that prudence could dictate, in order to preserve the liberty and independence of their country; while the French used every art to secure to the dauphin the conduct of affairs during the queen's life, and the succession of the crown on the event of her demise. The marriage was celebrated with pomp suitable to the dignity of

April 14.

the parties, and the magnificence of a court at that time the most splendid in Europe.[t] Thus Henry, in the course of a few months, had the glory of recovering an important possession which had anciently belonged to the crown of France, and of adding to it the acquisition of a new kingdom. By this event, too, the duke of Guise acquired new consideration and importance; the marriage of his niece to the apparent heir of the crown, raising him so far above the condition of other subjects, that the credit which he had gained by his great actions seemed thereby to be rendered no less permanent than it was extensive.

The campaign opened.

When the campaign opened, soon after the dauphin's marriage, the duke of Guise was placed at the head of the army, with the same unlimited power as formerly. Henry had received such liberal supplies from his subjects, that the troops under his command were both numerous and well-appointed; while Philip, exhausted by the extraordinary efforts of the preceding year, had been obliged to dismiss so many of his forces during the winter, that he could not bring an army into the field capable of making head against the enemy. The duke of Guise did not lose the favourable opportunity which his superiority afforded him. He invested Thionville in the duchy of Luxemburg, one of the strongest towns on the frontier of the Netherlands, and of great importance to France by its neighbourhood to Metz; and notwithstanding the obstinate valour with which it was defended, he forced it to capitulate after a siege of three weeks.[u]

June 22.

The French army defeated at Gravelines.

But the success of this enterprise, which it was expected would lead to other conquests, was more than counterbalanced by an event that happened in another part of the Low Countries. The marechal de Termes, governor of Calais, having penetrated into Flanders without opposition, invested Dunkirk with an army of fourteen thousand men, and took it by storm on the fifth day of the siege. Hence he advanced towards Nieuport, which must have soon fallen into his hands, if the approach of the count of Egmont with a superior army had not made it prudent to retreat. The French troops were so much encumbered with the booty which they had got at Dunkirk, or by ravaging the open country, that they moved slowly; and Egmont, who had left his heavy baggage and artillery behind him, marched with such rapidity, that he came up with them near Gravelines, and attacked them with the utmost impetuosity. De Termes, who had the choice of the ground, having posted his troops to advantage in the angle formed by the mouth of the river Aa and the sea, received him with great firmness. Victory remained for some time in suspense, the desperate valour of the French, who foresaw the unavoidable destruction that must follow upon

s Godleveus de Abdicat. Car. V. ap. Gold. Polit. Imper. 392. Pallav. lib. xiii. 189. Ribier, ii. 746, 759.

t Keith's History of Scotland, p. 73. Append. 13. Corps Diplom. v. 21.

u Thuan. lib. xx. 690.

a rout in an enemy's country, counterbalancing the superior number of the Flemings, when one of those accidents to which human prudence does not extend, decided the contest in favour of the latter. A squadron of English ships of war, which was cruising on the coast, being drawn by the noise of the firing towards the place of the engagement, entered the river Aa, and turned its great guns against the right wing of the French, with such effect, as immediately broke that body, and spread terror and confusion through the whole army. The Flemings, to whom assistance, so unexpected and so seasonable, gave fresh spirit, redoubled their efforts, that they might not lose the advantage which fortune had presented them, or give the enemy time to recover from their consternation, and the rout of the French soon became universal. Near two thousand were killed on the spot; a greater number fell by the hands of the peasants, who, in revenge for the cruelty with which their country had been plundered, pursued the fugitives, and massacred them without mercy; the rest were taken prisoners, together with de Termes, their general, and many officers of distinction.[x]

The duke of Guise opposed to the victorious army.

This signal victory, for which the count of Egmont was afterwards so ill requited by Philip, obliged the duke of Guise to relinquish all other schemes, and to hasten towards the frontier of Picardy, that he might oppose the progress of the enemy in that province. This disaster, however, reflected new lustre on his reputation, and once more turned the eyes of his countrymen towards him, as the only general on whose arms victory always attended, and in whose conduct as well as good fortune they could confide in every danger. Henry reinforced the duke of Guise's army with so many troops drawn from the adjacent garrisons, that it soon amounted to forty thousand men. That of the enemy, after the junction of Egmont with the duke of Savoy, was not inferior in number. They encamped at the distance of a few leagues from one another; and each monarch having joined his respective army, it was expected, after the vicissitudes of good and bad success during this and the former campaign, that a decisive battle would at last determine which of the rivals should take the ascendant for the future, and give law to Europe. But though both had it in their power, neither of them discovered any inclination to bring the determination of such an important point to depend upon the uncertain issue of a single battle. The fatal engagements at St. Quintin and Gravelines were too recent to be so soon forgotten, and the prospect of encountering the same troops, commanded by the same generals who had twice triumphed over his arms, inspired Henry with a degree of caution which was not common to him. Philip, of a genius averse to bold operations in war, naturally leaned to cautious measures, and was not disposed to hazard any thing against a general so fortunate and successful as the duke of Guise. Both monarchs, as if by agreement, stood on the defensive, and fortifying their camps carefully, avoided every skirmish or rencounter that might bring on a general engagement.

Both monarchs begin to desire peace.

While the armies continued in this inaction, peace began to be mentioned in each camp, and both Henry and Philip discovered an inclination to listen to any overture that tended to re-establish it. The kingdoms of France and Spain had been engaged during half a century in almost continual wars, carried on at a great expense, and productive of no considerable advantage to either. Exhausted by extraordinary and unceasing efforts, which far exceeded those to which the nations of Europe had been accustomed before the rivalship between Charles V. and Francis I., both nations longed so much for an interval of repose, in order to recruit their strength, that their sovereigns drew from them with difficulty the supplies necessary for carrying on hostilities. The private inclinations of both the kings concurred with those of their people. Philip was prompted to wish for peace by his fond desire of returning to Spain. Accustomed from his infancy to the climate and manners of that country, he was attached to it with such extreme predilection, that he never felt himself at ease in any other part of his dominions. But as he could not quit the Low Countries, either with decency or safety, and venture on a voyage to Spain during the continuance of war, the prospect of a pacification, which would put it in his power to execute his favourite scheme, was highly acceptable. Henry was no less desirous of being delivered from the burden and occupations of war, that he might have leisure to turn his attention, and bend the whole force of his government, towards suppressing the opinions of the reformers, which were spreading with such rapidity in Paris and other great towns of France, that they began to grow formidable to the established church.

An intrigue in the court of France facilitates it.

Besides these public and avowed considerations, arising from the state of the two hostile kingdoms, or from the wishes of their respective monarchs, there was a secret intrigue carried on in the court of France, which contributed as much as either of the other, to hasten and to facilitate the negociation of a peace. The constable Montmorency, during his captivity, beheld the rapid success and growing favour of the duke of Guise with the envy natural to a rival. Every advantage gained by the princes of Lorrain he considered as a fresh wound to his own reputation, and he knew with what malevolent address it would be improved to diminish his credit with the king, and to augment that of the duke of Guise. These arts, he was afraid, might, by degrees, work on the easy and ductile mind of Henry, so as to efface all remains of his ancient affection towards himself. But he could not discover any remedy for this, unless he were allowed to return

x Thuan. lib. xx. 694.

home, that he might try whether by his presence he could defeat the artifices of his enemies, and revive those warm and tender sentiments which had long attached Henry to him, with a confidence so entire, as resembled rather the cordiality of private friendship, than the cold and selfish connexion between a monarch and one of his courtiers. While Montmorency was forming schemes and wishes for his return to France with much anxiety of mind, but with little hope of success, an unexpected incident prepared the way for it. The cardinal of Lorrain, who had shared with his brother in the king's favour, and participated of the power which that conferred, did not bear prosperity with the same discretion as the duke of Guise. Intoxicated with their good fortune, he forgot how much they had been indebted for their present elevation to their connexions with the duchess of Valentinois, and vainly ascribed all to the extraordinary merit of their family. This led him not only to neglect his benefactress, but to thwart her schemes, and to talk with a sarcastic liberty of her character and person. That singular woman, who, if we may believe contemporary writers, retained the beauty and charms of youth at the age of threescore, and on whom it is certain that Henry still doated with all the fondness of love, felt this injury with sensibility, and set herself with eagerness to inflict the vengeance which it merited. As there was no method of supplanting the princes of Lorrain so effectually as by a coalition of interests with the constable, she proposed the marriage of her grand-daughter with one of his sons, as the bond of their future union; and Montmorency readily gave his consent to the match. Having thus cemented their alliance, the duchess employed all her influence with the king, in order to confirm his inclinations towards peace, and induce him to take the steps necessary for attaining it. She insinuated that any overture of that kind would come with great propriety from the constable, and if intrusted to the conduct of his prudence, could hardly fail of success.

Henry commits the negociation to Montmorency.

Henry, long accustomed to commit all affairs of importance to the management of the constable, and needing only this encouragement to return to his ancient habits, wrote to him immediately with his usual familiarity and affection, empowering him at the same time to take the first opportunity of sounding Philip and his ministers with regard to peace. Montmorency made his application to Philip by the most proper channel. He opened himself to the duke of Savoy, who, notwithstanding the high command to which he had been raised, and the military glory which he had acquired in the Spanish service, was weary of remaining in exile, and languished to return into his paternal dominions. As there was no prospect of his recovering possession of them by force of arms, he considered a definitive treaty of peace between France and Spain, as the only event by which he could hope to obtain restitution. Being no stranger to Philip's private wishes with regard to peace, he easily prevailed on him not only to discover a disposition on his part towards accommodation, but to permit Montmorency to return on his parole to France, that he might confirm his own sovereign in his pacific sentiments. Henry received the constable with the most flattering marks of regard; absence, instead of having abated or extinguished the monarch's friendship, seemed to have given it new ardour. Montmorency, from the moment of his appearance in court, assumed, if possible, a higher place than ever in his affection, and a more perfect ascendant over his mind. The cardinal of Lorrain and duke of Guise prudently gave way to a tide of favour too strong for them to oppose, and confining themselves to their proper departments, permitted, without any struggle, the constable and duchess of Valentinois to direct public affairs at their pleasure. They soon prevailed on the king to nominate plenipotentiaries to treat of peace. Philip did the same. The abbey of Cercamp was fixed on as the place of congress; and all military operations were immediately terminated by a suspension of arms.

Death of Charles V.

While these preliminary steps were taking towards a treaty which restored tranquillity to Europe, Charles V., whose ambition had so long disturbed it, ended his days in the monastery of St. Justus. When Charles entered this retreat, he formed such a plan of life for himself, as would have suited the condition of a private gentlemen of a moderate fortune. His table was neat, but plain; his domestics few; his intercourse with them familiar; all the cumbersome and ceremonious forms of attendance on his person were entirely abolished, as destructive of that social ease and tranquillity which he courted, in order to soothe the remainder of his days. As the mildness of the climate, together with his deliverance from the burdens and cares of government, procured him, at first, a considerable remission from the acute pains with which he had been long tormented, he enjoyed, perhaps, more complete satisfaction in this humble solitude, than all his grandeur had ever yielded him. The ambitious thoughts and projects which had so long engrossed and disquieted him, were quite effaced from his mind: far from taking any part in the political transactions of the princes of Europe, he restrained his curiosity even from any inquiry concerning them; and he seemed to view the busy scene which he had abandoned with all the contempt and indifference arising from his thorough experience of its vanity, as well as from the pleasing reflection of having disentangled himself from its cares.

His amusements in his retreat.

Other amusements and other objects now occupied him. Sometimes he cultivated the plants in his garden with his own hands; sometimes he rode out to the neighbouring wood on a little horse, the only one that he kept, attended by a single servant on foot. When his infirmities confined him to his apartment, which

often happened, and deprived him of these more active recreations, he either admitted a few gentlemen who resided near the monastery to visit him, and entertained them familiarly at his table; or he employed himself in studying mechanical principles, and in forming curious works of mechanism, of which he had always been remarkably fond, and to which his genius was peculiarly turned. With this view he had engaged Turriano, one of the most ingenious artists of that age, to accompany him in his retreat. He laboured together with him in framing models of the most useful machines, as well as in making experiments with regard to their respective powers, and it was not seldom that the ideas of the monarch assisted or perfected the inventions of the artist. He relieved his mind, at intervals, with slighter and more fantastic works of mechanism, in fashioning puppets, which, by the structure of internal springs, mimicked the gestures and actions of men, to the astonishment of the ignorant monks, who, beholding movements which they could not comprehend, sometimes distrusted their own senses, and sometimes suspected Charles and Turriano of being in compact with invisible powers. He was particularly curious with regard to the construction of clocks and watches; and having found, after repeated trials, that he could not bring any two of them to go exactly alike, he reflected, it is said, with a mixture of surprise as well as regret, on his own folly, in having bestowed so much time and labour on the more vain attempt of bringing mankind to a precise uniformity of sentiment concerning the profound and mysterious doctrines of religion.

His more serious occupations.

But in what manner soever Charles disposed of the rest of his time, he constantly reserved a considerable portion of it for religious exercises. He regularly attended divine service in the chapel of the monastery, every morning and evening; he took great pleasure in reading books of devotion, particularly the works of St. Augustine and St. Bernard; and conversed much with his confessor, and the prior of the monastery, on pious subjects. Thus did Charles pass the first year of his retreat, in a manner not unbecoming a man perfectly disengaged from the affairs of the present life, and standing on the confines of a future world; either in innocent amusements, which soothed his pains, and relieved a mind worn out with excessive application to business; or in devout occupations, which he deemed necessary in preparing for another state.

The causes of his death.

But about six months before his death, the gout, after a longer intermission than usual, returned with a proportional increase of violence. His shattered constitution had not vigour enough remaining to withstand such a shock. It enfeebled his mind as much as his body, and from this period we hardly discern any traces of that sound and masculine understanding, which distinguished Charles among his contemporaries. An illiberal and timid superstition depressed his spirit. He had no relish for amusements of any kind. He endeavoured to conform, in his manner of living, to all the rigour of monastic austerity. He desired no other society than that of monks, and was almost continually employed with them in chanting the hymns of the Missal. As an expiation for his sins, he gave himself the discipline in secret with such severity, that the whip of cords which he employed as the instrument of his punishment, was found after his disease tinged with his blood. Nor was he satisfied with these acts of mortification, which, however severe, were not unexampled. The timorous and distrustful solicitude which always accompanies superstition, still continued to disquiet him, and, depreciating all the devout exercises in which he had hitherto been engaged, prompted him to aim at something extraordinary, at some new and singular act of piety that would display his zeal, and merit the favour of Heaven. The act on which he fixed was as wild and uncommon as any that superstition ever suggested to a weak and disordered fancy. He resolved to celebrate his own obsequies before his death. He ordered his tomb to be erected in the chapel of the monastery. His domestics marched thither in funeral procession, with black tapers in their hands. He himself followed in his shroud. He was laid in his coffin, with much solemnity. The service for the dead was chanted, and Charles joined in the prayers which were offered up for the rest of his soul, mingling his tears with those which his attendants shed, as if they had been celebrating a real funeral. The ceremony closed with sprinkling holy water on the coffin in the usual form, and all the assistants retiring, the doors of the chapel were shut. Then Charles rose out of the coffin, and withdrew to his apartment, full of those awful sentiments which such a singular solemnity was calculated to inspire. But either the fatiguing length of the ceremony, or the impression which the image of death left on his mind, affected him so much, that next day he was seized with a fever. His feeble frame could not long resist its violence, and he expired on the twenty-first of September, after a life of fifty-eight years, six months, and twenty-five days.[y]

His character.

As Charles was the first prince of the age in rank and dignity, the part which he acted, whether we consider the greatness, the variety, or the success of his undertakings, was the most conspicuous. It is from an attentive observation of his conduct, not from the exaggerated praises of the Spanish historians, or the undistinguishing censure of the French, that a just idea of Charles's genius and abilities is to be collected. He possessed qualities so peculiar, that they strongly mark his character, and not only distinguish him from the princes who were his contemporaries, but account for that superiority over them which he so long maintained. In forming his schemes, he was, by nature, as well as by habit, cautious and con-

[y] Strada de Bello Belg. lib. i. p. 11. Thuan. 723. Sandov. ii. 609, &c. Miniana Contin. Marianæ, vol. 216. Vera y Zuniga Vida de Carlos, p. 111.

siderate. Born with talents which unfolded themselves slowly and were late in attaining maturity, he was accustomed to ponder every subject that demanded his consideration with a careful and deliberate attention. He bent the whole force of his mind towards it, and dwelling upon it with a serious application, undiverted by pleasure, and hardly relaxed by any amusement, he revolved it, in silence, in his own breast. He then communicated the matter to his ministers, and after hearing their opinions, took his resolution with a decisive firmness, which seldom follows such slow and seemingly hesitating consultations. Of consequence, Charles's measures, instead of resembling the desultory and irregular sallies of Henry VIII. or Francis I., had the appearance of a consistent system, in which all the parts were arranged, all the effects were forcseen, and even every accident was provided for. His promptitude in execution was no less remarkable than his patience in deliberation. He did not discover greater sagacity in his choice of the measures which it was proper to pursue, than fertility of genius in finding out the means for rendering his pursuit of them successful. Though he had naturally so little of the martial turn, that, during the most ardent and bustling period of life, he remained in the cabinet inactive; yet when he chose at length to appear at the head of his armies, his mind was so formed for vigorous exertions in every direction, that he acquired such knowledge in the art of war, and such talents for command, as rendered him equal in reputation and success to the most able generals of the age. But Charles possessed, in the most eminent degree, the science which is of greatest importance to a monarch, that of knowing men, and of adapting their talents to the various departments which he allotted to them. From the death of Chievres to the end of his reign, he employed no general in the field, no minister in the cabinet, no ambassador to a foreign court, no governor of a province, whose abilities were inadequate to the trust which he reposed in them. Though destitute of that bewitching affability of manners, which gained Francis the hearts of all who approached his person, he was no stranger to the virtues which secure fidelity and attachment. He placed unbounded confidence in his generals; he rewarded their services with munificence; he neither envied their fame nor discovered any jealousy of their power. Almost all the generals who conducted his armies, may be placed on a level with those illustrious personages who have attained the highest eminence of military glory; and his advantages over his rivals, are to be ascribed so manifestly to the superior abilities of the commanders whom he set in opposition to them, that this might seem to detract, in some degree, from his own merit, if the talent of discovering and steadiness in employing such instruments were not the most undoubted proofs of a capacity for government.

There were, nevertheless, defects in his political character which must considerably abate the admiration due to his extraordinary talents. Charles's ambition was insatiable; and though there seems to be no foundation for an opinion prevalent in his own age, that he had formed the chimerical project of establishing an universal monarchy in Europe, it is certain that his desire of being distinguished as a conqueror involved him in continual wars, which not only exhausted and oppressed his subjects, but left him little leisure for giving attention to the interior police and improvement of his kingdoms, the great objects of every prince who makes the happiness of his people the end of his government. Charles, at a very early period of life, having added the imperial crown to the kingdoms of Spain, and to the hereditary dominions of the houses of Austria and Burgundy, this opened to him such a vast field of enterprise, and engaged him in schemes so complicated as well as arduous, that, feeling his power to be unequal to the execution of them, he had often recourse to low artifices, unbecoming his superior talents, and sometimes ventured on such deviations from integrity, as were dishonourable in a great prince. His insidious and fraudulent policy appeared more conspicuous, and was rendered more odious, by a comparison with the open and undesigning character of his contemporaries Frances I. and Henry VIII. This difference, though occasioned chiefly by the diversity of their tempers, must be ascribed, in some degree, to such an opposition in the principles of their political conduct, as affords some excuse for this defect in Charles's behaviour, though it cannot serve as a justification of it. Francis and Henry seldom acted but from the impulse of their passions, and rushed headlong towards the object in view. Charles's measures, being the result of cool reflection, were disposed into a regular system, and carried on upon a concerted plan. Persons who act in the former manner, naturally pursue the end in view, without assuming any disguise, or displaying much address. Such as hold the latter course, are apt, in forming as well as in executing their designs, to employ such refinements as always lead to artifice in conduct, and often degenerate into deceit.

The circumstances transmitted to us with respect to Charles's private deportment and character, are fewer and less interesting than might have been expected from the great number of authors who have undertaken to write an account of his life. These are not the object of this history, which aims more at representing the great transactions of the reign of Charles V., and pointing out the manner in which they affected the political state of Europe, than at delineating his private virtues or defects.

Conference in order to peace.

The plenipotentiaries of France, Spain, and England, continued their conferences at Cercamp; and though each of them, with the usual art of negociators, made at first very high demands in the name of their respective courts, yet as they were all equally desirous of peace, they

would have consented reciprocally to such abatements and restrictions of their claims, as must have removed every obstacle to an accommodation. The death of Charles V. was a new motive with Philip to hasten the conclusion of a treaty, as it increased his impatience for returning into Spain, where there was now no person greater or more illustrious than himself. But, in spite of the concurring wishes of all the parties interested, an event happened which occasioned an unavoidable delay in their negociations. About a month after the opening of the conferences at Cercamp, Mary of England ended her short and inglorious reign, and Elizabeth, her sister, was immediately proclaimed queen with universal joy. As the powers of the English plenipotentiaries expired on the death of their mistress, they could not proceed until they received a commission and instructions from their new sovereign.

Nov. 17. Death of Mary of England.

Henry and Philip beheld Elizabeth's elevation to the throne with equal solicitude. As during Mary's jealous administration, under the most difficult circumstances, and in a situation extremely delicate, that princess had conducted herself with prudence and address far exceeding her years, they had conceived a high idea of her abilities, and already formed expectations of a reign very different from that of her sister. Equally sensible of the importance of gaining her favour, both monarchs set themselves with emulation to court it, and employed every art in order to insinuate themselves into her confidence. Each of them had something meritorious, with regard to Elizabeth, to plead in his own behalf. Henry had offered her a retreat in his dominions, if the dread of her sister's violence should force her to fly for safety out of England. Philip, by his powerful intercession, had prevented Mary from proceeding to the most fatal extremities against her sister. Each of them endeavoured now to avail himself of the circumstances in his favour. Henry wrote to Elizabeth soon after her accession, with the warmest expressions of regard and friendship. He represented the war which had unhappily been kindled between their kingdoms, not as a national quarrel, but as the effect of Mary's blind partiality to her husband, and fond compliance with all his wishes. He entreated her to disengage herself from an alliance which had proved so unfortunate to England, and to consent to a separate peace with him, without mingling her interests with those of Spain, from which they ought now to be altogether disjoined. Philip, on the other hand, unwilling to lose his connexion with England, the importance of which, during a rupture with France, he had so recently experienced, not only vied with Henry in declarations of esteem for Elizabeth, and in professions of his resolution to cultivate the strictest amity with her, but in order to confirm and perpetuate their union, he offered himself to her in marriage, and undertook to procure a dispensation from the pope for that purpose.

Henry and Philip court Elizabeth her successor.

Elizabeth weighed the proposals of the two monarchs attentively, and with that provident discernment of her true interest, which was conspicuous in all her deliberations. She gave some encouragement to Henry's overture of a separate negociation, because it opened a channel of correspondence with France, which she might find to be of great advantage, if Philip should not discover sufficient zeal and solicitude for securing to her proper terms in the joint treaty. But she ventured on this step with the most cautious reserve, that she might not alarm Philip's suspicious temper, and lose an ally in attempting to gain an enemy.[z] Henry himself, by an unpardonable act of indiscretion, prevented her from carrying her intercourse with him to such a length as might have offended or alienated Philip. At the very time when he was courting Elizabeth's friendship with the greatest assiduity, he yielded with an inconsiderate facility to the solicitations of the princes of Lorrain, and allowed his daughter-in-law, the queen of Scots, to assume the title and arms of queen of England. This ill-timed pretension, the source of many calamities to the unfortunate queen of Scots, extinguished at once all the confidence that might have grown between Henry and Elizabeth, and left in its place distrust, resentment, and antipathy. Elizabeth soon found that she must unite her interests closely with Philip's, and expect peace only from negociations carried on in conjunction with him.[a]

Elizabeth's deliberation concerning her conduct.

As she had granted a commission, immediately after her accession, to the same plenipotentiaries whom her sister had employed, she now instructed them to act in every point in concert with the plenipotentiaries of Spain, and to take no step until they had previously consulted with them.[b] But though she deemed it prudent to assume this appearance of confidence in the Spanish monarch, she knew precisely how far to carry it; and discovered no inclination to accept of that extraordinary proposal of marriage which Philip had made to her. The English had expressed so openly their detestation of her sister's choice of him, that it would have been highly imprudent to have exasperated them by renewing that odious alliance. She was too well acquainted with Philip's harsh imperious temper, to think of him for a husband. Nor could she admit a dispensation from the pope to be sufficient to authorize her marrying him, without condemning her father's divorce from Catharine of Aragon, and acknowledging of consequence that her mother's marriage was null, and her own birth illegitimate. But though she determined not to yield to Philip's addresses, the situation of her affairs rendered it dangerous to reject them; she

She empowers her ambassadors to treat of peace.

z Forbes, i. p. 4. a Strype's Annals of the Reformation, i. 11. Carte's Hist. of England, vol. iii. p. 375.

b Forbes's Full View, i. p. 37, 40.

returned her answer, therefore, in terms which were evasive, but so tempered with respect, that though they gave him no reason to be secure of success, they did not altogether extinguish his hopes.

Negociations at Chateau-Cambresis.

By this artifice, as well as by the prudence with which she concealed her sentiments and intentions concerning religion, for some time after her accession, she so far gained upon Philip, that he warmly espoused her interest in the conferences which were renewed at Cercamp, and afterwards removed to Chateau-Cambresis. A definitive treaty, which was to adjust the claims and pretensions of so many princes, required the examination of such a variety of intricate points, and led to such infinite and minute details, as drew out the negociations to a great length. But the constable Montmorency exerted himself with such indefatigable zeal and industry, repairing alternately to the courts of Paris and Brussels in order to obviate or remove every difficulty, that all points in dispute were adjusted at length in such a manner, as to give entire satisfaction in every particular to Henry and Philip; and the last hand was ready to be put to the treaty between them.

1559. Feb. 6.

Difficulties with regard to the claims of England.

The claims of England remained as the only obstacle to retard it. Elizabeth demanded the restitution of Calais in the most peremptory tone, as an essential condition of her consenting to peace. Henry refused to give up that important conquest; and both seemed to have taken their resolution with unalterable firmness. Philip warmly supported Elizabeth's pretensions to Calais, not merely from a principle of equity towards the English nation, that he might appear to have contributed to their recovering what they had lost by espousing his cause; nor solely with a view of soothing Elizabeth by this manifestation of zeal for her interest; but in order to render France less formidable, by securing to her ancient enemy this easy access into the heart of the kingdom. The earnestness, however, with which he seconded the arguments of the English plenipotentiaries, soon began to relax. During the course of the negociation, Elizabeth, who now felt herself firmly seated on her throne, began to take such open and vigorous measures, not only for overturning all that her sister had done in favour of popery, but for establishing the protestant church on a firm foundation, as convinced Philip that his hopes of an union with her had been from the beginning vain, and were now desperate. From that period his interpositions in her favour became more cold and formal, flowing merely from a regard to decorum, or from the consideration of remote political interests. Elizabeth, having reason to expect such an alteration in his conduct, quickly perceived it. But as nothing would have been of greater detriment to her people, or more inconsistent with her schemes of domestic administration, than the continuance of war, she saw the necessity of submitting to such conditions as the situation of her affairs imposed, and that she must reckon upon being deserted by an ally who was now united to her by a very feeble tie, if she did not speedily reduce her demands to what was moderate and attainable. She accordingly gave new instructions to her ambassadors; and Philip's plenipotentiaries acting as mediators between the French and them,[c] an expedient was fallen upon, which, in some degree, justified Elizabeth's departing from the rigour of her first demand with regard to Calais. All lesser articles were settled without much discussion or delay. Philip, that he might not appear to have abandoned the English, insisted that the treaty between Henry and Elizabeth should be concluded in form, before that between the French monarch and himself. The one was signed on the second day of April, the other on the day following.

Articles of peace between France and England.

The treaty of peace between France and England contained no articles of real importance, but that which respected Calais. It was stipulated, That the king of France should retain possession of that town, with all its dependencies, during eight years; that, at the expiration of that term, he should restore it to England; that, in case of non-performance, he should forfeit five hundred thousand crowns, for the payment of which sum, seven or eight wealthy merchants, who were not his subjects, should grant security; that five persons of distinction should be given as hostages until that security were provided; that although the forfeit of five hundred thousand crowns should be paid, the right of England to Calais should still remain entire, in the same manner as if the term of eight years were expired; that the king and queen of Scotland should be included in the treaty; that if they, or the French king, should violate the peace by any hostile action, Henry should be obliged instantly to restore Calais; that, on the other hand, if any breach of the treaty proceeded from Elizabeth, then Henry and the king and queen of Scots were absolved from all the engagements which they had come under by this treaty.

The views of both parties with respect to these.

Notwithstanding the studied attention with which so many precautions were taken, it is evident that Henry did not intend the restitution of Calais, nor is it probable that Elizabeth expected it. It was hardly possible that she could maintain, during the course of eight years, such perfect concord both with France and Scotland, as not to afford Henry some pretext for alleging that she had violated the treaty. But even if that term should elapse without any ground for complaint, Henry might then choose to pay the sum stipulated, and Elizabeth had no method of asserting her right but by force of arms. However, by throwing the articles in the treaty with regard to Calais into this form, Elizabeth satisfied her subjects of every denomination; she gave men

c Forbes, i. 59.

of discernment a striking proof of her address, in palliating what she could not prevent; and amused the multitude, to whom the cession of such an important article would have appeared altogether infamous, with the prospect of recovering in a short time that favourite possession.

An expedient which promotes peace between France and Spain.

The expedient which Montmorency employed, in order to facilitate the conclusion of peace between France and Spain, was the negociating two treaties of marriage, one between Elizabeth, Henry's eldest daughter, and Philip, who supplanted his son, the unfortunate Don Carlos, to whom that princess had been promised in the former conferences at Cercamp; the other between Margaret, Henry's only sister, and the duke of Savoy. For however feeble the ties of blood may often be among princes, or how little soever they may regard them when pushed on to act by motives of ambition, they assume on other occasions the appearance of being so far influenced by these domestic affections, as to employ them to justify measures and concessions which they find to be necessary, but know to be impolitic or dishonourable. Such was the use Henry made of the two marriages to which he gave his consent. Having secured an honourable establishment for his sister and his daughter, he, in consideration of these, granted terms both to Philip and the duke of Savoy, of which he would not, on any account, have ventured to approve.

The terms of pacification;

The principal articles in the treaty between France and Spain were,—That sincere and perpetual amity should be established between the two crowns and their respective allies; that the two monarchs should labour in concert to procure the convocation of a general council, in order to check the progress of heresy, and restore unity and concord to the christian church; that all conquests made by either party, on this side of the Alps, since the commencement of the war in one thousand five hundred and fifty-one, should be mutually restored; that the duchy of Savoy, the principality of Piedmont, the country of Bresse, and all the other territories formerly subject to the dukes of Savoy, should be restored to Emanuel Philibert, immediately after the celebration of his marriage with Margaret of France, the towns of Turin, Quiers, Pignerol, Chivaz, and Villanova excepted, of which Henry should keep possession until his claims to these places, in right of his grandmother, should be tried and decided in course of law; that as long as Henry retained these places in his hands, Philip should be at liberty to keep garrisons in the towns of Vercelli and Asti; that the French king should immediately evacuate all the places which he held in Tuscany and the Sienese, and renounce all future pretensions to them; that he should restore the marquisate of Montserrat to the duke of Mantua; that he should receive the Genoese into favour, and give up to them the towns which he had conquered in the island of Corsica; that none of the princes or states to whom these cessions were made, should call their subjects to account for any part of their conduct while under the dominion of their enemies, but should bury all past transactions in oblivion. The pope, the emperor, the kings of Denmark, Sweden, Poland, Portugal, the king and queen of Scots, and almost every prince and state in Christendom, were comprehended in this pacification as the allies either of Henry or Philip.[d]

which re-establishes tranquillity in Europe.

Thus, by this famous treaty, peace was re-established in Europe. All the causes of discord which had so long embroiled the powerful monarchs of France and Spain, that had transmitted hereditary quarrels and wars from Charles to Philip, and from Francis to Henry, seemed to be wholly removed or finally terminated. The French alone complained of the unequal conditions of a treaty, into which an ambitious minister, in order to recover his liberty, and an artful mistress, that she might gratify her resentment, had seduced their too easy monarch. They exclaimed loudly against the folly of giving up to the enemies of France an hundred and eighty-nine fortified places, in the Low Countries or in Italy, in return for the three insignificant towns of St. Quintin, Ham, and Catelet. They considered it as an indelible stain upon the glory of the nation, to renounce in one day territories so extensive, and so capable of being defended, that the enemy could not have hoped to wrest them out of its hands after many years of victory.

The peace between France and Spain ratified.

But Henry, without regarding the sentiments of his people, or being moved by the remonstrances of his council, ratified the treaty, and executed with great fidelity whatever he had stipulated to perform. The duke of Savoy repaired with a numerous retinue to Paris, in order to celebrate his marriage with Henry's sister. The duke of Alva was sent to the same capital, at the head of a splendid embassy, to espouse Elizabeth in the name of his master. They were received with extraordinary magnificence by the French court. Amidst the rejoicings and festivities on that occasion, Henry's days were cut short by a singular and tragical accident. His son, Francis II., a prince under age, of a weak constitution, and of a mind still more feeble, succeeded him. Soon after, Paul ended his violent and imperious pontificate, at enmity with all the world, and disgusted even with his own nephews. They, persecuted by Philip, and deserted by the succeeding pope, whom they had raised by their influence to the papal throne, were condemned to the punishment which their crimes and ambition had merited, and their death was as infamous as their lives had been criminal. Thus most of the personages, who had long sustained the principal characters on the great theatre of Europe, disap-

Death of Henry, July 10.

d Recuiel des Traités, tom. ii. 287.

peared about the same time. A more known period of history opens at this era; other actors enter upon the stage, with different views, as well as different passions; new contests arose, and new schemes of ambition occupied and disquieted mankind.

A general review of the whole period.

Upon reviewing the transactions of any active period in the history of civilized nations, the changes which are accomplished appear wonderfully disproportioned to the efforts which have been exerted. Conquests are never very extensive or rapid, but among nations whose progress in improvement is extremely unequal. When Alexander the Great, at the head of a gallant people, of simple manners, and formed to war by admirable military institutions, invaded a state sunk in luxury, and enervated by excessive refinement; when Genchizcan and Tamerlane, with their armies of hardy barbarians, poured in upon nations enfeebled by the climate in which they lived, or by the arts and commerce which they cultivated, these conquerors, like a torrent, swept every thing before them, subduing kingdoms and provinces in as short a space of time as was requisite to march through them. But when nations are in a state similar to each other, and keep equal pace in their advances towards refinement, they are not exposed to the calamity of sudden conquests. Their acquisitions of knowledge, their progress in the art of war, their political sagacity and address, are nearly equal. The fate of states in this situation depends not on a single battle. Their internal resources are many and various. Nor are they themselves alone interested in their own safety, or active in their own defence. Other states interpose, and balance any temporary advantage which either party may have acquired. After the fiercest and most lengthened contest, all the rival nations are exhausted, none are conquered. At length they find it necessary to conclude a peace, which restores to each almost the same power and the same territories of which they were formerly in possession.

The nations of Europe in a similar state during the sixteenth century.

Such was the state of Europe during the reign of Charles V. No prince was so much superior to the rest in power as to render his efforts irresistible, and his conquests easy. No nation had made progress in improvement so far beyond its neighbours as to have acquired a very manifest pre-eminence. Each state derived some advantage, or was subject to some inconvenience, from its situation or its climate; each was distinguished by something peculiar in the genius of its people, or the constitution of its government. But the advantages possessed by one state were counterbalanced by circumstances favourable to others; and this prevented any from attaining such superiority as might have been fatal to all. The nations of Europe in that age, as in the present, were like one great family: there were some features common to all, which fixed a resemblance; there were certain peculiarities conspicuous in each, which marked a distinction. But there was not among them that wide diversity of character and of genius which, in almost every period of history, hath exalted the Europeans above the inhabitants of the other quarters of the globe, and seems to have destined the one to rule and the other to obey.

A remarkable change in the state of Europe during the reign of Charles V.

But though the near resemblance and equality in improvement, among the different nations of Europe, prevented the reign of Charles V. from being distinguished by such sudden and extensive conquests as occur in some other periods of history, yet, during the course of his administration, all the considerable states in Europe suffered a remarkable change in their political situation, and felt the influence of events, which have not hitherto spent their force, but still continue to operate in a greater or in a less degree. It was during his reign, and in consequence of the perpetual efforts to which his enterprising ambition roused him, that the different kingdoms of Europe acquired internal vigour; that they discerned the resources of which they were possessed; that they came both to feel their own strength, and to know how to render it formidable to others. It was during his reign, too, that the different kingdoms of Europe, which in former times seemed frequently to act as if they had been single and disjointed, became so thoroughly acquainted, and so intimately connected with each other, as to form one great political system, in which each took a station, wherein it has remained since that time with less variation than could have been expected after the events of two active centuries.

The progress of the house of Austria;

The progress, however, and acquisitions of the house of Austria were not only greater than those of any other power, but more discernible and conspicuous. I have already enumerated the extensive territories which descended to Charles from his Austrian, Burgundian, and Spanish ancestors.[e] To these he himself added the imperial dignity; and as if all this had been too little, the bounds of the habitable globe seemed to be extended, and a new world was subjected to his command. Upon his resignation, the Burgundian provinces, and the Spanish kingdoms with their dependences, both in the Old and New Worlds, devolved to Philip. But Charles transmitted his dominions to his son in a condition very different from that in which he himself had received them. They were augmented by the accession of new provinces; they were habituated to obey an administration which was no less vigorous than steady; they were accustomed to expensive and persevering efforts, which, though necessary in the contests between civilized nations, had been little known in Europe before the sixteenth century. The provinces of Friesland, Utrecht, and Overyssel, which

e Book I. p. 430.

he acquired by purchase from their former proprietors, and the duchy of Gueldres, of which he made himself master, partly by force of arms, partly by the arts of negociation, were additions of great value to his Burgundian dominions. Ferdinand and Isabella had transmitted to him all the provinces of Spain, from the bottom of the Pyrenees to the frontiers of Portugal; but as he maintained a perpetual peace with that kingdom, amidst the various efforts of his enterprising ambition, he made no acquisition of territory in that quarter.

particularly in Spain;

Charles had gained, however, a vast accession of power in this part of his dominions. By his success in the war with the commons of Castile, he exalted the regal prerogative upon the ruins of the privileges which formerly belonged to the people. Though he allowed the name of the Cortes to remain, and the formality of holding it to be continued, he reduced its authority and jurisdiction almost to nothing, and modelled it in such a manner, that it became rather a junto of the servants of the crown, than an assembly of the representatives of the people. One member of the constitution being thus lopped off, it was impossible but that the other must feel the stroke, and suffer by it. The suppression of the popular power rendered the aristocratical less formidable. The grandees, prompted by the warlike spirit of the age, or allured by the honours which they enjoyed in a court, exhausted their fortunes in military service, or in attending on the person of their prince. They did not dread, perhaps did not observe, the dangerous progress of the royal authority, which leaving them the vain distinction of being covered in presence of their sovereign, stripped them, by degrees, of that real power which they possessed while they formed one body, and acted in concert with the people. Charles's success in abolishing the privileges of the commons, and in breaking the power of the nobles of Castile, encouraged Philip to invade the liberties of Aragon, which were still more extensive. The Castilians, accustomed to subjection themselves, assisted in imposing the yoke on their more happy and independent neighbours. The will of the sovereign became the supreme law in all the kingdoms of Spain; and princes who were not checked in forming their plans by the jealousy of the people, nor controlled in executing them by the power of the nobles, could both aim at great objects, and call forth the whole strength of the monarchy in order to attain them.

also in other parts of Europe.

As Charles, by extending the royal prerogative, rendered the monarchs of Spain masters at home, he added new dignity and power to their crown by his foreign acquisitions. He secured to Spain the quiet possession of the kingdom of Naples, which Ferdinand had usurped by fraud, and held with difficulty. He united the duchy of Milan, one of the most fertile and populous Italian provinces, to the Spanish crown; and left his successors, even without taking their other territories into the account, the most considerable princes in Italy, which had been long the theatre of contention to the great powers of Europe, and in which they had struggled with emulation to obtain the superiority. When the French, in conformity to the treaty of Chateau-Cambresis, withdrew their forces out of Italy, and finally relinquished all their schemes of conquest on that side of the Alps, the Spanish dominions then rose in importance, and enabled their kings, as long as the monarchy retained any degree of vigour, to preserve the chief sway in all the transactions of that country. But whatever accession, either of interior authority or of foreign dominion, Charles gained for the monarchs of Spain in Europe, was inconsiderable when compared with his acquisitions in the New World. He added there, not provinces, but empires to his crown. He conquered territories of such immense extent; he discovered such inexhaustible veins of wealth, and opened such boundless prospects of every kind, as must have roused his successor, and have called him forth to action, though his ambition had been much less ardent than that of Philip, and must have rendered him not only enterprising but formidable.

Progress of the German branch of the house of Austria.

While the elder branch of the Austrian family rose to such pre-eminence in Spain, the younger, of which Ferdinand was the head, grew to be considerable in Germany. The ancient hereditary dominions of the house of Austria in Germany, united to the kingdom of Hungary and Bohemia, which Ferdinand had acquired by marriage, formed a respectable power; and when the imperial dignity was added to these, Ferdinand possessed territories more extensive than had belonged to any prince, Charles V. excepted, who had been at the head of the empire during several ages. Fortunately for Europe, the disgust which Philip conceived on account of Ferdinand's refusing to relinquish the imperial crown in his favour, not only prevented for some time the separate members of the house of Austria from acting in concert, but occasioned between them a visible alienation and rivalship. By degrees, however, regard to the interest of their family extinguished this impolitical animosity. The confidence which was natural returned; the aggrandizing of the house of Austria became the common object of all their schemes; they gave and received assistance alternately towards the execution of them; and each derived consideration and importance from the other's success. A family so great and so aspiring, became the general object of jealousy and terror. All the power, as well as policy, of Europe was exerted, during a century, in order to check and humble it. Nothing can give a more striking idea of the ascendant which it had acquired, than that after its vigour was spent with extraordinary exertions of its strength, after Spain was become only the shadow of a great name, and its monarchs were sunk into debility and dotage, the house of Austria

still continued to be formidable. The nations of Europe had so often felt its superior power, and had been so constantly employed in guarding against it, that the dread of it became a kind of political habit, the influence of which remained when the causes which had formed it ceased to exist.

Acquisitions of the kings of France, during the reign of Charles V.

While the house of Austria went on with such success in enlarging its dominions, France made no considerable acquisition of new territory. All its schemes of conquest in Italy had proved abortive; it had hitherto obtained no establishment of consequence in the New World; and after the continued and vigorous efforts of four successive reigns, the confines of the kingdom were much the same as Louis XI. had left them. But though France made not such large strides towards dominion as the house of Austria, it continued to advance by steps which were more secure, because they were gradual and less observed. The conquest of Calais put it out of the power of the English to invade France but at their utmost peril, and delivered the French from the dread of their ancient enemies, who, previous to that event, could at any time penetrate into the kingdom by that avenue, and thereby retard or defeat the execution of their best-concerted enterprises against any foreign power. The important acquisition of Metz covered that part of their frontier which formerly was most feeble, and lay most exposed to insult. France, from the time of its obtaining these additional securities against external invasion, must be deemed the most powerful kingdom in Europe, and is more fortunately situated than any on the continent, either for conquest or defence. From the confines of Artois to the bottom of the Pyrenees, and from the British channel to the frontiers of Savoy and the coast of the Mediterranean, its territories lay compact and unmingled with those of any other power. Several of the considerable provinces, which had contracted a spirit of independence by their having been long subject to the great vassals of the crown, who were often at variance or at war with their master, were now accustomed to recognise and to obey one sovereign. As they became members of the same monarchy, they assumed the sentiments of that body into which they were incorporated, and co-operated with zeal towards promoting its interest and honour. The power and influence wrested from the nobles were seized by the crown. The people were not admitted to share in these spoils; they gained no new privilege; they acquired no additional weight in the legislature. It was not for the sake of the people, but in order to extend their own prerogative, that the monarchs of France had laboured to humble their great vassals. Satisfied with having brought them under entire subjection to the crown, they discovered no solicitude to free the people from their ancient dependence on the nobles of whom they held, and by whom they were often oppressed.

enable them to assume a higher station among the powers of Europe.

A monarch, at the head of a kingdom thus united at home, and secure from abroad, was entitled to form great designs, because he felt himself in a condition to execute them. The foreign wars which had continued with little interruption from the accession of Charles VIII., had not only cherished and augmented the martial genius of the nation, but, by inuring the troops, during the course of long service, to the fatigues of war, and accustoming them to obedience, had added the force of discipline to their natural ardour. A gallant and active body of nobles, who considered themselves as idle and useless, unless when they were in the field; who were hardly acquainted with any pastime or exercise but what was military; and who knew no road to power, or fame, or wealth, but war, would not have suffered their sovereign to remain long in inaction. The people, little acquainted with the arts of peace, and always ready to take arms at the command of their superiors, were accustomed, by the expense of long wars carried on in distant countries, to bear impositions, which, however inconsiderable they may seem if estimated by the exorbitant rate of modern exactions, appear immense when compared with the sums levied in France, or in any other country of Europe, previous to the reign of Louis XI. As all the members of which the state was composed were thus impatient for action, and capable of great efforts, the schemes and operations of France must have been no less formidable to Europe than those of Spain. The superior advantages of its situation, the contiguity and compactness of its territories, together with the peculiar state of its political constitution at that juncture, must have rendered its enterprises still more alarming and more decisive. The king possessed such a degree of power as gave him the entire command of his subjects; the people were strangers to those occupations and habits of life which render men averse to war, or unfit for it; and the nobles, though reduced to the subordination necessary in a regular government, still retained the high undaunted spirit which was the effect of their ancient independence. The vigour of the feudal times remained, their anarchy was at an end; and the kings of France could avail themselves of the martial ardour which that singular institution had kindled or kept alive, without being exposed to the dangers or inconveniences which are inseparable from it when in entire force.

Circumstances which prevented the immediate effects of their power.

A kingdom in such a state is, perhaps, capable of greater military efforts than at any other period in its progress. But how formidable or how fatal soever to the other nations of Europe the power of such a monarchy might have been, the civil wars which broke out in France saved them at that juncture from feeling its effects. These wars, of which religion was the pretext and ambition the cause, wherein great abilities were displayed by the

leaders of the different factions, and little conduct or firmness were manifested by the crown under a succession of weak princes, kept France occupied and embroiled for half a century. During these commotions the internal strength of the kingdom was much wasted, and such a spirit of anarchy was spread among the nobles, to whom rebellion was familiar, and the restraint of laws unknown, that a considerable interval became requisite, not only for recruiting the internal vigour of the nation, but for re-establishing the authority of the prince; so that it was long before France could turn her whole attention towards foreign transactions, or act with her proper force in foreign wars. It was long before she rose to that ascendant in Europe which she has maintained since the administration of cardinal Richlieu, and which the situation as well as extent of the kingdom, the nature of her government, together with the character of her people, entitle her to maintain.

Progress of England with respect to its interior state;

While the kingdoms on the continent grew into power and consequence, England likewise made considerable progress towards regular government and interior strength. Henry VIII., probably without intention, and certainly without any consistent plan, of which his nature was incapable, pursued the scheme of depressing the nobility, which the policy of his father Henry VII. had begun. The pride and caprice of his temper led him to employ chiefly new men in the administration of affairs, because he found them most obsequious, or least scrupulous; and he not only conferred on them such plenitude of power, but exalted them to such pre-eminence in dignity, as mortified and degraded the ancient nobility. By the alienation or sale of the church lands, which were dissipated with a profusion not inferior to the rapaciousness with which they had been seized, as well as by the privilege granted to the ancient landholders of selling their estates, or disposing of them by will, an immense property, formerly locked up, was brought into circulation. This put the spirit of industry and commerce in motion, and gave it some considerable degree of vigour. The road to power and to opulence became open to persons of every condition. A sudden and excessive flow of wealth from the West Indies proved fatal to industry in Spain; a moderate accession in England to the sum in circulation gave life to commerce, awakened the ingenuity of the nation, and excited it to useful enterprise. In France, what the nobles lost the crown gained. In England, the commons were gainers as well as the king. Power and influence accompanied of course the property which they acquired. They rose to consideration among their fellow-subjects; they began to feel their own importance; and, extending their influence in the legislative body gradually, and often when neither they themselves nor others foresaw all the effects of their claims and pretensions, they at last attained that high authority to which the British constitution is indebted for the existence, and must owe the preservation, of its liberty. At the same time that the English constitution advanced towards perfection, several circumstances brought on a change in the ancient system with respect to foreign powers, and introduced another more beneficial to the nation. As soon as Henry disclaimed the supremacy of the papal see, and broke off all connexion with the papal court, considerable sums were saved to the nation, of which it had been annually drained by remittances to Rome for dispensations and indulgences, by the expense of pilgrimages into foreign countries,[f] or by payment of annates, first-fruits, and a thousand other taxes which that artful and rapacious court levied on the credulity of mankind. The exercise of a jurisdiction different from that of the civil power, and claiming not only to be independent of it, but superior to it, a wild solecism in government, apt not only to perplex and disquiet weak minds, but tending directly to disturb society, was finally abolished. Government became more simple as well as more respectable, when no rank or character exempted any person from being amenable to the same courts as other subjects, from being tried by the same judges, and from being acquitted or condemned by the same laws.

with respect to the affairs of the continent;

By the loss of Calais the English were excluded from the continent. All schemes for invading France became, of course, as chimerical as they had formerly been pernicious. The views of the English were confined, first by necessity, and afterwards from choice, within their own island. That rage for conquest which had possessed the nation during many centuries, and wasted its strength in perpetual and fruitless wars, ceased at length. Those active spirits which had known and followed no profession but war, sought for occupation in the arts of peace, and their country was benefited as much by the one as it had suffered by the other. The nation, which had been exhausted by frequent expeditions to the continent, recruited its numbers, and acquired new strength; and when roused by any extraordinary exigency to take part in foreign operations, the vigour of its efforts was proportionably great, because they were only occasional, and of short continuance.

with respect to Scotland.

The same principle which had led England to adopt this new system with regard to the powers on the continent, occasioned a change in its plan of conduct with respect to Scotland, the only foreign state with which, on account of its situation in the same island, the English had such a close connexion as demanded their perpetual attention. Instead of prosecuting the ancient scheme of conquering that kingdom, which the nature of the country, defended by a brave and

f The loss which the nation sustained by most of these articles is obvious, and must have been great. Even that by pilgrimages was not inconsiderable. In the year 1428, licence was obtained by no fewer than 916 persons to visit the shrine of St. James of Compostello in Spain. Rymer, vol. x. p. . In 1434, the number of pilgrims to the same place was 2460. Ibid. p. . In 1445, they were 2100, vol. xi. p.

hardy people, rendered dangerous, if not impracticable; it appeared more eligible to endeavour at obtaining such influence in Scotland as might exempt England from any danger or disquiet from that quarter. The national poverty of the Scots, together with the violence and animosity of their factions, rendered the execution of this plan easy to a people far superior to them in wealth. The leading men of greatest power and popularity were gained; the ministers and favourites of the crown were corrupted; and such absolute direction of the Scottish councils was acquired, as rendered the operations of the one kingdom dependent, in a great measure, on the sovereign of the other. Such perfect external security, added to the interior advantages which England now possessed, must soon have raised it to new consideration and importance; the long reign of Elizabeth, equally conspicuous for wisdom, for steadiness, and for vigour, accelerated its progress, and carried it with greater rapidity towards that elevated station which it hath since held among the powers of Europe.

Changes in the political state of the secondary powers in Europe.

During the period in which the political state of the great kingdoms underwent such changes, revolutions of considerable importance happened in that of the secondary or inferior powers. Those in the papal court are most obvious, and of most extensive consequence.

The most considerable revolution of the sixteenth century in the court of Rome.

In the preliminary book, I have mentioned the rise of that spiritual jurisdiction, which the popes claim as vicars of Jesus Christ, and have traced the progress of that authority which they possess as temporal princes.[g] Previous to the reign of Charles V. there was nothing that tended to circumscribe or to moderate their authority, but science and philosophy, which began to revive and to be cultivated. The progress of these, however, was still inconsiderable; they always operate slowly; and it is long before their influence reaches the people, or can produce any sensible effect upon them. They may, perhaps, gradually, and in a long course of years, undermine and shake an established system of false religion, but there is no instance of their having overturned one. The battery is too feeble to demolish those fabrics which superstition raises on deep foundations, and can strengthen with the most consummate art.

The general revolt against the doctrines of the church of Rome, and the power of the popes.

Luther had attacked the papal supremacy with other weapons, and with an impetuosity more formidable. The time and manner of his attack concurred with a multitude of circumstances, which have been explained, in giving him immediate success. The charm which had bound mankind for so many ages was broken at once. The human mind, which had continued long as tame and passive, as if it had been formed to believe whatever was taught, and to bear whatever was imposed, roused of a sudden, and became inquisitive, mutinous, and disdainful of the yoke to which it had hitherto submitted. That wonderful ferment and agitation of mind, which, at this distance of time, appears unaccountable, or is condemned as extravagant, was so general, that it must have been excited by causes which were natural, and of powerful efficacy. The kingdoms of Denmark, Sweden, England, and Scotland, and almost one half of Germany, threw off their allegiance to the pope; abolished his jurisdiction within their territories; and gave the sanction of law to modes of discipline and systems of doctrine, which were not only independent of his power, but hostile to it. Nor was this spirit of innovation confined to those countries which openly revolted from the pope; it spread through all Europe, and broke out in every part of it with various degrees of violence. It penetrated early into France, and made a quick progress there. In that kingdom the number of converts to the opinions of the reformers was so great, their zeal so enterprising, and the abilities of their leaders so distinguished, that they soon ventured to contend for superiority with the established church, and were sometimes on the point of obtaining it. In all the provinces of Germany which continued to acknowledge the papal supremacy, as well as in the Low Countries, the protestant doctrines were secretly taught, and had gained so many proselytes, that they were ripe for revolt, and were restrained merely by the dread of their rulers from imitating the example of their neighbours, and asserting their independence. Even in Spain and in Italy, symptoms of the same disposition to shake off the yoke appeared. The pretensions of the pope to infallible knowledge and supreme power were treated by many persons of eminent learning and abilities with such scorn, or attacked with such vehemence, that the most vigilant attention of the civil magistrate, the highest strains of pontifical authority, and all the rigour of inquisitorial jurisdiction, were requisite to check and extinguish it.

This abridged the extent of the pope's dominions,

The defection of so many opulent and powerful kingdoms from the papal see, was a fatal blow to its grandeur and power. It abridged the dominions of the popes in extent, it diminished their revenues, and left them fewer rewards to bestow on the ecclesiastics of various denominations, attached to them by vows of obedience as well as by ties of interest, and whom they employed as instruments to establish or support their usurpations in every part of Europe. The countries, too, which now disclaimed their authority, were those which formerly had been most devoted to it. The empire of superstition differs from every other species of dominion; its power is often greatest, and most implicitly obeyed in the provinces most remote from the seat of government; while such as are situated nearer to that, are more apt to discern the artifices by which it is upheld, or the impostures on which it is founded. The personal

[g] Page 346.

frailties or vices of the popes, the errors as well as corruption of their administration, the ambition, venality, and deceit which reigned in their courts, fell immediately under the observation of the Italians, and could not fail of diminishing that respect which begets submission. But in Germany, England, and the more remote parts of Europe, these were either altogether unknown, or being only known by report, made a slighter impression. Veneration for the papal dignity increased accordingly in these countries in proportion to their distance from Rome; and that veneration, added to their gross ignorance, rendered them equally credulous and passive. In tracing the progress of the papal domination, the boldest and most successful instances of encroachment are to be found in Germany and other countries distant from Italy. In these its impositions were heaviest, and its exactions the most rapacious; so that in estimating the diminution of power which the court of Rome suffered in consequence of the Reformation, not only the number but the character of the people who revolted, not only the great extent of territory, but the extraordinary obsequiousness of the subjects which it lost, must be taken in the account.

and obliged them to change the spirit of their government.

Nor was it only by this defection of so many kingdoms and states which the Reformation occasioned, that it contributed to diminish the power of the Roman pontiffs. It obliged them to adopt a different system of conduct towards the nations which still continued to recognise their jurisdiction, and to govern them by new maxims and with a milder spirit. The Reformation taught them, by a fatal example, what they seem not before to have apprehended, that the credulity and patience of mankind might be overburthened and exhausted. They became afraid of venturing upon any such exertion of their authority as might alarm or exasperate their subjects, and excite them to a new revolt. They saw a rival church established in many countries of Europe, the members of which were on the watch to observe any errors in their administration, and eager to expose them. They were sensible that the opinions adverse to their power and usurpations, were not adopted by their enemies alone, but had spread even among the people who still adhered to them. Upon all these accounts, it was no longer possible to lead or to govern their flock in the same manner as in those dark and quiet ages, when faith was implicit, when submission was unreserved, and all tamely followed and obeyed the voice of their pastor. From the era of the Reformation, the popes have ruled rather by address and management than by authority. Though the style of their decrees be still the same, the effect of them is very different. Those bulls and interdicts which, before the Reformation, made the greatest princes tremble, have since that period been disregarded or despised by the most inconsiderable. Those bold decisions and acts of jurisdiction which, during many ages, not only passed uncensured, but were revered as the awards of a sacred tribunal, would, since Luther's appearance, be treated by one part of Europe as the effect of folly or arrogance, and be detested by the other as impious and unjust. The popes, in their administration, have been obliged not only to accommodate themselves to the notions of their adherents, but to pay some regard to the prejudices of their enemies. They seldom venture to claim new powers, or even to insist obstinately on their ancient prerogatives, lest they should irritate the former; they carefully avoid every measure that may either excite the indignation or draw on them the derision of the latter. The policy of the court of Rome has become as cautious, circumspect, and timid, as it was once adventurous and violent; and though their pretensions to infallibility, on which all their authority is founded, does not allow them to renounce any jurisdiction which they have at any time claimed or exercised, they find it expedient to suffer many of their prerogatives to lie dormant, and not to expose themselves to the risk of losing that remainder of power which they still enjoy, by ill-timed attempts towards reviving obsolete pretensions. Before the sixteenth century, the popes were the movers and directors in every considerable enterprise; they were at the head of every great alliance; and being considered as arbiters in the affairs of Christendom, the court of Rome was the centre of political negociation and intrigue. Since that time, the greatest operations in Europe have been carried on independent of them; they have sunk almost to a level with the other petty princes of Italy; they continue to claim, though they dare not exercise, the same spiritual jurisdiction, but hardly retain any shadow of the temporal power which they anciently possessed.

The Reformation contributed to improve the church both in science and morals.

But how fatal soever the Reformation may have been to the power of the popes, it has contributed to improve the church of Rome both in science and in morals. The desire of equalling the reformers in those talents which had procured them respect; the necessity of acquiring the knowledge requisite for defending their own tenets, or refuting the arguments of their opponents, together with the emulation natural between two rival churches, engaged the Roman catholic clergy to apply themselves to the study of useful science, which they cultivated with such assiduity and success, that they have gradually become as eminent in literature, as they were in some periods infamous for ignorance. The same principle occasioned a change no less considerable in the morals of the Romish clergy. Various causes which have formerly been enumerated, had concurred in introducing great irregularity, and even dissolution of manners, among the popish clergy. Luther and his adherents began their attack on the church with such vehement invectives against these, that, in order to remove the scandal, and silence their declamations,

greater decency of conduct became necessary. The reformers themselves were so eminent not only for the purity, but even austerity, of their manners, and had acquired such reputation among the people on that account, that the Roman catholic clergy must have soon lost all credit, if they had not endeavoured to conform in some measure to their standard. They knew that all their actions fell under the severe inspection of the protestants, whom enmity and emulation prompted to observe every vice or even impropriety in their conduct; to censure them without indulgence, and to expose them without mercy. This rendered them, of course, not only cautious to avoid such enormities as might give offence, but studious to acquire the virtues which might merit praise. In Spain and Portugal, where the tyrannical jurisdiction of the inquisition crushed the protestant faith as soon as it appeared, the spirit of popery continues invariable; science has made small progress, and the character of ecclesiastics has undergone little change. But in those countries where the members of the two churches have mingled freely with each other, or have carried on any considerable intercourse, either commercial or literary, an extraordinary alteration in the ideas, as well as in the morals, of the popish ecclesiastics, is manifest. In France, the manners of the dignitaries and secular clergy have become decent and exemplary in a high degree. Many of them have been distinguished for all the accomplishments and virtues which can adorn their profession; and differ greatly from their predecessors before the Reformation, both in their maxims and in their conduct.

The effects of it extend to the character of the popes themselves.

Nor has the influence of the Reformation been felt only by the inferior members of the Roman catholic church; it has extended to the see of Rome, to the sovereign pontiffs themselves. Violations of decorum, and even trespasses against morality, which passed without censure in those ages, when neither the power of the popes, nor the veneration of the people for their character, had any bounds; when there was no hostile eye to observe the errors in their conduct, and no adversaries zealous to inveigh against them; would be liable now to the severest animadversion, and excite general indignation or horror. Instead of rivalling the courts of temporal princes in gaiety, and surpassing them in licentiousness, the popes have studied to assume manners more severe and more suitable to their ecclesiastical character. The chair of St. Peter hath not been polluted during two centuries, by any pontiff that resembled Alexander VI., or several of his predecessors, who were a disgrace to religion and to human nature. Throughout this long succession of popes, a wonderful decorum of conduct, compared with that of preceding ages, is observable. Many of them, especially among the pontiffs of the present century, have been conspicuous for all the virtues becoming their high station; and by their humanity, their love of literature, and their moderation, have made some atonement to mankind for the crimes of their predecessors. Thus the beneficial influences of the Reformation have been more extensive than they appear on a superficial view; and this great division in the christian church hath contributed, in some measure, to increase purity of manners, to diffuse science, and to inspire humanity. History recites such a number of shocking events occasioned by religious dissensions, that it must afford peculiar satisfaction to trace any one salutary or beneficial effect to that source from which so many fatal calamities have flowed.

State of the republic of Venice;

The republic of Venice, which, at the beginning of the sixteenth century, had appeared so formidable, that almost all the potentates of Europe united in a confederacy for its destruction, declined gradually from its ancient power and splendour. The Venetians not only lost a great part of their territory in the war excited by the league of Cambray, but the revenues as well as vigour of the state were exhausted by their extraordinary and long-continued efforts in their own defence; and that commerce by which they had acquired their wealth and power began to decay, without any hopes of its reviving. All the fatal consequences to their republic, which the sagacity of the Venetian senate foresaw on the first discovery of a passage to the East Indies by the Cape of Good Hope, actually took place. Their endeavours to prevent the Portuguese from establishing themselves in the East Indies, not only by exciting the soldans of Egypt, and the Ottoman monarchs, to turn their arms against such dangerous intruders, but by affording secret aid to the infidels in order to insure their success,[h] proved ineffectual. The activity and valour of the Portuguese surmounted every obstacle, and obtained such a firm footing in that fertile country, as secured to them large possessions, together with an influence still more extensive. Lisbon, instead of Venice, became the staple for the precious commodities of the East. The Venetians, after having possessed for many years the monopoly of that beneficial commerce, had the mortification to be excluded from almost any share in it. The discoveries of the Spaniards in the western world proved no less fatal to inferior branches of their commerce. The original defects which were formerly pointed out in the constitution of the Venetian republic still continued, and the disadvantages with which it undertook any great enterprise, increased rather than diminished. The sources from which it derived its extraordinary riches and power being dried up, the interior vigour of the state declined, and, of course, its external operations became less formidable. Long before the middle of the sixteenth century, Venice ceased to be one of the principal powers in Europe, and dwindled into a secondary and subaltern state. But as the senate

h Freher. Script. Rer. German. vol. ii. 529.

had the address to conceal the diminution of its power under the veil of moderation and caution; as it made no rash effort that could discover its weakness; as the symptoms of political decay in states are not soon observed, and are seldom so apparent to their neighbours as to occasion any sudden alteration in their conduct towards them, Venice continued long to be considered and respected. She was treated not according to her present condition, but according to the rank which she had formerly held. Charles V., as well as the kings of France, his rivals, courted her assistance with emulation and solicitude in all their enterprises. Even down to the close of the century, Venice remained not only an object of attention, but a considerable seat of political negociation and intrigue.

of Tuscany; That authority which the first Cosmo di Medici, and Lawrence, his grandson, had acquired in the republic of Florence, by their beneficence and abilities, inspired their descendants with the ambition of usurping the sovereignty in their country, and paved their way towards it. Charles V. placed Alexander di Medici at the head of the republic, and to the natural interest and power of the family added the weight as well as credit of the imperial protection. Of these, his successor Cosmo, surnamed the Great, availed himself; and establishing his supreme authority on the ruins of the ancient republican constitution, he transmitted that, together with the title of grand duke of Tuscany, to his descendants. Their dominions were composed of the territories which had belonged to the three commonwealths of Florence, Pisa, and Siena, and formed one of the most respectable of the Italian states.

A. D. 1550.

of the dukes of Savoy; The dukes of Savoy, during the former part of the sixteenth century, possessed territories which were not considerable either for extent or value: and the French, having seized the greater part of them, obliged the reigning duke to retire for safety to the strong fortress of Nice, where he shut himself up for several years, while his son, the prince of Piedmont, endeavoured to better his fortune, by serving as an adventurer in the armies of Spain. The peace of Chateau-Cambresis restored to him his paternal dominions. As these are environed on every hand by powerful neighbours, all whose motions the dukes of Savoy must observe with the greatest attention, in order not only to guard against the danger of being surprised and overpowered, but that they may choose their side with discernment in those quarrels wherein it is impossible for them to avoid taking part, this peculiarity of their situation seems to have had no inconsiderable influence on their character. By rousing them to perpetual attention, by keeping their ingenuity always on the stretch, and engaging them in almost continual action, it hath formed a race of princes more sagacious in discovering their true interests, more decisive in their resolutions, and more dexterous in availing themselves of every occurrence which presented itself, than any perhaps that can be singled out in the history of Europe. By gradual acquisitions the dukes of Savoy have added to their territories, as well as to their own importance; and aspiring at length to regal dignity, which they obtained about half a century ago, by the title of kings of Sardinia, they hold now no inconsiderable rank among the monarchs of Europe.

of the United Provinces: The territories which form the republic of the United Netherlands, were lost, during the first part of the sixteenth century, among the numerous provinces subject to the house of Austria; and were then so inconsiderable, that hardly one opportunity of mentioning them hath occurred in all the busy period of this history. But soon after the peace of Chateau-Cambresis, the violent and bigoted maxims of Philip's government, being carried into execution with unrelenting rigour by the duke of Alva, exasperated the people of the Low Countries to such a degree, that they threw off the Spanish yoke, and asserted their ancient liberties and laws. These they defended with a persevering valour, which gave employment to the arms of Spain during half a century, exhausted the vigour, ruined the reputation of that monarchy, and at last constrained their ancient masters to recognise and to treat with them as a free and independent state. This state, founded on liberty, and reared by industry and economy, grew into great reputation, even while struggling for its existence. But when peace and security allowed it to enlarge its views, and to extend its commerce, it rose to be one of the most respectable as well as enterprising powers in Europe.

The transactions of the kingdoms in the north of Europe have been seldom attended to in the course of this history.

of Russia; Russia remained buried in that barbarism and obscurity, from which it was called about the beginning of the present century, by the creative genius of Peter the Great, who made his country known and formidable to the rest of Europe.

of Denmark and Sweden. In Denmark and Sweden, during the reign of Charles V., great revolutions happened in their constitutions, civil as well as ecclesiastical. In the former kingdom, a tyrant being degraded from the throne, and expelled the country, a new prince was called by the voice of the people to assume the reins of government. In the latter a fierce people, roused to arms by injuries and oppression, shook off the Danish yoke, and conferred the regal dignity on its deliverer Gustavus Ericson, who had all the virtues of a hero and of a patriot. Denmark, exhausted by foreign wars, or weakened by the dissensions between the king and the nobles, became incapable of such efforts as were requisite in order to recover the ascendant which it had long possessed in the north of Europe. Sweden, as

soon as it was freed from the dominion of strangers, began to recruit its strength, and acquired in a short time such internal vigour, that it became the first kingdom in the north. Early in the subsequent century, it rose to such a high rank among the powers of Europe, that it had the chief merit in forming, as well as conducting, that powerful league which protected not only the protestant religion, but the liberties of Germany, against the bigotry and ambition of the house of Austria.

HISTORY OF AMERICA.

PREFACE.

In fulfilling the engagement which I had come under to the public with respect to the History of America, it was my intention not to have published any part of the work until the whole was completed. The present state of the British colonies has induced me to alter that resolution. While they are engaged in civil war with Great Britain, inquiries and speculations concerning their ancient forms of policy and laws, which exist no longer, cannot be interesting. The attention and expectation of mankind are now turned towards their future condition. In whatever manner this unhappy contest may terminate, a new order of things must arise in North America, and its affairs will assume another aspect. I wait with the solicitude of a good citizen, until the ferment subside, and regular government be re-established, and then I shall return to this part of my work, in which I had made some progress. That, together with the history of Portuguese America, and of the settlements made by the several nations of Europe in the West India Islands, will complete my plan.

The three volumes which I now publish contain an account of the discovery of the New World, and of the progress of the Spanish arms and colonies there. This is not only the most splendid portion of the American story, but so much detached, as, by itself, to form a perfect whole, remarkable for the unity of the subject. As the principles and maxims of the Spaniards in planting colonies, which have been adopted in some measure by every nation, are unfolded in this part of my work, it will serve as a proper introduction to the history of all the European establishments in America, and convey such information concerning this important article of policy, as may be deemed no less interesting than curious.

In describing the achievements and institutions of the Spaniards in the New World, I have departed, in many instances, from the accounts of preceding historians, and have often related facts which seem to have been unknown to them. It is a duty I owe the public to mention the sources from which I have derived such intelligence as justifies me either in placing transactions in a new light, or in forming any new opinion with respect to their causes and effects. This duty I perform with greater satisfaction, as it will afford an opportunity of expressing my gratitude to those benefactors who have honoured me with their countenance and aid in my researches.

As it was from Spain that I had to expect the most important information with regard to this part of my work, I considered it as a very fortunate circumstance for me, when lord Grantham, to whom I had the honour of being personally known, and with whose liberality of sentiment and disposition to oblige I was well acquainted, was appointed ambassador to the court of Madrid. Upon applying to him, I met with such a reception as satisfied me that his endeavours would be employed in the most proper manner, in order to obtain the gratification of my wishes; and I am perfectly sensible, that what progress I have made in my inquiries among the Spaniards, ought to be ascribed chiefly to their knowing how much his lordship interested himself in my success.

But did I owe nothing more to lord Grantham, than the advantages which I have derived from his attention in engaging Mr. Waddilove, the chaplain of his embassy, to take the conduct of my literary inquiries in Spain, the obligations I lie under to him would be very great. During five years that gentleman has carried on researches for my behoof, with such activity, perseverance, and knowledge of the subject to which his attention was turned, as have filled me with no less astonishment than satisfaction. He procured for me the greater part of the Spanish books which I have consulted; and as many of them were printed early in the sixteenth century, and are become extremely rare, the collecting of these was such an occupation as alone required much time and assiduity. To his friendly attention I am indebted for copies of several valuable manuscripts, containing facts and details which I might have searched for in vain in works that have been made public. Encouraged by the inviting good-will with which Mr. Waddilove conferred his favours, I transmitted to him a set of queries, with respect both to the customs and policy of the native Americans, and the nature of several institutions in the Spanish settlements, framed in such a manner, that a Spaniard might answer them, without disclosing any thing that was improper to

be communicated to a foreigner. He translated these into Spanish, and obtained from various persons who had resided in most of the Spanish colonies, such replies as have afforded me much instruction.

Notwithstanding those peculiar advantages with which my inquiries were carried on in Spain, it is with regret I am obliged to add, that their success must be ascribed to the beneficence of individuals, not to any communication by public authority. By a singular arrangement of Philip II. the records of the Spanish monarchy are deposited in the Archivo of Simancas, near Valladolid, at the distance of a hundred and twenty miles from the seat of government, and the supreme courts of justice. The papers relative to America, and chiefly to that early period of its history towards which my attention was directed, are so numerous, that they alone, according to one account, fill the largest apartment in the Archivo; and, according to another, they compose eight hundred and seventy-three large bundles. Conscious of possessing, in some degree, the industry which belongs to an historian, the prospect of such a treasure excited my most ardent curiosity. But the prospect of it is all that I have enjoyed. Spain, with an excess of caution, has uniformly thrown a veil over her transactions in America. From strangers they are concealed with peculiar solicitude. Even to her own subjects the Archivo of Simancas is not opened without a particular order from the crown; and after obtaining that, papers cannot be copied, without paying fees of office so exorbitant, that the expense exceeds what it would be proper to bestow, when the gratification of literary curiosity is the only object. It is to be hoped, that the Spaniards will at last discover this system of concealment to be no less impolitic than illiberal. From what I have experienced in the course of my inquiries, I am satisfied, that upon a more minute scrutiny into their early operations in the New World, however reprehensible the actions of individuals may appear, the conduct of the nation will be placed in a more favourable light.

In other parts of Europe very different sentiments prevail. Having searched, without success, in Spain, for a letter of Cortes to Charles V. written soon after he landed in the Mexican empire, which has not hitherto been published, it occurred to me, that as the emperor was setting out for Germany at the time when the messengers from Cortes arrived in Europe, the letter with which they were intrusted might possibly be preserved in the imperial library of Vienna. I communicated this idea to sir Robert Murray Keith, with whom I have long had the honour to live in friendship, and I had soon the pleasure to learn, that upon his application, her imperial majesty had been graciously pleased to issue an order, that not only a copy of that letter, (if it were found,) but of any other papers in the library, which could throw light upon the History of America, should be transmitted to me. The letter from Cortes is not in the imperial library, but an authentic copy, attested by a notary, of the letter written by the magistrates of the colony planted by him at Vera Cruz, which I have mentioned, Book V. having been found, it was transcribed and sent to me. As this letter is no less curious, and as little known, as that which was the object of my inquiries, I have given some account, in its proper place, of what is most worthy of notice in it. Together with it, I received a copy of a letter from Cortes, containing a long account of his expedition to Honduras, with respect to which I did not think it necessary to enter into any particular detail; and likewise those curious Mexican paintings, which I have described, Vol. iii. p. 23.*

My inquiries at St. Petersburgh were carried on with equal facility and success. In examining into the nearest communication between our continent and that of America, it became of consequence to obtain authentic information concerning the discoveries of the Russians in their navigation from Kamschatka towards the coast of America. Accurate relations of their first voyage, in 1741, have been published by Muller and Gmelin. Several foreign authors have entertained an opinion, that the court of Russia studiously conceals the progress which has been made by more recent navigators, and suffers the public to be amused with false accounts of their route. Such conduct appeared to me unsuitable to those liberal sentiments, and that patronage of science, for which the present sovereign of Russia is eminent; nor could I discern any political reason, that might render it improper to apply for information concerning the late attempts of the Russians to open a communication between Asia and America. My ingenious countryman, Dr. Rogerson, first physician to the empress, presented my request to her imperial majesty, who not only disclaimed any idea of concealment, but instantly ordered the journal of captain Krenitzin, who conducted the only voyage of discovery made by public authority since the year 1741, to be translated, and his original chart to be copied for my use. By consulting them, I have been enabled to give a more accurate view of the progress and extent of the Russian discoveries, than has hitherto been communicated to the public.

From other quarters I have received information of great utility and importance. M. le Chevalier de Pinto, the minister from Portugal to the court of Great Britain, who commanded for several years at Matagrosso, a settlement of the Portuguese in the interior part of Brazil, where the Indians are numerous, and their original manners little altered by intercourse with Europeans, was pleased to send me very full answers to some queries concerning the character and institutions of the natives of America, which his polite reception of an application made to him in my name, encouraged me to propose.

* Of the original Edition.

These satisfied me, that he had contemplated with a discerning attention the curious objects which his situation presented to his view, and I have often followed him as one of my best instructed guides.

M. Suard, to whose elegant translation of the History of the Reign of Charles V. I owe the favourable reception of that work on the continent, procured me answers to the same queries from M. de Bougainville, who had opportunities of observing the Indians both of North and South America, and from M. Godin le Jeune, who resided fifteen years among the Indians in Quito, and twenty years in Cayenne. The latter are more valuable from having been examined by M. de la Condamine, who, a few weeks before his death, made some short additions to them, which may be considered as the last effort of that attention to science which occupied a long life.

My inquiries were not confined to one region in America. Governor Hutchinson took the trouble of recommending the consideration of my queries to Mr. Hawley and Mr. Brainerd, two protestant missionaries employed among the Indians of the Five Nations, who favoured me with answers which discover a considerable knowledge of the people whose customs they describe. From William Smith, Esq. the ingenious historian of New York, I received some useful information. When I enter upon the History of our Colonies in North America, I shall have occasion to acknowledge how much I have been indebted to many other gentlemen of that country.

From the valuable collection of voyages made by Alexander Dalrymple, Esq. with whose attention to the history of navigation and discovery the public is well acquainted, I have received some very rare books, particularly two large volumes of memorials, partly manuscript, and partly in print, which were presented to the court of Spain during the reigns of Philip III. and Philip IV. From these I have learned many curious particulars with respect to the interior state of the Spanish colonies, and the various schemes formed for their improvement. As this collection of memorials formerly belonged to the Colbert Library, I have quoted them by that title.

All those books and manuscripts I have consulted with that attention which the respect due from an author to the public required; and by minute references to them, I have endeavoured to authenticate whatever I relate. The longer I reflect on the nature of historical composition, the more I am convinced that this scrupulous accuracy is necessary. The historian who records the events of his own time, is credited in proportion to the opinion which the public entertains with respect to his means of information and his veracity. He who delineates the transactions of a remote period, has no title to claim assent, unless he produces evidence in proof of his assertions. Without this, he may write an amusing tale, but cannot be said to have composed an authentic history. In those sentiments I have been confirmed by the opinion of an author,* whom his industry, erudition, and discernment, have deservedly placed in a high rank among the most eminent historians of the age. Imboldened by a hint from him, I have published a catalogue of the Spanish books which I have consulted. This practice was frequent in the last century, and was considered as an evidence of laudable industry in an author; in the present, it may, perhaps, be deemed the effect of ostentation; but, as many of these books are unknown in Great Britain, I could not otherwise have referred to them as authorities, without encumbering the page with an insertion of their full titles. To any person who may choose to follow me in this path of inquiry, the catalogue must be very useful.

My readers will observe, that in mentioning sums of money, I have uniformly followed the Spanish method of computing by *pesos*. In America, the peso *fuerte*, or *duro*, is the only one known; and that is always meant when any sum imported from America is mentioned. The peso fuerte, as well as other coins, has varied in its numerary value; but I have been advised, without attending to such minute variations, to consider it as equal to four shillings and sixpence of our money. It is to be remembered, however, that in the sixteenth century the effective value of a peso, *i. e.* the quantity of labour which it represented, or of goods which it would purchase, was five or six times as much as at present.

* Mr. Gibbon.

POSTSCRIPT.

Since this edition was put into the press, a History of Mexico, in two volumes in quarto, translated from the Italian of the Abbé D. Francesco Saverio Clavigero, has been published. From a person who is a native of New Spain, who has resided forty years in that country, and who is acquainted with the Mexican language, it was natural to expect much new information. Upon perusing his work, however, I find that it contains hardly any addition to the ancient History of the Mexican empire, as related by Acosta and Herrera, but what is derived from the improbable narratives and fanciful conjectures of Torquemada and Boturini. Having copied their splendid descriptions of the high state of civilization in the Mexican empire, M. Clavigero, in the abundance of his zeal for the honour of his native country, charges me with having mistaken some points, and with having misrepresented others, in the history of it. When an author is conscious of having exerted industry in research, and impartiality in decision, he may, without presumption, claim what praise is due to these qualities, and he cannot be insensible to any accusation that tends to weaken the force of his claim. A feeling of this kind has induced me to examine such strictures of M. Clavigero on my History of America as merited any attention, especially as these are made by one who seemed to possess the means of obtaining accurate information; and to show that the greater part of them is destitute of any just foundation. This I have in notes upon the passages in my History which gave rise to his criticisms.

College of Edinburgh,
March 1*st*, 1788.

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SPANISH BOOKS AND MANUSCRIPTS.

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Concilios Provinciales Primero y Segundo celebrados en la muy Noble y muy leal Ciudad de Mexico en los Agnos de 1555 & 1565. fol. Mexico, 1779.

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THE

HISTORY OF AMERICA.

BOOK I.

The earth slowly peopled.

THE progress of men in discovering and peopling the various parts of the earth, has been extremely slow. Several ages elapsed before they removed far from those mild and fertile regions in which they were originally placed by their Creator. The occasion of their first general dispersion is known; but we are unacquainted with the course of their migrations, or the time when they took possession of the different countries which they now inhabit. Neither history nor tradition furnish such information concerning those remote events, as enables us to trace, with any certainty, the operations of the human race in the infancy of society.

First migrations by land.

We may conclude, however, that all the early migrations of mankind were made by land. The ocean, which surrounds the habitable earth, as well as the various arms of the sea which separate one region from another, though destined to facilitate the communication between distant countries, seem, at first view, to be formed to check the progress of man, and to mark the bounds of that portion of the globe to which nature had confined him. It was long, we may believe, before men attempted to pass these formidable barriers, and became so skilful and adventurous as to commit themselves to the mercy of the winds and waves, or to quit their native shores in quest of remote and unknown regions.

First attempts towards navigation.

Navigation and ship-building are arts so nice and complicated, that they require the ingenuity, as well as experience, of many successive ages to bring them to any degree of perfection. From the raft or canoe, which first served to carry a savage over the river that obstructed him in the chase, to the construction of a vessel capable of conveying a numerous crew with safety to a distant coast, the progress in improvement is immense. Many efforts would be made, many experiments would be tried, and much labour as well as invention would be employed, before men could accomplish this arduous and important undertaking. The rude and imperfect state in which navigation is still found among all nations which are not considerably civilized, corresponds with this account of its progress, and demonstrates that, in early times, the art was not so far improved as to enable men to undertake distant voyages, or to attempt remote discoveries.

Introduction of commerce.

As soon, however, as the art of navigation became known, a new species of correspondence among men took place. It is from this era that we must date the commencement of such an intercourse between nations as deserves the appellation of commerce. Men are, indeed, far advanced in improvement before commerce becomes an object of great importance to them. They must even have made some considerable progress towards civilization, before they acquire the idea of property, and ascertain it so perfectly as to be acquainted with the most simple of all contracts, that of exchanging by barter one rude commodity for another. But as soon as this important right is established, and every individual feels that he has an exclusive title to possess or to alienate whatever he has acquired by his own labour and dexterity, the wants and ingenuity of his nature suggest to him a new method of increasing his acquisitions and enjoyments, by disposing of what is superfluous in his own stores, in order to procure what is necessary or desirable in those of other men. Thus a commercial intercourse begins, and is carried on among the members of the same community. By degrees, they discover that neighbouring tribes possess what they themselves want, and enjoy comforts of which they wish to partake. In the same mode, and upon the same principles, that domestic traffic is carried on within the society, an external commerce is established with other tribes or nations. Their mutual interest and mutual wants render this intercourse desirable, and imperceptibly introduce the maxims and laws which facilitate its progress and render it secure. But no very extensive commerce can take place between contiguous provinces, whose soil and climate being nearly the same, yield similar produc-

tions. Remote countries cannot convey their commodities by land to those places where, on account of their rarity, they are desired, and become valuable. It is to navigation that men are indebted for the power of transporting the superfluous stock of one part of the earth to supply the wants of another. The luxuries and blessings of a particular climate are no longer confined to itself alone, but the enjoyment of them is communicated to the most distant regions.

In proportion as the knowledge of the advantages derived from navigation and commerce continued to spread, the intercourse among nations extended. The ambition of conquest, or the necessity of procuring new settlements, were no longer the sole motives of visiting distant lands. The desire of gain became a new incentive to activity, roused adventurers, and sent them forth upon long voyages, in search of countries, whose products or wants might increase that circulation which nourishes and gives vigour to commerce. Trade proved a great source of discovery, it opened unknown seas, it penetrated into new regions, and contributed more than any other cause to bring men acquainted with the situation, the nature, and commodities of the different parts of the globe. But even after a regular commerce was established in the world, after nations were considerably civilized, and the sciences and arts were cultivated with ardour and success, navigation continued to be so imperfect, that it can hardly be said to have advanced beyond the infancy of its improvement in the ancient world.

Imperfection of navigation among the ancients.

Among all the nations of antiquity, the structure of their vessels was extremely rude, and their method of working them very defective. They were unacquainted with several principles and operations in navigation, which are now considered as the first elements on which that science is founded. Though that property of the magnet, by which it attracts iron, was well known to the ancients, its more important and amazing virtue of pointing to the poles had entirely escaped their observation. Destitute of this faithful guide, which now conducts the pilot with so much certainty in the unbounded ocean, during the darkness of night, or when the heavens are covered with clouds, the ancients had no other method of regulating their course than by observing the sun and stars. Their navigation was of consequence uncertain and timid. They durst seldom quit sight of land, but crept along the coast, exposed to all the dangers, and retarded by all the obstructions, unavoidable in holding such an awkward course. An incredible length of time was requisite for performing voyages, which are now finished in a short space. Even in the mildest climates, and in seas the least tempestuous, it was only during the summer months that the ancients ventured out of their harbours. The remainder of the year was lost in inactivity. It would have been deemed most inconsiderate rashness to have braved the fury of the winds and waves during winter.[a]

a Vegetius de Re milit. lib. iv.

While both the science and practice of navigation continued to be so defective, it was an undertaking of no small difficulty and danger to visit any remote region of the earth. Under every disadvantage, however, the active spirit of commerce exerted itself. The Egyptians, soon after the establishment of their monarchy, are said to have opened a trade between the Arabian gulf or Red sea, and the western coast of the great Indian continent. The commodities which they imported from the East, were carried by land from the Arabian gulf to the banks of the Nile, and conveyed down that river to the Mediterranean. But if the Egyptians in early times applied themselves to commerce, their attention to it was of short duration. The fertile soil and mild climate of Egypt produced the necessaries and comforts of life with such profusion, as rendered its inhabitants so independent of other countries, that it became an established maxim among that people, whose ideas and institutions differed in almost every point from those of other nations, to renounce all intercourse with foreigners. In consequence of this, they never went out of their own country; they held all seafaring persons in detestation, as impious and profane; and fortifying their own harbours, they denied strangers admittance into them.[b] It was in the decline of their power, and when their veneration for ancient maxims had greatly abated, that they again opened their ports, and resumed any communication with foreigners.

Navigation and commerce of the Egyptians;

The character and situation of the Phenicians were as favourable to the spirit of commerce and discovery as those of the Egyptians were adverse to it. They had no distinguishing peculiarity in their manners and institutions; they were not addicted to any singular and unsocial form of superstition; they could mingle with other nations without scruple or reluctance. The territory which they possessed was neither large nor fertile. Commerce was the only source from which they could derive opulence or power. Accordingly, the trade carried on by the Phenicians of Sidon and Tyre was more extensive and enterprising than that of any state in the ancient world. The genius of the Phenicians, as well as the object of their policy and the spirit of their laws, were entirely commercial. They were a people of merchants, who aimed at the empire of the sea, and actually possessed it. Their ships not only frequented all the ports in the Mediterranean, but they were the first who ventured beyond the ancient boundaries of navigation, and, passing the Straits of Gades, visited the western coasts of Spain and Africa. In many of the places to which they resorted, they planted colonies, and communicated to

of the Phenicians;

b Diod. Sicul. lib. i. p. 78. ed. Wesselingii. Amst. 1756. Strabo, lib. xvii. p. 1142. ed. Amst. 1707.

the rude inhabitants some knowledge of their arts and improvements. While they extended their discoveries towards the north and the west, they did not neglect to penetrate into the more opulent and fertile regions of the south and east. Having rendered themselves masters of several commodious harbours towards the bottom of the Arabian gulf, they, after the example of the Egyptians, established a regular intercourse with Arabia and the continent of India on the one hand, and with the eastern coast of Africa on the other. From these countries they imported many valuable commodities unknown to the rest of the world, and, during a long period, engrossed that lucrative branch of commerce without a rival.[c]

of the Jews;

The vast wealth which the Phenicians acquired by monopolizing the trade carried on in the Red sea, incited their neighbours the Jews, under the prosperous reigns of David and Solomon, to aim at being admitted to some share of it. This they obtained, partly by their conquest of Idumea, which stretches along the Red sea, and partly by their alliance with Hiram, king of Tyre. Solomon fitted out fleets, which, under the direction of Phenician pilots, sailed from the Red sea to Tarshish and Ophir. These, it is probable, were ports in India and Africa, which their conductors were accustomed to frequent, and from them the Jewish ships returned with such valuable cargoes as suddenly diffused wealth and splendour through the kingdom of Israel.[d] But the singular institutions of the Jews, the observance of which was enjoined by their divine Legislator, with an intention of preserving them a separate people, uninfected by idolatry, formed a national character, incapable of that open and liberal intercourse with strangers which commerce requires. Accordingly, this unsocial genius of the people, together with the disasters which befell the kingdom of Israel, prevented the commercial spirit, which their monarchs laboured to introduce and to cherish, from spreading among them. The Jews cannot be numbered among the nations which contributed to improve navigation, or to extend discovery.

of the Carthaginians;

But though the instructions and example of the Phenicians were unable to mould the manners and temper of the Jews, in opposition to the tendency of their laws, they transmitted the commercial spirit with facility, and in full vigour, to their own descendants the Carthaginians. The commonwealth of Carthage applied to trade and to naval affairs, with no less ardour, ingenuity, and success, than its parent state. Carthage early rivalled and soon surpassed Tyre in opulence and power, but seems not to have aimed at obtaining any share in the commerce with India. The Phenicians had engrossed this, and had such a command of the Red sea as secured to them the exclusive possession of that lucrative branch of trade. The commercial activity of the Carthaginians was exerted in another direction. Without contending for the trade of the East with their mother-country, they extended their navigation chiefly towards the west and north. Following the course which the Phenicians had opened, they passed the Straits of Gades, and, pushing their discoveries far beyond those of the parent state, visited not only all the coasts of Spain, but those of Gaul, and penetrated at last into Britain. At the same time that they acquired knowledge of new countries in this part of the globe, they gradually carried their researches towards the south. They made considerable progress, by land, into the interior provinces of Africa, traded with some of them, and subjected others to their empire. They sailed along the western coast of that great continent, almost to the tropic of Cancer, and planted several colonies, in order to civilize the natives, and accustom them to commerce. They discovered the Fortunate Islands, now known by the name of the Canaries, the utmost boundary of ancient navigation in the western ocean.[e]

Nor was the progress of the Phenicians and Carthaginians in their knowledge of the globe owing entirely to the desire of extending their trade from one country to another. Commerce was followed by its usual effects among both these people. It awakened curiosity, enlarged the ideas and desires of men, and incited them to bold enterprises. Voyages were undertaken, the sole object of which was to discover new countries, and to explore unknown seas. Such, during the prosperous age of the Carthaginian republic, were the famous navigations of Hanno and Himlico. Both their fleets were equipped by authority of the senate, and at public expense. Hanno was directed to steer towards the south, along the coast of Africa, and he seems to have advanced much nearer the equinoctial line than any former navigator.[f] Himlico had it in charge to proceed towards the north, and to examine the western coasts of the European continent.[g] Of the same nature was the extraordinary navigation of the Phenicians round Africa. A Phenician fleet, we are told, fitted out by Necho, king of Egypt, took its departure about six hundred and four years before the christian era, from a port in the Red sea, doubled the southern promontory of Africa, and, after a voyage of three years, returned by the Straits of Gades to the mouth of the Nile.[h] Eudoxus of Cyzicus is said to have held the same course, and to have accomplished the same arduous undertaking.[i]

These voyages, if performed in the manner which I have related, may justly be reckoned the greatest effort of navigation in the ancient world; and if we attend to the imperfect state of the art at that time,

c See Note I.
d Memoire sur le Pays d'Ophir, par M. d'Anville, Mem. de l'Academ. des Inscript. &c. tom. xxx. 83.
e Plinii Nat. Hist. lib. vi. c. 37. edit. in usum Delph. 4to, 1685.
f Plinii Nat. Hist. lib. v. c. 1. Hannonis Periplus ap. Geograph. minores, edit. Hudsoni, vol. i. p. 1.
g Plinii Nat. Hist. lib. ii. c. 67. Festus Avienus apud Bochart. Geogr. Sacr. lib. i. c. 60. p. 652. Oper. vol. iii. L. Bat. 1707.
h Herodot. lib. iv. c. 42.
i Plinii Nat. Hist. lib. ii. c. 67.

it is difficult to determine, whether we should most admire the courage and sagacity with which the design was formed, or the conduct and good fortune with which it was executed. But unfortunately all the original and authentic accounts of the Phenician and Carthaginian voyages, whether undertaken by public authority, or in prosecution of their private trade, have perished. The information which we receive concerning them from the Greek and Roman authors, is not only obscure and inaccurate, but, if we except a short narrative of Hanno's expedition, is of suspicious authority.[k] Whatever acquaintance with the remote regions of the earth the Phenicians or Carthaginians may have acquired, was concealed from the rest of mankind with a mercantile jealousy. Every thing relative to the course of their navigation was not only a mystery of trade, but a secret of state. Extraordinary facts are related concerning their solicitude to prevent other nations from penetrating into what they wished should remain undivulged.[l] Many of their discoveries seem, accordingly, to have been scarcely known beyond the precincts of their own states. The navigation round Africa, in particular, is recorded by the Greek and Roman writers, rather as a strange amusing tale, which they did not comprehend, or did not believe, than as a real transaction, which enlarged their knowledge and influenced their opinions.[m] As neither the progress of the Phenician or Carthaginian discoveries, nor the extent of their navigation, were communicated to the rest of mankind, all memorials of their extraordinary skill in naval affairs seem, in a great measure, to have perished, when the maritime power of the former was annihilated by Alexander's conquest of Tyre, and the empire of the latter was overturned by the Roman arms.

of the Greeks ; Leaving, then, the obscure and pompous accounts of the Phenician and Carthaginian voyages to the curiosity and conjectures of antiquaries, history must rest satisfied with relating the progress of navigation and discovery among the Greeks and Romans, which, though less splendid, is better ascertained. It is evident that the Phenicians, who instructed the Greeks in many other useful sciences and arts, did not communicate to them that extensive knowledge of navigation which they themselves possessed ; nor did the Romans imbibe that commercial spirit and ardour for discovery which distinguished their rivals the Carthaginians. Though Greece be almost encompassed by the sea, which formed many spacious bays and commodious harbours ; though it be surrounded by a great number of fertile islands, yet, notwithstanding such a favourable situation, which seemed to invite that ingenious people to apply themselves to navigation, it was long before this art attained any degree of perfection among them. Their early voyages, the object of which was piracy rather than commerce, were so inconsiderable, that the expedition of the Argonauts from the coast of Thessaly to the Euxine sea, appeared such an amazing effort of skill and courage, as entitled the conductors of it to be ranked among the demigods, and exalted the vessel in which they sailed to a place among the heavenly constellations. Even at a later period, when the Greeks engaged in their famous enterprise against Troy, their knowledge in naval affairs seems not to have been much improved. According to the account of Homer, the only poet to whom history ventures to appeal, and who, by his scrupulous accuracy in describing the manners and arts of early ages, merits this distinction, the science of navigation, at that time, had hardly advanced beyond its rudest state. The Greeks in the heroic age seem to have been unacquainted with the use of iron, the most serviceable of all the metals, without which no considerable progress was ever made in the mechanical arts. Their vessels were of inconsiderable burden, and mostly without decks. They had only one mast, which was erected or taken down at pleasure. They were strangers to the use of anchors. All their operations in sailing were clumsy and unskilful. They turned their observation towards stars, which were improper for regulating their course, and their mode of observing them was inaccurate and fallacious. When they had finished a voyage they drew their paltry barks ashore, as savages do their canoes, and these remained on dry land until the season of returning to sea approached. It is not then in the early or heroic ages of Greece that we can expect to observe the science of navigation, and the spirit of discovery, making any considerable progress. During that period of disorder and ignorance, a thousand causes concurred in restraining curiosity and enterprise within very narrow bounds.

But the Greeks advanced with rapidity to a state of greater civilization and refinement. Government, in its most liberal and perfect form, began to be established in their different communities ; equal laws and regular police were gradually introduced ; the sciences and arts which are useful or ornamental in life were carried to a high pitch of improvement, and several of the Grecian commonwealths applied to commerce with such ardour and success, that they were considered, in the ancient world, as maritime powers of the first rank. Even then, however, the naval victories of the Greeks must be ascribed rather to the native spirit of the people, and to that courage which the enjoyment of liberty inspires, than to any extraordinary progress in the science of navigation. In the Persian war, those exploits which the genius of the Greek historians has rendered so famous, were performed by fleets, composed chiefly of small vessels without decks ;[n] the crews of which rushed forward with impetuous valour, but little art, to board those of the enemy. In the war of Peloponnesus, their ships seem still to have been of inconsiderable burden and force.

k See Note II.

l Strab. Geogr. lib. iii. p. 265. lib. xviii. p. 1154.

m See Note III.

n Thucyd. lib. i. c. 14.

The extent of their trade, how highly soever it may have been estimated in ancient times, was in proportion to this low condition of their marine. The maritime states of Greece hardly carried on any commerce beyond the limits of the Mediterranean sea. Their chief intercourse was with the colonies of their countrymen, planted in the Lesser Asia, in Italy and Sicily. They sometimes visited the ports of Egypt, of the southern provinces of Gaul, and of Thrace, or, passing through the Hellespont, they traded with the countries situated around the Euxine sea. Amazing instances occur of their ignorance even of those countries which lay within the narrow precincts to which their navigation was confined. When the Greeks had assembled their combined fleet against Xerxes at Egina, they thought it unadvisable to sail to Samos, because they believed the distance between that island and Egina to be as great as the distance between Egina and the pillars of Hercules.[o] They were either utterly unacquainted with all the parts of the globe beyond the Mediterranean sea, or what knowledge they had of them was founded on conjecture, or derived from the information of a few persons, whom curiosity and the love of science had prompted to travel by land into the Upper Asia, or by sea into Egypt, the ancient seats of wisdom and arts. After all that the Greeks learned from them, they appear to have been ignorant of the most important facts, on which an accurate and scientific knowledge of the globe is founded.

The expedition of Alexander the Great into the East, considerably enlarged the sphere of navigation and of geographical knowledge among the Greeks. That extraordinary man, notwithstanding the violent passions which incited him, at some times, to the wildest actions, and the most extravagant enterprises, possessed talents which fitted him not only to conquer but to govern the world. He was capable of framing those bold and original schemes of policy, which gave a new form to human affairs. The revolution in commerce, brought about by the force of his genius, is hardly inferior to that revolution in empire, occasioned by the success of his arms. It is probable, that the opposition and efforts of the republic of Tyre, which checked him so long in the career of his victories, gave Alexander an opportunity of observing the vast resources of a maritime power, and conveyed to him some idea of the immense wealth which the Tyrians derived from their commerce, especially that with the East Indies. As soon as he had accomplished the destruction of Tyre, and reduced Egypt to subjection, he formed the plan of rendering the empire which he proposed to establish, the centre of commerce as well as the seat of dominion. With this view he founded a great city, which he honoured with his own name, near one of the mouths of the river Nile, that by the Mediterranean sea, and the neighbourhood of the Arabian gulf, it might command the trade both of the East and West.[p] This situation was chosen with such discernment, that Alexandria soon became the chief commercial city in the world. Not only during the subsistence of the Grecian empire in Egypt and in the East, but amidst all the successive revolutions in those countries from the time of the Ptolemies to the discovery of the navigation by the Cape of Good Hope, commerce, particularly that of the East Indies, continued to flow in the channel which the sagacity and foresight of Alexander had marked out for it.

His ambition was not satisfied with having opened to the Greeks a communication with India by sea; he aspired to the sovereignty of those regions which furnished the rest of mankind with so many precious commodities, and conducted his army thither by land. Enterprising, however, as he was, he may be said rather to have viewed than to have conquered that country. He did not, in his progress toward the East, advance beyond the banks of the rivers that fall into the Indus, which is now the western boundary of the vast continent of India. Amidst the wild exploits which distinguish this part of his history, he pursued measures that mark the superiority of his genius as well as the extent of his views. He had penetrated as far into India as to confirm his opinion of its commercial importance, and to perceive that immense wealth might be derived from intercourse with a country, where the arts of elegance, having been more early cultivated, were arrived at greater perfection than in any other part of the earth.[q] Full of this idea, he resolved to examine the course of navigation from the mouth of the Indus to the bottom of the Persian gulf; and, if it should be found practicable, to establish a regular communication between them. In order to effect this, he proposed to remove the cataracts, with which the jealousy of the Persians, and their aversion to correspondence with foreigners, had obstructed the entrance into the Euphrates;[r] to carry the commodities of the East up that river and the Tigris, which unites with it, into the interior parts of his Asiatic dominions; while, by the way of the Arabian gulf, and the river Nile, they might be conveyed to Alexandria, and distributed to the rest of the world. Nearchus, an officer of eminent abilities, was intrusted with the command of the fleet fitted out for this expedition. He performed this voyage, which was deemed an enterprise so arduous and important, that Alexander reckoned it one of the most extraordinary events which distinguished his reign. Inconsiderable as it may now appear, it was, at that time, an undertaking of no little merit and difficulty. In the prosecution of it, striking instances occur of the small progress which the Greeks had made in naval knowledge.[s] Having never sailed beyond the

o Herodot. lib. viii. c. 132.
p Strab. Geogr. lib. xvii. p. 1143, 1149.
q Strab. Geogr. lib. xv. p. 1036. Q. Curtius, lib. xviii. c. 9.
r Strab. Geogr. lib. xvi. p. 1075.
s See Note IV.

bounds of the Mediterranean, where the ebb and flow of the sea are hardly perceptible, when they first observed this phenomenon at the mouth of the Indus, it appeared to them a prodigy, by which the gods testified the displeasure of heaven against their enterprise.[t] During their whole course, they seem never to have lost sight of land, but followed the bearings of the coast so servilely, that they could not much avail themselves of those periodical winds which facilitate navigation in the Indian ocean. Accordingly, they spent no less than ten months in performing this voyage,[u] which, from the mouth of the Indus to that of the Persian gulf, does not exceed twenty degrees. It is probable, that, amidst the violent convulsions and frequent revolutions in the East, occasioned by the contests among the successors of Alexander, the navigation to India by the course which Nearchus had opened was discontinued. The Indian trade carried on at Alexandria, not only subsisted, but was so much extended under the Grecian monarchs of Egypt, that it proved a great source of the wealth which distinguished their kingdom.

of the Romans.

The progress which the Romans made in navigation and discovery, was still more inconsiderable than that of the Greeks. The genius of the Roman people, their military education, and the spirit of their laws, concurred in estranging them from commerce and naval affairs. It was the necessity of opposing a formidable rival, not the desire of extending trade, which first prompted them to aim at maritime power. Though they soon perceived that in order to acquire the universal dominion after which they aspired, it was necessary to render themselves masters of the sea, they still considered the naval service as a subordinate station, and reserved for it such citizens as were not of a rank to be admitted into the legions.[x] In the history of the Roman republic, hardly one event occurs that marks attention to navigation any further than as it was instrumental towards conquest. When the Roman valour and discipline had subdued all the maritime states known in the ancient world; when Carthage, Greece, and Egypt, had submitted to their power, the Romans did not imbibe the commercial spirit of the conquered nations. Among that people of soldiers, to have applied to trade would have been deemed a degradation of a Roman citizen. They abandoned the mechanical arts, commerce, and navigation, to slaves, to freed-men, to provincials, and to citizens of the lowest class. Even after the subversion of liberty, when the severity and haughtiness of ancient manners began to abate, commerce did not rise into high estimation among the Romans. The trade of Greece, Egypt, and the other conquered countries, continued to be carried on in its usual channels, after they were reduced into the form of Roman provinces. As Rome was the capital of the world, and the seat of government, all the wealth and valuable productions of the provinces flowed naturally thither. The Romans, satisfied with this, seem to have suffered commerce to remain almost entirely in the hands of the natives of the respective countries. The extent, however, of the Roman power, which reached over the greatest part of the known world, the vigilant inspection of the Roman magistrates, and the spirit of the Roman government, no less intelligent than active, gave such additional security to commerce, as animated it with new vigour. The union among nations was never so entire, nor the intercourse so perfect, as within the bounds of this vast empire. Commerce, under the Roman dominion, was not obstructed by the jealousy of rival states, interrupted by frequent hostilities, or limited by partial restrictions. One superintending power moved and regulated the industry of mankind, and enjoyed the fruits of their joint efforts.

Navigation felt this influence, and improved under it. As soon as the Romans acquired a taste for the luxuries of the East, the trade with India through Egypt was pushed with new vigour, and carried on to greater extent. By frequenting the Indian continent, navigators became acquainted with the periodical course of the winds, which, in the ocean that separates Africa from India, blow with little variation during one half of the year from the east and during the other half blow with equal steadiness from the west. Encouraged by observing this, the pilots who sailed from Egypt to India abandoned their ancient slow and dangerous course along the coast, and as soon as the western monsoon set in, took their departure from Ocelis, at the mouth of the Arabian gulf, and stretched boldly across the ocean.[y] The uniform direction of the wind, supplying the place of the compass, and rendering the guidance of the stars less necessary, conducted them to the port of Musiris, on the western shore of the Indian continent. There they took on board their cargo, and returning with the eastern monsoon, finished their voyage to the Arabian gulf within the year. This part of India, now known by the name of the Malabar coast, seems to have been the utmost limit of ancient navigation in that quarter of the globe. What imperfect knowledge the ancients had of the immense countries which stretch beyond this towards the east, they received from a few adventurers, who had visited them by land. Such excursions were neither frequent nor extensive, and it is probable, that while the Roman intercourse with India subsisted, no traveller ever penetrated further than to the banks of the Ganges.[z] The fleets from Egypt which traded at Musiris were loaded, it is true, with the spices and other rich commodities of the continent and islands of the further India; but these were brought to that port, which became the staple of the commerce between the East and West, by the Indians themselves, in canoes hollowed out

t See Note V.
x Polyb. lib. v.
u Plin. Hist. Nat. lib. vi. c. 23.
y Plin. Nat. Hist. lib. vi. c. 23.
z Strab. Geogr. lib. xv. p. 1006, 1010. See Note VI.

of one tree.[a] The Egyptian and Roman merchants, satisfied with acquiring those commodities in this manner, did not think it necessary to explore unknown seas, and venture upon a dangerous navigation, in quest of the countries which produced them. But though the discoveries of the Romans in India were so limited, their commerce there was such as will appear considerable, even to the present age, in which the Indian trade has been extended far beyond the practice or conception of any preceding period. We are informed by one author of credit,[b] that the commerce with India drained the Roman empire every year of more than four hundred thousand pounds; and by another, that one hundred and twenty ships sailed annually from the Arabian gulf to that country.[c]

Discoveries of the ancients by land.

The discovery of this new method of sailing to India, is the most considerable improvement in navigation made during the continuance of the Roman power. But in ancient times, the knowledge of remote countries was acquired more frequently by land than by sea;[d] and the Romans, from their peculiar disinclination to naval affairs, may be said to have neglected totally the latter, though a more easy and expeditious method of discovery. The progress, however, of their victorious armies through a considerable portion of Europe, Asia, and Africa, contributed greatly to extend discovery by land, and gradually opened the navigation of new and unknown seas. Previous to the Roman conquests, the civilized nations of antiquity had little communication with those countries in Europe, which now form its most opulent and powerful kingdoms. The interior parts of Spain and Gaul were imperfectly known. Britain, separated from the rest of the world, had never been visited, except by its neighbours the Gauls, and by a few Carthaginian merchants. The name of Germany had scarcely been heard of. Into all these countries the arms of the Romans penetrated. They entirely subdued Spain and Gaul; they conquered the greatest and most fertile part of Britain; they advanced into Germany, as far as the banks of the river Elbe. In Africa, they acquired a considerable knowledge of the provinces, which stretch along the Mediterranean sea, from Egypt westward to the Straits of Gades. In Asia, they not only subjected to their power most of the provinces which composed the Persian and the Macedonian empires, but, after their victories over Mithridates and Tygranes, they seem to have made a more accurate survey of the countries contiguous to the Euxine and Caspian seas, and to have carried on a more extensive trade than that of the Greeks with the opulent and commercial nations then seated round the Euxine sea.

Imperfection of geographical knowledge among the ancients.

From this succinct survey of discovery and navigation, which I have traced from the earliest dawn of historical knowledge to the full establishment of the Roman dominion, the progress of both appears to have been wonderfully slow. It seems neither adequate to what we might have expected from the activity and enterprise of the human mind, nor to what might have been performed by the power of the great empires which successively governed the world. If we reject accounts that are fabulous and obscure; if we adhere steadily to the light and information of authentic history, without substituting in its place the conjectures of fancy, or the dreams of etymologists, we must conclude, that the knowledge which the ancients had acquired of the habitable globe was extremely confined. In Europe, the extensive provinces in the eastern part of Germany were little known to them. They were almost totally unacquainted with the vast countries which are now subject to the kings of Denmark, Sweden, Prussia, Poland, and the Russian empire. The more barren regions, that stretch within the arctic circle, were quite unexplored. In Africa, their researches did not extend far beyond the provinces which border on the Mediterranean, and those situated on the western shore of the Arabian gulf. In Asia, they were unacquainted, as I formerly observed, with all the fertile and opulent countries beyond the Ganges, which furnish the most valuable commodities that, in modern times, have been the great object of the European commerce with India; nor do they seem to have ever penetrated into those immense regions occupied by the wandering tribes, which they called by the general name of Sarmatians or Scythians, and which are now possessed by Tartars of various denominations, and by the Asiatic subjects of Russia.

A remarkable proof of this.

But there is one opinion that universally prevailed among the ancients, which conveys a more striking idea of the small progress they had made in the knowledge of the habitable globe, than can be derived from any detail of their discoveries. They supposed the earth to be divided into five regions, which they distinguished by the name of Zones. Two of these, which were nearest the poles, they termed Frigid Zones, and believed that the extreme cold which reigned perpetually there, rendered them uninhabitable. Another, seated under the line, and extending on either side towards the tropics, they called the Torrid Zone, and imagined it to be so burnt up with unremitting heat, as to be equally destitute of inhabitants. On the two other zones, which occupied the remainder of the earth, they bestowed the appellation of Temperate, and taught that these, being the only regions in which life could subsist, were allotted to man for his habitation. This wild opinion was not a conceit of the uninformed vulgar, or a fanciful fiction of the poets, but a system adopted by the most enlightened philosophers, the most accurate historians and geographers, in Greece and Rome. According to this theory, a vast portion of the habitable earth was pronounced to be unfit for sustaining the human species. Those

a Plin. Nat. Hist. lib. vi. c. 26. b Plin. Nat. Hist. lib. vi. c. 26. c Strab. Geogr. lib. ii. p. 179. d See Note VII.

fertile and populous regions within the torrid zone, which are now known not only to yield their own inhabitants the necessaries and comforts of life with most luxuriant profusion, but to communicate their superfluous stores to the rest of the world, were supposed to be the mansion of perpetual sterility and desolation. As all the parts of the globe with which the ancients were acquainted, lay within the northern temperate zone, their opinion that the other temperate zone was filled with inhabitants, was founded on reasoning and conjecture, not on discovery. They even believed, that by the intolerable heat of the torrid zone, such an insuperable barrier was placed between the two temperate regions of the earth, as would prevent for ever any intercourse between their respective inhabitants. Thus this extravagant theory not only proves that the ancients were unacquainted with the true state of the globe, but it tended to render their ignorance perpetual, by representing all attempts towards opening a communication with the remote regions of the earth as utterly impracticable.[e]

But, however imperfect or inaccurate the geographical knowledge which the Greeks and Romans had acquired may appear, in respect of the present improved state of that science, their progress in discovery will seem considerable, and the extent to which they carried navigation and commerce must be reckoned great, when compared with the ignorance of early times. As long as the Roman empire retained such vigour as to preserve its authority over the conquered nations, and to keep them united, it was an object of public policy, as well as of private curiosity, to examine and describe the countries which composed this great body. Even when the other sciences began to decline, geography, enriched with new observations, and receiving some accession from the experience of every age, and the reports of every traveller, continued to improve. It attained to the highest point of perfection and accuracy to which it ever arrived in the ancient world, by the industry and genius of Ptolemy the philosopher. He flourished in the second century of the christian era, and published a description of the terrestrial globe, more ample and exact than that of any of his predecessors.

Improvements in geography by Ptolemy.

But, soon after, violent convulsions began to shake the Roman state; the fatal ambition or caprice of Constantine, by changing the seat of government, divided and weakened its force; the barbarous nations, which Providence prepared as instruments to overturn the mighty fabric of the Roman power, began to assemble and to muster their armies on its frontier: the empire tottered to its fall. During this decline and old age of the Roman state, it was impossible that the sciences should go on improving. The efforts of genius were, at that period, as languid and feeble as those of government. From the time of Ptolemy, no considerable addition seems to have been made to geographical knowledge, nor did any important revolution happen in trade, excepting that Constantinople, by its advantageous situation, and the encouragement of the eastern emperors, became a commercial city of the first note.

The invasion of the Roman empire by barbarous nations.

At length, the clouds which had been so long gathering round the Roman empire, burst into a storm. Barbarous nations rushed in from several quarters with irresistible impetuosity, and, in the general wreck, occasioned by the inundation which overwhelmed Europe, the arts, sciences, inventions, and discoveries of the Romans, perished in a great measure, and disappeared.[f] All the various tribes, which settled in the different provinces of the Roman empire, were uncivilized, strangers to letters, destitute of arts, unacquainted with regular government, subordination, or laws. The manners and institutions of some of them were so rude, as to be hardly compatible with a state of social union. Europe, when occupied by such inhabitants, may be said to have returned to a second infancy, and had to begin anew its career in improvement, science, and civility. The first effect of the settlement of those barbarous invaders was to dissolve the union by which the Roman power had cemented mankind together. They parcelled out Europe into many small and independent states, differing from each other in language and customs. No intercourse subsisted between the members of those divided and hostile communities. Accustomed to a simple mode of life, and averse to industry, they had few wants to supply, and few superfluities to dispose of. The names of *stranger* and *enemy* became once more words of the same import. Customs every where prevailed, and even laws were established, which rendered it disagreeable and dangerous to visit any foreign country.[g] Cities, in which alone an extensive commerce can be carried on, were few, inconsiderable, and destitute of those immunities which produce security or excite enterprise. The sciences, on which geography and navigation are founded, were little cultivated. The accounts of ancient improvements and discoveries, contained in the Greek and Roman authors, were neglected or misunderstood. The knowledge of remote regions was lost; their situation, their commodities, and almost their names, were unknown.

Effects of their conquests on commercial intercourse.

One circumstance prevented commercial intercourse with distant nations from ceasing altogether. Constantinople, though often threatened by the fierce invaders who spread desolation over the rest of Europe, was so fortunate as to escape their destructive rage. In that city, the knowledge of ancient arts and discoveries was preserved; a taste for splendour and elegance subsisted; the productions and luxuries of foreign countries were in request;

Commerce still preserved in the eastern empire,

e See Note VIII.

f View of the State of Europe, sect. I.

g View of the State of Europe, sect. I

and commerce continued to flourish there when it was almost extinct in every other part of Europe. The citizens of Constantinople did not confine their trade to the islands of the Archipelago, or to the adjacent coasts of Asia; they took a wider range, and following the course which the ancients had marked out, imported the commodities of the East Indies from Alexandria. When Egypt was torn from the Roman empire by the Arabians, the industry of the Greeks discovered a new channel, by which the productions of India might be conveyed to Constantinople. They were carried up the Indus, as far as that great river is navigable; thence they were transported by land to the banks of the river Oxus, and proceeded down its stream to the Caspian sea. There they entered the Volga, and sailing up it, were carried by land to the Tanais, which conducted them into the Euxine sea, where vessels from Constantinople waited their arrival.[h] This extraordinary and tedious mode of conveyance merits attention, not only as a proof of the violent passion which the inhabitants of Constantinople had conceived for the luxuries of the East, and as a specimen of the ardour and ingenuity with which they carried on commerce; but because it demonstrates, that during the ignorance which reigned in the rest of Europe, an extensive knowledge of remote countries was still preserved in the capital of the Greek empire.

and among the Arabians.

At the same time, a gleam of light and knowledge broke in upon the East. The Arabians, having contracted some relish for the sciences of the people whose empire they had contributed to overturn, translated the books of several of the Greek philosophers into their own language. One of the first was that valuable work of Ptolemy, which I have already mentioned. The study of geography became, of consequence, an early object of attention to the Arabians. But that acute and ingenious people cultivated chiefly the speculative and scientific parts of geography. In order to ascertain the figure and dimensions of the terrestrial globe, they applied the principles of geometry, they had recourse to astronomical observations, they employed experiments and operations, which Europe, in more enlightened times, has been proud to adopt and to imitate. At that period, however, the fame of the improvements made by the Arabians did not reach Europe. The knowledge of their discoveries was reserved for ages capable of comprehending and of perfecting them.

Revival of commerce and navigation in Europe.

By degrees, the calamities and desolation brought upon the western provinces of the Roman empire by its barbarous conquerors, were forgotten, and in some measure repaired. The rude tribes which settled there acquiring insensibly some idea of regular government, and some relish for the functions and comforts of civil life, Europe began to awake from its torpid and inactive state. The first symptoms of revival were discerned in Italy. The northern tribes which took possession of this country, made progress in improvement with greater rapidity than the people settled in other parts of Europe. Various causes, which it is not the object of this work to enumerate or explain, concurred in restoring liberty and independence to the cities of Italy.[i] The acquisition of these roused industry, and gave motion and vigour to all the active powers of the human mind. Foreign commerce revived, navigation was attended to and improved. Constantinople became the chief mart to which the Italians resorted. There they not only met with a favourable reception, but obtained such mercantile privileges as enabled them to carry on trade with great advantage. They were supplied both with the precious commodities of the East, and with many curious manufactures, the product of ancient arts and ingenuity which still subsisted among the Greeks. As the labour and expense of conveying the productions of India to Constantinople by that long and indirect course which I have described, rendered them extremely rare, and of an exorbitant price, the industry of the Italians discovered other methods of procuring them in greater abundance, and at an easier rate. They sometimes purchased them in Aleppo, Tripoli, and other ports on the coast of Syria, to which they were brought by a route not unknown to the ancients. They were conveyed from India by sea, up the Persian gulf, and ascending the Euphrates and Tigris, as far as Bagdat, were carried by land across the desert of Palmyra, and from thence to the towns on the Mediterranean. But, from the length of the journey, and the dangers to which the caravans were exposed, this proved always a tedious, and often a precarious, mode of conveyance. At length the soldans of Egypt, having revived the commerce with India in its ancient channel, by the Arabian gulf, the Italian merchants, notwithstanding the violent antipathy to each other with which christians and the followers of Mahomet were then possessed, repaired to Alexandria, and enduring, from the love of gain, the insolence and exactions of the Mahometans, established a lucrative trade in that port. From that period, the commercial spirit of Italy became active and enterprising. Venice, Genoa, Pisa rose, from inconsiderable towns, to be populous and wealthy cities. Their naval power increased; their vessels frequented not only all the ports in the Mediterranean, but, venturing sometimes beyond the Straits, visited the maritime towns of Spain, France, the Low Countries, and England; and, by distributing their commodities over Europe, began to communicate to its various nations some taste for the valuable productions of the East, as well as some ideas of manufactures and arts, which were then unknown beyond the precincts of Italy.

Their progress favoured by the Crusades;

While the cities of Italy were thus advancing in their career of improvement, an event happened, the most ex-

h Ramusio, vol. i. p. 372. F.

i View of the State of Europe, sect. I.

traordinary, perhaps, in the history of mankind, which, instead of retarding the commercial progress of the Italians, rendered it more rapid. The martial spirit of the Europeans, heightened and inflamed by religious zeal, prompted them to attempt the deliverance of the Holy Land from the dominion of infidels. Vast armies, composed of all the nations in Europe, marched towards Asia, upon this wild enterprise. The Genoese, the Pisans, and Venetians, furnished the transports which carried them thither. They supplied them with provisions and military stores. Besides the immense sums which they received on this account, they obtained commercial privileges and establishments, of great consequence in the settlements which the crusaders made in Palestine, and in other provinces of Asia. From those sources, prodigious wealth flowed into the cities which I have mentioned. This was accompanied with a proportional increase of power; and, by the end of the Holy War, Venice, in particular, became a great maritime state, possessing an extensive commerce, and ample territories.[k] Italy was not the only country in which the Crusades contributed to revive and diffuse such a spirit as prepared Europe for future discoveries. By their expeditions into Asia, the other European nations became well acquainted with remote regions, which formerly they knew only by name, or by the reports of ignorant and credulous pilgrims. They had an opportunity of observing the manners, the arts, and the accommodations of people more polished than themselves. This intercourse between the East and West subsisted almost two centuries. The adventurers who returned from Asia communicated to their countrymen the ideas which they had acquired, and the habits of life they had contracted by visiting more refined nations. The Europeans began to be sensible of wants, with which they were formerly unacquainted: new desires were excited; and such a taste for the commodities and arts of other countries gradually spread among them, that they not only encouraged the resort of foreigners to their harbours, but began to perceive the advantage and necessity of applying to commerce themselves.[l]

by the discoveries of travellers by land.

This communication, which was opened between Europe and the western provinces of Asia, encouraged several persons to advance far beyond the countries in which the crusaders carried on their operations, and to travel by land into the more remote and opulent regions of the East. The wild fanaticism which seems, at that period, to have mingled in all the schemes of individuals, no less than in all the counsels of nations, first incited men to enter upon those long and dangerous peregrinations. They were afterwards undertaken from prospects of commercial advantage, or from motives of mere curiosity. Benjamin, a Jew of Tudela, in the kingdom of Navarre, possessed with a superstitious veneration for the law of Moses, and solicitous to visit his countrymen in the East, whom he hoped to find in such a state of power and opulence as might redound to the honour of his sect, set out from Spain in the year 1160, and travelling by land to Constantinople, proceeded through the countries to the north of the Euxine and Caspian seas, as far as Chinese Tartary. From thence he took his route towards the south, and after traversing various provinces of the further India, he embarked on the Indian ocean, visited several of its islands, and returned at the end of thirteen years by the way of Egypt, to Europe, with much information concerning a large district of the globe, altogether unknown at that time to the western world.[m] The zeal of the head of the christian church co-operated with the superstition of Benjamin the Jew, in discovering the interior and remote provinces of Asia.

1246. All Christendom having been alarmed with accounts of the rapid progress of the Tartar arms under Zengis Khan, Innocent IV. who entertained most exalted ideas concerning the plenitude of his own power, and the submission due to his injunctions, sent father John de Plano Carpini, at the head of a mission of Franciscan monks, and father Ascolino, at the head of another of Dominicans, to enjoin Kayuk Khan, the grandson of Zengis, who was then at the head of the Tartar empire, to embrace the christian faith, and to desist from desolating the earth by his arms. The haughty descendant of the greatest conqueror Asia had ever beheld, astonished at this strange mandate from an Italian priest, whose name and jurisdiction were alike unknown to him, received it with the contempt which it merited, though he dismissed the mendicants who delivered it with impunity. But, as they had penetrated into the country by different routes, and followed for some time the Tartar camps, which were always in motion, they had opportunity of visiting a great part of Asia. Carpini, who proceeded by the way of Poland and Russia, travelled through its northern provinces as far as the extremities of Thibet. Ascolino, who seems to have landed somewhere in Syria, advanced through its southern provinces, into the interior parts of Persia.[n]

1253. Not long after St. Louis of France contributed further towards extending the knowledge which the Europeans had begun to acquire of those distant regions. Some designing impostor, who took advantage of the slender acquaintance of Christendom with the state and character of the Asiatic nations, having informed him that a powerful khan of the Tartars had embraced the christian faith, the monarch listened to the tale with pious credulity, and instantly resolved to send ambassadors to this illustrious convert, with a view of enticing him to attack their common enemy the Saracens in one quarter, while he fell upon them in another. As monks were the only persons in

k Essai de l'Histoire du Commerce de Venise, p. 52, &c.
l View of the State of Europe, sect. i.

m Bergeron, Recueil des Voyages, &c. tom. i. p. 1.
n Hakluyt, i. 21. Bergeron, tom. i.

that age who possessed such a degree of knowledge as qualified them for a service of this kind, he employed in it father Andrew, a Jacobine, who was followed by father William de Rubruquis, a Franciscan. With respect to the progress of the former, there is no memorial extant. The journal of the latter has been published. He was admitted into the presence of Mangu, the third khan in succession from Zengis, and made a circuit through the interior parts of Asia, more extensive than that of any European who had hitherto explored them.[o]

To those travellers, whom religious zeal sent forth to visit Asia, succeeded others who ventured into remote countries, from the prospect of commercial advantage, or from motives of mere curiosity, The first and most eminent of these was Marco Polo, a Venetian of a noble family. Having engaged early in trade, according to the custom of his country, his aspiring mind wished for a sphere of activity more extensive than was afforded to it by the established traffic carried on in those ports of Europe and Asia, which the Venetians frequented. This prompted him to travel into unknown countries, in expectation of opening a commercial intercourse with them, more suited to the sanguine ideas and hopes of a young adventurer. 1265.

As his father had already carried some European commodities to the court of the Great Khan of the Tartars, and had disposed of them to advantage, he resorted thither. Under the protection of Kublay Khan, the most powerful of all the successors of Zengis, he continued his mercantile peregrinations in Asia upwards of twenty-six years; and, during that time, advanced towards the east, far beyond the utmost boundaries to which any European traveller had ever proceeded. Instead of following the course of Carpini and Rubruquis, along the vast unpeopled plains of Tartary, he passed through the chief trading cities in the more cultivated parts of Asia, and penetrated to Cambalu, or Peking, the capital of the great kingdom of Cathay, or China, subject at that time to the successors of Zengis. He made more than one voyage on the Indian ocean; he traded in many of the islands, from which Europe had long received spiceries and other commodities, which it held in high estimation, though unacquainted with the particular countries to which it was indebted for those precious productions; and he obtained information concerning several countries which he did not visit in person, particularly the island Zipangri, probably the same now known by the name of Japan.[p] On his return, he astonished his contemporaries with his descriptions of vast regions, whose names had never been heard of in Europe, and with such pompous accounts of their fertility, their populousness, their opulence, the variety of their manufactures, and the extent of their trade, as rose far above the conception of an uninformed age.

About half a century after Marco Polo, sir John Mandeville, an Englishman, encouraged by his example, visited most of the countries in the East which he had described, and like him, published an account of them.[q] The narrations of those early travellers abound with many wild incoherent tales, concerning giants, enchanters, and monsters. But they were not, from that circumstance, less acceptable to an ignorant age, which delighted in what was marvellous. The wonders which they told, mostly on hearsay, filled the multitude with admiration. The facts which they related from their own observation attracted the attention of the more discerning. The former, which may be considered as the popular traditions and fables of the countries through which they had passed, were gradually disregarded as Europe advanced in knowledge. The latter, however incredible some of them may have appeared in their own time, have been confirmed by the observations of modern travellers. By means of both, however, the curiosity of mankind was excited with respect to the remote parts of the earth; their ideas were enlarged, and they were not only insensibly disposed to attempt new discoveries, but received such information as directed to that particular course in which these were afterwards carried on. 1322.

While this spirit was gradually forming in Europe, a fortunate discovery was made, which contributed more than all the efforts and ingenuity of preceding ages, to improve and to extend navigation. That wonderful property of the magnet, by which it communicates such virtue to a needle or slender rod of iron, as to point towards the poles of the earth, was observed. The use which might be made of this in directing navigation was immediately perceived. That valuable but now familiar instrument, the *mariner's compass*, was constructed. When, by means of it, navigators found that, at all seasons, and in every place, they could discover the north and south with so much ease and accuracy, it became no longer necessary to depend merely on the light of the stars and the observation of the sea coast. They gradually abandoned their ancient timid and lingering course along the shore, ventured boldly into the ocean, and, relying on this new guide, could steer in the darkest night, and under the most cloudy sky, with a security and precision hitherto unknown. The compass may be said to have opened to man the dominion of the sea, and to have put him in full possession of the earth, by enabling him to visit every part of it. Flavio Gioia, a citizen of Amalfi, a town of considerable trade in the kingdom of Naples, was the author of this great discovery, about the year one thousand three hundred and two. It hath been often the fate of those illustrious benefactors of mankind, who have enriched science and improved the arts by their inven- and by the invention of the mariner's compass.

o Hakl. i. 71. Recueil des Voyages par Bergeron, tom. i.
p Viaggi di Marco Polo. Ramus. ii. 2. Bergeron, tom. ii.
q Voyages and Travels, by Sir John Mandeville.

tions, to derive more reputation than benefit from the happy efforts of their genius. But the lot of Gioia has been still more cruel; through the inattention or ignorance of contemporary historians, he has been defrauded even of the fame to which he had such a just title. We receive from them no information with respect to his profession, his character, the precise time when he made this important discovery, or the accidents and inquiries which led to it. The knowledge of this event, though productive of greater effects than any recorded in the annals of the human race, is transmitted to us without any of those circumstances which can gratify the curiosity that it naturally awakens.[r] But though the use of the compass might enable the Italians to perform the short voyages to which they were accustomed, with greater security and expedition, its influence was not so sudden or extensive, as immediately to render navigation adventurous, and to excite a spirit of discovery. Many causes combined in preventing this beneficial invention from producing its full effect instantaneously. Men relinquish ancient habits slowly, and with reluctance. They are averse to new experiments, and venture upon them with timidity. The commercial jealousy of the Italians, it is probable, laboured to conceal the happy discovery of their countryman from other nations. The art of steering by the compass with such skill and accuracy as to inspire a full confidence in its direction, was acquired gradually. Sailors, unaccustomed to quit sight of land, durst not launch out at once and commit themselves to unknown seas. Accordingly, near half a century elapsed from the time of Gioia's discovery, before navigators ventured into any seas which they had not been accustomed to frequent.

Some appearance of a bolder spirit in navigation.

The first appearance of a bolder spirit may be dated from the voyages of the Spaniards to the Canary or Fortunate Islands. By what accident they were led to the discovery of those small isles, which lie near five hundred miles from the Spanish coast, and above a hundred and fifty miles from the coast of Africa, contemporary writers have not explained. But, about the middle of the fourteenth century, the people of all the different kingdoms into which Spain was then divided, were accustomed to make piratical excursions thither, in order to plunder the inhabitants, or to carry them off as slaves. Clement VI. in virtue of the right claimed by the holy see, to dispose of all countries possessed by infidels, erected those isles into a kingdom, in the year one thousand three hundred and forty-four, and conferred it on Lewis de la Cerda, descended from the royal family of Castile. But that unfortunate prince, destitute of power to assert his nominal title, having never visited the Canaries, John de Bethencourt, a Norman baron, obtained a grant of them from Henry III. of Castile.[s] Bethencourt, with the valour and good fortune which distinguished the adventurers of his country, attempted and effected the conquest; and the possession of the Canaries remained for some time in his family, as a fief held of the crown of Castile. Previous to this expedition of Bethencourt, his countrymen settled in Normandy are said to have visited the coast of Africa, and to have proceeded far to the south of the Canary Islands. 1365. But their voyages thither seem not to have been undertaken in consequence of any public or regular plan for extending navigation and attempting new discoveries. They were either excursions suggested by that roving piratical spirit, which descended to the Normans from their ancestors, or the commercial enterprises of private merchants, which attracted so little notice, that hardly any memorial of them is to be found in contemporary authors. In a general survey of the progress of discovery, it is sufficient to have mentioned this event; and leaving it among those of dubious existence, or of small importance, we may conclude, that though much additional information concerning the remote regions of the East had been received by travellers who visited them by land, navigation, at the beginning of the fifteenth century, had not advanced beyond the state to which it had attained before the downfall of the Roman empire.

First regular plan of discovery, formed by the Portuguese.

At length the period arrived, when Providence decreed that men were to pass the limits within which they had been so long confined, and open to themselves a more ample field wherein to display their talents, their enterprise, and courage. The first considerable efforts towards this were not made by any of the more powerful states of Europe, or by those who had applied to navigation with the greatest assiduity and success. The glory of leading the way in this new career, was reserved for Portugal, one of the smallest and least powerful of the European kingdoms. As the attempts of the Portuguese to acquire the knowledge of those parts of the globe with which mankind were then unacquainted, not only improved and extended the art of navigation, but roused such a spirit of curiosity and enterprise, as led to the discovery of the New World, of which I propose to write the history, it is necessary to take a full view of the rise, the progress, and success of their various naval operations. It was in this school that the discoverer of America was trained; and unless we trace the steps by which his instructors and guides advanced, it will be impossible to comprehend the circumstances which suggested the idea or facilitated the execution of his great design.

Circumstances which led to this.

Various circumstances prompted the Portuguese to exert their activity in this new direction, and enabled them to accomplish undertakings apparently superior to the natural

r Collinas et Trombellus de Actis Nauticæ Inventore. Instit. Acad. Bonon. tom. ii. part iii. p. 372.

s Viera y Clavijo Notic. de la Histor. de Canaria, i. 268, &c. Glas. Hist. c. 1.

force of their monarchy. The kings of Portugal, having driven the Moors out of their dominions, had acquired power, as well as glory, by the success of their arms against the infidels. By their victories over them, they had extended the royal authority beyond the narrow limits within which it was originally circumscribed in Portugal, as well as in other feudal kingdoms. They had the command of the national force, could rouse it to act with united vigour, and, after the expulsion of the Moors, could employ it without dread of interruption from any domestic enemy. By the perpetual hostilities carried on for several centuries against the Mahometans, the martial and adventurous spirit which distinguished all the European nations during the middle ages, was improved and heightened among the Portuguese. A fierce civil war towards the close of the fourteenth century, occasioned by a disputed succession, augmented the military ardour of the nation, and formed or called forth men of such active and daring genius, as are fit for bold undertakings. The situation of the kingdom, bounded on every side by the dominions of a more powerful neighbour, did not afford free scope to the activity of the Portuguese by land, as the strength of their monarchy was no match for that of Castile. But Portugal was a maritime state, in which there were many commodious harbours; the people had begun to make some progress in the knowledge and practice of navigation; and the sea was open to them, presenting the only field of enterprise in which they could distinguish themselves.

First attempt.

Such was the state of Portugal, and such the disposition of the people, when John I., surnamed the Bastard, obtained secure possession of the crown by the peace concluded with Castile, in the year one thousand four hundred and eleven. He was a prince of great merit, who, by superior courage and abilities, had opened his way to a throne, which of right did not belong to him. He instantly perceived that it would be impossible to preserve public order, or domestic tranquillity, without finding some employment for the restless spirit of his subjects. With this view he assembled a numerous fleet at Lisbon, composed of all the ships which he could fit out in his own kingdom, and of many hired from foreigners. This great armament was destined to attack the Moors settled on the coast of Barbary. While it was equipping, a few vessels were appointed to sail along the western shore of Africa bounded by the Atlantic ocean, and to discover the unknown countries situated there. From this inconsiderable attempt, we may date the commencement of that spirit of discovery, which opened the barriers that had so long shut out mankind from the knowledge of one half of the terrestrial globe.

1412.

At the time when John sent forth these ships on this new voyage, the art of navigation was still very imperfect. Though Africa lay so near to Portugal, and the fertility of the countries already known on that continent invited men to explore it more fully, the Portuguese had never ventured to sail beyond Cape *Non*. That promontory, as its name imports, was hitherto considered as a boundary which could not be passed. But the nations of Europe had now acquired as much knowledge as imboldened them to disregard the prejudices and to correct the errors of their ancestors. The long reign of ignorance, the constant enemy of every curious inquiry, and of every new undertaking, was approaching to its period. The light of science began to dawn. The works of the ancient Greeks and Romans began to be read with admiration and profit. The sciences cultivated by the Arabians were introduced into Europe by the Moors settled in Spain and Portugal, and by the Jews, who were very numerous in both these kingdoms. Geometry, astronomy, and geography, the sciences on which the art of navigation is founded, became objects of studious attention. The memory of the discoveries made by the ancients was revived, and the progress of their navigation and commerce began to be traced. Some of the causes which have obstructed the cultivation of science in Portugal, during this century and the last, did not exist, or did not operate in the same manner, in the fifteenth century;[t] and the Portuguese, at that period, seem to have kept pace with other nations on this side of the Alps in literary pursuits.

Its success.

As the genius of the age favoured the execution of that new undertaking, to which the peculiar state of the country invited the Portuguese, it proved successful. The vessels sent on the discovery doubled that formidable Cape, which had terminated the progress of former navigators, and proceeded a hundred and sixty miles beyond it, to Cape Bojador. As its rocky cliffs, which stretched a considerable way into the Atlantic, appeared more dreadful than the promontory which they had passed, the Portuguese commanders durst not attempt to sail round it, but returned to Lisbon, more satisfied with having advanced so far, than ashamed of having ventured no further.

Prince Henry the director of the Portuguese discoveries. 1417.

Inconsiderable as this voyage was, it increased the passion for discovery, which began to arise in Portugal. The fortunate issue of the king's expedition against the Moors of Barbary, added strength to that spirit in the nation, and pushed it on to new undertakings. In order to render these successful, it was necessary that they should be conducted by a person who possessed abilities capable of discerning what was attainable, who enjoyed leisure to form a regular system for prosecuting discovery, and who was animated with ardour that would persevere in spite of obstacles and repulses. Happily for Portugal, she found all those qualities in Henry duke of Viseo, the fourth son of king John by Philippa of Lancaster, sister of Henry IV. king

t See Note IX.

of England. That prince, in his early youth, having accompanied his father in his expedition to Barbary, distinguished himself by many deeds of valour. To the martial spirit, which was the characteristic of every man of noble birth at that time, he added all the accomplishments of a more enlightened and polished age. He cultivated the arts and sciences, which were then unknown and despised by persons of his rank. He applied with peculiar fondness to the study of geography; and by the instruction of able masters, as well as by the accounts of travellers, he early acquired such knowledge of the habitable globe, as discovered the great probability of finding new and opulent countries, by sailing along the coast of Africa. Such an object was formed to awaken the enthusiasm and ardour of a youthful mind, and he espoused with the utmost zeal the patronage of a design which might prove as beneficial, as it appeared to be splendid and honourable. In order that he might pursue this great scheme without interruption, he retired from court immediately after his return from Africa, and fixed his residence at Sagres, near Cape St. Vincent, where the prospect of the Atlantic ocean invited his thoughts continually towards his favourite project, and encouraged him to execute it. In this retreat he was attended by some of the most learned men in his country, who aided him in his researches. He applied for information to the Moors of Barbary, who were accustomed to travel by land into the interior provinces of Africa, in quest of ivory, gold-dust, and other rich commodities. He consulted the Jews settled in Portugal. By promises, rewards, and marks of respect, he allured into his service several persons, foreigners as well as Portuguese, who were eminent for their skill in navigation. In taking those preparatory steps, the great abilities of the prince were seconded by his private virtues. His integrity, his affability, his respect for religion, his zeal for the honour of his country, engaged persons of all ranks to applaud his design, and to favour the execution of it. His schemes were allowed, by the greater part of his countrymen, to proceed neither from ambition nor the desire of wealth, but to flow from the warm benevolence of a heart eager to promote the happiness of mankind, and which justly entitled him to assume a motto for his device, that described the quality by which he wished to be distinguished, *the talent of doing good.*

Discovery of Porto Santo. 1418.

His first effort, as is usual at the commencement of any new undertaking, was extremely inconsiderable. He fitted out a single ship, and giving the command of it to John Gonzalez Zarco and Tristan Vaz, two gentlemen of his household, who voluntarily offered to conduct the enterprise, he instructed them to use their utmost efforts to double Cape Bojador, and thence to steer towards the south. They, according to the mode of navigation which still prevailed, held their course along the shore; and by following that direction, they must have encountered almost insuperable difficulties in attempting to pass Cape Bojador. But fortune came in aid to their want of skill, and prevented the voyage from being altogether fruitless. A sudden squall of wind arose, drove them out to sea, and when they expected every moment to perish, landed them on an unknown island, which from their happy escape they named *Porto Santo.* In the infancy of navigation, the discovery of this small island appeared a matter of such moment, that they instantly returned to Portugal with the good tidings, and were received by Henry with the applause and honour due to fortunate adventurers. This faint dawn of success filled a mind ardent in the pursuit of a favourite object with such sanguine hopes as were sufficient incitements to proceed. Next year Henry 1419.
sent out three ships under the same commanders, to whom he joined Bartholomew Perestrello, in order to take possession of the island which they had discovered. When they began to settle in Porto Santo, they observed towards the south a fixed spot in the horizon like a small black cloud. By degrees they were led to of Madeira:
conjecture that it might be land, and steering towards it, they arrived at a considerable island, uninhabited and covered with wood, which on that account they called *Madeira.*[u] As it was Henry's chief object to render his discoveries useful to his country, he immediately equipped a fleet to carry a colony of Portuguese to these 1420.
islands. By his provident care, they were furnished not only with the seeds, plants, and domestic animals common in Europe; but as he foresaw that the warmth of the climate and fertility of the soil would prove favourable to the rearing of other productions, he procured slips of the vine from the island of Cyprus, the rich wines of which were then in great request, and plants of the sugar-cane from Sicily, into which it had been lately introduced. These throve so prosperously in this new country, that the benefit of cultivating them was immediately perceived, and the sugar and wine of Madeira quickly became articles of some consequence in the commerce of Portugal.[x]

As soon as the advantages derived from this first settlement to the west of the European continent began to be felt, the spirit of discovery appeared less chimerical, and became more adventurous. By their voyages to Madeira, the Portuguese were gradually accustomed to a bolder navigation, and, instead of creeping servilely along the coast, ventured into the open sea. In consequence of taking this course, Gilianez, who commanded one of Prince Henry's ships, doubled Cape Bojador, Double Cape Bojador. 1423.
the boundary of the Portuguese navigation upwards of twenty years, and which had hitherto been deemed impassable. This

u Historical Relation of the first Discovery of Madeira, translated from the Portuguese of Fran. Alcafarana, p. 15, &c.

x Lud. Guicciardini Descritt. de Paesi Bassi, p. 180, 181.

successful voyage, which the ignorance of the age placed on a level with the most famous exploits recorded in history, opened a new sphere to navigation, as it discovered the vast continent of Africa, still washed by the Atlantic ocean, and stretching towards the south. Part of this was soon explored; the Portuguese advanced within the tropics, and in the space of a few years they discovered the river Senegal, and all the coast extending from Cape Blanco to Cape de Verd.

Advance within the tropics.

Hitherto the Portuguese had been guided in their discoveries, or encouraged to attempt them, by the light and information which they received from the works of the ancient mathematicians and geographers. But when they began to enter the torrid zone, the notion which prevailed among the ancients, that the heat, which reigned perpetually there, was so excessive as to render it uninhabitable, deterred them, for some time, from proceeding. Their own observations, when they first ventured into this unknown and formidable region, tended to confirm the opinion of antiquity concerning the violent operation of the direct rays of the sun. As far as the river Senegal, the Portuguese had found the coast of Africa inhabited by people nearly resembling the Moors of Barbary. When they advanced to the south of that river, the human form seemed to put on a new appearance. They beheld men with skins black as ebony, with short curled hair, flat noses, thick lips, and all the peculiar features which are now known to distinguish the race of negroes. This surprising alteration they naturally attributed to the influence of heat, and if they should advance nearer to the line, they began to dread that its effects would be still more violent. Those dangers were exaggerated; and many other objections against attempting further discoveries were proposed by some of the grandees, who, from ignorance, from envy, or from that cold timid prudence which rejects whatever has the air of novelty or enterprise, had hitherto condemned all prince Henry's schemes. They represented, that it was altogether chimerical to expect any advantage from countries situated in that region which the wisdom and experience of antiquity had pronounced to be unfit for the habitation of men; that their forefathers, satisfied with cultivating the territory which Providence had allotted them, did not waste the strength of the kingdom by fruitless projects, in quest of new settlements; that Portugal was already exhausted by the expense of attempts to discover lands, which either did not exist, or which nature destined to remain unknown; and was drained of men, who might have been employed in undertakings attended with more certain success, and productive of greater benefit. But neither their appeal to the authority of the ancients, nor their reasonings concerning the interests of Portugal, made any impression upon the determined philosophic mind of prince Henry. The discoveries which he had already made convinced him that the ancients had little more than a conjectural knowledge of the torrid zone. He was no less satisfied that the political arguments of his opponents, with respect to the interest of Portugal, were malevolent and ill founded. In those sentiments he was strenuously supported by his brother Pedro, who governed the kingdom as guardian of their nephew Alphonso V., who had succeeded to the throne during his minority; and, instead of slackening his efforts, Henry continued to pursue his discoveries with fresh ardour.

Astonished at what they discovered there.

1438.

But, in order to silence all the murmurs of opposition, he endeavoured to obtain the sanction of the highest authority in favour of his operations. With this view he applied to the pope, and represented, in pompous terms, the pious and unwearied zeal with which he had exerted himself during twenty years, in discovering unknown countries, the wretched inhabitants of which were utter strangers to true religion, wandering in heathen darkness, or led astray by the delusions of Mahomet. He besought the holy father, to whom, as the vicar of Christ, all the kingdoms of the earth were subject, to confer on the crown of Portugal a right to all the countries possessed by infidels, which should be discovered by the industry of its subjects, and subdued by the force of its arms. He entreated him to enjoin all christian powers, under the highest penalties, not to molest Portugal while engaged in this laudable enterprise, and to prohibit them from settling in any of the countries which the Portuguese should discover. He promised that, in all their expeditions, it should be the chief object of his countrymen to spread the knowledge of the christian religion, to establish the authority of the holy see, and to increase the flock of the universal pastor. As it was by improving with dexterity every favourable conjuncture for acquiring new powers, that the court of Rome had gradually extended its usurpations, Eugene IV. the pontiff to whom this application was made, eagerly seized the opportunity which now presented itself. He instantly perceived, that, by complying with prince Henry's request, he might exercise a prerogative no less flattering in its own nature, than likely to prove beneficial in its consequences. A bull was accordingly issued, in which, after applauding in the strongest terms the past efforts of the Portuguese, and exhorting them to proceed in that laudable career on which they had entered, he granted them an exclusive right to all the countries which they should discover, from Cape Non to the continent of India.

Papal grant to Portugal of what countries it should discover.

Extravagant as this donation, comprehending such a large portion of the habitable globe, would now appear, even in catholic countries, no person in the fifteenth century doubted that the pope, in the plenitude of his apostolic power, had a right to confer it. Prince Henry was soon sensible of the advantages which he derived from this transaction. His schemes were authorized and sanctified by the

bull approving of them. The spirit of discovery was connected with zeal for religion, which, in that age, was a principle of such activity and vigour, as to influence the conduct of nations. All christian princes were deterred from intruding into those countries which the Portuguese had discovered, or from interrupting the progress of their navigation and conquests.[y]

Fame and progress of the Portuguese discoveries.

The fame of the Portuguese voyages soon spread over Europe. Men long accustomed to circumscribe the activity and knowledge of the human mind within the limits to which they had been hitherto confined, were astonished to behold the sphere of navigation so suddenly enlarged, and a prospect opened of visiting regions of the globe, the existence of which was unknown in former times. The learned and speculative reasoned and formed theories concerning those unexpected discoveries. The vulgar inquired and wondered; while enterprising adventurers crowded from every part of Europe, soliciting prince Henry to employ them in this honourable service. Many Venetians and Genoese, in particular, who were, at that time, superior to all other nations in the science of naval affairs, entered aboard the Portuguese ships, and acquired a more perfect and extensive knowledge of their profession in that new school of navigation. In emulation of these foreigners, the Portuguese exerted their own talents. The nation seconded the designs of the prince. Private merchants formed companies, with a view to search for unknown countries. The Cape de Verd islands, which lie off the promontory of that name, were discovered, and soon after the isles called Azores. As the former of these are above three hundred miles from the African coast, and the latter nine hundred miles from any continent, it is evident, by their venturing so boldly into the open seas, that the Portuguese had, by this time, improved greatly in the art of navigation.

1446.

1449.

Death of prince Henry. 1463.

While the passion for engaging in new undertakings was thus warm and active, it received an unfortunate check by the death of prince Henry, whose superior knowledge had hitherto directed all the operations of the discoverers, and whose patronage had encouraged and protected them. But notwithstanding all the advantages which they derived from these, the Portuguese, during his life, did not advance, in their utmost progress towards the south, within five degrees of the equinoctial line; and after their continued exertions for half a century, hardly fifteen hundred miles of the coast of Africa were discovered. To an age acquainted with the efforts of navigation in its state of maturity and improvement, those essays of its early years must necessarily appear feeble and unskilful. But inconsiderable as they may be deemed, they were sufficient to turn the curiosity of the European nations into a new channel, to excite an enterprising spirit, and to point the way to future discoveries.

From 1412 to 1463.

The passion for discovery languishes for some time.

Alphonso, who possessed the throne of Portugal at the time of prince Henry's death, was so much engaged in supporting his own pretensions to the crown of Castile, or in carrying on his expeditions against the Moors in Barbary, that the force of his kingdom being exerted in other operations, he could not prosecute the discoveries in Africa with ardour. He committed the conduct of them to Fernando Gomez, a merchant in Lisbon, to whom he granted an exclusive right of commerce with all the countries of which prince Henry had taken possession. Under the restraint and oppression of a monopoly, the spirit of discovery languished. It ceased to be a national object, and became the concern of a private man, more attentive to his own gain, than to the glory of his country. Some progress, however, was made. The Portuguese ventured at length to cross the line, and, to their astonishment, found that region of the torrid zone, which was supposed to be scorched with intolerable heat, to be not only habitable, but populous and fertile.

1471.

1481. Revives with additional ardour.

John II. who succeeded his father Alphonso, possessed talents capable both of forming and executing great designs. As part of his revenues, while prince, had arisen from duties on the trade with the newly-discovered countries, this naturally turned his attention towards them, and satisfied him with respect to their utility and importance. In proportion as his knowledge of these countries extended, the possession of them appeared to be of greater consequence. While the Portuguese proceeded along the coast of Africa, from Cape Non to the river of Senegal, they found all that extensive tract to be sandy, barren, and thinly inhabited by a wretched people, professing the Mahometan religion, and subject to the vast empire of Morocco. But to the south of that river, the power and religion of the Mahometans were unknown. The country was divided into small independent principalities, the population was considerable, the soil fertile,[z] and the Portuguese soon discovered that it produced ivory, rich gums, gold, and other valuable commodities. By the acquisition of these, commerce was enlarged, and became more adventurous. Men, animated and rendered active by the certain prospect of gain, pursued discovery with greater eagerness, than when they were excited only by curiosity and hope.

Its progress.

This spirit derived no small reinforcement of vigour from the countenance of such a monarch as John. Declaring him-

y See Note X.

z Navigatio Aloysii Cadamusti apud Novum Orbem Grynæi, p. 2, 18. Navigat. all Isola di San Tome per un Pilotto Portug. Ramusio, i. 115.

self the patron of every attempt towards discovery, he promoted it with all the ardour of his grand-uncle prince Henry, and with superior power. The effects of this were immediately felt. A powerful fleet was fitted out, which, after discovering the kingdoms of Benin and Congo, advanced above fifteen hundred miles beyond the line, and the Portuguese, for the first time, beheld a new heaven, and observed the stars of another hemisphere. John was not only solicitous to discover, but attentive to secure, the possession of those countries. He built forts on the coast of Guinea; he sent out colonies to settle there; he established a commercial intercourse with the more powerful kingdoms; he endeavoured to render such as were feeble or divided, tributary to the crown of Portugal. Some of the petty princes voluntarily acknowledged themselves his vassals. Others were compelled to do so by force of arms. A regular and well-digested system was formed with respect to this new object of policy, and by firmly adhering to it, the Portuguese power and commerce in Africa were established upon a solid foundation.

1484.

Hopes of discovering a new route to the East Indies.

By their constant intercourse with the people of Africa, the Portuguese gradually acquired some knowledge of those parts of that country which they had not visited. The information which they received from the natives, added to what they had observed in their own voyages, began to open prospects more extensive, and to suggest the idea of schemes more important, than those which had hitherto allured and occupied them. They had detected the error of the ancients concerning the nature of the torrid zone. They found as they proceeded southwards, that the continent of Africa, instead of extending in breadth, according to the doctrine of Ptolemy,[a] at that time the oracle and guide of the learned in the science of geography, appeared sensibly to contract itself, and to bend toward the east. This induced them to give credit to the accounts of the ancient Phenician voyages round Africa, which had long been deemed fabulous, and led them to conceive hopes, that, by following the same route, they might arrive at the East Indies, and engross that commerce which has been the source of wealth and power to every nation possessed of it. The comprehensive genius of prince Henry, as we may conjecture from the words of the pope's bull, had early formed some idea of this navigation. But though his countrymen, at that period, were incapable of conceiving the extent of his views and schemes, all the Portuguese mathematicians and pilots now concurred in representing them as well founded and practicable. The king entered with warmth into their sentiments, and began to concert measures for this arduous and important voyage.

Before his preparations for this expedition were finished, accounts were transmitted from Africa, that various nations along the coast had mentioned a mighty kingdom situated on their continent, at a great distance towards the East, the king of which, according to their description, professed the christian religion. The Portuguese monarch immediately concluded, that this must be the emperor of Abyssinia, to whom the Europeans, seduced by a mistake of Rubruquis, Marco Polo, and other travellers to the East, absurdly gave the name of Prester or Presbyter John; and, as he hoped to receive information and assistance from a christian prince, in prosecuting a scheme that tended to propagate their common faith, he resolved to open, if possible, some intercourse with his court. With this view, he made choice of Pedro de Covillam and Alphonso de Payva, who were perfect masters of the Arabic language, and sent them into the East to search for the residence of this unknown potentate, and to make him proffers of friendship. They had in charge likewise to procure whatever intelligence the nations which they visited could supply, with respect to the trade of India, and the course of navigation to that continent.[b]

Schemes for accomplishing this.

While John made this new attempt by land, to obtain some knowledge of the country which he wished so ardently to discover, he did not neglect the prosecution of this great design by sea. The conduct of a voyage for this purpose, the most arduous and important which the Portuguese had ever projected, was committed to Bartholomew Diaz, an officer whose sagacity, experience, and fortitude rendered him equal to the undertaking. He stretched boldly towards the south, and, proceeding beyond the utmost limits to which his countrymen had hitherto advanced, discovered near a thousand miles of new country. Neither the danger to which he was exposed, by a succession of violent tempests in unknown seas, and by the frequent mutinies of his crew, nor the calamities of famine which he suffered from losing his store-ship, could deter him from prosecuting his enterprise. In recompence of his labours and perseverance, he at last descried that lofty promontory which bounds Africa to the south. But to descry it was all that he had in his power to accomplish. The violence of the winds, the shattered condition of his ships and the turbulent spirit of the sailors, compelled him to return after a voyage of sixteen months, in which he discovered a far greater extent of country than any former navigator. Diaz had called the promontory which terminated his voyage, *Cabo Tormentoso*, or the Stormy Cape; but the king, his master, as he now entertained no doubt of having found the long-desired route to India, gave it a name more inviting, and of better omen, *The Cape of Good Hope*.[c]

Voyage of Bartholomew Diaz.

1486.

Those sanguine expectations of success were con-

a Vide Nov. Orbis Tabul. Geograph. secund. Ptolemy, Amst. 1730.
b Faria y Sousa Port. Asia, vol. i. p. 26. Lafitau Decouv. de Port. i. 46.
c Faria y Sousa Port. Asia, vol. i. p. 26.

More certain prospects of success.

firmed by the intelligence which John received over land, in consequence of his embassy to Abyssinia. Covillam and Payva, in obedience to their master's instructions, had repaired to Grand Cairo. From that city they travelled along with a caravan of Egyptian merchants, and, embarking on the Red sea, arrived at Aden in Arabia. There they separated; Payva sailed directly towards Abyssinia; Covillam embarked for the East Indies, and, having visited Calecut, Goa, and other cities on the Malabar coast, returned to Sofala, on the east side of Africa, and thence to Grand Cairo, which Payva and he had fixed upon as their place of rendezvous. Unfortunately the former was cruelly murdered in Abyssynia, but Covillam found at Cairo two Portuguese Jews, whom John, whose provident sagacity attended to every circumstance that could facilitate the execution of his schemes, had despatched after them, in order to receive a detail of their proceedings, and to communicate to them new instructions. By one of these Jews, Covillam transmitted to Portugal a journal of his travels by sea and land, his remarks upon the trade of India, together with exact maps of the coasts on which he had touched; and from what he himself had observed, as well as from the information of skilful seamen in different countries, he concluded, that, by sailing round Africa, a passage might be found to the East Indies.[d]

Preparations for another voyage.

The happy coincidence of Covillam's opinion and report, with the discoveries which Diaz had lately made, left hardly any shadow of doubt with respect to the possibility of sailing from Europe to India. But the vast length of the voyage, and the furious storms which Diaz had encountered near the Cape of Good Hope, alarmed and intimidated the Portuguese to such a degree, although by long experience they were now become adventurous and skilful mariners, that some time was requisite to prepare their minds for this dangerous and extraordinary voyage. The courage however and authority of the monarch gradually dispelled the vain fears of his subjects, or made it necessary to conceal them. As John thought himself now upon the eve of accomplishing that great design, which had been the principal object of his reign, his earnestness in prosecuting it became so vehement, that it occupied his thoughts by day, and bereaved him of sleep through the night. While he was taking every precaution that his wisdom and experience could suggest, in order to insure the success of the expedition, which was to decide concerning the fate of his favourite project, the fame of the vast discoveries which the Portuguese had already made, the reports concerning the extraordinary intelligence which they had received from the East, and the prospect of the voyage which they now meditated, drew the attention of all the European nations,

The attention of mankind fixed upon it;

and held them in suspense and expectation. By some, the maritime skill and navigations of the Portuguese were compared with those of the Phenicians and Carthaginians, and exalted above them. Others formed conjectures concerning the revolutions which the success of the Portuguese schemes might occasion in the course of trade, and the political state of Europe. The Venetians began to be disquieted with the apprehension of losing their Indian commerce, the monopoly of which was the chief source of their power as well as opulence, and the Portuguese already enjoyed in fancy the wealth of the East. But, during this interval, which gave such scope to the various workings of curiosity, of hope, and of fear, an account was brought to Europe of an event no less extraordinary than unexpected, the discovery of a New World situated in the west; and the eyes and admiration of mankind turned immediately towards that great object.

suddenly turned to a new object.

BOOK II.

Birth and education of Columbus.

Among the foreigners whom the fame of the discoveries made by the Portuguese had allured into their service, was Christopher Colon, or Columbus, a subject of the republic of Genoa. Neither the time nor place of his birth are known with certainty;[a] but he was descended of an honourable family, though reduced to indigence by various misfortunes. His ancestors having betaken themselves for subsistence to a seafaring life, Columbus discovered in his early youth the peculiar character and talents which mark out a man for that profession. His parents, instead of thwarting this original propensity of his mind, seem to have encouraged and confirmed it, by the education which they gave him. After acquiring some knowledge of the Latin tongue, the only language in which science was taught at that time, he was instructed in geometry, cosmography, astronomy, and the art of drawing. To these he applied with such ardour and predilection, on account of their connexion with navigation, his favourite object, that he advanced with rapid proficiency in the study of them. Thus qualified, he went to sea at the age of fourteen, and began his career on that element which conducted him to so much glory. His early voyages were to those ports in the Mediterranean which his countrymen the Genoese frequented. This being a sphere too narrow for his active mind, he made an excursion to the northern seas, and visited the coasts of Iceland, to which the English and other nations had begun to resort on account of its fishery. As navigation, in every direction, was now become enterprising, he proceeded beyond that

1461.

1467.

[d] Faria y Sousa Port. Asia, vol. i. p. 27. Lafitau Decouv. i. 48.

[a] See Note XI.

island, the Thule of the ancients, and advanced several degrees within the polar circle. Having satisfied his curiosity, by a voyage which tended more to enlarge his knowledge of naval affairs than to improve his fortune, he entered into the service of a famous sea-captain, of his own name and family. This man commanded a small squadron fitted out at his own expense, and by cruising sometimes against the Mahometans, sometimes against the Venetians, the rivals of his country in trade, had acquired both wealth and reputation. With him Columbus continued for several years, no less distinguished for his courage, than for his experience as a sailor. At length, in an obstinate engagement off the coast of Portugal, with some Venetian caravals, returning richly laden from the Low Countries, the vessel on board which he served took fire, together with one of the enemy's ships, to which it was fast grappled. In this dreadful extremity his intrepidity and presence of mind did not forsake him. He threw himself into the sea, laid hold of a floating oar, and by the support of it, and his dexterity in swimming, he reached the shore, though above two leagues distant, and saved a life reserved for great undertakings.[b]

He enters into the Portuguese service.

As soon as he recovered strength for the journey, he repaired to Lisbon, where many of his countrymen were settled. They soon conceived such a favourable opinion of his merit, as well as talents, that they warmly solicited him to remain in that kingdom, where his naval skill and experience could not fail of rendering him conspicuous. To every adventurer, animated either with curiosity to visit new countries, or with ambition to distinguish himself, the Portuguese service was at that time extremely inviting. Columbus listened with a favourable ear to the advice of his friends, and having gained the esteem of a Portuguese lady, whom he married, fixed his residence in Lisbon. This alliance, instead of detaching him from a sea-faring life, contributed to enlarge the sphere of his naval knowledge, and to excite a desire of extending it still further. His wife was a daughter of Bartholomew Perestrello, one of the captains employed by prince Henry in his early navigations, and who, under his protection, had discovered and planted the islands of Porto Santo and Madeira. Columbus got possession of the journals and charts of this experienced navigator, and from them he learned the course which the Portuguese had held in making their discoveries, as well as the various circumstances which guided or encouraged them in their attempts. The study of these soothed and inflamed his favourite passion; and while he contemplated the maps, and read the descriptions of the new countries which Perestrello had seen, his impatience to visit them became irresistible. In order to indulge it, he made a voyage to Madeira, and continued during several years to trade with that island, with the Canaries, the Azores, the settlements in Guinea, and all the other places which the Portuguese had discovered on the continent of Africa.[c]

The effects of their discoveries upon him.

By the experience which Columbus acquired during such a variety of voyages, to almost every part of the globe with which, at that time, any intercourse was carried on by sea, he was now become one of the most skilful navigators in Europe. But, not satisfied with that praise, his ambition aimed at something more. The successful progress of the Portuguese navigators had awakened a spirit of curiosity and emulation, which set every man of science upon examining all the circumstances that led to the discoveries which they had made, or that afforded a prospect of succeeding in any new and bolder undertaking. The mind of Columbus, naturally inquisitive, capable of deep reflection, and turned to speculations of this kind, was so often employed in revolving the principles upon which the Portuguese had founded their schemes of discovery, and the mode in which they had carried them on, that he gradually began to form an idea of improving upon their plan, and of accomplishing discoveries which hitherto they had attempted in vain.

He forms the idea of a new course to India.

To find out a passage by sea to the East-Indies, was the great object in view at that period. From the time that the Portuguese doubled Cape de Verd, this was the point at which they aimed in all their navigations, and, in comparison with it, all their discoveries in Africa appeared inconsiderable. The fertility and riches of India had been known for many ages; its spices and other valuable commodities were in high request throughout Europe, and the vast wealth of the Venetians arising from their having engrossed this trade, had raised the envy of all nations. But how intent soever the Portuguese were upon discovering a new route to those desirable regions, they searched for it only by steering towards the south, in hopes of arriving at India, by turning to the east, after they had sailed round the further extremity of Africa. This course was still unknown, and, even if discovered, was of such immense length, that a voyage from Europe to India must have appeared, at that period, an undertaking extremely arduous, and of very uncertain issue More than half a century had been employed in advancing from Cape Non to the equator; a much longer space of time might elapse before the more extensive navigation from that to India could be accomplished. These reflections upon the uncertainty, the danger, and tediousness of the course which the Portuguese were pursuing, naturally led Columbus to consider whether a shorter and more direct passage to the East Indies might not be found out. After revolving long and seriously every circumstance suggested by his superior knowledge in the theory as well as practice of navigation; after comparing attentively the observations of modern

b Life of Columbus, c. v.

c Life of Columbus, c. iv. v.

pilots with the hints and conjectures of ancient authors, he at last concluded, that by sailing directly towards the west, across the Atlantic ocean, new countries, which probably formed a part of the great continent of India, must infallibly be discovered.

The principles on which his theory was founded.

Principles and arguments of various kinds, and derived from different sources, induced him to adopt this opinion, seemingly as chimerical as it was new and extraordinary. The spherical figure of the earth was known, and its magnitude ascertained with some degree of accuracy. From this it was evident, that the continents of Europe, Asia, and Africa, as far as they were known at that time, formed but a small portion of the terraqueous globe. It was suitable to our ideas concerning the wisdom and beneficence of the Author of Nature, to believe that the vast space still unexplored was not covered entirely by a waste unprofitable ocean, but occupied by countries fit for the habitation of man. It appeared likewise extremely probable, that the continent, on this side of the globe, was balanced by a proportional quantity of land in the other hemisphere. These conclusions concerning the existence of another continent, drawn from the figure and structure of the globe, were confirmed by the observations and conjectures of modern navigators. A Portuguese pilot, having stretched further to the west than was usual at that time, took up a piece of timber artificially carved, floating upon the sea; and as it was driven towards him by a westerly wind, he concluded that it came from some unknown land situated in that quarter. Columbus's brother-in-law had found, to the west of the Madeira Isles, a piece of timber fashioned in the same manner, and brought by the same wind; and had seen likewise canes of an enormous size floating upon the waves, which resembled those described by Ptolemy as productions peculiar to the East Indies.[d] After a course of westerly winds, trees, torn up by the roots, were often driven upon the coasts of the Azores; and at one time, the dead bodies of two men with singular features, resembling neither the inhabitants of Europe nor of Africa, were cast ashore there.

As the force of this united evidence, arising from theoretical principles and practical observations, led Columbus to expect the discovery of new countries in the western ocean, other reasons induced him to believe that these must be connected with the continent of India. Though the ancients had hardly ever penetrated into India further than the banks of the Ganges, yet some Greek authors had ventured to describe the provinces beyond that river. As men are prone, and at liberty, to magnify what is remote or unknown, they represented them as regions of an immense extent. Ctesias affirmed that India was as large as all the rest of Asia. Onesicratus, whom Pliny the naturalist follows,[e] contended that it was equal to a third part of the habitable earth. Nearchus asserted, that it would take four months to march in a straight line from one extremity of India to the other.[f] The journal of Marco Polo, who had proceeded towards the east far beyond the limits to which any European had ever advanced, seemed to confirm these exaggerated accounts of the ancients. By his magnificent descriptions of the kingdoms of *Cathay* and *Cipango*, and of many other countries, the names of which were unknown in Europe, India appeared to be a region of vast extent. From these accounts, which, however defective, were the most accurate that the people of Europe had received at that period, with respect to the remote parts of the east, Columbus drew a just conclusion. He contended, that in proportion as the continent of India stretched out towards the east, it must, in consequence of the spherical figure of the earth, approach nearer to the islands which had lately been discovered to the west of Africa; that the distance from the one to the other was probably not very considerable; and that the most direct as well as shortest course to the remote regions of the east, was to be found by sailing due west.[g] This notion concerning the vicinity of India to the western parts of our continent, was countenanced by some eminent writers among the ancients, the sanction of whose authority was necessary, in that age, to procure a favourable reception to any tenet. Aristotle thought it probable that the Columns of Hercules, or Straits of Gibraltar, were not far removed from the East Indies, and that there might be a communication by sea between them.[h] Seneca, in terms still more explicit, affirms, that, with a fair wind, one might sail from Spain to India in a few days.[i] The famous Atlantic island described by Plato, and supposed by many to be a real country, beyond which an unknown continent was situated, is represented by him as lying at no great distance from Spain. After weighing all these particulars, Columbus, in whose character the modesty and diffidence of true genius were united with the ardent enthusiasm of a projector, did not rest with such absolute assurance either upon his own arguments, or upon the authority of the ancients, as not to consult such of his contemporaries as were capable of comprehending the nature of the evidence which he produced in support of his opinion. As early as the year one thousand four hundred and seventy-four, he communicated his ideas concerning the probability of discovering new countries, by sailing westwards, to Paul, a physician of Florence, eminent for his knowledge of cosmography, and who, from the learning as well as candour which he discovers in his reply, appears to have been well entitled to the confidence which Columbus placed in him. He warmly approved of the plan, suggested several facts in confirmation of it, and encouraged Columbus to persevere in an undertaking so laud-

d Lib. i. c. 17. e Nat. Hist. lib. vi. c. 17.
f Strab. Geogr. lib. xv. p. 1011. g See Note XII.
h Aristot. de Cœlo, lib. ii. c. 14. edit. Du Val. Par. 1629. vol. i. p. 472.
i Senec. Quest. Natur. lib. i. in proem.

able, and which must redound so much to the honour of his country, and the benefit of Europe.[k]

His schemes for carrying it into execution.

To a mind less capable of forming and of executing great designs than that of Columbus, all those reasonings, and observations, and authorities, would have served only as the foundation of some plausible and fruitless theory, which might have furnished matter for ingenious discourse or fanciful conjecture. But with his sanguine and enterprising temper, speculation led directly to action. Fully satisfied himself with respect to the truth of his system, he was impatient to bring it to the test of experiment, and to set out upon a voyage of discovery. The first step towards this was to secure the patronage of some of the considerable powers in Europe, capable of undertaking such an enterprise. As long absence had not extinguished the affection which he bore to his native country, he wished that it should reap the fruits of his labours and invention. With this view,

He applies to the Genoese;

he laid his scheme before the senate of Genoa, and making his country the first tender of his service, offered to sail under the banners of the republic, in quest of the new regions which he expected to discover. But Columbus had resided for so many years in foreign parts, that his countrymen were unacquainted with his abilities and character; and though a maritime people, were so little accustomed to distant voyages, that they could form no just idea of the principles on which he founded his hopes of success. They inconsiderately rejected his proposal, as the dream of a chimerical projector, and lost for ever the opportunity of restoring their commonwealth to its ancient splendour.[l]

to the king of Portugal.

Having performed what was due to his country, Columbus was so little discouraged by the repulse which he had received, that, instead of relinquishing his undertaking, he pursued it with fresh ardour. He made his next overture to John II. king of Portugal, in whose dominions he had been long established, and whom he considered, on that account, as having the second claim to his service. Here every circumstance seemed to promise him a more favourable reception: he applied to a monarch of an enterprising genius, no incompetent judge in naval affairs, and proud of patronizing every attempt to discover new countries. His subjects were the most experienced navigators in Europe, and the least apt to be intimidated either by the novelty or boldness of any maritime expedition. In Portugal, the professional skill of Columbus, as well as his personal good qualities, were thoroughly known: and as the former rendered it probable that his scheme was not altogether visionary, the latter exempted him from the suspicion of any sinister intention in proposing it. Accordingly, the king listened to him in the most gracious manner, and referred the consideration of his plan to Diego Ortiz, bishop of Ceuta, and two Jewish physicians, eminent cosmographers, whom he was accustomed to consult in matters of this kind. As in Genoa, ignorance had opposed and disappointed Columbus; in Lisbon, he had to combat with prejudice, an enemy no less formidable. The persons, according to whose decision his scheme was to be adopted or rejected, had been the chief directors of the Portuguese navigations, and had advised to search for a passage to India, by steering a course directly opposite to that which Columbus recommended as shorter and more certain. They could not, therefore, approve of his proposal, without submitting to the double mortification of condemning their own theory, and acknowledging his superior sagacity. After teasing him with captious questions, and starting innumerable objections, with a view of betraying him into such a particular explanation of his system, as might draw from him a full discovery of its nature, they deferred passing a final judgment with respect to it. In the mean time, they conspired to rob him of the honour and advantages which he expected from the success of his scheme, advising the king to despatch a vessel secretly, in order to attempt the proposed discovery, by following exactly the course which Columbus seemed to point out. John, forgetting on this occasion the sentiments becoming a monarch, meanly adopted this perfidious counsel. But the pilot chosen to execute Columbus's plan had neither the genius nor the fortitude of its author. Contrary winds arose, no sight of approaching land appeared, his courage failed, and he returned to Lisbon, execrating the project as equally extravagant and dangerous.[m]

by whom he is deceived.

He leaves Portugal and repairs to the court of Spain.

Upon discovering this dishonourable transaction, Columbus felt the indignation natural to an ingenuous mind, and in the warmth of his resentment determined to break off all intercourse with a nation capable of such flagrant treachery. He instantly quitted the kingdom, and landed in Spain towards the close of the year one thousand four hundred and eighty-four. As he was now at liberty to court the protection of any patron, whom he could engage to approve of his plan, and to carry it into execution, he resolved to propose it in person to Ferdinand and Isabella, who at that time governed the united kingdoms of Castile and Arragon. But as he had already experienced the uncertain issue of application to kings and ministers, he took the precaution of sending into England his brother Bartholomew, to whom he had fully communicated his ideas, in order that he might negociate, at the same time, with Henry VII. who was reputed one of the most sagacious as well as opulent princes in Europe.

Sends his brother into England.

Obstacles to his success in Spain

It was not without reason that Columbus entertained doubts and fears

k Life of Columbus, c. viii.
l Herrera Hist. de las Indias Occid. dec. 1. lib. i. c. vii.

m Life of Columbus, c. xi. Herrera, dec. 1. lib. i. c. 7.

with respect to the reception of his proposals in the Spanish court. Spain was, at that juncture, engaged in a dangerous war with Granada, the last of the Moorish kingdoms in that country. The wary and suspicious temper of Ferdinand was not formed to relish bold or uncommon designs. Isabella, though more generous and enterprising, was under the influence of her husband in all her actions. The Spaniards had hitherto made no efforts to extend navigation beyond its ancient limits, and had beheld the amazing progress of discovery among their neighbours the Portuguese, without one attempt to imitate or to rival them. The war with the infidels afforded an ample field to the national activity and love of glory. Under circumstances so unfavourable, it was impossible for Columbus to make rapid progress with a nation, naturally slow and dilatory in forming all its resolutions. His character, however, was admirably adapted to that of the people whose confidence and protection he solicited. He was grave, though courteous in his deportment; circumspect in his words and actions; irreproachable in his morals; and exemplary in his attention to all the duties and functions of religion. By qualities so respectable, he not only gained many private friends, but acquired such general esteem, that, notwithstanding the plainness of his appearance, suitable to the mediocrity of his fortune, he was not considered as a mere adventurer, to whom indigence had suggested a visionary project, but was received as a person to whose propositions serious attention was due.

His scheme examined by unskilful judges;

Ferdinand and Isabella, though fully occupied by their operations against the Moors, paid so much regard to Columbus, as to remit the consideration of his plan to the queen's confessor, Ferdinand de Talavera. He consulted such of his countrymen as were supposed best qualified to decide with respect to a subject of this kind. But true science had hitherto made so little progress in Spain, that the pretended philosophers, selected to judge in a matter of such moment, did not comprehend the first principles upon which Columbus founded his conjectures and hopes. Some of them, from mistaken notions concerning the dimensions of the globe, contended that a voyage to those remote parts of the east which Columbus expected to discover, could not be performed in less than three years. Others concluded, that either he would find the ocean to be of infinite extent, according to the opinion of some ancient philosophers; or if he should persist in steering towards the west beyond a certain point, that the convex figure of the globe would prevent his return, and that he must inevitably perish, in the vain attempt to open a communication between the two opposite hemispheres, which nature had for ever disjoined. Even without deigning to enter into any particular discussion, many rejected the scheme in general, upon the credit of a maxim, under which the ignorant and unenterprising shelter themselves in every age, "That it is presumptuous in any person, to suppose that he alone possesses knowledge superior to all the rest of mankind united." They maintained, that if there were really any such countries as Columbus pretended, they could not have remained so long concealed, nor would the wisdom and sagacity of former ages have left the glory of this invention to an obscure Genoese pilot.

who made an unfavourable report concerning it.

It required all Columbus's patience and address to negociate with men capable of advancing such strange propositions. He had to contend not only with the obstinacy of ignorance, but with what is still more intractable, the pride of false knowledge. After innumerable conferences, and wasting five years in fruitless endeavours to inform and to satisfy judges so little capable of deciding with propriety, Talavera, at last, made such an unfavourable report to Ferdinand and Isabella, as induced them to acquaint Columbus, that until the war with the Moors should be brought to a period, it would be imprudent to engage in any new and extensive enterprise.

Whatever care was taken to soften the harshness of this declaration, Columbus considered it as a final rejection of his proposals. But, happily for mankind, that superiority of genius, which is capable of forming great and uncommon designs, is usually accompanied with an ardent enthusiasm, which can neither be cooled by delays, nor damped by disappointment. Columbus was of this sanguine temper. Though he felt deeply the cruel blow given to his hopes, and retired immediately from a court, where he had been amused so long with vain expectations, his confidence in the justness of his own system did not diminish, and his impatience to demonstrate the truth of it by an actual experiment, became greater than ever. Having courted the protection of sovereign states without success, he applied next to persons of inferior rank, and addressed successively the dukes of Medina Sidonia and Medina Celi, who, though subjects, were possessed of power and opulence more than equal to the enterprise which he projected. His negociations with them proved as fruitless as those in which he had been hitherto engaged; for these noblemen were either as little convinced by Columbus's arguments as their superiors, or they were afraid of alarming the jealousy and offending the pride of Ferdinand, by countenancing a scheme which he had rejected.[n]

Negociation of his brother in England.

Amid the painful sensations occasioned by such a succession of disappointments, Columbus had to sustain the additional distress of having received no accounts of his brother, whom he had sent to the court of England. In his voyage to that country, Bartholomew had been so unfortunate as to fall into the hands of pirates, who having stripped him of

n Life of Columb. c. 13. Herrera, dec. 1. lib. i. c. 7.

every thing, detained him a prisoner for several years. At length he made his escape, and arrived in London, but in such extreme indigence, that he was obliged to employ himself, during a considerable time, in drawing and selling maps, in order to pick up as much money as would purchase a decent dress, in which he might venture to appear at court. He then laid before the king the proposals with which he had been intrusted by his brother, and, notwithstanding Henry's excessive caution and parsimony, which rendered him averse to new or extensive undertakings, he received Columbus's overtures with more approbation than any monarch to whom they had hitherto been presented.

Columbus has some prospects of encouragement in Spain.

Meanwhile, Columbus being unacquainted with his brother's fate, and having now no prospect of encouragement in Spain, resolved to visit the court of England in person, in hopes of meeting with a more favourable reception there. He had already made preparations for this purpose, and taken measures for the disposal of his children during his absence, when Juan Perez, the guardian of the monastery of Rabida, near Palos, in which they had been educated, earnestly solicited him to defer his journey for a short time. Perez was a man of considerable learning, and of some credit with queen Isabella, to whom he was known personally. He was warmly attached to Columbus, with whose abilities as well as integrity he had many opportunities of being acquainted. Prompted by curiosity or by friendship, he entered upon an accurate examination of his system, in conjunction with a physician settled in the neighbourhood, who was a considerable proficient in mathematical knowledge. This investigation satisfied them so thoroughly, with respect to the solidity of the principles on which Columbus founded his opinion, and the probability of success in executing the plan which he proposed, that Perez, in order to prevent his country from being deprived of the glory and benefit which must accrue to the patrons of such a grand enterprise, ventured to write to Isabella, conjuring her to consider the matter anew with the attention which it merited.

Moved by the representations of a person whom she respected, Isabella desired Perez to repair immediately to the village of Santa Fe, in which, on account of the siege of Granada, the court resided at that time, that she might confer with him upon this important subject. The first effect of their interview was a gracious invitation of Columbus back to court, accompanied with the present of a small sum to equip him for the journey. As there was now a certain prospect that the war with the Moors would speedily be brought to a happy issue by the reduction of Granada, which would leave the nation at liberty to engage in new undertakings; this, as well as the mark of royal favour with which Columbus had been lately honoured, encouraged his friends to appear with greater confidence than formerly in support of his scheme. The chief of these, Alonso de Quintanilla, comptroller of the finances in Castile, and Luis de Santangel, receiver of the ecclesiastical revenues in Aragon, whose meritorious zeal in promoting this great design entitles their names to an honourable place in history, introduced Columbus to many persons of high rank, and interested them warmly in his behalf.

Is again disappointed.

But it was not an easy matter to inspire Ferdinand with favourable sentiments. He still regarded Columbus's project as extravagant and chimerical; and in order to render the efforts of his partisans ineffectual, he had the address to employ, in this new negociation with him, some of the persons who had formerly pronounced his scheme to be impracticable. To their astonishment, Columbus appeared before them with the same confident hopes of success as formerly, and insisted upon the same high recompence. He proposed that a small fleet should be fitted out, under his command, to attempt the discovery, and demanded to be appointed hereditary admiral and viceroy of all the seas and lands which he should discover, and to have the tenths of the profits arising from them settled irrevocably upon himself and his descendants. At the same time, he offered to advance the eighth part of the sum necessary for accomplishing his design, on condition that he should be entitled to a proportional share of benefit from the adventure. If the enterprise should totally miscarry, he made no stipulation for any reward or emolument whatever. Instead of viewing this conduct as the clearest evidence of his full persuasion with respect to the truth of his own system, or being struck with that magnanimity which, after so many delays and repulses, would stoop to nothing inferior to its original claims, the persons with whom Columbus treated began meanly to calculate the expense of the expedition, and the value of the reward which he demanded. The expense, moderate as it was, they represented to be too great for Spain in the present exhausted state of its finances. They contended that the honours and emoluments claimed by Columbus were exorbitant, even if he should perform the utmost of what he had promised; and if all his sanguine hopes should prove illusive, such vast concessions to an adventurer would be deemed not only inconsiderate, but ridiculous. In this imposing garb of caution and prudence, their opinion appeared so plausible, and was so warmly supported by Ferdinand, that Isabella declined giving any countenance to Columbus, and abruptly broke off the negociation with him which she had begun.

This was more mortifying to Columbus than all the disappointments which he had hitherto met with. The invitation to court from Isabella, like an unexpected ray of light, had opened such prospects of success as encouraged him to hope that his labours were at an end; but now darkness and uncertainty returned, and his mind, firm as it was, could hardly support the shock of such an unforeseen reverse. He withdrew in deep anguish from

court, with an intention of prosecuting his voyage to England as his last resource.

Proves at last successful. 1492. January 2.

About that time Granada surrendered, and Ferdinand and Isabella, in triumphal pomp, took possession of a city, the reduction of which extirpated a foreign power from the heart of their dominions, and rendered them masters of all the provinces, extending from the bottom of the Pyrenees to the frontiers of Portugal. As the flow of spirits which accompanies success elevates the mind, and renders it enterprising, Quintanilla and Santangel, the vigilant and discerning patrons of Columbus, took advantage of this favourable situation, in order to make one effort more in behalf of their friend. They addressed themselves to Isabella, and after expressing some surprise that she, who had always been the munificent patroness of generous undertakings, should hesitate so long to countenance the most splendid scheme that had ever been proposed to any monarch; they represented to her, that Columbus was a man of a sound understanding and virtuous character, well qualified, by his experience in navigation, as well as his knowledge of geometry, to form just ideas with respect to the structure of the globe and the situation of its various regions; that by offering to risk his own life and fortune in the execution of his scheme, he gave the most satisfying evidence both of his integrity and hope of success; that the sum requisite for equipping such an armament as he demanded was inconsiderable, and the advantages which might accrue from his undertaking were immense; that he demanded no recompence for his invention and labour, but what was to arise from the countries which he should discover; that, as it was worthy of her magnanimity to make this noble attempt to extend the sphere of human knowledge, and to open an intercourse with regions hitherto unknown, so it would afford the highest satisfaction to her piety and zeal, after re-establishing the christian faith in those provinces of Spain from which it had been long banished, to discover a new world, to which she might communicate the light and blessings of divine truth; that if now she did not decide instantly, the opportunity would be irretrievably lost; that Columbus was on his way to foreign countries, where some prince, more fortunate or adventurous, would close with his proposals, and Spain would for ever bewail that fatal timidity which had excluded her from the glory and advantages that she had once in her power to have enjoyed.

These forcible arguments, urged by persons of such authority, and at a juncture so well chosen, produced the desired effect. They dispelled all Isabella's doubts and fears; she ordered Columbus to be instantly recalled, declared her resolution of employing him on his own terms, and regretting the low estate of her finances, generously offered to pledge her own jewels, in order to raise as much money as might be needed in making preparations for the voyage. Santangel, in a transport of gratitude, kissed the queen's hand, and in order to save her from having recourse to such a mortifying expedient for procuring money, engaged to advance immediately the sum that was requisite.[o]

The conditions of his agreement with Spain.

Columbus had proceeded some leagues on his journey, when the messenger from Isabella overtook him. Upon receiving an account of the unexpected resolution in his favour, he returned directly to Santa Fe, though some remainder of diffidence still mingled itself with his joy. But the cordial reception which he met with from Isabella, together with the near prospect of setting out upon that voyage which had so long been the object of his thoughts and wishes, soon effaced the remembrance of all that he had suffered in Spain, during eight tedious years of solicitation and suspense. The negociation now went forward with facility and despatch, and a treaty or capitulation with Columbus was signed on the seventeenth of April, one thousand four hundred and ninety-two. The chief articles of it were:—1. Ferdinand and Isabella, as sovereigns of the ocean, constituted Columbus their high admiral in all the seas, islands, and continents, which should be discovered by his industry; and stipulated that he and his heirs for ever should enjoy this office, with the same powers and prerogatives which belonged to the high admiral of Castile, within the limits of his jurisdiction. 2. They appointed Columbus their viceroy in all the islands and continents which he should discover; but if, for the better administration of affairs, it should hereafter be necessary to establish a separate governor in any of those countries, they authorized Columbus to name three persons, of whom they would choose one for that office; and the dignity of viceroy, with all its immunities, was likewise to be hereditary in the family of Columbus. 3. They granted to Columbus and his heirs for ever, the tenth of the free profits accruing from the productions and commerce of the countries which he should discover. 4. They declared, that if any controversy or law-suit shall arise with respect to any mercantile transaction in the countries which should be discovered, it should be determined by the sole authority of Columbus, or of judges to be appointed by him. 5. They permitted Columbus to advance one-eighth part of what should be expended in preparing for the expedition, and in carrying on commerce with the countries which he should discover, and entitled him, in return, to an eighth part of the profit.[p]

Though the name of Ferdinand appears conjoined with that of Isabella in this transaction, his distrust of Columbus was still so violent that he refused to take any part in the enterprise as king of Aragon. As the whole expense of the expedition was to be defrayed by the crown of Castile, Isabella reserved for her subjects of that kingdom an exclusive right to all the benefits which might redound from its success.

o Herrera, dec. 1. lib. c. 8.

p Life of Columbus, c. 15. Herrera, dec. 1. lib. i. c. 9.

The preparations for his voyage.

As soon as the treaty was signed, Isabella, by her attention and activity in forwarding the preparations for the voyage, endeavoured to make some reparation to Columbus for the time which he had lost in fruitless solicitation. By the twelfth of May, all that depended upon her was adjusted; and Columbus waited on the king and queen, in order to receive their final instructions. Every thing respecting the destination and conduct of the voyage, they committed implicitly to the disposal of his prudence. But that they might avoid giving any just cause of offence to the king of Portugal, they strictly enjoined him not to approach near to the Portuguese settlements on the coast of Guinea, or in any of the other countries to which the Portuguese claimed right as the discoverers. Isabella had ordered the ships, of which Columbus was to take the command, to be fitted out in the port of Palos, a small maritime town in the province of Andalusia. As the guardian, Juan Perez, to whom Columbus had already been so much indebted, resided in the neighbourhood of this place, he, by the influence of that good ecclesiastic, as well as by his own connexion with the inhabitants, not only raised among them what he wanted of the sum that he was bound by treaty to advance, but engaged several of them to accompany him in the voyage. The chief of these associates were three brothers of the name of Pinzon, of considerable wealth, and of great experience in naval affairs, who were willing to hazard their lives and fortunes in the expedition.

But, after all the efforts of Isabella and Columbus, the armament was not suitable, either to the dignity of the nation by which it was equipped, or to the importance of the service for which it was destined. It consisted of three vessels. The largest, a ship of no considerable burthen, was commanded by Columbus, as admiral, who gave it the name of *Santa Maria*, out of respect for the blessed Virgin, whom he honoured with singular devotion. Of the second, called the *Pinta*, Martin Pinzon was captain, and his brother Francis pilot. The third, named the *Nigna*, was under the command of Vincent Yanez Pinzon. These two were light vessels, hardly superior in burthen or force to large boats. This squadron, if it merits that name, was victualled for twelve months, and had on board ninety men, mostly sailors, together with a few adventurers who followed the fortune of Columbus, and some gentlemen of Isabella's court, whom she appointed to accompany him. Though the expense of the undertaking was one of the circumstances which chiefly alarmed the court of Spain, and retarded so long the negociation with Columbus, the sum employed in fitting out this squadron did not exceed four thousand pounds.

As the art of ship-building in the fifteenth century was extremely rude, and the bulk of vessels was accommodated to the short and easy voyages along the coast which they were accustomed to perform, it is a proof of the courage as well as enterprising genius of Columbus, that he ventured, with a fleet so unfit for a distant navigation, to explore unknown seas, where he had no chart to guide him, no knowledge of the tides and currents, and no experience of the dangers to which he might be exposed. His eagerness to accomplish the great design which had so long engrossed his thoughts, made him overlook or disregard every circumstance that would have intimidated a mind less adventurous. He pushed forwards the preparations with such ardour, and was seconded so effectually by the persons to whom Isabella committed the superintendance of this business, that every thing was soon in readiness for the voyage. But as Columbus was deeply impressed with sentiments of religion, he would not set out upon an expedition so arduous, and of which one great object was to extend the knowledge of the christian faith, without imploring publicly the guidance and protection of Heaven. With this view, he, together with all the persons under his command, marched in solemn procession to the monastery of Rabida. After confessing their sins, and obtaining absolution, they received the holy sacrament from the hands of the guardian, who joined his prayers to theirs for the success of an enterprise which he had so zealously patronized.

His departure from Spain.

Next morning, being Friday the third day of August, in the year one thousand four hundred and ninety-two, Columbus set sail, a little before sun-rise, in presence of a vast crowd of spectators, who sent up their supplications to Heaven for the prosperous issue of the voyage, which they wished rather than expected. Columbus steered directly for the Canary Islands, and arrived there without any occurrence that would have deserved notice on any other occasion. But, in a voyage of such expectation and importance, every circumstance was the object of attention. The rudder of the Pinta broke loose the day after she left the harbour, and that accident alarmed the crew, no less superstitious than unskilful, as a certain omen of the unfortunate destiny of the expedition. Even in the short run to the Canaries, the ships were found to be so crazy and ill-appointed, as to be very improper for a navigation which was expected to be both long and dangerous. Columbus refitted them, however, to the best of his power, and having supplied himself with fresh provisions, he took his departure from Gomera, one of the most westerly of the Canary Islands, on the sixth day of September.

August 13.

The course which he held.

Here the voyage of discovery may properly be said to begin; for Columbus, holding his course due west, left immediately the usual track of navigation, and stretched into unfrequented and unknown seas. The first day, as it was very calm, he made but little way; but on the second, he lost sight of the Canaries; and many of the sailors, dejected already and dismayed, when they contemplated the boldness of the undertaking,

began to beat their breasts, and to shed tears, as if they were never more to behold land. Columbus comforted them with assurances of sueeess, and the prospeet of vast wealth, in those opulent regions whither he was conducting them. This early discovery of the spirit of his followers taught Columbus that he must prepare to struggle, not only with the unavoidable difficulties whieh might be expeeted from the nature of his undertaking, but with such as were likely to arise from the ignoranee and timidity of the people under his eommand; and he pereeived that the art of governing the minds of men would be no less requisite for aecomplishing the discoveries which he had in view, than naval skill and undaunted eourage. Happily for himself, and for the country by which he was employed, he joined to the ardent temper and inventive genius of a projector, virtues of another species, which are rarely united with them. He possessed a thorough knowledge of mankind, an insinuating address, a patient perseveranee in executing any plan, the perfect government of his own passions, and the talent of aequiring an ascendant over those of other men. All these qualities, which formed him for command, were aecompanied with that superior knowledge of his profession, which begets confidenee in times of diffieulty and danger. To unskilful Spanish sailors, aeeustomed only to coasting voyages in the Mediterranean, the maritime science of Columbus, the fruit of thirty years' experienee, improved by an acquaintance with all the inventions of the Portuguese, appeared immense. As soon as they put to sea, he regulated every thing by his sole authority; he superintended the execution of every order: and allowing himself only a few hours for sleep, he was at all other times upon deck. As his course lay through seas which had not formerly been visited, the sounding-line, or instruments for observation, were eontinually in his hands. After the example of the Portuguese discoverers, he attended to the motion of tides and currents, watehed the flight of birds, the appearance of fishes, of seaweeds, and of every thing that floated on the waves, and entered every oecurrence, with a minute exactness, in the journal which he kept. As the length of the voyage could not fail of alarming sailors habituated only to short exeursions, Columbus endeavoured to conceal from them the real progress which they made. With this view, though they run eighteen leagues on the seeond day after they left Gomera, he gave out that they had advanced only fifteen, and he uniformly employed the same artifice of reckoning short during the whole voyage. By the fourteenth of September, the fleet was above two hundred leagues to the west of the Canary Isles, at a greater distanee from land than any Spaniard had been before that time. There they were struck with an appearance no less astonishing than

Vigilance and attention of Columbus.

Apprehensions and alarms of the crew.

new. They observed that the magnetie needle, in their compasses, did not point exactly to the polar star, but varied towards the west; and as they proceeded, this variation inereased. This appearanee, whieh is now familiar, though it still remains one of the mysteries of nature, into the cause of whieh the sagacity of man hath not been able to penetrate, filled the companions of Columbus with terror. They were now in a boundless and unknown ocean, far from the usual course of navigation; nature itself seemed to be altered, and the only guide which they had left was about to fail them. Columbus, with no less quiekness than ingenuity, invented a reason for this appearance, whieh, though it did not satisfy himself, seemed so plausible to them, that it dispelled their fears, or silenced their murmurs.

He still continued to steer due west, nearly in the same latitude with the Canary Islands. In this course he came within the sphere of the trade wind, whieh blows invariably from east to west, between the tropies and a few degrees beyond them. He advaneed before this steady gale with such uniform rapidity, that it was seldom neeessary to shift a sail. When about four hundred leagues to the west of the Canaries, he found the sea so eovered with weeds, that it resembled a meadow of vast extent, and in some places they were so thick, as to retard the motion of the vessels. This strange appearance oecasioned new alarm and disquiet. The sailors imagined that they were now arrived at the utmost boundary of the navigable ocean; that these floating weeds would obstruct their further progress, and concealed dangerous rocks, or some large traet of land, whieh had sunk, they knew not how, in that place. Columbus endeavoured to persuade them, that what had alarmed, ought rather to have encouraged them, and was to be considered as a sign of approaching land. At the same time, a brisk gale arose, and carried them forward. Several birds were seen hovering about the ship,[q] and directed their flight towards the west. The desponding crew resumed some degree of spirit, and began to entertain fresh hopes.

Upon the first of October they were, according to the admiral's reckoning, seven hundred and seventy leagues to the west of the Canaries; but lest his men should be intimidated by the prodigious length of the navigation, he gave out that they had proceeded only five hundred and eighty-four leagues; and, fortunately for Columbus, neither his own pilot, nor those of the other ships, had skill sufficient to correct this error, and discover the deceit. They had now been above three weeks at sea; they had proceeded far beyond what former navigators had attempted or deemed possible; all their prognostics of discovery, drawn from the flight of birds and other cireumstances, had proved fallaeious; the appearanees of land, with which their own eredulity or the artifice of their eommander had from time to time flattered and amused them, had

These increase.

q See Note XIII.

been altogether illusive, and their prospect of success seemed now to be as distant as ever. These reflections occurred often to men, who had no other object or occupation than to reason and discourse concerning the intention and circumstances of their expedition. They made impression, at first, upon the ignorant and timid, and extending, by degrees, to such as were better informed or more resolute, the contagion spread at length from ship to ship. From secret whispers or murmurings, they proceeded to open cabals and public complaints. They taxed their sovereign with inconsiderate credulity, in paying such regard to the vain promises and rash conjectures of an indigent foreigner, as to hazard the lives of so many of her own subjects, in prosecuting a chimerical scheme. They affirmed that they had fully performed their duty, by venturing so far in an unknown and hopeless course, and could incur no blame for refusing to follow, any longer, a desperate adventurer to certain destruction. They contended, that it was necessary to think of returning to Spain, while their crazy vessels were still in a condition to keep the sea; but expressed their fear that the attempt would prove vain, as the wind, which had hitherto been so favourable to their course, must render it impossible to sail in the opposite direction. All agreed that Columbus should be compelled by force to adopt a measure on which their common safety depended. Some of the more audacious proposed, as the most expeditious and certain method for getting rid at once of his remonstrances, to throw him into the sea, being persuaded that, upon their return to Spain, the death of an unsuccessful projector would excite little concern, and be inquired into with no curiosity.

The address of Columbus in soothing them.

Columbus was fully sensible of his perilous situation. He had observed, with great uneasiness, the fatal operation of ignorance and of fear in producing disaffection among his crew, and saw that it was now ready to burst out into open mutiny. He retained, however, perfect presence of mind. He affected to seem ignorant of their machinations. Notwithstanding the agitation and solicitude of his own mind, he appeared with a cheerful countenance, like a man satisfied with the progress he had made, and confident of success. Sometimes he employed all the arts of insinuation, to soothe his men. Sometimes he endeavoured to work upon their ambition or avarice, by magnificent descriptions of the fame and wealth which they were about to acquire. On other occasions, he assumed a tone of authority, and threatened them with vengeance from their sovereign, if, by their dastardly behaviour, they should defeat this noble effort to promote the glory of God, and to exalt the Spanish name above that of every other nation. Even with seditious sailors, the words of a man whom they had been accustomed to reverence, were weighty and persuasive, and not only restrained them from those violent excesses which they meditated, but prevailed with them to accompany their admiral for some time longer.

As they proceeded, the indications of approaching land seemed to be more certain, and excited hope in proportion. The birds began to appear in flocks, making towards the south-west. Columbus, in imitation of the Portuguese navigators, who had been guided, in several of their discoveries, by the motion of birds, altered his course from due west towards that quarter whither they pointed their flight. But, after holding on for several days in this new direction, without any better success than formerly, having seen no object, during thirty days, but the sea and the sky, the hopes of his companions subsided faster than they had risen; their fears revived with additional force; impatience, rage, and despair, appeared in every countenance. All sense of subordination was lost: the officers, who had hitherto concurred with Columbus in opinion, and supported his authority, now took part with the private men: they assembled tumultuously on the deck, expostulated with their commander, mingled threats with their expostulations, and required him instantly to tack about and return to Europe. Columbus perceived that it would be of no avail to have recourse to any of his former arts, which having been tried so often had lost their effect; and that it was impossible to rekindle any zeal for the success of the expedition among men, in whose breasts fear had extinguished every generous sentiment. He saw that it was no less vain to think of employing either gentle or severe measures to quell a mutiny so general and so violent. It was necessary, on all these accounts, to soothe passions which he could no longer command, and to give way to a torrent too impetuous to be checked. He promised solemnly to his men that he would comply with their request, provided they would accompany him, and obey his command for three days longer, and if, during that time, land were not discovered, he would then abandon the enterprise, and direct his course towards Spain.[r]

Their fears return.

Danger of a mutiny.

Distress of Columbus.

Encouraging appearances of success.

Enraged as the sailors were, and impatient to turn their faces again towards their native country, this proposition did not appear to them unreasonable. Nor did Columbus hazard much in confining himself to a term so short. The presages of discovering land were now so numerous and promising, that he deemed them infallible. For some days the sounding-line reached the bottom, and the soil which it brought up indicated land to be at no great distance. The flocks of birds increased, and were composed not only of sea-fowl, but of such land birds as could not be supposed to fly far from the shore. The crew of the Pinta observed a cane floating, which seemed to have been newly cut, and likewise a piece of timber artificially carved. The sailors aboard the

r Oviedo, Hist. ap. Ramus. vol. iii. p. 81 E.

Nigna took up the branch of a tree with red berries, perfectly fresh. The clouds around the setting sun assumed a new appearance; the air was more mild and warm, and, during night, the wind became unequal and variable. From all these symptoms, Columbus was so confident of being near land, that on the evening of the eleventh of October, after public prayers for success, he ordered the sails to be furled, and the ships to lie to, keeping strict watch, lest they should be driven ashore in the night. During this interval of suspense and expectation, no man shut his eyes, all kept upon deck, gazing intently towards that quarter where they expected to discover the land, which had been so long the object of their wishes.

Land discovered. About two hours before midnight, Columbus standing on the forecastle, observed a light at a distance, and privately pointed it out to Pedro Guttierez, a page of the queen's wardrobe. Guttierez perceived it, and calling to Salcedo, comptroller of the fleet, all three saw it in motion, as if it were carried from place to place. A little after midnight the joyful sound of *land! land!* was heard from the Pinta, which kept always ahead of the other ships. But, having been so often deceived by fallacious appearances, every man was now become slow of belief, and waited in all the anguish of uncertainty and impatience, for the return of day. As soon as morning dawned, all doubts and fears were dispelled. From every ship an island was seen about two leagues to the north, whose flat and verdant fields, well stored with wood, and watered with many rivulets, presented the aspect of a delightful country. The crew of the Pinta instantly began the *Te Deum*, as a hymn of thanksgiving to God, and were joined by those of the other ships, with tears of joy and transports of congratulation. This office of gratitude to Heaven was followed by an act of justice to their commander. They threw themselves at the feet of Columbus, with feelings of self-condemnation mingled with reverence. They implored him to pardon their ignorance, incredulity, and insolence, which had created him so much unnecessary disquiet, and had so often obstructed the prosecution of his well-concerted plan; and passing, in the warmth of their admiration, from one extreme to another, they now pronounced the man, whom they had so lately reviled and threatened, to be a person inspired by Heaven with sagacity and fortitude more than human, in order to accomplish a design so far beyond the ideas and conception of all former ages.

Friday, Oct. 12.

First interview with the natives. As soon as the sun arose, all their boats were manned and armed. They rowed towards the island with their colours displayed, with warlike music, and other martial pomp. As they approached the coast, they saw it covered with a multitude of people, whom the novelty of the spectacle had drawn together, whose attitudes and gestures expressed wonder and astonishment at the strange objects which presented themselves to their view. Columbus was the first European who set foot in the New World which he had discovered. He landed in a rich dress, and with a naked sword in his hand. His men followed, and kneeling down, they all kissed the ground which they had so long desired to see. They next erected a crucifix, and prostrating themselves before it, returned thanks to God for conducting their voyage to such a happy issue. They then took solemn possession of the country for the crown of Castile and Leon, with all the formalities which the Portuguese were accustomed to observe in acts of this kind, in their new discoveries.[s]

Their mutual astonishment. The Spaniards, while thus employed, were surrounded by many of the natives, who gazed, in silent admiration, upon actions which they could not comprehend, and of which they did not foresee the consequences. The dress of the Spaniards, the whiteness of their skins, their beards, their arms, appeared strange and surprising. The vast machines in which they had traversed the ocean, that seemed to move upon the waters with wings, and uttered a dreadful sound resembling thunder, accompanied with lightning and smoke, struck them with such terror, that they began to respect their new guests as a superior order of beings, and concluded that they were children of the sun, who had descended to visit the earth.

The Europeans were hardly less amazed at the scene now before them. Every herb, and shrub, and tree, was different from those which flourished in Europe. The soil seemed to be rich, but bore few marks of cultivation. The climate, even to the Spaniards, felt warm, though extremely delightful. The inhabitants appeared in the simple innocence of nature, entirely naked. Their black hair, long and uncurled, floated upon their shoulders, or was bound in tresses around their heads. They had no beards, and every part of their bodies was perfectly smooth. Their complexion was of a dusky copper colour, their features singular, rather than disagreeable, their aspect gentle and timid. Though not tall, they were well shaped and active. Their faces, and several parts of their body, were fantastically painted with glaring colours. They were shy at first through fear, but soon became familiar with the Spaniards, and with transports of joy received from them hawksbells, glass beads, or other baubles, in return for which they gave such provisions as they had, and some cotton yarn, the only commodity of value that they could produce. Towards evening, Columbus returned to his ship, accompanied by many of the islanders in their boats, which they called *canoes*, and though rudely formed out of the trunk of a single tree, they rowed them with surprising dexterity. Thus, in the first interview between the inhabitants of the Old and New Worlds, every thing was conducted amicably, and to their

s Life of Columbus, c. 22, 23. Herrera, dec. 1. lib. i. c. 13.

mutual satisfaction. The former, enlightened and ambitious, formed already vast ideas with respect to the advantages which they might derive from the regions that began to open to their view. The latter, simple and undiscerning, had no foresight of the calamities and desolation which were approaching their country.

Columbus assumes the title of admiral and viceroy.

Columbus, who now assumed the title and authority of admiral and viceroy, called the island which he had discovered *San Salvador*. It is better known by the name of *Guanahani*, which the natives gave to it, and is one of that large cluster of islands called the Lucaya or Bahama isles. It is situated above three thousand miles to the west of Gomera, from which the squadron took its departure, and only four degrees to the south of it; so little had Columbus deviated from the westerly course, which he had chosen as the most proper.

Proceeds towards the south.

Columbus employed the next day in visiting the coasts of the island; and from the universal poverty of the inhabitants, he perceived that this was not the rich country for which he sought. But, conformably to his theory concerning the discovery of those regions of Asia which stretched towards the east, he concluded that San Salvador was one of the isles which geographers described as situated in the great ocean adjacent to India.[t] Having observed that most of the people whom he had seen wore small plates of gold, by way of ornament, in their nostrils, he eagerly inquired where they got that precious metal. They pointed towards the south, and made him comprehend by signs, that gold abounded in countries situated in that quarter. Thither he immediately determined to direct his course, in full confidence of finding there those opulent regions which had been the object of his voyage, and would be a recompence for all his toils and dangers. He took along with him seven of the natives of San Salvador, that, by acquiring the Spanish language, they might serve as guides and interpreters; and those innocent people considered it as a mark of distinction when they were selected to accompany him.

Discovers Cuba.

He saw several islands, and touched at three of the largest, on which he bestowed the names of St. Mary of the Conception, Fernandina, and Isabella. But, as their soil, productions, and inhabitants, nearly resembled those of San Salvador, he made no stay in any of them. He inquired every where for gold, and the signs that were uniformly made by way of answer, confirmed him in the opinion that it was brought from the south. He followed that course, and soon discovered a country which appeared very extensive, not perfectly level, like those which he had already visited, but so diversified with rising grounds, hills, rivers, woods, and plains, that he was uncertain whether it might prove an island, or part of the continent. The natives of San Salvador, whom he had on board, called it *Cuba;* Columbus gave it the name of Juana. He entered the mouth of a large river with his squadron, and all the inhabitants fled to the mountains as he approached the shore. But as he resolved to careen his ships in that place, he sent some Spaniards, together with one of the people of San Salvador, to view the interior part of the country. They, having advanced above sixty miles from the shore, reported, upon their return, that the soil was richer and more cultivated than any they had hitherto discovered; that, besides many scattered cottages, they had found one village, containing above a thousand inhabitants; that the people, though naked, seemed to be more intelligent than those of San Salvador, but had treated them with the same respectful attention, kissing their feet, and honouring them as sacred beings allied to heaven; that they had given them to eat a certain root, the taste of which resembled roasted chesnuts, and likewise a singular species of corn called *maize*, which either when roasted whole or ground into meal, was abundantly palatable; that there seemed to be no four-footed animals in the country, but a species of dogs, which could not bark, and a creature resembling a rabbit, but of a much smaller size; that they had observed some ornaments of gold among the people, but of no great value.[u]

These messengers had prevailed with some of the natives to accompany them, who informed Columbus, that the gold of which they made their ornaments was found in *Cubanacan*. By this word they meant the middle or inland part of Cuba; but Columbus, being ignorant of their language, as well as unaccustomed to their pronunciation, and his thoughts running continually upon his own theory concerning the discovery of the East Indies, he was led, by the resemblance of sound, to suppose that they spoke of the Great Khan, and imagined that the opulent kingdom of *Cathay*, described by Marco Polo, was not very remote. This induced him to employ some time in viewing the country. He visited almost every harbour, from Porto del Principe, on the north coast of Cuba, to the eastern extremity of the island; but, though delighted with the beauty of the scenes which every where presented themselves, and amazed at the luxuriant fertility of the soil, both which, from their novelty, made a more lively impression upon his imagination,[x] he did not find gold in such quantity as was sufficient to satisfy either the avarice of his followers, or the expectations of the court to which he was to return. The people of the country, as much astonished at his eagerness in quest of gold as the Europeans were at their ignorance and simplicity, pointed towards the east, where an island which they called *Hayti* was situated, in which that metal was more abundant than among them. Columbus ordered his squadron to

His conjectures with regard to it.

t Pet. Mart. epist. 135.
u Life of Columbus, c. 24—28. Herrera, dec. 1. lib. i. c. 14.

x See Note XIV.

bend its course thither; but Martin Alonzo Pinzon, impatient to be the first who should take possession of the treasures which this country was supposed to contain, quitted his companions, regardless of all the admiral's signals to slacken sail until they should come up with him.

Discovers the island Hispaniola.

Columbus, retarded by contrary winds, did not reach Hayti till the sixth of December. He called the port, where he first touched, St. Nicholas, and the island itself Espagnola, in honour of the kingdom by which he was employed; and it is the only country, of those he had yet discovered, which has retained the name that he gave it. As he could neither meet with the Pinta, nor have any intercourse with the inhabitants, who fled in great consternation towards the woods, he soon quitted St. Nicholas, and sailing along the northern coast of the island, he entered another harbour, which he called Conception. Here he was more fortunate; his people overtook a woman who was flying from them, and after treating her with great gentleness, dismissed her with a present of such toys as they knew were most valued in those regions. The description which she gave to her countrymen of the humanity and wonderful qualities of the strangers; their admiration of the trinkets, which she showed with exultation; and their eagerness to participate of the same favours, removed all their fears, and induced many of them to repair to the harbour. The strange objects which they beheld, and the baubles which Columbus bestowed upon them, amply gratified their curiosity and their wishes. They nearly resembled the people of Guanahani and Cuba. They were naked like them, ignorant and simple; and seemed to be equally unacquainted with all the arts which appear most necessary in polished societies; but they were gentle, credulous, and timid to a degree which rendered it easy to acquire the ascendant over them, especially as their excessive admiration led them into the same error with the people of the other islands, in believing the Spaniards to be more than mortals, and descended immediately from heaven. They possessed gold in greater abundance than their neighbours, which they readily exchanged for bells, beads, or pins; and in this unequal traffic both parties were highly pleased, each considering themselves as gainers by the transaction. Here Columbus was visited by a prince or *cazique* of the country. He appeared with all the pomp known among a simple people, being carried in a sort of palanquin upon the shoulders of four men, and attended by many of his subjects, who served him with great respect. His deportment was grave and stately, very reserved towards his own people, but with Columbus and the Spaniards extremely courteous. He gave the admiral some thin plates of gold, and a girdle of curious workmanship, receiving in return presents of small value, but highly acceptable to him.[y]

[y] Life of Columbus, c. 32. Herrera, dec. 1. lib. i. c. 15, &c.

Columbus, still intent on discovering the mines which yielded gold, continued to interrogate all the natives with whom he had any intercourse, concerning their situation. They concurred in pointing out a mountainous country, which they called *Cibao*, at some distance from the sea, and further towards the east. Struck with this sound, which appeared to him the same with *Cipango*, the name by which Marco Polo, and other travellers to the east, distinguished the island of Japan, he no longer doubted with respect to the vicinity of the countries which he had discovered to the remote parts of Asia; and in full expectation of reaching soon those regions which had been the object of his voyage, he directed his course towards the east. He put into a commodious harbour, which he called St. Thomas, and found that district to be under the government of a powerful cazique, named *Guacanahari*, who, as he afterwards learned, was one of the five sovereigns among whom the whole island was divided. He immediately sent messengers to Columbus, who, in his name, delivered to him the present of a mask curiously fashioned, with the ears, nose, and mouth of beaten gold, and invited him to the place of his residence, near the harbour now called Cape François, some leagues towards the east. Columbus despatched some of his officers to visit this prince, who, as he behaved himself with greater dignity, seemed to claim more attention. They returned with such favourable accounts both of the country and of the people, as made Columbus impatient for that interview with Guacanahari to which he had been invited.

One of his ships lost.

He sailed for this purpose from St. Thomas, on the twenty-fourth of December, with a fair wind, and the sea perfectly calm; and as, amidst the multiplicity of his occupations, he had not shut his eyes for two days, he retired at midnight in order to take some repose, having committed the helm to the pilot, with strict injunctions not to quit it for a moment. The pilot, dreading no danger, carelessly left the helm to an unexperienced cabin-boy, and the ship, carried away by a current, was dashed against a rock. The violence of the shock awakened Columbus. He ran up to the deck. There all was confusion and despair. He alone retained presence of mind. He ordered some of the sailors to take a boat, and carry out an anchor astern; but, instead of obeying, they made off towards the Nigna, which was about half a league distant. He then commanded the masts to be cut down, in order to lighten the ship; but all his endeavours were too late; the vessel opened near the keel, and filled so fast with water that its loss was inevitable. The smoothness of the sea, and the timely assistance of boats from the Nigna, enabled the crew to save their lives. As soon as the islanders heard of this disaster, they crowded to the shore, with their prince Guacanahari at their head. Instead of taking advantage of the

distress in which they beheld the Spaniards, to attempt any thing to their detriment, they lamented their misfortune with tears of sincere condolence. Not satisfied with this unavailing expression of their sympathy, they put to sea a number of canoes, and under the direction of the Spaniards, assisted in saving whatever could be got out of the wreck; and, by the united labour of so many hands, almost every thing of value was carried ashore. As fast as the goods were landed, Guacanahari in person took charge of them. By his orders they were all deposited in one place, and armed sentinels were posted, who kept the multitude at a distance, in order to prevent them not only from embezzling, but from inspecting too curiously what belonged to their guests.[z] Next morning this prince visited Columbus, who was now on board the Nigna, and endeavoured to console him for his loss, by offering all that he possessed to repair it.[a]

Distress of Columbus.

The condition of Columbus was such, that he stood in need of consolation. He had hitherto procured no intelligence of the Pinta, and no longer doubted but that his treacherous associate had set sail for Europe, in order to have the merit of carrying the first tidings of the extraordinary discoveries which had been made, and to pre-occupy so far the ear of their sovereign, as to rob him of the glory and reward to which he was justly entitled. There remained but one vessel, and that the smallest and most crazy of the squadron, to traverse such a vast ocean, and to carry so many men back to Europe. Each of those circumstances was alarming, and filled the mind of Columbus with the utmost solicitude. The desire of overtaking Pinzon, and of effacing the unfavourable impressions which his misrepresentations might make in Spain, made it necessary to return thither without delay. The difficulty of taking such a number of persons aboard the Nigna, confirmed him in an opinion, which the fertility of the country, and the gentle temper of the people, had already induced him to form. He resolved to leave a part of his crew in the island, that by residing there, they might learn the language of the natives, study their disposition, examine the nature of the country, search for mines, prepare for the commodious settlement of the colony, with which he purposed to return, and thus secure and facilitate the acquisition of those advantages which he expected from his discoveries. When he mentioned this to his men, all approved of the design; and from impatience under the fatigue of a long voyage, from the levity natural to sailors, or from the hopes of amassing wealth in a country, which afforded such promising specimens of its riches, many offered voluntarily to be among the number of those who should remain.

Resolves to leave a part of his crew in the island.

Nothing was now wanting towards the execution of this scheme, but to obtain the consent of Guacanahari; and his unsuspicious simplicity soon presented to the admiral a favourable opportunity of proposing it. Columbus having, in the best manner he could, by broken words and signs, expressed some curiosity to know the cause which had moved the islanders to fly with such precipitation upon the approach of his ships, the cazique informed him that the country was much infested by the incursions of certain people, whom he called *Carribeans*, who inhabited several islands to the south-east. These he described as a fierce and warlike race of men, who delighted in blood, and devoured the flesh of the prisoners who were so unhappy as to fall into their hands; and as the Spaniards at their first appearance were supposed to be Carribeans, whom the natives, however numerous, durst not face in battle, they had recourse to their usual method of securing their safety, by flying into the thickest and most impenetrable woods. Guacanahari, while speaking of those dreadful invaders, discovered such symptoms of terror, as well as such consciousness of the inability of his own people to resist them, as led Columbus to conclude that he would not be alarmed at the proposition of any scheme which afforded him the prospect of an additional security against their attacks. He instantly offered him the assistance of the Spaniards to repel his enemies; he engaged to take him and his people under the protection of the powerful monarch whom he served, and offered to leave in the island such a number of his men as should be sufficient, not only to defend the inhabitants from future incursions, but to avenge their past wrongs.

Obtains the consent of the natives.

The credulous prince closed eagerly with the proposal, and thought himself already safe under the patronage of beings sprung from heaven, and superior to the power of mortal men.

Builds a fort.

The ground was marked out for a small fort, which Columbus called *Navidad*, because he had landed there on Christmas-day. A deep ditch was drawn around it. The ramparts were fortified with pallisades, and the great guns, saved out of the admiral's ship, were planted upon them. In ten days the work was finished; that simple race of men labouring with inconsiderate assiduity in erecting this first monument of their own servitude. During this time, Columbus, by his caresses and liberality, laboured to increase the high opinion which the natives entertained of the Spaniards. But while he endeavoured to inspire them with confidence in their disposition to do good, he wished likewise to give them some striking idea of their power to punish and destroy such as were the objects of their indignation. With this view, in presence of a vast assembly, he drew up his men in order of battle, and made an ostentatious but innocent display of the sharpness of the Spanish swords, of the force of their spears, and the operation of their cross-bows. These rude people, strangers to the use of iron, and unacquainted with any hostile

z See Note XV.

a Herrera, dec. 1. lib. i. c. 18.

weapons but arrows of reeds pointed with the bones of fishes, wooden swords, and javelins hardened in the fire, wondered and trembled. Before this surprise or fear had time to abate, he ordered the great guns to be fired. The sudden explosion struck them with such terror, that they fell flat to the ground, covering their faces with their hands; and when they beheld the astonishing effect of the bullets among the trees, towards which the cannon had been pointed, they concluded that it was impossible to resist men, who had the command of such destructive instruments, and who came armed with thunder and lightning against their enemies.

His instructions to those he left in it.

After giving such impressions both of the beneficence and power of the Spaniards, as might have rendered it easy to preserve an ascendant over the minds of the natives, Columbus appointed thirty-eight of his people to remain in the island. He intrusted the command of these to Diego de Arado, a gentleman of Cordova, investing him with the same powers which he himself had received from Ferdinand and Isabella; and furnished him with every thing requisite for the subsistence or defence of this infant colony. He strictly enjoined them to maintain concord among themselves, to yield an unreserved obedience to their commander, to avoid giving offence to the natives by any violence or exaction, to cultivate the friendship of Guacanahari, but not to put themselves in his power, by straggling in small parties, or marching too far from the fort. He promised to revisit them soon, with such a reinforcement of strength as might enable them to take full possession of the country, and to reap all the fruits of their discoveries. In the mean time, he engaged to mention their names to the king and queen, and to place their merit and services in the most advantageous light.[b]

Having thus taken every precaution for the security of the colony, he left Navidad on the fourth of January, one thousand four hundred and ninety-three, and steering towards the east, discovered and gave names to most of the harbours on the northern coast of the island. On the sixth he descried the Pinta, and soon came up with her, after a separation of more than six weeks. Pinzon endeavoured to justify his conduct, by pretending that he had been driven from his course by stress of weather, and prevented from returning by contrary winds. The admiral, though he still suspected his perfidious intentions, and knew well what he urged in his own defence to be frivolous as well as false, was so sensible that this was not a proper time for venturing upon any high strain of authority, and felt such satisfaction in this junction with his consort, which delivered him from many disquieting apprehensions, that, lame as Pinzon's apology was, he admitted of it without difficulty, and restored him to favour. During his absence from the admiral, Pinzon had visited several harbours in the island, had acquired some gold by trafficking with the natives, but had made no discovery of any importance.

1493.

From the condition of his ships, as well as the temper of his men, Columbus now found it necessary to hasten his return to Europe. The former, having suffered much during a voyage of such an unusual length, were extremely leaky. The latter expressed the utmost impatience to revisit their native country, from which they had been so long absent, and where they had things so wonderful and unheard-of to relate. Accordingly, on the sixteenth of January, he directed his course towards the north-east, and soon lost sight of land. He had on board some of the natives, whom he had taken from the different islands which he discovered; and besides the gold, which was the chief object of research, he had collected specimens of all the productions which were likely to become subjects of commerce in the several countries, as well as many unknown birds, and other natural curiosities, which might attract the attention of the learned, or excite the wonder of the people. The voyage was prosperous to the fourteenth of February, and he had advanced near five hundred leagues across the Atlantic ocean, when the wind began to rise, and continued to blow with increasing rage, which terminated in a furious hurricane. Every thing that the naval skill and experience of Columbus could devise was employed, in order to save the ships. But it was impossible to withstand the violence of the storm, and, as they were still far from any land, destruction seemed inevitable. The sailors had recourse to prayers to Almighty God, to the invocation of saints, to vows and charms, to every thing that religion dictates, or superstition suggests, to the affrighted mind of man. No prospect of deliverance appearing, they abandoned themselves to despair, and expected every moment to be swallowed up in the waves. Besides the passions which naturally agitate and alarm the human mind in such awful situations, when certain death, in one of his most terrible forms, is before it, Columbus had to endure feelings of distress peculiar to himself. He dreaded that all knowledge of the amazing discoveries which he had made was now to perish; mankind were to be deprived of every benefit that might have been derived from the happy success of his schemes, and his own name would descend to posterity as that of a rash deluded adventurer, instead of being transmitted with the honour due to the author and conductor of the most noble enterprise that had ever been undertaken. These reflections extinguished all sense of his own personal danger. Less affected with the loss of life, than solicitous to preserve the memory of what he had attempted and achieved, he retired to his cabin, and wrote, upon parchment, a short account of the voyage which he had made, of the course which he had taken, of the situation and

Resolves to return to Europe.

A violent storm arises.

The conduct of Columbus.

b Oviedo ap. Ramusio, iii. p. 82. E. Herrera, dec. 1. lib. i. c. 20. Life of Columbus, c. 34.

riches of the countries which he had discovered, and of the colony that he had left there. Having wrapped up this in an oiled cloth, which he enclosed in a cake of wax, he put it into a cask carefully stopped up, and threw it into the sea, in hopes that some fortunate accident might preserve a deposit of so much importance to the world.[c]

Takes shelter in the Azores.

At length Providence interposed, to save a life reserved for other services. The wind abated, the sea became calm, and on the evening of the fifteenth, Columbus and his companions discovered land; and though uncertain what it was, they made towards it. They soon knew it to be St. Mary, one of the Azores or western isles, subject to the crown of Portugal. There, after a violent contest with the governor, in which Columbus displayed no less spirit than prudence, he obtained a supply of fresh provisions, and whatever else he needed. One circumstance, however, greatly disquieted him. The Pinta, of which he had lost sight on the first day of the hurricane, did not appear; he dreaded for some time that she had foundered at sea, and that all her crew had perished; afterwards, his former suspicions recurred, and he became apprehensive that Pinzon had borne away for Spain, that he might reach it before him, and, by giving the first account of his discoveries, might obtain some share of his fame.

Feb. 24. Arrives at Lisbon.

In order to prevent this, he left the Azores as soon as the weather would permit. At no great distance from the coast of Spain, when near the end of his voyage, and seemingly beyond the reach of any disaster, another storm arose, little inferior to the former in violence; and after driving before it during two days and two nights, he was forced to take shelter in the river Tagus. Upon application to the king of Portugal, he was allowed to come up to Lisbon; and, notwithstanding the envy which it was natural for the Portuguese to feel, when they beheld another nation entering upon that province of discovery which they had hitherto deemed peculiarly their own, and in its first essay, not only rivalling, but eclipsing their fame, Columbus was received with all the marks of distinction due to a man who had performed things so extraordinary and unexpected. The king admitted him into his presence, treated him with the highest respect, and listened to the account which he gave of his voyage with admiration mingled with regret. While Columbus, on his part, enjoyed the satisfaction of describing the importance of his discoveries, and of being now able to prove the solidity of his schemes to those very persons, who, with an ignorance disgraceful to themselves, and fatal to their country, had lately rejected them as the projects of a visionary or designing adventurer.[d]

March 4.

Returns to Spain.

Columbus was so impatient to return to Spain, that he remained only five days in Lisbon. On the fifteenth of March he arrived in the port of Palos, seven months and eleven days from the time when he set out thence upon his voyage. As soon as the ship was discovered approaching the port, all the inhabitants of Palos ran eagerly to the shore, in order to welcome their relations and fellow-citizens, and to hear tidings of their voyage. When the prosperous issue of it was known, when they beheld the strange people, the unknown animals, and singular productions, brought from the countries which had been discovered, the effusion of joy was general and unbounded. The bells were rung, the cannon fired; Columbus was received at landing with royal honours, and all the people, in solemn procession, accompanied him and his crew to the church, where they returned thanks to Heaven, which had so wonderfully conducted and crowned with success a voyage of greater length and of more importance than had been attempted in any former age. On the evening of the same day, he had the satisfaction of seeing the Pinta, which the violence of the tempest had driven far to the north, enter the harbour.

His reception.

The first care of Columbus was to inform the king and queen, who were then at Barcelona, of his arrival and success. Ferdinand and Isabella, no less astonished than delighted with this unexpected event, desired Columbus, in terms the most respectful and flattering, to repair immediately to court, that from his own mouth they might receive a full detail of his extraordinary services and discoveries. During his journey to Barcelona, the people crowded from the adjacent country, following him every where with admiration and applause. His entrance into the city was conducted, by order of Ferdinand and Isabella, with pomp suitable to the great event, which added such distinguishing lustre to their reign. The people whom he brought along with him from the countries which he had discovered, marched first, and by their singular complexion, the wild peculiarity of their features, and uncouth finery, appeared like men of another species. Next to them were carried the ornaments of gold fashioned by the rude art of the natives, the grains of gold found in the mountains, and dust of the same metal gathered in the rivers. After these appeared the various commodities of the new discovered countries, together with their curious productions. Columbus himself closed the procession, and attracted the eyes of all the spectators, who gazed with admiration on the extraordinary man, whose superior sagacity and fortitude had conducted their countrymen, by a route concealed from past ages, to the knowledge of a new world. Ferdinand and Isabella received him clad in their royal robes, and seated upon a throne, under a magnificent canopy. When he approached, they stood up, and raising him as he kneeled to kiss their hands, commanded him to take his seat upon a chair prepared for him, and to give a circumstantial account of his voyage. He delivered it with a gravity and

c Life of Columbus, c. 37. Herrera, dec. 1. lib. ii. c. 1, 2. See Note XVI.

d Life of Columbus, c. 40, 41. Herrera, dec. 1. lib. ii. c. 3.

composure no less suitable to the disposition of the Spanish nation, than to the dignity of the audience in which he spoke, and with that modest simplicity which characterizes men of superior minds, who, satisfied with having performed great actions, court not vain applause by an ostentatious display of their exploits. When he had finished his narration, the king and queen, kneeling down, offered up solemn thanks to Almighty God for the discovery of those new regions, from which they expected so many advantages to flow in upon the kingdoms subject to their government.[e] Every mark of honour that gratitude or admiration could suggest was conferred upon Columbus. Letters patent were issued, confirming to him and to his heirs all the privileges contained in the capitulation concluded at Santa Fé; his family was ennobled; the king and queen, and, after their example, the courtiers, treated him, on every occasion, with all the ceremonious respect paid to persons of the highest rank. But what pleased him most, as it gratified his active mind, bent continually upon great objects, was an order to equip, without delay, an armament of such force, as might enable him not only to take possession of the countries which he had already discovered, but to go in search of those more opulent regions, which he still confidently expected to find.[f]

Astonishment of mankind at his discoveries.

While preparations were making for this expedition, the fame of Columbus's successful voyage spread over Europe, and excited general attention. The multitude, struck with amazement when they heard that a new world had been found, could hardly believe an event so much above their conception. Men of science, capable of comprehending the nature, and of discerning the effects, of this great discovery, received the account of it with admiration and joy. They spoke of his voyage with rapture, and congratulated one another upon their felicity, in having lived in the period when, by this extraordinary event, the boundaries of human knowledge were so much extended, and such a new field of inquiry and observation opened, as would lead mankind to a perfect acquaintance with the structure and productions of the habitable globe.[g] Various opinions and conjectures were formed concerning the newfound countries, and what division of the earth they belonged to. Columbus adhered tenaciously to his original opinion, that they should be reckoned a part of those vast regions in Asia, comprehended under the general name of India. This sentiment was confirmed by the observations which he made concerning the productions of the countries he had discovered. Gold was known to abound in India, and he had met with such promising samples of it in the islands which he visited, as led him to believe that rich mines of it might be found. Cotton, another production of the East Indies, was common there. The pimento of the islands he imagined to be a species of the East Indian pepper. He mistook a root, somewhat resembling rhubarb, for that valuable drug, which was then supposed to be a plant peculiar to the East Indies.[h] The birds brought home by him were adorned with the same rich plumage which distinguishes those of India. The alligator of the one country appeared to be the same with the crocodile of the other. After weighing all these circumstances, not only the Spaniards, but the other nations of Europe, seem to have adopted the opinion of Columbus. The countries which he had discovered were considered as a part of India. In consequence of this notion, the name of Indies is given to them by Ferdinand and Isabella, in a ratification of their former agreement, which was granted to Columbus upon his return.[i] Even after the error which gave rise to this opinion was detected, and the true position of the New World was ascertained, the name has remained, and the appellation of *West Indies* is given by all the people of Europe to the country, and that of *Indians* to its inhabitants.

Distinguished by the name of the West Indies.

Preparations for a second voyage.

The name by which Columbus distinguished the countries which he had discovered was so inviting, the specimens of their riches and fertility, which he produced, were so considerable, and the reports of his companions, delivered frequently with the exaggeration natural to travellers, so favourable, as to excite a wonderful spirit of enterprise among the Spaniards. Though little accustomed to naval expeditions, they were impatient to set out upon their voyage. Volunteers of every rank solicited to be employed. Allured by the inviting prospects which opened to their ambition and avarice, neither the length nor danger of the navigation intimidated them. Cautious as Ferdinand was, and averse to every thing new or adventurous, he seems to have catched the same spirit with his subjects. Under its influence, preparations for a second expedition were carried on with a rapidity unusual in Spain, and to an extent that would be deemed not inconsiderable in the present age. The fleet consisted of seventeen ships, some of which were of good burden. It had on board fifteen hundred persons, among whom were many of noble families, who had served in honourable stations. The greater part of these being destined to remain in the country, were furnished with every thing requisite for conquest or settlement, with all kinds of European domestic animals, with such seeds and plants as were most likely to thrive in the climate of the West Indies, with utensils and instruments of every sort, and with such artificers as might be most useful in an infant colony.[k]

The right of Spain to the New World confirmed by the pope.

But, formidable and well provided as this fleet was, Ferdinand and Isabella did not rest their title to the

e See Note XVII.
f Life of Columbus, c. 42, 43. Herrera, dec. 1. lib. ii. c. 3.
g P. Mart. epist. 133, 134, 135. See Note XVIII.
h Herrera, dec. 1. lib. i. c. 20. Gomera Hist. c. 17.
i Life of Columbus, c. 44.
k Herrera, dec. 1. lib. ii. c. 5. Life of Columbus, c. 45.

possession of the newly discovered countries upon its operations alone. The example of the Portuguese, as well as the superstition of the age, made it necessary to obtain from the Roman pontiff a grant of those territories which they wished to occupy. The pope, as the vicar and representative of Jesus Christ, was supposed to have a right of dominion over all the kingdoms of the earth. Alexander VI. a pontiff infamous for every crime which disgraces humanity, filled the papal throne at that time. As he was born Ferdinand's subject, and very solicitous to secure the protection of Spain, in order to facilitate the execution of his ambitious schemes in favour of his own family, he was extremely willing to gratify the Spanish monarchs. By an act of liberality which cost him nothing, and that served to establish the jurisdiction and pretensions of the papal see, he granted in full right to Ferdinand and Isabella all the countries inhabited by infidels, which they had discovered, or should discover; and, in virtue of that power which he derived from Jesus Christ, he conferred on the crown of Castile vast regions, to the possession of which he himself was so far from having any title, that he was unacquainted with their situation, and ignorant even of their existence. As it was necessary to prevent this grant from interfering with that formerly made to the crown of Portugal, he appointed that a line, supposed to be drawn from pole to pole, a hundred leagues to the westward of the Azores, should serve as a limit between them; and, in the plenitude of his power, bestowed all to the east of this imaginary line upon the Portuguese, and all to the west of it upon the Spaniards.[l] Zeal for propagating the christian faith was the consideration employed by Ferdinand in soliciting this bull, and is mentioned by Alexander as his chief motive for issuing it. In order to manifest some concern for this laudable object, several friars, under the direction of father Boyl, a Catalonian monk of great reputation, as apostolical vicar, were appointed to accompany Columbus, and to devote themselves to the instruction of the natives. The Indians, whom Columbus had brought along with him, having received some tincture of christian knowledge, were baptized with much solemnity, the king himself, the prince his son, and the chief persons of his court, standing as their godfathers. Those first fruits of the New World have not been followed by such an increase as pious men wished, and had reason to expect.

Second voyage of Columbus.

Ferdinand and Isabella having thus acquired a title, which was then deemed completely valid, to extend their discoveries and to establish their dominion over such a considerable portion of the globe, nothing now retarded the departure of the fleet. Columbus was extremely impatient to revisit the colony which he had left, and to pursue that career of glory upon which he had entered. He set sail from the bay of Cadiz on the twenty-fifth of September, and touching again at the island of Gomera, he steered further towards the south than in his former voyage. By holding this course, he enjoyed more steadily the benefit of the regular winds which reign within the tropics, and was carried towards a larger cluster of islands, situated considerably to the east of those which he had already discovered. On the twenty-sixth day after his departure from Gomera, he made land.[m] Nov. 2. It was one of the Caribbee or Leeward Islands, to which he gave the name of Deseada, on account of the impatience of his crew to discover some part of the New World. After this he visited successively Dominica, Marigalante, Guadaloupe, Antigua, San Juan de Puerto Rico, and several other islands, scattered in his way as he advanced towards the north-west. All these he found to be inhabited by that fierce race of people whom Guacanahari had painted in such frightful colours. His descriptions appeared not to have been exaggerated. The Spaniards never attempted to land without meeting with such a reception, as discovered the martial and daring spirit of the natives; and in their habitations were found relics of those horrid feasts which they had made upon the bodies of their enemies taken in war.

Arrives at Hispaniola, Nov. 22.

But as Columbus was eager to know the state of the colony which he had planted, and to supply it with the necessaries of which he supposed it to be in want, he made no stay in any of those islands, and proceeded directly to Hispaniola.[n] When he arrived off Navidad, the station in which he had left the thirty-eight men under the command of Arada, he was astonished that none of them appeared, and expected every moment to see them running with transports of joy to welcome their countrymen. Full of solicitude about their safety, and foreboding in his mind what had befallen them, he rowed instantly to land. All the natives from whom he might have received information had fled. But the fort which he had built was entirely demolished, and the tattered garments, the broken arms and utensils scattered about it, left no room to doubt concerning the unhappy fate of the garrison.[o] While the Spaniards were shedding tears over those sad memorials of their fellow-citizens, a brother of the cazique Guacanahari arrived. From him Columbus received a particular detail of what had happened after his departure from the island. The familiar intercourse of the Indians with the Spaniards tended gradually to diminish the superstitious veneration with which their first appearance had inspired that simple people. By their own indiscretion and ill conduct, the Spaniards speedily effaced those favourable impressions, and soon convinced the natives, that they had all the

The fate of the men whom he left there.

l Herrera, dec. 1. lib. ii. c. 4. Torquemeda Mon. Ind. lib. xviii. c. 3.
m Oviedo ap. Ramus. iii. 85.
n P. Martyr, dec. p. 15, 18. Herrera, dec. 1. lib. ii. c. vii. Life of Columbus, c. 46, &c.
o Hist. de Cura de los Palacios. MS.

wants, and weaknesses, and passions of men. As soon as the powerful restraint which the presence and authority of Columbus imposed was withdrawn, the garrison threw off all regard for the officer whom he had invested with command. Regardless of the prudent instructions which he had given them, every man became independent, and gratified his desires without control. The gold, the women, the provisions of the natives, were all the prey of those licentious oppressors. They roamed in small parties over the island, extending their rapacity and insolence to every corner of it. Gentle and timid as the people were, those unprovoked injuries at length exhausted their patience, and roused their courage. The caziquc of Cibao, whose country the Spaniards chiefly infested on account of the gold which it contained, surprised and cut off several of them, while they straggled in as perfect security as if their conduct had been altogether inoffensive. He then assembled his subjects, and surrounding the fort, set it on fire. Some of the Spaniards were killed in defending it, the rest perishing in attempting to make their escape by crossing an arm of the sea. Guacanahari, whom all their exactions had not alienated from the Spaniards, took arms in their behalf, and, in endeavouring to protect them, had received a wound, by which he was still confined.[p]

His prudent conduct.

Though this account was far from removing the suspicions which the Spaniards entertained with respect to the fidelity of Guacanahari, Columbus perceived so clearly that this was not a proper juncture for inquiring into his conduct with scrupulous accuracy, that he rejected the advice of several of his officers, who urged him to seize the person of that prince, and to revenge the death of their countryman by attacking his subjects. He represented to them the necessity of securing the friendship of some potentate of the country, in order to facilitate the settlement which they intended, and the danger of driving the natives to unite in some desperate attempt against them, by such an ill-timed and unavailing exercise of rigour. Instead of wasting his time in punishing past wrongs, he took precautions for preventing any future injury. With this view he made choice of a situation more healthy and commodious than that of Navidad. He traced out the plan of a town in a large plain near a spacious bay, and obliging every person to put his hand to a work on which their common safety depended, the houses and ramparts were soon so far advanced by their united labour, as to afford them shelter and security. This rising city, the first that the Europeans founded in the New World, he named Isabella, in honour of his patroness the queen of Castile.[q]

Discontent of his followers.

In carrying on this necessary work, Columbus had not only to sustain all the hardships, and to encounter all the difficulties, to which infant colonies are exposed when they settle in an uncultivated country, but he had to contend with what was more insuperable, the laziness, the impatience, and mutinous disposition of his followers. By the enervating influence of a hot climate, the natural inactivity of the Spaniards seemed to increase. Many of them were gentlemen, unaccustomed to the fatigue of bodily labour, and all had engaged in the enterprise with the sanguine hopes excited by the spendid and exaggeratcd description of their countrymen who returned from the first voyage, or by the mistaken opinion of Columbus, that the country which he had discovered was either the Cipango of Marco Polo, or the Ophir,[r] from which Solomon imported those precious commodities which suddenly diffused such extraordinary riches through his kingdom. But when, instead of that golden harvest which they had expected to reap without toil or pains, the Spaniards saw that their prospect of wealth was remote as well as uncertain, and that it could not be attained but by the slow and persevering efforts of industry, the disappointment of those chimerical hopes occasioned such dejection of mind as bordered on despair, and led to general discontent. In vain did Columbus endeavour to revive their spirits by pointing out the fertility of the soil, and exhibiting the specimens of gold daily brought in from different parts of the island. They had not patience to wait for the gradual returns which the former might yield, and the latter they despised as scanty and inconsiderable. The spirit of disaffection spread, and a conspiracy was formed, which might have been fatal to Columbus and the colony. Happily he discovered it; and, seizing the ringleaders, punished some of them, sent others prisoners into Spain, whither he despatched twelve of the ships which had served as transports, with an earnest request for a reinforcement of men and a large supply of provisions.[s]

1494. Examines into the state of the country.

Meanwhile, in order to banish that idleness, which, by allowing his people leisure to brood over their disappointment, nourished the spirit of discontent, Columbus planned several expeditions into the interior part of the country. He sent a detachment, under the command of Alonzo de Ojeda, a vigilant and enterprising officer, to visit the district of Cibao, which was said to yield the greatest quantity of gold, and followed him in person with the main body of his troops. In this expedition he displayed all the pomp of military magnificence that he could exhibit, in order to strike the imagination of the natives. He marched with colours flying, with martial music, and with a small body of cavalry that paraded sometimes in the front and sometimes in the rear. As those were the first horses which appeared in the New World, they were objects of terror no less than of admiration to the Indians, who, having no tame animals them-

March 12.

p P. Martyr, dec. p. 22, &c. Herrera, dec. 1. lib. ii. c. 7, 9. Life of Columbus, c. 49, 50.

q Life of Columbus, c. 51. Herrera, dec. 1. lib. ii. c. 10.

r P. Martyr, dec. p. 29.

s Herrera, dec. 1. lib. ii. c. 10, 11.

selves, were unacquainted with that vast accession of power which man hath acquired by subjecting them to his dominion. They supposed them to be rational creatures. They imagined that the horse and the rider formed one animal, with whose speed they were astonished, and whose impetuosity and strength they considered as irresistible. But while Columbus endeavoured to inspire the natives with a dread of his power, he did not neglect the arts of gaining their love and confidence. He adhered scrupulously to the principles of integrity and justice in all his transactions with them, and treated them, on every occasion, not only with humanity, but with indulgence. The district of Cibao answered the description given of it by the natives. It was mountainous and uncultivated, but in every river and brook gold was gathered either in dust or in grains, some of which were of considerable size. The Indians had never opened any mines in search of gold. To penetrate into the bowels of the earth, and to refine the rude ore, were operations too complicated and laborious for their talents and industry, and they had no such high value for gold as to put their ingenuity and invention upon the stretch in order to obtain it.[t] The small quantity of that precious metal which they possessed, was either picked up in the beds of the rivers, or washed from the mountains by the heavy rains that fall within the tropics. But, from those indications, the Spaniards could no longer doubt that the country contained rich treasures in its bowels, of which they hoped soon to be masters.[u] In order to secure the command of this valuable province, Columbus erected a small fort to which he gave the name of St. Thomas, by way of ridicule upon some of his incredulous followers, who would not believe that the country produced gold, until they saw it with their own eyes, and touched it with their hands.[x]

The distress and disaffection of the colony increase.

The account of those promising appearances of wealth in the country of Cibao came very seasonably to comfort the desponding colony, which was affected with distresses of various kinds. The stock of provisions which had been brought from Europe was mostly consumed; what remained was so much corrupted by the heat and moisture of the climate, as to be almost unfit for use; the natives cultivated so small a portion of ground, and with so little skill, that it hardly yielded what was sufficient for their own subsistence; the Spaniards at Isabella had hitherto neither time nor leisure to clear the soil, so as to reap any considerable fruits of their own industry. On all these accounts, they became afraid of perishing with hunger, and were reduced already to a scanty allowance. At the same time, the diseases predominant in the torrid zone, and which rage chiefly in those uncultivated countries, where the hand of industry has not opened the woods, drained the marshes, and confined the rivers within a certain channel, began to spread among them. Alarmed at the violence and unusual symptoms of those maladies, they exclaimed against Columbus and his companions in the former voyage, who, by their splendid but deceitful descriptions of Hispaniola, had allured them to quit Spain for a barbarous uncultivated land, where they must either be cut off by famine, or die of unknown distempers. Several of the officers and persons of note, instead of checking, joined in those seditious complaints. Father Boyl, the apostolical vicar, was one of the most turbulent and outrageous. It required all the authority and address of Columbus to re-establish subordination and tranquillity in the colony. Threats and promises were alternately employed for this purpose; but nothing contributed more to soothe the malcontents, than the prospect of finding in the mines of Cibao such a rich store of treasure as would be a recompence for all their sufferings, and efface the memory of former disappointments.

Columbus attempts new discoveries.

When, by his unwearied endeavours, concord and order were so far restored that he could venture to leave the island, Columbus resolved to pursue his discoveries, that he might be able to ascertain whether those new countries with which he had opened a communication were connected with any region of the earth already known, or whether they were to be considered as a separate portion of the globe hitherto unvisited. He appointed his brother Don Diego, with the assistance of a council of officers, to govern the island in his absence; and gave the command of a body of soldiers to Don Pedro Margarita, with which he was to visit the different parts of the island, and endeavour to establish the authority of the Spaniards among the inhabitants. Having left them very particular instructions with respect to their conduct, he weighed anchor on the twenty-fourth of April, with one ship and two small barks, under his command. During a tedious voyage of full five months, he had a trial of almost all the numerous hardships to which persons of his profession are exposed, without making any discovery of importance, except the island of Jamaica. As he ranged along the southern coast of Cuba,[y] he was entangled in a labyrinth formed by an incredible number of small islands, to which he gave the name of the Queen's Garden. In this unknown course, among rocks, and shelves, he was retarded by contrary winds, assaulted with furious storms, and alarmed with the terrible thunder and lightning which is often almost incessant between the tropics. At length his provisions fell short; his crew, exhausted with fatigue, as well as hunger, murmured and threatened, and were ready to proceed to the most desperate extremities against him. Beset with danger in such various forms, he was obliged to keep continual watch, to observe every occurrence with his own eyes, to issue every order, and to su-

t Oviedo, lib. ii. p. 90. A.
u P. Martyr, dec. p. 32.

x Herrera, dec. 1. lib. ii. c. 12. Life of Columbus, c. 52.
y See Note XIX.

perintend the execution of it. On no occasion was the extent of his skill and experience as a navigator so much tried. To these the squadron owed its safety. But this unremitted fatigue of body, and intense application of mind, overpowering his constitution, though naturally vigorous and robust, brought on a feverish disorder, which terminated in a lethargy, that deprived him of sense and memory, and had almost proved fatal to his life.[z]

Sept. 27. On his return, finds his brother Bartholomew at Isabella.

But, on his return to Hispaniola, the sudden emotion of joy which he felt upon meeting with his brother Bartholomew at Isabella, occasioned such a flow of spirits as contributed greatly to his recovery. It was now thirteen years since the two brothers, whom similarity of talents united in close friendship, had separated from each other, and during that long period there had been no intercourse between them. Bartholomew, after finishing his negociation in the court of England, had set out for Spain by the way of France. At Paris he received an account of the extraordinary discoveries which his brother had made in his first voyage, and that he was then preparing to embark on a second expedition. Though this naturally induced him to pursue his journey with the utmost despatch, the admiral had sailed for Hispaniola before he reached Spain. Ferdinand and Isabella received him with the respect due to the nearest kinsman of a person whose merit and services rendered him so conspicuous; and as they knew what consolation his presence would afford to his brother, they persuaded him to take the command of three ships, which they had appointed to carry provisions to the colony at Isabella.[a]

The Indians take arms against the Spaniards.

He could not have arrived at any juncture when Columbus stood more in need of a friend capable of assisting him with his counsels, or of dividing with him the cares and burden of government. For although the provisions now brought from Europe afforded a temporary relief to the Spaniards from the calamities of famine, the supply was not in such quantity as to support them long, and the island did not hitherto yield what was sufficient for their sustenance. They were threatened with another danger, still more formidable than the return of scarcity, and which demanded more immediate attention. No sooner did Columbus leave the island on his voyage of discovery, than the soldiers under Margarita, as if they had been set free from discipline and subordination, scorned all restraint. Instead of conforming to the prudent instructions of Columbus, they dispersed in straggling parties over the island, lived at discretion upon the natives, wasted their provisions, seized their women, and treated that inoffensive race with all the insolence of military oppression.[b]

As long as the Indians had any prospect that their sufferings might come to a period by the voluntary departure of the invaders, they submitted in silence, and dissembled their sorrow; but they now perceived that the yoke would be as permanent as it was intolerable. The Spaniards had built a town, and surrounded it with ramparts. They had erected forts in different places. They had enclosed and sown several fields. It was apparent that they came not to visit the country, but to settle in it. Though the number of those strangers was inconsiderable, the state of cultivation among this rude people was so imperfect, and in such exact proportion to their own consumption, that it was with difficulty they could afford subsistence to their new guests. Their own mode of life was so indolent and inactive, the warmth of the climate so enervating, the constitution of their bodies naturally so feeble, and so unaccustomed to the laborious exertions of industry, that they were satisfied with a proportion of food amazingly small. A handful of maize, or a little of the insipid bread made of the cassada root, was sufficient to support men, whose strength and spirits were not exhausted by any vigorous efforts either of body or mind. The Spaniards, though the most abstemious of all the European nations, appeared to them excessively voracious. One Spaniard consumed as much as several Indians. This keenness of appetite surprised them so much, and seemed to be so insatiable, that they supposed the Spaniards had left their own country, because it did not produce as much as was requisite to gratify their immoderate desire of food, and had come among them in quest of nourishment.[c] Self-preservation prompted them to wish for the departure of guests who wasted so fast their slender stock of provisions. The injuries which they suffered added to their impatience for this event. They had long expected that the Spaniards would retire of their own accord. They now perceived that, in order to avert the destruction with which they were threatened, either by the slow consumption of famine, or by the violence of their oppressors, it was necessary to assume courage, to attack those formidable invaders with united force, and drive them from the settlements of which they had violently taken possession.

War with them.

Such were the sentiments which universally prevailed among the Indians, when Columbus returned to Isabella. Inflamed by the unprovoked outrages of the Spaniards, with a degree of rage of which their gentle natures, formed to suffer and submit, seemed hardly susceptible, they waited only for a signal from their leaders to fall upon the colony. Some of the caziques had already surprised and cut off several stragglers. The dread of this impending danger united the Spaniards, and re-established the authority of Columbus, as they saw no prospect of safety but in committing themselves to his prudent guidance.

z Life of Columbus, c. 54, &c. Herrera, dec. 1. lib. ii. c. 13, 14. P. Martyr, dec. 1. p. 34, &c.

a Herrera, dec. 1. lib. ii. c. 15. b P. Martyr, dec. p. 47.
c Herrera, dec. 1. lib. ii. c. 17.

It was now necessary to have recourse to arms, the employing of which against the Indians, Columbus had hitherto avoided with the greatest solicitude. Unequal as the conflict may seem, between the naked inhabitants of the New World, armed with clubs, sticks hardened in the fire, wooden swords, and arrows pointed with bones or flints; and troops accustomed to the discipline, and provided with the instruments of destruction, known in the European art of war, the situation of the Spaniards was far from being exempt from danger. The vast superiority of the natives in number, compensated many defects. A handful of men was about to encounter a whole nation. One adverse event, or even any unforeseen delay in determining the fate of the war, might prove fatal to the Spaniards. Conscious that success depended on the vigour and rapidity of his operations, Columbus instantly assembled his forces. They were reduced to a very small number. Diseases, engendered by the warmth and humidity of the country, or occasioned by their own licentiousness, had raged among them with much violence; experience had not yet taught them the art either of curing these, or the precautions requisite for guarding against them; two-thirds of the original adventurers were dead, and many of those who survived were incapable of service.[d] The body which took the field consisted only of two hundred foot, twenty horse, and twenty large dogs; and how strange soever it may seem to mention the last as composing part of a military force, they were not perhaps the least formidable and destructive of the whole, when employed against naked and timid Indians. All the caziques of the island, Guacanahari excepted, who retained an inviolable attachment to the Spaniards, were in arms to oppose Columbus, with forces amounting, if we may believe the Spanish historians, to a hundred thousand men. Instead of attempting to draw the Spaniards into the fastnesses of the woods and mountains, they were so imprudent as to take their station in the Vega Real, the most open plain in the country. Columbus did not allow them time to perceive their error, or to alter their position. He attacked them during the night, when undisciplined troops are least capable of acting with union and concert, and obtained an easy and bloodless victory. The consternation with which the Indians were filled by the noise and havoc made by the fire-arms, by the impetuous force of the cavalry, and the fierce onset of the dogs, was so great, that they threw down their weapons and fled, without attempting resistance. Many were slain; more were taken prisoners and reduced to servitude;[e] and so thoroughly were the rest intimidated, that from that moment they abandoned themselves to despair, relinquishing all thoughts of contending with aggressors whom they deemed invincible.

1495. March 24.

A tax imposed upon them.

Columbus employed several months in marching through the island, and in subjecting it to the Spanish government, without meeting with any opposition. He imposed a tribute upon all the inhabitants above the age of fourteen. Each person who lived in those districts where gold was found, was obliged to pay quarterly as much gold dust as filled a hawk's bell; from those in other parts of the country, twenty-five pounds of cotton were demanded. This was the first regular taxation of the Indians, and served as a precedent for exactions still more intolerable. Such an imposition was extremely contrary to those maxims which Columbus had hitherto inculcated, with respect to the mode of treating them. But intrigues were carrying on in the court of Spain at this juncture, in order to undermine his power, and discredit his operations, which constrained him to depart from his own system of administration. Several unfavourable accounts of his conduct, as well as of the countries discovered by him, had been transmitted to Spain. Margarita and father Boyl were now at court, and in order to justify their own conduct, or to gratify their resentment, watched with malevolent attention for every opportunity of spreading insinuations to his detriment. Many of the courtiers viewed his growing reputation and power with envious eyes. Fonseca, archdeacon of Seville, who was intrusted with the chief direction of Indian affairs, had conceived such an unfavourable opinion of Columbus, for some reason which the contemporary writers have not mentioned, that he listened with partiality to every invective against him. It was not easy for an unfriended stranger, unpractised in courtly arts, to counteract the machinations of so many enemies. Columbus saw that there was but one method of supporting his own credit, and of silencing all his adversaries. He must produce such a quantity of gold as would not only justify what he had reported with respect to the richness of the country, but encourage Ferdinand and Isabella to persevere in prosecuting his plans. The necessity of obtaining it, forced him not only to impose this heavy tax upon the Indians, but to exact payment of it with extreme rigour; and may be pleaded in excuse for his deviating on this occasion from the mildness and humanity with which he uniformly treated that unhappy people.[f]

Fatal effects of that measure.

The labour, attention, and foresight, which the Indians were obliged to employ in procuring the tribute demanded of them, appeared the most intolerable of all evils, to men accustomed to pass their days in a careless, improvident indolence. They were incapable of such a regular and persevering exertion of industry, and felt it such a grievous restraint upon their liberty, that they had recourse to an expedient for obtaining deliverance from this yoke, which demonstrates the excess of their impatience and despair. They formed a scheme of starving those oppressors whom they durst not attempt to expel; and from the opinion which they entertained with respect to the

d Life of Columbus, c. 61.

e See Note XX.

f Herrera, dec. 1. lib. ii. c. 17.

voracious appetite of the Spaniards, they concluded the execution of it to be very practicable. With this view they suspended all the operations of agriculture; they sowed no maize, they pulled up the roots of the manioc or cassada which were planted, and retiring to the most inaccessible parts of the mountains, left the uncultivated plains to their enemies. This desperate resolution produced in some degree the effects which they expected. The Spaniards were reduced to extreme want; but they received such seasonable supplies of provisions from Europe, and found so many resources in their own ingenuity and industry, that they suffered no great loss of men. The wretched Indians were the victims of their own ill-concerted policy. A great multitude of people, shut up in the mountainous or wooded part of the country, without any food but the spontaneous productions of the earth, soon felt the utmost distresses of famine. This brought on contagious diseases; and, in the course of a few months, more than a third part of the inhabitants of the island perished, after experiencing misery in all its various forms.[g]

Intrigues against Columbus in the court of Spain.

But while Columbus was establishing the foundations of the Spanish grandeur in the New World, his enemies laboured with unwearied assiduity to deprive him of the glory and rewards, which by his services and sufferings he was entitled to enjoy. The hardships unavoidable in a new settlement, the calamities occasioned by an unhealthy climate, the disasters attending a voyage in unknown seas, were all represented as the effects of his restless and inconsiderate ambition. His prudent attention to preserve discipline and subordination was denominated excess of rigour; the punishments which he inflicted upon the mutinous and disorderly were imputed to cruelty. These accusations gained such credit in a jealous court, that a commissioner was appointed to repair to Hispaniola, and to inspect into the conduct of Columbus. By the recommendation of his enemies, Aguado, a groom of the bed-chamber, was the person to whom this important trust was committed. But in this choice they seem to have been more influenced by the obsequious attachment of the man to their interest, than by his capacity for the station. Puffed up with such sudden elevation, Aguado displayed, in the exercise of this office, all the frivolous self-importance, and acted with all the disgusting insolence, which are natural to little minds, when raised to unexpected dignity, or employed in functions to which they are not equal. By listening with eagerness to every accusation against Columbus, and encouraging not only the malcontent Spaniards, but even the Indians, to produce their grievances, real or imaginary, he fomented the spirit of dissension in the island, without establishing any regulations of public utility, or that tended to redress the many wrongs, with the odium of which he wished to load the admiral's administration. As Columbus felt sensibly how humiliating his situation must be, if he should remain in the country while such a partial inspector observed his motions, and controlled his jurisdiction, he took the resolution of returning to Spain, in order to lay a full account of all his transactions, particularly with respect to the points in dispute between him and his adversaries, before Ferdinand and Isabella, from whose justice and discernment he expected an equal and a favourable decision. He committed the administration of affairs, during his absence, to Don Bartholomew his brother, with the title of Adelantado, or lieutenant-governor. By a choice less fortunate, and which proved the source of many calamities to the colony, he appointed Francis Roldan chief justice, with very extensive powers.[h] 1496.

Returns to Spain.

In returning to Europe, Columbus held a course different from that which he had taken in his former voyage. He steered almost due east from Hispaniola, in the parallel of twenty-two degrees of latitude; as experience had not yet discovered the more certain and expeditious method of stretching to the north, in order to fall in with the south-west winds. By this ill-advised choice, which, in the infancy of navigation between the New and Old Worlds, can hardly be imputed to the admiral as a defect in naval skill, he was exposed to infinite fatigue and danger, in a perpetual struggle with the trade-winds, which blow without variation from the east between the tropics. Notwithstanding the almost insuperable difficulties of such a navigation, he persisted in his course with his usual patience and firmness, but made so little way that he was three months without seeing land. At length his provisions began to fail, the crew was reduced to the scanty allowance of six ounces of bread a-day for each person. The admiral fared no better than the meanest sailor. But, even in this extreme distress he retained the humanity which distinguishes his character, and refused to comply with the earnest solicitations of his crew, some of whom proposed to feed upon the Indian prisoners whom they were carrying over, and others insisted to throw them overboard, in order to lessen the consumption of their small stock. He represented that they were human beings, reduced by a common calamity to the same condition with themselves, and entitled to share an equal fate. His authority and remonstrances dissipated those wild ideas suggested by despair. Nor had they time to recur; as he came soon within sight of the coast of Spain, when all their fears and sufferings ended.[i]

His reception there.

Columbus appeared at court with the modest but determined confidence of a man conscious not only of integrity, but of having performed great services. Ferdinand and Isabella, ashamed of their own facility in lending

g Herrera, dec. 1. lib. xi. c. 18. Life of Columbus, c. 61. Oviedo, lib. iii. p. 93. D. Benzon Hist. Novi Orbis, lib. i. c. 9. P. Martyr, dec. p. 48.

h Herrera, dec. 1. lib. ii. c. 18, lib. iii. c. 1.

i Herrera, dec. 1. lib. iii. c. 1. Life of Columbus, c. 64.

too favourable an ear to frivolous or unfounded accusations, received him with such distinguished marks of respect as covered his enemies with shame. Their censures and calumnies were no more heard of at that juncture. The gold, the pearls, the cotton, and other commodities of value which Columbus produced, seemed fully to refute what the malcontents had propagated with respect to the poverty of the country. By reducing the Indians to obedience, and imposing a regular tax upon them, he had secured to Spain a large accession of new subjects, and the establishment of a revenue that promised to be considerable. By the mines which he had found out and examined, a source of wealth still more copious was opened. Great and unexpected as those advantages were, Columbus represented them only as preludes to future acquisitions, and as the earnest of more important discoveries, which he still meditated, and to which those he had already made would conduct him with ease and certainty.[k]

A plan formed for the more regular establishment of a colony.

The attentive consideration of all these circumstances made such an impression, not only upon Isabella, who was flattered with the idea of being the patroness of all Columbus's enterprises, but even upon Ferdinand, who having originally expressed his disapprobation of his schemes, was still apt to doubt of their success, that they resolved to supply the colony in Hispaniola with every thing which could render it a permanent establishment, and to furnish Columbus with such a fleet, that he might proceed to search for those new countries, of whose existence he seemed to be confident. The measures most proper for accomplishing both these designs were concerted with Columbus. Discovery had been the sole object of the first voyage to the New World; and though, in the second, settlement had been proposed, the precautions taken for that purpose had either been insufficient, or were rendered ineffectual by the mutinous spirit of the Spaniards, and the unforeseen calamities arising from various causes. Now a plan was to be formed of a regular colony, that might serve as a model in all future establishments. Every particular was considered with attention, and the whole arranged with a scrupulous accuracy. The precise number of adventurers who should be permitted to embark was fixed. They were to be of different ranks and professions; and the proportion of each was established, according to their usefulness and the wants of the colony. A suitable number of women was to be chosen to accompany these new settlers. As it was the first object to raise provisions in a country where scarcity of food had been the occasion of so much distress, a considerable body of husbandmen was to be carried over. As the Spaniards had then no conception of deriving any benefit from those productions of the New World which have since yielded such large returns of wealth to Europe, but had formed magnificent ideas, and entertained sanguine hopes with respect to the riches contained in the mines which had been discovered, a band of workmen, skilled in the various arts employed in digging and refining the precious metals, was provided. All these emigrants were to receive pay and subsistence for some years at the public expense.[l]

A defect in it.

Thus far the regulations were prudent, and well adapted to the end in view. But as it was foreseen that few would engage voluntarily to settle in a country, whose noxious climate had been fatal to so many of their countrymen, Columbus proposed to transport to Hispaniola such malefactors as had been convicted of crimes, which, though capital, were of a less atrocious nature; and that for the future a certain proportion of the offenders usually sent to the galleys, should be condemned to labour in the mines which were to be opened. This advice, given without due reflection, was as inconsiderately adopted. The prisons of Spain were drained, in order to collect members for the intended colony; and the judges empowered to try criminals were instructed to recruit it by their future sentences. It was not, however, with such materials that the foundations of a society, destined to be permanent, should be laid. Industry, sobriety, patience, and mutual confidence, are indispensably requisite in an infant settlement, where purity of morals must contribute more towards establishing order, than the operation or authority of laws. But when such a mixture of what is corrupt is admitted into the original constitution of the political body, the vices of those unsound and incurable members will probably infect the whole, and must certainly be productive of violent and unhappy effects. This the Spaniards fatally experienced; and the other European nations having successively imitated the practice of Spain in this particular, pernicious consequences have followed in their settlements, which can be imputed to no other cause.[m]

Executed slowly.

Though Columbus obtained, with great facility and despatch, the royal approbation of every measure and regulation that he proposed, his endeavours to carry them into execution were so long retarded, as must have tired out the patience of any man less accustomed to encounter and to surmount difficulties. Those delays were occasioned partly by that tedious formality and spirit of procrastination, with which the Spaniards conduct business; and partly by the exhausted state of the treasury, which was drained by the expense of celebrating the marriage of Ferdinand and Isabella's only son with Margaret of Austria, and that of Joanna, their second daughter, with Philip archduke of Austria;[n] but must be chiefly imputed to the malicious arts of Columbus's enemies. Astonished at the reception which he met

k Life of Columbus, c. 65. Herrera, dec. 1. lib. iii. c. 1.
l Herrera, dec. 1. lib. iii. c. 2.
m Herrera, dec. 1. lib. iii. c. 2. Touron Hist. Gener. de l'Amerique. i. p. 51.
n P. Martyr, epist. 168.

with upon his return, and overawed by his presence, they gave way, for some time, to a tide of favour too strong for them to oppose. Their enmity, however, was too inveterate to remain long inactive. They resumed their operations, and by the assistance of Fonseca, the minister for Indian affairs, who was now promoted to the bishopric of Badajos, they threw in so many obstacles to protract the preparations for Columbus's expedition, that a year elapsed[o] before he could procure two ships to carry over a part of the supplies destined for the colony, and almost two years were spent before the small squadron was equipped, of which he himself was to take the command.[p]

1498. Third voyage of Columbus.

This squadron consisted of six ships only, of no great burden, and but indifferently provided for a long or dangerous navigation. The voyage which he now meditated was in a course different from any he had undertaken. As he was fully persuaded that the fertile regions of India lay to the south-west of those countries which he had discovered, he proposed as the most certain method of finding out these, to stand directly south from the Canary or Cape de Verd Islands, until he came under the equinoctial line, and then to stretch to the west before the favourable wind for such a course, which blows invariably between the tropics. With this

May 30. idea he set sail, and touched first at the Canary, and then at the Cape de Verd, Islands. From the former he despatched

July 4. three of his ships with a supply of provisions for the colony in Hispaniola; with the other three, he continued his voyage towards the south. No remarkable occurrence happened until they arrived within five degrees of

July 19. the line. There they were becalmed, and at the same time the heat became so excessive, that many of their wine casks burst, the liquors in others soured, and their provisions corrupted.[q] The Spaniards, who had never ventured so far to the south, were afraid that the ships would take fire, and began to apprehend the reality of what the ancients had taught concerning the destructive qualities of that torrid region of the globe. They were relieved, in some measure, from their fears by a seasonable fall of rain. This, however, though so heavy and unintermitting that the men could hardly keep the deck, did not greatly mitigate the intenseness of the heat. The admiral, who with his usual vigilance had in person directed every operation from the beginning of the voyage, was so much exhausted by fatigue and want of sleep, that it brought on a violent fit of the gout, accompanied with a fever. All these circumstances constrained him to yield to the importunities of his crew, and to alter his course to the north-west, in order to reach some of the Caribbee islands, where he might refit, and be supplied with provisions.

Discovers the continent of America.

On the first of August, the man stationed in the round top surprised them with the joyful cry of *Land!* They stood towards it, and discovered a considerable island, which the admiral called Trinidad, a name it still retains. It lies on the coast of Guiana, near the mouth of the Orinoco. This, though a river only of the third or fourth magnitude in the New World, far surpasses any of the streams in our hemisphere. It rolls towards the ocean such a vast body of water, and rushes into it with such impetuous force, that when it meets the tide, which on that coast rises to an uncommon height, their collision occasions a swell and agitation of the waves no less surprising than formidable. In this conflict, the irresistible torrent of the river so far prevails, that it freshens the ocean many leagues with its flood.[r] Columbus, before he could conceive the danger, was entangled among those adverse currents and tempestuous waves, and it was with the utmost difficulty that he escaped through a narrow strait, which appeared so tremendous, that he called it La Boca del Drago. As soon as the consternation which this occasioned permitted him to reflect upon the nature of an appearance so extraordinary, he discerned in it a source of comfort and hope. He justly concluded that such a vast body of water as this river contained, could not be supplied by any island, but must flow through a country of immense extent, and of consequence that he was now arrived at that continent which it had long been the object of his wishes to discover. Full of this idea, he stood to the west along the coast of those provinces which are now known by the names of Paria and Cumana. He landed in several places, and had some intercourse with the people, who resembled those of Hispaniola in their appearance and manner of life. They wore, as ornaments, small plates of gold, and pearls of considerable value, which they willingly exchanged for European toys. They seemed to possess a better understanding, and greater courage, than the inhabitants of the islands. The country produced four-footed animals of several kinds, as well as a great variety of fowls and fruits.[s] The admiral was so much delighted with its beauty and fertility, that with the warm enthusiasm of a discoverer, he imagined it to be the Paradise described in Scripture, which the Almighty chose for the residence of man, while he retained innocence that rendered him worthy of such an habitation.[t] Thus Columbus had the glory not only of discovering to mankind the existence of a new world, but made considerable progress towards a perfect knowledge of it; and was the first man who conducted the Spaniards to that vast continent which have been the chief seat of their empire, and the source of their treasures in this quarter of the globe. The shattered condition of his ships, scarcity of provisions, his

o Life of Columbus, c. 65. p Herrera, dec. 1. lib. iii. c. 9.
q P. Martyr, dec. p. 70. r Gumilla Hist. de l'Orenoque, tom. i. p. 14.
s Herrera, dec. 1. lib. iii. c. 9, 10. 11. Life of Columbus, c. 66—73.
t Herrera, dec. 1. lib. iii. c. 12. Gomara, c. 84. See Note XXI

own infirmities, together with the impatience of his crew, prevented him from pursuing his discoveries any further, and made it necessary to bear away for Hispaniola. In his way thither he discovered the islands of Cubagua and Margarita, which afterwards became remarkable for their pearl-fishery. When he arrived at Hispaniola, he was wasted to an extreme degree with fatigue and sickness; but found the affairs of the colony in such a situation, as afforded him no prospect of enjoying that repose of which he stood so much in need.

Aug. 30.

State of Hispaniola on his arrival there.

Many revolutions had happened in that country during his absence. His brother, the adelantado, in consequence of an advice which the admiral gave before his departure, had removed the colony from Isabella to a more commodious station, on the opposite side of the island, and laid the foundation of St. Domingo,[u] which was long the most considerable European town in the New World, and the seat of the supreme courts in the Spanish dominions there. As soon as the Spaniards were established in this new settlement, the adelantado, that they might neither languish in inactivity, nor have leisure to form new cabals, marched into those parts of the island which his brother had not yet visited or reduced to obedience. As the people were unable to resist, they submitted every where to the tribute which he imposed. But they soon found the burden to be so intolerable, that, overawed as they were by the superior power of their oppressors, they took arms against them. Those insurrections, however, were not formidable. A conflict with timid and naked Indians was neither dangerous nor of doubtful issue.

Mutiny of Roldan.

But while the adelantado was employed against them in the field, a mutiny of an aspect far more alarming broke out among the Spaniards. The ringleader of it was Francis Roldan, whom Columbus had placed in a station which required him to be the guardian of order and tranquillity in the colony. A turbulent and inconsiderate ambition precipitated him into this desperate measure, so unbecoming his rank. The arguments which he employed to seduce his countrymen were frivolous and ill-founded. He accused Columbus and his two brothers of arrogance and severity; he pretended that they aimed at establishing an independent dominion in the country; he taxed them with an intention of cutting off part of the Spaniards by hunger and fatigue, that they might more easily reduce the remainder to subjection; he represented it as unworthy of Castilians, to remain the tame and passive slaves of three Genoese adventurers. As men have always a propensity to impute the hardships of which they feel the pressure, to the misconduct of their rulers; as every nation views with a jealous eye the power and exaltation of foreigners, Roldan's insinuations made a deep impression on his countrymen. His character and rank added weight to them. A considerable number of the Spaniards made choice of him as their leader; and, taking arms against the adelantado and his brother, seized the king's magazine of provisions, and endeavoured to surprise the fort at St. Domingo. This was preserved by the vigilance and courage of Don Diego Columbus. The mutineers were obliged to retire to the province of Xaragua, where they continued not only to disclaim the adelantado's authority themselves, but excited the Indians to throw off the yoke.[x]

Such was the distracted state of the colony when Columbus landed at St. Domingo. He was astonished to find that the three ships which he had despatched from the Canaries were not yet arrived. By the unskilfulness of the pilots, and the violence of currents, they had been carried a hundred and sixty miles to the west of St. Domingo, and forced to take shelter in a harbour of the province of Xaragua, where Roldan and his seditious followers were cantoned. Roldan carefully concealed from the commanders of the ships his insurrection against the adelantado, and employing his utmost address to gain their confidence, persuaded them to set on shore a considerable part of the new settlers whom they brought over, that they might proceed by land to St. Domingo. It required but few arguments to prevail with those men to espouse his cause. They were the refuse of the gaols of Spain, to whom idleness, licentiousness, and deeds of violence were familiar; and they returned eagerly to a course of life nearly resembling that to which they had been accustomed. The commanders of the ships perceiving, when it was too late, their imprudence in disembarking so many of their men, stood away for St. Domingo, and got safe into the port a few days after the admiral; but their stock of provisions was so wasted during a voyage of such long continuance, that they brought little relief to the colony.[y]

Composed by the prudent conduct of Columbus.

By this junction with a band of such bold and desperate associates, Roldan became extremely formidable, and no less extravagant in his demands. Columbus, though filled with resentment at his ingratitude, and highly exasperated by the insolence of his followers, made no haste to take the field. He trembled at the thoughts of kindling the flames of a civil war, in which, whatever party prevailed, the power and strength of both must be so much wasted, as might encourage the common enemy to unite and complete their destruction. At the same time, he observed, that the prejudices and passions which incited the rebels to take arms, had so far infected those who still adhered to him, that many of them were adverse, and all cold to the service. From such sentiments, with respect to the public interest, as well as from this view of his own situation, he chose to negociate rather than to fight. By a

u P. Martyr, dec. p. 56. Life of Columbus, c. 74—77. Gomara, c. 23. P. Martyr, p. 78.

x Herrera, dec. 1. lib. iii. c. 5—8.

y Herrera, dec. 1. lib. iii. c. 12. Life of Columbus, c. 78, 79.

seasonable proclamation, offering free pardon to such as should merit it by returning to their duty, he made impression upon some of the malcontents. By engaging to grant such as should desire it the liberty of returning to Spain, he allured all those unfortunate adventurers, who, from sickness and disappointment, were disgusted with the country. By promising to re-establish Roldan in his former office, he soothed his pride; and, by complying with most of his demands in behalf of his followers, he satisfied their avarice. Thus, gradually, and without bloodshed, but after many tedious negociations, he dissolved this dangerous combination, which threatened the colony with ruin; and restored the appearance of order, regular government, and tranquillity.[z]

A new mode of settlement established.

In consequence of this agreement with the mutineers, lands were allotted them in different parts of the island, and the Indians settled in each district were appointed to cultivate a certain portion of ground for the use of those new masters. The performance of this work was substituted in place of the tribute formerly imposed; and how necessary soever such a regulation might be in a sickly and feeble colony, it introduced among the Spaniards the *Repartimientos*, or distributions of Indians, established by them in all their settlements, which brought numberless calamities upon that unhappy people, and subjected them to the most grievous oppression.[a] This was not the only bad effect of the insurrection in Hispaniola; it prevented Columbus from prosecuting his discoveries on the continent, as self-preservation obliged him to keep near his person his brother the adelantado, and the sailors whom he intended to have employed in that service. As soon as his affairs would permit, he sent some of his ships to Spain with a journal of the voyage which he had made, a description of the new countries which he had discovered, a chart of the coast along which he had sailed, and specimens of the gold, the pearls, and other curious or valuable productions which he had acquired by trafficking with the natives. At the same time he transmitted an account of the insurrection in Hispaniola; he accused the mutineers not only of having thrown the colony into such violent convulsions as threatened its dissolution, but of having obstructed every attempt towards discovery and improvement, by their unprovoked rebellion against their superiors; and proposed several regulations for the better government of the island, as well as the extinction of that mutinous spirit, which, though suppressed at present, might soon burst out with additional rage. Roldan and his associates did not neglect to convey to Spain, by the same ships, an apology for their own conduct, together with their recriminations upon the admiral and his brothers. Unfortunately for the

1499.

z Herrera, dec. 1. lib. iii. c. 13, 14. Life of Columbus, c. 80, &c.
a Herrera, dec. 1. lib. iii. c. 14, &c.

honour of Spain, and the happiness of Columbus, the latter gained most credit in the court of Ferdinand and Isabella, and produced unexpected effects.[b]

The voyage of Vasco de Gama to the East Indies, by the Cape of Good Hope.

But, previous to the relating of these, it is proper to take a view of some events, which merit attention, both on account of their own importance, and their connexion with the history of the New World. While Columbus was engaged in his successive voyages to the west, the spirit of discovery did not languish in Portugal, the kingdom where it first acquired vigour, and became enterprising. Self-condemnation and regret were not the only sentiments to which the success of Columbus, and reflection upon their own imprudence in rejecting his proposals, gave rise among the Portuguese. They excited a general emulation to surpass his performances, and an ardent desire to make some reparation to their country for their own error. With this view, Emanuel, who inherited the enterprising genius of his predecessors, persisted in their grand scheme of opening a passage to the East Indies by the Cape of Good Hope, and, soon after his accession to the throne, equipped a squadron for that important voyage. He gave the command of it to Vasco de Gama, a man of noble birth, possessed of virtue, prudence, and courage, equal to the station. The squadron, like all those fitted out for discovery in the infancy of navigation, was extremely feeble, consisting of three vessels, of neither burthen nor force adequate to the service. As the Europeans were at that time little acquainted with the course of the trade-winds and periodical monsoons, which render navigation in the Atlantic ocean, as well as in the sea that separates Africa from India, at some seasons easy, and at others not only dangerous, but almost impracticable, the time chosen for Gama's departure was the most improper during the whole year. He set sail from Lisbon on the ninth of July, and standing towards the south, had to struggle for four months with contrary winds, before he could reach the Cape of Good Hope. Here their violence began to abate; and during an interval of calm weather, Gama doubled that formidable promontory, which had so long been the boundary of navigation, and directed his course towards the north-east, along the African coast. He touched at several ports; and after various adventures, which the Portuguese historians relate with high but just encomiums upon his conduct and intrepidity, he came to anchor before the city of Melinda. Throughout all the vast countries which extend along the coast of Africa, from the river Senegal to the confines of Zanguebar, the Portuguese had found a race of men rude and uncultivated, strangers to letters, to arts, and commerce, and differing from the inhabitants of Europe, no less in their features and complexion than in their manners and institutions. As they advanced from this, they

1497.

Nov. 20.

b Herrera, dec. 1. lib. iii. c. 14. Benzon. Hist. Nov. Orb. lib. i. c. 2.

observed, to their inexpressible joy, that the human form gradually altered and improved; the Asiatic features began to predominate, marks of civilization appeared, letters were known, the Mahometan religion was established, and a commerce, far from being inconsiderable, was carried on. At that time several vessels from India were in the port of Melinda. Gama now pursued his voyage with almost absolute certainty of success, and, under the conduct of a Mahometan pilot, arrived at Calecut, upon the coast of Malabar, on the twenty-second of May one thousand four hundred and ninety-eight. What he beheld of the wealth, the populousness, the cultivation, the industry, and arts of this highly civilized country, far surpassed any idea that he had formed, from the imperfect accounts which the Europeans had hitherto received of it. But as he possessed neither sufficient force to attempt a settlement, nor proper commodities with which he could carry on commerce of any consequence, he hastened back to Portugal, with an account of his success in performing a voyage, the longest, as well as most difficult, that had ever been made, since the first invention of navigation. He landed at Lisbon on the fourteenth of September one thousand four hundred and ninety-nine, two years two months and five days from the time he left that port.[c]

Thus, during the course of the fifteenth century, mankind made greater progress in exploring the state of the habitable globe, than in all the ages which had elapsed previous to that period. The spirit of discovery, feeble at first and cautious, moved within a very narrow sphere, and made its efforts with hesitation and timidity. Encouraged by success, it became adventurous, and boldly extended its operations. In the course of its progression, it continued to acquire vigour, and advanced at length with a rapidity and force which burst through all the limits within which ignorance and fear had hitherto circumscribed the activity of the human race. Almost fifty years were employed by the Portuguese in creeping along the coast of Africa from Cape Non to Cape de Verd, the latter of which lies only twelve degrees to the south of the former. In less than thirty years they ventured beyond the equinoctial line into another hemisphere, and penetrated to the southern extremity of Africa, at the distance of forty-nine degrees from Cape de Verd. During the last seven years of the century, a New World was discovered in the west, not inferior in extent to all the parts of the earth with which mankind were at that time acquainted. In the east, unknown seas and countries were found out, and a communication, long desired, but hitherto concealed, was opened between Europe and the opulent regions of India. In comparison with events so wonderful and unexpected, all that had hitherto been deemed great or splendid faded away and disappeared. Vast objects now presented themselves. The human mind, roused and interested by the prospect, engaged with ardour in pursuit of them, and exerted its active powers in a new direction.

Discoveries carried on in Spain by private adventurers.

This spirit of enterprise, though but newly awakened in Spain, began soon to operate extensively. All the attempts towards discovery made in that kingdom had hitherto been carried on by Columbus alone, and at the expense of the sovereign. But now private adventurers, allured by the magnificent descriptions he gave of the regions which he had visited, as well as by the specimens of their wealth which he produced, offered to fit out squadrons at their own risk, and to go in quest of new countries. The Spanish court, whose scanty revenues were exhausted by the charge of its expeditions to the New World, which, though they opened alluring prospects of future benefit, yielded a very sparing return of present profit, was extremely willing to devolve the burthen of discovery upon its subjects. It seized with joy an opportunity of rendering the avarice, the ingenuity, and efforts of projectors, instrumental in promoting designs of certain advantage to the public, though of doubtful success with respect to themselves. One of the first propositions of this kind was made by Alonso de Ojeda, a gallant and active officer, who had accompanied Columbus in his second voyage. His rank and character procured him such credit with the merchants of Seville, that they undertook to equip four ships, provided he could obtain the royal licence, authorizing the voyage. The powerful patronage of the bishop of Badajos easily secured success in a suit so agreeable to the court. Without consulting Columbus, or regarding the rights and jurisdiction which he had acquired by the capitulation in one thousand four hundred and ninety-two, Ojeda was permitted to set out for the New World. In order to direct his course, the bishop communicated to him the admiral's journal of his last voyage, and his charts of the countries which he had discovered.

Ojeda the first of these.

May.

Ojeda struck out into no new path of navigation, but adhering servilely to the route which Columbus had taken, arrived on the coast of Paria. He traded with the natives, and standing to the west, proceeded as far as Cape de Vela, and ranged along a considerable extent of coast beyond that on which Columbus had touched.

October.

Having thus ascertained the opinion of Columbus, that this country was a part of the continent, Ojeda returned by way of Hispaniola to Spain, with some reputation as a discoverer, but with little benefit to those who had raised the funds for the expedition.[d]

Is accompanied by Amerigo Vespucci.

Amerigo Vespucci, a Florentine gentleman, accompanied Ojeda in this voyage. In what station he served is uncertain; but as he was an experienced sailor, and eminently skilful in all the sciences subservient to navigation, he seems to have acquired such authority among his companions, that they willingly

c Ramusio, vol. i. 119. D.

d Herrera, dec. 1. lib. iv. c. 1, 2, 3.

allowed him to have a chief share in directing their operations during the voyage. Soon after his return, he transmitted an account of his adventures and discoveries to one of his countrymen; and labouring with the vanity of a traveller to magnify his own exploits, he had the address and confidence to frame his narrative, so as to make it appear that he had the glory of having first discovered the continent in the New World. Amerigo's account was drawn up not only with art, but with some elegance. It contained an amusing history of his voyage, and judicious observations upon the natural productions, the inhabitants, and the customs of the countries which he had visited. As it was the first description of any part of the New World that was published, a performance so well calculated to gratify the passion of mankind for what is new and marvellous, circulated rapidly, and was read with admiration. The country of which Amerigo was supposed to be the discoverer, came gradually to be called by his name. The caprice of mankind, often as unaccountable as unjust, has perpetuated this error. By the universal consent of nations, America is the name bestowed on this new quarter of the globe. The bold pretensions of a fortunate impostor have robbed the discoverer of the New World of a distinction which belonged to him. The name of Amerigo has supplanted that of Columbus; and mankind may regret an act of injustice, which, having received the sanction of time, it is now too late to redress.[e]

From whom the name of America is given to the New World.

Voyage of Alonso Nigno:

During the same year, another voyage of discovery was undertaken. Columbus not only introduced the spirit of naval enterprise into Spain, but all the first adventurers who distinguished themselves in this new career, were formed by his instructions, and acquired in his voyages the skill and information which qualified them to imitate his example. Alonso Nigno, who had served under the admiral in his last expedition, fitted out a single ship, in conjunction with Christopher Guerra, a merchant of Seville, and sailed to the coast of Paria. This voyage seems to have been conducted with greater attention to private emolument, than to any general or national object. Nigno and Guerra made no discoveries of any importance; but they brought home such a return of gold and pearls, as inflamed their countrymen with the desire of engaging in similar adventures.[f]

1500. Jan. 13. of Vincent Yanez Pinzon.

Soon after, Vincent Yanez Pinzon, one of the admiral's companions in his first voyage, sailed from Palos with four ships. He stood boldly towards the south, and was the first Spaniard who ventured to cross the equinoctial line; but he seems to have landed on no part of the coast beyond the mouth of the Maragnon, or river of the Amazons. All these navigators adopted the erroneous theory of Columbus, and believed that the countries which they had discovered were part of the vast continent of India.[g]

The Portuguese discover Brazil.

During the last year of the fifteenth century, that fertile district of America, on the confines of which Pinzon had stopped short, was more fully discovered. The successful voyage of Gama to the East Indies having encouraged the king of Portugal to fit out a fleet so powerful, as not only to carry on trade, but to attempt conquest, he gave the command of it to Pedro Alvarez Cabral. In order to avoid the coast of Africa, where he was certain of meeting with variable breezes, or frequent calms, which might retard his voyage, Cabral stood out to sea, and kept so far to the west, that, to his surprise, he found himself upon the shore of an unknown country, in the tenth degree beyond the line. He imagined at first that it was some island in the Atlantic ocean, hitherto unobserved; but proceeding along its coast for several days, he was led gradually to believe, that a country so extensive formed a part of some great continent. This latter opinion was well founded. The country with which he fell in belongs to that province in South America, now known by the name of Brazil. He landed; and having formed a very high idea of the fertility of the soil, and agreeableness of the climate, he took possession of it for the crown of Portugal, and despatched a ship to Lisbon with an account of this event, which appeared to be no less important than it was unexpected.[h] Columbus's discovery of the New World was the effort of an active genius, enlightened by science, guided by experience, and acting upon a regular plan, executed with no less courage than perseverance. But from this adventure of the Portuguese, it appears that chance might have accomplished that great design which it is now the pride of human reason to have formed and perfected. If the sagacity of Columbus had not conducted mankind to America, Cabral, by a fortunate accident, might have led them, a few years later, to the knowledge of that extensive continent.[i]

Machinations against Columbus.

While the Spaniards and Portuguese, by those successive voyages, were daily acquiring more enlarged ideas of the extent and opulence of that quarter of the globe which Columbus had made known to them, he himself, far from enjoying the tranquillity and honours with which his services should have been recompensed, was struggling with every distress in which the envy and malevolence of the people under his command, or the ingratitude of the court which he served, could involve him. Though the pacification with Roldan broke the union and weakened the force of the mutineers, it did not extirpate the seeds of discord out of the island. Several of the malcontents continued in arms, refusing to submit to the admiral. He and his brothers were obliged to

e See Note XXII.
f P. Martyr, dec. p. 87. Herrera, dec. 1. lib. iv. c. 5.
g Herrera, dec. 1. lib. iv. c. 6. P. Martyr, dec. p. 95.
h Herrera, dec. 1. lib. iv. c. 7.
i Ibid. lib. vii. c. 5.

take the field alternately, in order to check their incursions, or to punish their crimes. The perpetual occupation and disquiet which this created, prevented him from giving due attention to the dangerous machinations of his enemies in the court of Spain. A good number of such as were most dissatisfied with his administration, had embraced the opportunity of returning to Europe with the ships which he despatched from St. Domingo. The final disappointment of all their hopes inflamed the rage of these unfortunate adventurers against Columbus to the utmost pitch. Their poverty and distress, by exciting compassion, rendered their accusations credible, and their complaints interesting. They teased Ferdinand and Isabella incessantly with memorials, containing the detail of their own grievances, and the articles of their charge against Columbus. Whenever either the king or queen appeared in public, they surrounded them in a tumultuary manner, insisting with importunate clamours for the payment of the arrears due to them, and demanding vengeance upon the author of their sufferings. They insulted the admiral's sons wherever they met them, reproaching them as the offspring of the projector, whose fatal curiosity had discovered those pernicious regions which drained Spain of its wealth, and would prove the grave of its people. These avowed endeavours of the malcontents from America to ruin Columbus, were seconded by the secret but more dangerous insinuations of that party among the courtiers which had always thwarted his schemes and envied his success and credit.[k]

Their influence on Ferdinand and Isabella.

Ferdinand was disposed to listen, not only with a willing but with a partial ear, to these accusations. Notwithstanding the flattering accounts which Columbus had given of the riches of America, the remittances from it had hitherto been so scanty, that they fell far short of defraying the expense of the armaments fitted out. The glory of the discovery, together with the prospect of remote commercial advantages, was all that Spain had yet received in return for the efforts which she had made. But time had already diminished the first sensations of joy which the discovery of a New World occasioned, and fame alone was not an object to satisfy the cold interested mind of Ferdinand. The nature of commerce was then so little understood, that where immediate gain was not acquired, the hope of distant benefit, or of slow and moderate returns, was totally disregarded. Ferdinand considered Spain, on this account, as having lost by the enterprise of Columbus, and imputed it to his misconduct and incapacity for government, that a country abounding in gold had yielded nothing of value to its conquerors. Even Isabella, who from the favourable opinion which she entertained of Columbus, had uniformly protected him, was shaken at length by the number and boldness of his accusers, and began to suspect that a disaffection so general must have been occasioned by real grievances, which called for redress. The bishop of Badajos, with his usual animosity against Columbus, encouraged these suspicions and confirmed them.

k Life of Columbus, c. 85.

Fatal effects of this.

As soon as the queen began to give way to the torrent of calumny, a resolution fatal to Columbus was taken. Francis de Bovadilla, a knight of Calatrava, was appointed to repair to Hispaniola, with full powers to inquire into the conduct of Columbus, and if he should find the charge of mal-administration proved, to supersede him, and assume the government of the island. It was impossible to escape condemnation, when this preposterous commission made it the interest of the judge to pronounce the person whom he was sent to try, guilty. Though Columbus had now composed all the dissensions in the island; though he had brought both Spaniards and Indians to submit peaceably to his government; though he had made such effectual provision for working the mines, and cultivating the country, as would have secured a considerable revenue to the king, as well as large profits to individuals, Bovadilla, without deigning to attend to the nature or merit of those services, discovered, from the moment that he landed in Hispaniola, a determined purpose of treating him as a criminal. He took possession of the admiral's house in St. Domingo, from which its master happened at that time to be absent, and seized his effects, as if his guilt had been already fully proved; he rendered himself master of the fort and of the king's stores by violence; he required all persons to acknowledge him as supreme governor; he set at liberty the prisoners confined by the admiral, and summoned him to appear before his tribunal, in order to answer for his conduct; transmitting to him, together with the summons, a copy of the royal mandate, by which Columbus was enjoined to yield implicit obedience to his commands.

Columbus sent in chains to Spain. October.

Columbus, though deeply affected with the ingratitude and injustice of Ferdinand and Isabella, did not hesitate a moment about his own conduct. He submitted to the will of his sovereigns with a respectful silence, and repaired directly to the court of that violent and partial judge whom they had authorized to try him. Bovadilla, without admitting him into his presence, ordered him instantly to be arrested, to be loaded with chains, and hurried on board a ship. Even under this humiliating reverse of fortune, the firmness of mind which distinguishes the character of Columbus did not forsake him. Conscious of his own integrity, and solacing himself with reflecting upon the great things which he had achieved, he endured this insult offered to his character, not only with composure, but with dignity. Nor had he the consolation of sympathy to mitigate his sufferings. Bovadilla had already rendered himself so extremely popular, by granting various immunities to the colony, by liberal donations of

Indians to all who applied for them, and by relaxing the reins of discipline and government, that the Spaniards, who were mostly adventurers, whom their indigence or crimes had compelled to abandon their native country, expressed the most indecent satisfaction with the disgrace and imprisonment of Columbus. They flattered themselves, that now they should enjoy an uncontrolled liberty, more suitable to their disposition and former habits of life. Among persons thus prepared to censure the proceedings and to asperse the character of Columbus, Bovadilla collected materials for a charge against him. All accusations, the most improbable, as well as inconsistent, were received. No informer, however infamous, was rejected. The result of this inquest, no less indecent than partial, he transmitted to Spain. At the same time, he ordered Columbus, with his two brothers, to be carried thither in fetters; and, adding cruelty to insult, he confined them in different ships, and excluded them from the comfort of that friendly intercourse which might have soothed their common distress. But while the Spaniards in Hispaniola viewed the arbitrary and insolent proceedings of Bovadilla with a general approbation, which reflects dishonour upon their name and country, one man still retained a proper sense of the great actions which Columbus had performed, and was touched with the sentiments of veneration and pity due to his rank, his age, and his merit. Alonzo de Valejo, the captain of the vessel on board which the admiral was confined, as soon as he was clear of the island, approached his prisoner with great respect, and offered to release him from the fetters with which he was unjustly loaded. "No," replied Columbus, with a generous indignation, "I wear these irons in consequence of an order from my sovereigns. They shall find me as obedient to this as to their other injunctions. By their command I have been confined, and their command alone shall set me at liberty."[l]

Nov. 23. Set at liberty, but deprived of all authority.

Fortunately, the voyage to Spain was extremely short. As soon as Ferdinand and Isabella were informed that Columbus was brought home a prisoner, and in chains, they perceived at once what universal astonishment this event must occasion, and what an impression to their disadvantage it must make. All Europe, they foresaw, would be filled with indignation at this ungenerous requital of a man who had performed actions worthy of the highest recompence, and would exclaim against the injustice of the nation, to which he had been such an eminent benefactor, as well as against the ingratitude of the princes whose reign he had rendered illustrious. Ashamed of their own conduct, and eager not only to make some reparation for this injury, but to efface the stain which it might fix upon their character, they instantly issued orders to set Columbus at liberty, invited him to

Dec. 17.

court, and remitted money to enable him to appear there in a manner suitable to his rank. When he entered the royal presence, Columbus threw himself at the feet of his sovereigns. He remained for some time silent; the various passions which agitated his mind suppressing his power of utterance. At length he recovered himself, and vindicated his conduct in a long discourse, producing the most satisfying proofs of his own integrity as well as good intention, and evidence, no less clear, of the malevolence of his enemies, who, not satisfied with having ruined his fortune, laboured to deprive him of what alone was now left, his honour and his fame. Ferdinand received him with decent civility, and Isabella with tenderness and respect. They both expressed their sorrow for what had happened, disavowed their knowledge of it, and joined in promising him protection and future favour. But though they instantly degraded Bovadilla, in order to remove from themselves any suspicion of having authorized his violent proceedings, they did not restore to Columbus his jurisdiction and privileges as viceroy of those countries which he had discovered. Though willing to appear the avengers of Columbus's wrongs, that illiberal jealousy which prompted them to invest Bovadilla with such authority as put it in his power to treat the admiral with indignity, still subsisted. They were afraid to trust a man to whom they had been so highly indebted, and retaining him at court under various pretexts, they appointed Nicholas de Ovando, a knight of the military order of Alcantara, governor of Hispaniola.[m]

Columbus was deeply affected with this new injury, which came from hands that seemed to be employed in making reparation for his past sufferings. The sensibility with which great minds feel every thing that implies any suspicion of their integrity, or that wears the aspect of an affront, is exquisite. Columbus had experienced both from the Spaniards; and their ungenerous conduct exasperated him to such a degree, that he could no longer conceal the sentiments which it excited. Wherever he went he carried about with him, as a memorial of their ingratitude, those fetters with which he had been loaded. They were constantly hung up in his chamber, and he gave orders, that when he died they should be buried in his grave.[n]

1501. Progress of discovery.

Meanwhile, the spirit of discovery, notwithstanding the severe check which it had received by the ungenerous treatment of the man who first excited it in Spain, continued active and vigorous. Roderigo de Bastidas, a person of distinction, fitted out two ships in copartnery with John de la Cosa, who, having served under the admiral in two of his voyages, was deemed the most skilful pilot in Spain. They steered directly towards the continent, arrived on the coast of Paria, and pro-

January.

l Life of Columbus, c. 86. Herrera, dec. 1. lib. iv. c. 8—11. Gomera Hist. c. 23. Oviedo, lib. iii. c. 6.

m Herrera, dec. 1. lib. iv. c. 10—12. Life of Columbus, c. 87.
n Life of Columbus, c. 86. p. 577.

ceeding to the west, discovered all the coast of the province now known by the name of Tierra Firme, from Cape de Vela to the gulf of Darien. Not long after, Ojeda, with his former associate, Amerigo Vespucci, set out upon a second voyage, and being unacquainted with the destination of Bastidas, held the same course, and touched at the same places. The voyage of Bastidas was prosperous and lucrative, that of Ojeda unfortunate. But both tended to increase the ardour of discovery; for in proportion as the Spaniards acquired a more extensive knowledge of the American continent, their idea of its opulence and fertility increased.[o]

Ovando appointed governor of Hispaniola.

Before these adventurers returned from their voyages, a fleet was equipped, at the public expense, for carrying over Ovando, the new governor, to Hispaniola. His presence there was extremely requisite, in order to stop the inconsiderate career of Bovadilla, whose imprudent administration threatened the settlement with ruin. Conscious of the violence and iniquity of his proceedings against Columbus, he continued to make it his sole object to gain the favour and support of his countrymen, by accommodating himself to their passions and prejudices. With this view, he established regulations in every point the reverse of those which Columbus deemed essential to the prosperity of the colony. Instead of the severe discipline, necessary in order to habituate the dissolute and corrupted members of which the society was composed, to the restraints of law and subordination, he suffered them to enjoy such uncontrolled licence, as encouraged the wildest excesses. Instead of protecting the Indians, he gave a legal sanction to the oppression of that unhappy people. He took the exact number of such as survived their past calamities, divided them into distinct classes, distributed them in property among his adherents, and reduced all the people of the island to a state of complete servitude. As the avarice of the Spaniards was too rapacious and impatient to try any method of acquiring wealth but that of searching for gold, this servitude became as grievous as it was unjust. The Indians were driven in crowds to the mountains, and compelled to work in the mines, by masters who imposed their tasks without mercy or discretion. Labour so disproportioned to their strength and former habits of life, wasted that feeble race of men with such rapid consumption, as must have soon terminated in the utter extinction of the ancient inhabitants of the country.[p]

New regulations established.

The necessity of applying a speedy remedy to those disorders, hastened Ovando's departure. He had the command of the most respectable armament hitherto fitted out for the New World. It consisted of thirty-two ships, on board of which two thousand five hundred persons embarked, with an intention of settling in the country. Upon the arrival of the new governor with this powerful reinforcement to the colony, Bovadilla resigned his charge, and was commanded to return instantly to Spain, in order to answer for his conduct. Roldan, and the other ringleaders of the mutineers, who had been most active in opposing Columbus, were required to leave the island at the same time. A proclamation was issued, declaring the natives to be free subjects of Spain, of whom no service was to be exacted contrary to their own inclination, and without paying them an adequate price for their labour. With respect to the Spaniards themselves, various regulations were made, tending to suppress the licentious spirit which had been so fatal to the colony, and to establish that reverence for law and order on which society is founded, and to which it is indebted for its increase and stability. In order to limit the exorbitant gain which private persons were supposed to make by working the mines, an ordinance was published, directing all the gold to be brought to a public smelting-house, and declaring one half of it to be the property of the crown.[q]

1502.

The disagreeable situation of Columbus.

While these steps were taking for securing the tranquillity and welfare of the colony which Columbus had planted, he himself was engaged in the unpleasant employment of soliciting the favour of an ungrateful court, and notwithstanding all his merit and services, he solicited in vain. He demanded, in terms of the original capitulation in one thousand four hundred and ninety-two, to be reinstated in his office of viceroy over the countries which he had discovered. By a strange fatality, the circumstance which he urged in support of his claim, determined a jealous monarch to reject it. The greatness of his discoveries, and the prospect of their increasing value, made Ferdinand consider the concessions in the capitulation as extravagant and impolitic. He was afraid of intrusting a subject with the exercise of a jurisdiction that now appeared to be so extremely extensive, and might grow to be no less formidable. He inspired Isabella with the same suspicions; and under various pretexts, equally frivolous and unjust, they eluded all Columbus's requisitions to perform that which a solemn compact bound them to accomplish. After attending the court of Spain for near two years, as an humble suitor, he found it impossible to remove Ferdinand's prejudices and apprehensions; and perceived, at length, that he laboured in vain, when he urged a claim of justice or merit with an interested and unfeeling prince.

He forms new schemes of discovery.

But even this ungenerous return did not discourage him from pursuing the great object which first called forth his inventive genius, and excited him to attempt discovery. To open a new passage to the East Indies, was his original and favourite scheme. This still engrossed his thoughts; and either from his own

o Herrera, dec. 1. lib. iv. c. 11.
p Herrera, dec. 1. lib. iv. c. 11, &c. Oviedo Hist. lib. iii. c. 6. p. 97. Benzon Hist. lib. i. c. 12. p. 51.

q Solorzano Politica Indiana, lib. i. c. 12. Herrera, dec. 1. lib. iv. c. 12.

observations in his voyage to Paria, or from some obscure hint of the natives, or from the accounts given by Bastidas and de la Cosa of their expedition, he conceived an opinion that, beyond the continent of America, there was a sea which extended to the East Indies, and hoped to find some strait or narrow neck of land, by which a communication might be opened with it and the part of the ocean already known. By a very fortunate conjecture, he supposed this strait or isthmus to be situated near the gulf of Darien. Full of this idea, though he was now of an advanced age, worn out with fatigue, and broken with infirmities, he offered, with the alacrity of a youthful adventurer, to undertake a voyage which would ascertain this important point, and perfect the grand scheme which from the beginning he proposed to accomplish. Several circumstances concurred in disposing Ferdinand and Isabella to lend a favourable ear to this proposal. They were glad to have the pretext of any honourable employment for removing from court a man with whose demands they deemed it impolitic to comply, and whose services it was indecent to neglect. Though unwilling to reward Columbus, they were not insensible of his merit, and from their experience of his skill and conduct, had reason to give credit to his conjectures, and to confide in his success. To these considerations, a third must be added of still more powerful influence. About this time the Portuguese fleet, under Cabral, arrived from the Indies; and, by the richness of its cargo, gave the people of Europe a more perfect idea than they had hitherto been able to form, of the opulence and fertility of the East. The Portuguese had been more fortunate in their discoveries than the Spaniards. They had opened a communication with countries where industry, arts, and elegance flourished; and where commerce had been longer established, and carried to greater extent, than in any region of the earth. Their first voyages thither yielded immediate as well as vast returns of profit, in commodities extremely precious and in great request. Lisbon became immediately the seat of commerce and wealth; while Spain had only the expectation of remote benefit, and of future gain, from the western world. Nothing, then, could be more acceptable to the Spaniards than Columbus's offer to conduct them to the East, by a route which he expected to be shorter, as well as less dangerous, than that which the Portuguese had taken. Even Ferdinand was roused by such a prospect, and warmly approved of the undertaking.

His fourth voyage.

But interesting as the object of this voyage was to the nation, Columbus could procure only four small barks, the largest of which did not exceed seventy tons in burden, for performing it. Accustomed to brave danger, and to engage in arduous undertakings with inadequate force, he did not hesitate to accept the command of this pitiful squadron. His brother Bartholomew, and his second son Ferdinand, the historian of his actions, accompanied him. He sailed from Cadiz on the ninth of May, and touched, as usual, at the Canary islands; from thence he proposed to have stood directly for the continent; but his largest vessel was so clumsy and unfit for service, as constrained him to bear away for Hispaniola, in hopes of exchanging her for some ship of the fleet that had carried out Ovando. When he arrived at St. Domingo, he found eighteen of these ships ready loaded, and on the point of departing for Spain. Columbus immediately acquainted the governor with the destination of his voyage, and the accident which had obliged him to alter his route. He requested permission to enter the harbour, not only that he might negociate the exchange of his ship, but that he might take shelter during a violent hurricane, of which he discerned the approach from various prognostics, which his experience and sagacity had taught him to observe. On that account, he advised him likewise to put off for some days the departure of the fleet bound for Spain. But Ovando refused his request, and despised his counsel. Under circumstances in which humanity would have afforded refuge to a stranger, Columbus was denied admittance into a country of which he had discovered the existence and acquired the possession. His salutary warning, which merited the greatest attention, was regarded as the dream of a visionary prophet, who arrogantly pretended to predict an event beyond the reach of human foresight. The fleet set sail for Spain. Next night the hurricane came on with dreadful impetuosity. Columbus, aware of the danger, took precautions against it, and saved his little squadron. The fleet destined for Spain met with the fate which the rashness and obstinacy of its commanders deserved. Of eighteen ships, two or three only escaped. In this general wreck perished Bovadilla, Roldan, and the greater part of those who had been the most active in persecuting Columbus, and oppressing the Indians. Together with themselves, all the wealth which they had acquired by their injustice and cruelty was swallowed up. It exceeded in value two hundred thousand *pesos;* an immense sum at that period, and sufficient not only to have screened them from any severe scrutiny into their conduct, but to have secured them a gracious reception in the Spanish court. Among the ships that escaped, one had on board all the effects of Columbus which had been recovered from the ruins of his fortune. Historians, struck with the exact discrimination of characters, as well as the just distribution of rewards and punishments, conspicuous in those events, universally attribute them to an immediate interposition of Divine Providence, in order to avenge the wrongs of an injured man, and to punish the oppressors of an innocent people. Upon the ignorant and superstitious race of men, who were witnesses of this occurrence, it made a different impression. From an opinion which vulgar admiration is apt to entertain with respect to persons

June 29.

who have distinguished themselves by their sagacity and inventions, they believed Columbus to be possessed of supernatural powers, and imagined that he had conjured up this dreadful storm by magical art and incantations, in order to be avenged of his enemies.[r]

July 14. Searches in vain for a passage to the Indian ocean.

Columbus soon left Hispaniola, where he met with such an inhospitable reception, and stood towards the continent. After a tedious and dangerous voyage, he discovered Guanaia, an island not far distant from the coast of Honduras. There he had an interview with some inhabitants of the continent, who arrived in a large canoe. They appeared to be a people more civilized, and who had made greater progress in the knowledge of useful arts, than any whom he had hitherto discovered. In return to the inquiries which the Spaniards made, with their usual eagerness, concerning the places where the Indians got the gold which they wore by way of ornament, they directed them to countries situated to the west, in which gold was found in such profusion, that it was applied to the most common uses. Instead of steering in quest of a country so inviting, which would have conducted him along the coast of Yucatan to the rich empire of Mexico, Columbus was so bent upon his favourite scheme of finding out the strait which he supposed to communicate with the Indian ocean, that he bore away to the east towards the gulf of Darien. In this navigation he discovered all the coast of the continent, from Cape Gracias a Dios, to a harbour which, on account of its beauty and security, he called Porto Bello. He searched in vain for the imaginary strait, through which he expected to make his way into an unknown sea; and though he went on shore several times, and advanced into the country, he did not penetrate so far as to cross the narrow isthmus which separates the gulf of Mexico from the great southern ocean. He was so much delighted, however, with the fertility of the country, and conceived such an idea of its wealth, from the specimens of gold produced by the natives, that he resolved to leave a small colony upon the river Belen, in the province of Veragua, under the command of his brother, and to return himself to Spain, in order to procure what was requisite for rendering the establishment permanent. But the ungovernable spirit of the people under his command, deprived Columbus of the glory of planting the first colony on the continent of America. Their insolence and rapaciousness provoked the natives to take arms, and as these were a more hardy and warlike race of men than the inhabitants of the islands, they cut off part of the Spaniards, and obliged the rest to abandon a station which was found to be untenable.[s]

1503.

Shipwrecked on the coast of Jamaica.

This repulse, the first that the Spaniards met with from any of the American nations, was not the only misfortune that befell Columbus; it was followed by a succession of all the disasters to which navigation is exposed. Furious hurricanes, with violent storms of thunder and lightning, threatened his leaky vessels with destruction; while his discontented crew, exhausted with fatigue, and destitute of provisions, was unwilling or unable to execute his commands. One of his ships perished; he was obliged to abandon another, as unfit for service; and with the two which remained, he quitted that part of the continent, which in his anguish he named the Coast of Vexation,[t] and bore away for Hispaniola. New distresses awaited him in this voyage. He was driven back by a violent tempest from the coast of Cuba, his ships fell foul of one another, and were so much shattered by the shock, that with the utmost difficulty they reached Jamaica, where he was obliged to run them aground, to prevent them from sinking. The measure of his calamities seemed now to be full. He was cast ashore upon an island at a considerable distance from the only settlement of the Spaniards in America. His ships were ruined beyond the possibility of being repaired. To convey an account of his situation to Hispaniola, appeared impracticable; and without this it was vain to expect relief. His genius, fertile in resources, and most vigorous in those perilous extremities when feeble minds abandon themselves to despair, discovered the only expedient which afforded any prospect of deliverance. He had recourse to the hospitable kindness of the natives, who, considering the Spaniards as beings of a superior nature, were eager, on every occasion, to minister to their wants. From them he obtained two of their canoes, each formed out of the trunk of a single tree hollowed with fire, and so mis-shapen and awkward as hardly to merit the name of boats. In these, which were fit only for creeping along the coast, or crossing from one side of a bay to another, Mendez, a Spaniard, and Fieschi, a Genoese, two gentlemen particularly attached to Columbus, gallantly offered to set out for Hispaniola, upon a voyage of above thirty leagues.[u] This they accomplished in ten days, after surmounting incredible dangers, and enduring such fatigues that several of the Indians who accompanied them sunk under it, and died. The attention paid to them by the governor of Hispaniola was neither such as their courage merited, nor the distress of the persons from whom they came required. Ovando, from a mean jealousy of Columbus, was afraid of allowing him to set foot in the island under his government. This ungenerous passion hardened his heart against every tender sentiment, which reflection upon the services and misfortunes of that great man, or compassion for his own fellow-citizens involved in the same calamities, must have excited. Mendez and Fieschi spent eight months in soliciting relief for their commander and associates, without any prospect of obtaining it.

June 24.

r Oviedo, lib. iii. c. 7, 9. Herrera, dec. 1. lib. v. c. 1, 2. Life of Columbus. c. 88.

s Herrera, dec. 1. lib. v. c. 5, &c. Life of Columbus, c. 89, &c. Oviedo, lib. iii. c. 9.

t La Costa de los Contrastes.

u Oviedo, lib. iii. c. 9.

His distress and sufferings there.

During this period, various passions agitated the mind of Columbus and his companions in adversity. At first the expectation of speedy deliverance, from the sueeess of Mendez and Fieschi's voyage, cheered the spirits of the most desponding. After some time the most timorous began to suspect that they had miscarried in their daring attempt. At length, even the most sanguine concluded that they had perished. The ray of hope which had broken in upon them, made their condition appear now more dismal. Despair, heightened by disappointment, settled in every breast. Their last resource had failed, and nothing remained but the prospect of ending their miserable days among naked savages, far from their country and their friends. The seamen, in a transport of rage, rose in open mutiny, threatened the life of Columbus, whom they reproached as the author of all their calamities, seized ten canoes, which he had purchased from the Indians, and, despising his remonstrances and entreaties, made off with them to a distant part of the island. At the same time the natives murmured at the long residence of the Spaniards in their country. As their industry was not greater than that of their neighbours in Hispaniola, like them they found the burden of supporting so many strangers to be altogether intolerable. They began to bring in provisions with reluctance, they furnished them with a sparing hand, and threatened to withdraw those supplies altogether. Such a resolution must have been quickly fatal to the Spaniards. Their safety depended upon the good-will of the Indians; and unless they could revive the admiration and reverence with which that simple people had at first beheld them, destruction was unavoidable. Though the licentious proceedings of the mutineers had, in a great measure, effaced those impressions which had been so favourable to the Spaniards, the ingenuity of Columbus suggested a happy artifice, that not only restored but heightened the high opinion which the Indians had originally entertained of them. By his skill in astronomy he knew that there was shortly to be a total eclipse of the moon. He assembled all the principal persons of the district around him on the day before it happened, and, after reproaching them for their fickleness in withdrawing their affection and assistance from men whom they had lately revered, he told them, that the Spaniards were servants of the Great Spirit who dwells in heaven, who made and governs the world; that he, offended at their refusing to support men who were the objects of his peculiar favour, was preparing to punish this crime with exemplary severity, and that very night the moon should withhold her light, and appear of a bloody hue, as a sign of the divine wrath, and an emblem of the vengeance ready to fall upon them. To this marvellous prediction some of them listened with the careless indifference peculiar to the people of America; others, with the credulous astonishment natural to barbarians. But when the moon began gradually to be darkened, and at length appeared of a red colour, all were struck with terror. They ran with consternation to their houses, and returning instantly to Columbus loaded with provisions, threw them at his feet, conjuring him to intercede with the Great Spirit to avert the destruction with which they were threatened. Columbus, seeming to be moved by their entreaties, promised to comply with their desire. The eclipse went off, the moon recovered its splendour, and from that day the Spaniards were not only furnished profusely with provisions, but the natives, with superstitious attention, avoided every thing that could give them offence.[x]

1504.

A cruel addition to them.

During those transactions, the mutineers had made repeated attempts to pass over to Hispaniola in the canoes which they had seized. But from their own misconduct, or the violence of the winds and currents, their efforts were all unsuccessful. Enraged at this disappointment, they marched towards that part of the island where Columbus remained, threatening him with new insults and danger. While they were advancing, an event happened, more cruel and afflicting than any calamity which he dreaded from them. The governor of Hispaniola, whose mind was still filled with some dark suspicions of Columbus, sent a small bark to Jamaica, not to deliver his distressed countrymen, but to spy out their condition. Lest the sympathy of those whom he employed should afford them relief, contrary to his intention, he gave the command of this vessel to Escobar, an inveterate enemy of Columbus, who, adhering to his instructions with malignant accuracy, cast anchor at some distance from the island, approached the shore in a small boat, observed the wretched plight of the Spaniards, delivered a letter of empty compliments to the admiral, received his answer, and departed. When the Spaniards first descried the vessel standing towards the island every heart exulted, as if the long-expected hour of their deliverance had at length arrived; but when it disappeared so suddenly, they sunk into the deepest dejection, and all their hopes died away. Columbus alone, though he felt most sensibly this wanton insult which Ovando added to his past neglect, retained such composure of mind as to be able to cheer his followers. He assured them, that Mendez and Fieschi had reached Hispaniola in safety; that they would speedily procure ships to carry them off; but, as Escobar's vessel could not take them all on board, that he had refused to go with her, because he was determined never to abandon the faithful companions of his distress. Soothed with the expectation of speedy deliverance, and delighted with his apparent generosity in attending more to their preservation than to his own safety, their spirits revived, and he regained their confidence.[y]

x Life of Col. c. 103. Herr. dec. 1. l. vi. c. 5, 6. Benz. Hist. l. i. c. 14.

y Life of Columbus, c. 104. Herrera, dec. 1. lib. vi. c. 17.

Without this confidence he could not have resisted the mutineers, who were now at hand. All his endeavours to reclaim those desperate men had no effect but to increase their phrensy. Their demands became every day more extravagant, and their intentions more violent and bloody. The common safety rendered it necessary to oppose them with open force. Columbus, who had been long afflicted with the gout, could not take the field. His brother, the adelantado, marched against them. They quickly met. The mutineers rejected with scorn terms of accommodation, which were once more offered them, and rushed on boldly to the attack. They fell not upon an enemy unprepared to receive them. In the first shock, several of their most daring leaders were slain. The adelantado, whose strength was equal to his courage, closed with their captain, wounded, disarmed, and took him prisoner.[z] At sight of this, the rest fled with a dastardly fear suitable to their former insolence. Soon after, they submitted in a body to Columbus, and bound themselves by the most solemn oaths to obey all his commands. Hardly was tranquillity re-established, when the ships appeared, whose arrival Columbus had promised with great address, though he could foresee it with little certainty. With transports of joy, the Spaniards quitted an island in which the unfeeling jealousy of Ovando had suffered them to languish above a year, exposed to misery in all its various forms.

May. 20.

His deliverance and arrival at Hispaniola.

When they arrived at St. Domingo, the governor, with the mean artifice of a vulgar mind, that labours to atone for insolence by servility, fawned on the man whom he envied, and had attempted to ruin. He received Columbus with the most studied respect, lodged him in his own house, and distinguished him with every mark of honour. But amidst those overacted demonstrations of regard, he could not conceal the hatred and malignity latent in his heart. He set at liberty the captain of the mutineers, whom Columbus had brought over in chains, to be tried for his crimes; and threatened such as had adhered to the admiral with proceeding to a judicial inquiry into their conduct. Columbus submitted in silence to what he could not redress; but discovered an extreme impatience to quit a country which was under the jurisdiction of a man who had treated him, on every occasion, with inhumanity and injustice.

Sept. 12.

His preparations were soon finished, and he set sail for Spain with two ships. Disasters similar to those which had accompanied him through life continued to pursue him to the end of his career. One of his vessels being disabled, was soon forced back to St. Domingo; the other, shattered by violent storms, sailed seven hundred leagues with jury-masts, and reached with difficulty the port of St. Lucar.[a]

December.

z Life of Columbus, c. 107. Herrera, dec. 1. lib. vi. c. 11.
a Ibid. c. 108. Ibid. c. 12.

There he received the account of an event the most fatal that could have befallen him, and which completed his misfortunes. This was the death of his patroness queen Isabella, in whose justice, humanity, and favour, he confided as his last resource. None now remained to redress his wrongs, or to reward him for his services and sufferings, but Ferdinand, who had so long opposed and so often injured him. To solicit a prince thus prejudiced against him, was an occupation no less irksome than hopeless. In this, however, was Columbus doomed to employ the close of his days. As soon as his health was in some degree re-established, he repaired to court; and though he was received there with civility barely decent, he plied Ferdinand with petition after petition, demanding the punishment of his oppressors, and the restitution of all the privileges bestowed upon him by the capitulation of one thousand four hundred and ninety-two. Ferdinand amused him with fair words and unmeaning promises. Instead of granting his claims, he proposed expedients in order to elude them, and spun out the affair with such apparent art, as plainly discovered his intention that it should never be terminated. The declining health of Columbus flattered Ferdinand with the hopes of being soon delivered from an importunate suitor, and encouraged him to persevere in this illiberal plan. Nor was he deceived in his expectations. Disgusted with the ingratitude of a monarch whom he had served with such fidelity and success, exhausted with the fatigues and hardships which he had endured, and broken with the infirmities which these had brought upon him, Columbus ended his life at Valladolid on the twentieth of May, one thousand five hundred and six, in the fifty-ninth year of his age. He died with a composure of mind suitable to the magnanimity which distinguished his character, and with sentiments of piety becoming that supreme respect for religion, which he manifested in every occurrence of his life.[b]

Death of Isabella. Nov. 9.

Death of Columbus.

b Life of Columbus, c. 108. Herrera, dec. 1. lib. vi. c. 13, 14, 15.

BOOK III.

While Columbus was employed in his last voyage, several events worthy of notice happened in Hispaniola. The colony there, the parent and nurse of all the subsequent establishments of Spain in the New World, gradually acquired the form of a regular and prosperous society. The humane solicitude of Isabella to protect the Indians from oppression, and particularly the proclamation by which the Spaniards were prohibited to compel them to work, retarded, it is true, for some time the progress of improvement. The natives, who considered exemption from toil

State of the colony in Hispaniola.

as supreme felicity, scorned every allurement and reward by which they were invited to labour. The Spaniards had not a sufficient number of hands either to work the mines or to cultivate the soil. Several of the first colonists, who had been accustomed to the service of the Indians, quitted the island, when deprived of those instruments without which they knew not how to carry on any operation. Many of the new settlers who came over with Ovando, were seized with the distempers peculiar to the climate, and in a short space above a thousand of them died. At the same time, the exacting one half of the product of the mines as the royal share, was found to be a demand so exorbitant, that no adventurers would engage to work them upon such terms. In order to save the colony from ruin, Ovando ventured to relax the rigour of the royal edicts. He made a new distribution of the Indians among the Spaniards, and compelled them to labour, for a stated time, in digging the mines, or in cultivating the ground; but in order to screen himself from the imputation of having subjected them again to servitude, he enjoined their masters to pay them a certain sum, as the price of their work. He reduced the royal share of the gold found in the mines from the half to the third part, and soon after lowered it to a fifth, at which it long remained. Notwithstanding Isabella's tender concern for the good treatment of the Indians, and Ferdinand's eagerness to improve the royal revenue, Ovando persuaded the court to approve of both these regulations.[a]

1505.

War with the Indians.

But the Indians, after enjoying respite from oppression, though during a short interval, now felt the yoke of bondage to be so galling, that they made several attempts to vindicate their own liberty. This the Spaniards considered as rebellion, and took arms in order to reduce them to subjection. When war is carried on between nations whose state of improvement is in any degree similar, the means of defence bear some proportion to those employed in the attack; and in this equal contest such efforts must be made, such talents are displayed, and such passions roused, as exhibit mankind to view in a situation no less striking than interesting. It is one of the noblest functions of history, to observe and to delineate men at a juncture when their minds are most violently agitated, and all their powers and passions are called forth. Hence the operations of war, and the struggles between contending states, have been deemed by historians, ancient as well as modern, a capital and important article in the annals of human actions. But in a contest between naked savages, and one of the most warlike of the European nations, where science, courage, and discipline on one side, were opposed by ignorance, timidity, and disorder on the other, a particular detail of events would be as unpleasant as uninstructive. If the simplicity and innocence of the Indians had inspired the Spaniards with humanity, had softened the pride of superiority into compasion, and had induced them to improve the inhabitants of the New World, instead of oppressing them, some sudden acts of violence, like the too rigorous chastisements of impatient instructors, might have been related without horror. But, unfortunately, this consciousness of superiority operated in a different manner. The Spaniards were advanced so far beyond the natives of America in improvement of every kind, that they viewed them with contempt. They conceived the Americans to be animals of an inferior nature, who were not entitled to the rights and privileges of men. In peace, they subjected them to servitude. In war, they paid no regard to those laws, which, by a tacit convention between contending nations, regulate hostility, and set some bounds to its rage. They considered them not as men fighting in defence of their liberty, but as slaves who had revolted against their masters. The caziques, when taken, were condemned, like the leaders of banditti, to the most cruel and ignominious punishments; and all their subjects, without regarding the distinction of ranks established among them, were reduced to the same state of abject slavery. With such a spirit and sentiments were hostilities carried on against the cazique of Higuey, a province at the eastern extremity of the island. This war was occasioned by the perfidy of the Spaniards, in violating a treaty which they had made with the natives, and it was terminated by hanging up the cazique, who defended his people with bravery so far superior to that of his countrymen, as entitled him to a better fate.[b]

The cruel and treacherous conduct of Ovando.

The conduct of Ovando, in another part of the island, was still more treacherous and cruel. The province anciently named Xaragua, which extends from the fertile plain where Leogane is now situated, to the western extremity of the island, was subject to a female cazique, named Anacoana, highly respected by the natives. She, from that partial fondness with which the women of America were attached to the Europeans, (the cause of which shall be afterwards explained,) had always courted the friendship of the Spaniards, and loaded them with benefits. But some of the adherents of Roldan having settled in her country, were so much exasperated at her endeavouring to restrain their excesses, that they accused her of having formed a plan to throw off the yoke, and to exterminate the Spaniards. Ovando, though he knew well what little credit was due to such profligate men, marched, without further inquiry, toward Xaragua, with three hundred foot and seventy horsemen. To prevent the Indians from taking alarm at this hostile appearance, he gave out that his sole intention was to visit Anacoana, to whom his countrymen had been so much indebted, in the most respectful manner, and to regulate with her the mode of levying the tribute payable to the king of Spain. Anacoana, in order to receive

a Herrera, dec. 1. lib. v. c. 3.

b Herrera, dec. 1. lib. vi. c. 9, 10.

this illustrious guest with due honour, assembled the principal men in her dominions, to the number of three hundred, and advancing at the head of these, accompanied by a great crowd of persons of inferior rank, she welcomed Ovando with songs and dances, according to the mode of the country, and conducted him to the place of her residence. There he was feasted for some days, with all the kindness of simple hospitality, and amused with the games and spectacles usual among the Americans upon occasions of mirth and festivity. But amidst the security which this inspired, Ovando was meditating the destruction of his unsuspicious entertainer and her subjects; and the mean perfidy with which he executed this scheme, equalled his barbarity in forming it. Under colour of exhibiting to the Indians the parade of an European tournament, he advanced with his troops in battle array, towards the house in which Anacoana and the chiefs who attended her, were assembled. The infantry took possession of all the avenues which led to the village. The horsemen encompassed the house. These movements were the object of admiration without any mixture of fear, until, upon a signal which had been concerted, the Spaniards suddenly drew their swords, and rushed upon the Indians, defenceless and astonished at an act of treachery which exceeded the conception of undesigning men. In a moment Anacoana was secured. All her attendants were seized and bound. Fire was set to the house; and without examination or conviction, all these unhappy persons, the most illustrious in their own country, were consumed in the flames. Anacoana was reserved for a more ignominious fate. She was carried in chains to St. Domingo, and, after the formality of a trial before Spanish judges, she was condemned, upon the evidence of those very men who had betrayed her, to be publicly hanged.[c]

Reduction of the Indians, and its effects.

Overawed and humbled by this atrocious treatment of their princes and nobles, who were objects of their highest reverence, the people in all the provinces of Hispaniola submitted, without further resistance, to the Spanish yoke. Upon the death of Isabella, all the regulations tending to mitigate the rigour of their servitude were forgotten. The small gratuity paid to them as the price of their labour was withdrawn, and at the same time the tasks imposed upon them were increased. Ovando, without any restraint, distributed Indians among his friends in the island. Ferdinand, to whom the queen had left by will one half of the revenue arising from the settlements in the New World, conferred grants of a similar nature upon his courtiers, as the least expensive mode of rewarding their services. They farmed out the Indians, of whom they were rendered proprietors, to their countrymen settled in Hispaniola; and that wretched people, being compelled to labour in order to satisfy the rapacity of both, the exactions of their oppressors no longer knew any bounds. But, barbarous as their policy was, and fatal to the inhabitants of Hispaniola, it produced, for some time, very considerable effects. By calling forth the force of a whole nation, and exerting it in one direction, the working of the mines was carried on with amazing rapidity and success. During several years, the gold brought into the royal smelting-houses in Hispaniola amounted annually to four hundred and sixty thousand pesos, above a hundred thousand pounds sterling; which, if we attend to the great change in the value of money since the beginning of the sixteenth century to the present times, must appear a considerable sum. Vast fortunes were created, of a sudden, by some. Others dissipated, in ostentatious profusion, what they acquired with facility. Dazzled by both, new adventurers crowded to America, with the most eager impatience to share in those treasures which had enriched their countrymen; and, notwithstanding the mortality occasioned by the unhealthiness of the climate, the colony continued to increase.[d]

1506.

Progress of the colony.

Ovando governed the Spaniards with wisdom and justice not inferior to the rigour with which he treated the Indians. He established equal laws; and, by executing them with impartiality, accustomed the people of the colony to reverence them. He founded several new towns in different parts of the island, and allured inhabitants to them, by the concession of various immunities. He endeavoured to turn the attention of the Spaniards to some branch of industry more useful than that of searching for gold in the mines. Some slips of the sugar-cane having been brought from the Canary Islands by way of experiment, they were found to thrive with such increase in the rich soil and warm climate to which they were transplanted, that the cultivation of them soon became an object of commerce. Extensive plantations were begun; sugar-works, which the Spaniards called *ingenios*, from the various machinery employed in them, were erected, and in a few years the manufacture of this commodity was the great occupation of the inhabitants of Hispaniola, and the most considerable source of their wealth.[e]

Political regulation of Ferdinand.

The prudent endeavours of Ovando to promote the welfare of the colony were powerfully seconded by Ferdinand. The large remittances which he received from the New World opened his eyes, at length, with respect to the importance of those discoveries, which he had hitherto affected to undervalue. Fortune, and his own address, having now extricated him out of those difficulties in which he had been involved by the death of his queen, and by his disputes with his son-in-law about the government of her dominions,[f] he had full leisure to turn his attention to the affairs of America.

1507.

c Oviedo, lib. iii. c. 12. Herrera, dec. 1. lib. vi. c. 4. Relacion de Destruyc. de las Indias por Bart. de las Casas, p. 8.

d Herrera, dec. 1. lib. vi. c. 18, &c.

e Oviedo, lib. iv. c. 8.

f Hist. of the Reign of Charles V. p. 432.

To his provident sagacity, Spain is indebted for many of those regulations which gradually formed that system of profound but jealous policy, by which she governs her dominions in the New World. He erected a court distinguished by the title of the *Casa de Contratacion*, or Board of Trade, composed of persons eminent for rank and abilities, to whom he committed the administration of American affairs. This board assembled regularly in Seville, and was invested with a distinct and extensive jurisdiction. He gave a regular form to ecclesiastical government in America, by nominating archbishops, bishops, deans, together with clergymen of subordinate ranks, to take charge of the Spaniards established there, as well as of the natives who should embrace the christian faith. But notwithstanding the obsequious devotion of the Spanish court to the papal see, such was Ferdinand's solicitude to prevent any foreign power from claiming jurisdiction or acquiring influence in his new dominions, that he reserved to the crown of Spain the sole right of patronage to the benefices in America, and stipulated that no papal bull or mandate should be promulgated there, until it was previously examined and approved of by his council. With the same spirit of jealousy, he prohibited any goods to be exported to America, or any person to settle there, without a special licence from that council.[g]

The number of the Indians diminishes fast.

But, notwithstanding this attention to the police and welfare of the colony, a calamity impended which threatened its dissolution. The original inhabitants, on whose labour the Spaniards in Hispaniola depended for their prosperity, and even their existence, wasted so fast, that the extinction of the whole race seemed to be inevitable. When Columbus discovered Hispaniola, the number of its inhabitants was computed to be at least a million.[h] They were now reduced to sixty thousand in the space of fifteen years. This consumption of the human species, no less amazing than rapid, was the effect of several concurring causes. The natives of the American islands were of a more feeble constitution than the inhabitants of the other hemisphere. They could neither perform the same work, nor endure the same fatigue, with men whose organs were of a more vigorous conformation. The listless indolence in which they delighted to pass their days, as it was the effect of their debility, contributed likewise to increase it, and rendered them, from habit as well as constitution, incapable of hard labour. The food on which they subsisted afforded little nourishment, and they were accustomed to take it in small quantities, not sufficient to invigorate a languid frame, and render it equal to the efforts of active industry. The Spaniards, without attending to those peculiarities in the constitution of the Americans, imposed tasks upon them, which, though not greater than Europeans might have performed with ease, were so disproportioned to their strength, that many sunk under the fatigue, and ended their wretched days. Others, prompted by impatience and despair, cut short their own lives with a violent hand. Famine, brought on by compelling such numbers to abandon the culture of their lands, in order to labour in the mines, proved fatal to many. Diseases of various kinds, some occasioned by the hardships to which they were exposed, and others by their intercourse with the Europeans, who communicated to them some of their peculiar maladies, completed the desolation of the island. The Spaniards, being thus deprived of the instruments which they were accustomed to employ, found it impossible to extend their improvements, or even to carry on the works which they had already begun. In order to provide an immediate remedy for an evil so alarming, Ovando proposed to transport the inhabitants of the Lucayo islands to Hispaniola, under pretence that they might be civilized with more facility, and instructed to greater advantage in the christian religion, if they were united to the Spanish colony, and placed under the immediate inspection of the missionaries settled there. Ferdinand, deceived by this artifice, or willing to connive at an act of violence which policy represented as necessary, gave his assent to the proposal. Several vessels were fitted out for the Lucayos, the commanders of which informed the natives, with whose language they were now well acquainted, that they came from a delicious country, in which the departed ancestors of the Indians resided, by whom they were sent to invite their descendants to resort thither, to partake of the bliss enjoyed there by happy spirits. That simple people listened with wonder and credulity; and fond of visiting their relations and friends in that happy region, followed the Spaniards with eagerness. By this artifice, above forty thousand were decoyed into Hispaniola, to share in the sufferings which were the lot of the inhabitants of that island, and to mingle their groans and tears with those of that wretched race of men.[i]

1508.

The Spaniards had, for some time, carried on their operations in the mines of Hispaniola with such ardour, as well as success, that these seemed to have engrossed their whole attention. The spirit of discovery languished; and, since the last voyage of Columbus, no enterprise of any moment had been undertaken. But as the decrease of the Indians rendered it impossible to acquire wealth in that island with the same rapidity as formerly, this urged some of the more adventurous Spaniards to search for new countries, where their avarice might be gratified with more facility. Juan Ponce de Leon, who commanded under Ovando in the eastern district of Hispaniola, passed over to the island of St. Juan de Puerto Rico, which Columbus had discovered in his second voyage, and penetrated

New discoveries and settlements.

g Herrera, dec. 1. lib. vi. c. 19, 20.
h Ibid. dec. 1. lib. x. c. 12.

i Herrera, dec. 1. lib. vii. c. 3. Oviedo, lib. iii. c. 6. Gomara Hist. c. 41.

into the interior part of the country. As he found the soil to be fertile, and expected, from some symptoms, as well as from the information of the inhabitants, to discover mines of gold in the mountains, Ovando permitted him to attempt making a settlement in the island. This was easily effected by an officer eminent for conduct no less than for courage. In a few years Puerto Rico was subjected to the Spanish government, the natives were reduced to servitude; and, being treated with the same inconsiderate rigour as their neighbours in Hispaniola, the race of original inhabitants, worn out with fatigue and sufferings, was soon exterminated.[k]

About the same time, Juan Diaz de Solis, in conjunction with Vincent Yanez Pinzon, one of Columbus's original companions, made a voyage to the continent. They held the same course which Columbus had taken, as far as to the island of Guanaios; but, standing from thence to the west, they discovered a new and extensive province, afterwards known by the name of Yucatan, and proceeded a considerable way along the coast of that country.[l] Though nothing memorable occurred in this voyage, it deserves notice, because it led to discoveries of greater importance. For the same reason, the voyage of Sebastian de Ocampo must be mentioned. By the command of Ovando, he sailed round Cuba, and first discovered with certainty, that this country, which Columbus once supposed to be a part of the continent, was a large island.[m]

Diego Columbus appointed governor of Hispaniola.

This voyage round Cuba was one of the last occurrences under the administration of Ovando. Ever since the death of Columbus, his son Don Diego had been employed in soliciting Ferdinand to grant him the offices of viceroy and admiral in the New World, together with all the immunities and profits which descended to him by inheritance, in consequence of the original capitulation with his father. But if these dignities and revenues appeared so considerable to Ferdinand, that, at the expense of being deemed unjust as well as ungrateful, he had wrested them from Columbus, it is not surprising that he should be unwilling to confer them on his son. Accordingly, Don Diego wasted two years in incessant but fruitless importunity. Weary of this, he endeavoured at length to obtain, by a legal sentence, what he could not procure from the favour of an interested monarch. He commenced a suit against Ferdinand before the council which managed Indian affairs, and that court, with integrity which reflects honour upon its proceedings, decided against the king, and sustained Don Diego's claim of the viceroyalty, together with all the other privileges stipulated in the capitulation. Even after this decree, Ferdinand's repugnance to put a subject in possession of such extensive rights, might have thrown in new obstacles, if Don Diego had not taken a step which interested very powerful persons in the success of his claims. The sentence of the council of the Indies gave him a title to a rank so elevated, and a fortune so opulent, that he found no difficulty in concluding a marriage with Donna Maria, daughter of Don Ferdinand de Toledo, great commendator of Leon, and brother of the duke of Alva, a nobleman of the first rank, and nearly related to the king. The duke and his family espoused so warmly the cause of their new ally, that Ferdinand could not resist their solicitations. He recalled Ovando, and appointed Don Diego his successor, though, even in conferring this favour, he could not conceal his jealousy; for he allowed him to assume only the title of governor, not that of viceroy, which had been adjudged to belong to him.[n] 1509.

He repairs to Hispaniola.

Don Diego quickly repaired to Hispaniola, attended by his brother, his uncles, his wife, whom the courtesy of the Spaniards honoured with the title of vice-queen, and a numerous retinue of persons of both sexes, born of good families. He lived with a splendour and magnificence hitherto unknown in the New World; and the family of Columbus seemed now to enjoy the honours and rewards due to his inventive genius, of which he himself had been cruelly defrauded. The colony itself acquired new lustre by the accession of so many inhabitants, of a different rank and character from most of those who had hitherto migrated to America, and many of the most illustrious families in the Spanish settlements are descended from the persons who at that time accompanied Don Diego Columbus.[o]

No benefits accrued to the unhappy natives from this change of governors. Don Diego was not only authorized by a royal edict to continue the *repartimientos*, or distribution of Indians, but the particular number which he might grant to every person, according to his rank in the colony, was specified. He availed himself of that permission, and soon after he landed at St. Domingo, he divided such Indians as were still unappropriated, among his relations and attendants.[p]

Pearl fishery of Cubagua.

The next care of the new governor was to comply with an instruction which he received from the king, about settling a colony in Cubagua, a small island which Columbus had discovered in his third voyage. Though this barren spot hardly yielded subsistence to its wretched inhabitants, such quantities of those oysters which produce pearls were found on its coast, that it did not long escape the inquisitive avarice of the Spaniards, and became a place of considerable resort. Large fortunes were acquired by the fishery of pearls, which was carried on with extraordinary ardour. The Indians, especially those from the Lucayo islands, were compelled to dive for them; and this dangerous and unhealthy em-

k Herrera, dec. 1. lib. vii. c. 1—4. Gomara Hist. c. 44. Relacion de B. de las Casas, p. 10.
l Herrera, dec. 1. lib. vi. c. 17.
m Ibid. dec. 1. lib. vii. c. 1.
n Herrera, dec. 1. lib. vii. c. 4, &c.
o Oviedo, lib. iii. c. 1.
p Recopilacion de Leyes, lib. vi. tit. 8. l. 1, 2. Herrera, dec. 1. lib. vii. c. 10.

ployment was an additional calamity, which contributed not a little to the extinction of that devoted race.[q]

New voyages.

About this period, Juan Diaz de Solis and Pinzon set out, in conjunction, upon a second voyage. They stood directly south, towards the equinoctial line, which Pinzon had formerly crossed, and advanced as far as the fortieth degree of southern latitude. They were astonished to find that the continent of America stretched on their right hand, through all this vast extent of ocean. They landed in different places, to take possession in name of their sovereign; but though the country appeared to be extremely fertile and inviting, their force was so small, having been fitted out rather for discovery than making settlements, that they left no colony behind them. Their voyage served, however, to give the Spaniards more exalted and adequate ideas with respect to the dimensions of this new quarter of the globe.[r]

A settlement on the continent attempted.

Though it was about ten years since Columbus had discovered the main land of America, the Spaniards had hitherto made no settlement in any part of it. What had been so long neglected was now seriously attempted, and with considerable vigour; though the plan for this purpose was neither formed by the crown, nor executed at the expense of the nation, but carried on by the enterprising spirit of private adventurers. This scheme took its rise from Alonso de Ojeda, who had already made two voyages as a discoverer, by which he acquired considerable reputation, but no wealth. But his character for intrepidity and conduct easily procured him associates, who advanced the money requisite to defray the charges of the expedition. About the same time, Diego de Nicuessa, who had acquired a large fortune in Hispaniola, formed a similar design. Ferdinand encouraged both; and though he refused to advance the smallest sum, was extremely liberal of titles and patents. He erected two governments on the continent, one extending from Cape de Vela to the gulf of Darien, and the other from that to Cape Gracias a Dios. The former was given to Ojeda, the latter to Nicuessa. Ojeda fitted out a ship and two brigantines, with three hundred men; Nicuessa, six vessels, with seven hundred and eighty men. They sailed about the same time from St. Domingo for their respective governments. In order to give their title to those countries some appearance of validity, several of the most eminent divines and lawyers in Spain were employed to prescribe the mode in which they should take possession of them.[s] There is not in the history of mankind any thing more singular or extravagant than the form which they devised for this purpose. They instructed those invaders, as soon as they landed on the continent, to declare to the natives the principal articles of the christian faith; to acquaint them, in particular, with the supreme jurisdiction of the pope over all the kingdoms of the earth; to inform them of the grant which this holy pontiff had made of their country to the king of Spain; to require them to embrace the doctrines of that religion which the Spaniards made known to them; and to submit to the sovereign whose authority they proclaimed. If the natives refused to comply with this requisition, the terms of which must have been utterly incomprehensible to uninstructed Indians, then Ojeda and Nicuessa were authorized to attack them with fire and sword; to reduce them, their wives and children, to a state of servitude; and to compel them by force to recognise the jurisdiction of the church, and the authority of the monarch, to which they would not voluntarily subject themselves.[t]

The disasters attending it.

As the inhabitants of the continent could not at once yield assent to doctrines too refined for their uncultivated understandings, and explained to them by interpreters imperfectly acquainted with their language; as they did not conceive how a foreign priest, of whom they had never heard, could have any right to dispose of their country, or how an unknown prince should claim jurisdiction over them as his subjects; they fiercely opposed the new invaders of their territories. Ojeda and Nicuessa endeavoured to effect by force what they could not accomplish by persuasion. The contemporary writers enter into a very minute detail in relating their transactions; but as they made no discovery of importance, nor established any permanent settlement, their adventures are not entitled to any considerable place in the general history of a period, where romantic valour, struggling with incredible hardships, distinguishes every effort of the Spanish arms. They found the natives in those countries of which they went to assume the government, to be of a character very different from that of their countrymen in the islands. They were fierce and warlike. Their arrows were dipped in a poison so noxious, that every wound was followed with certain death. In one encounter they slew above seventy of Ojeda's followers, and the Spaniards, for the first time, were taught to dread the inhabitants of the New World. Nicuessa was opposed by people equally resolute in defence of their possessions. Nothing could soften their ferocity. Though the Spaniards employed every art to soothe them, and to gain their confidence, they refused to hold any intercourse, or to exchange any friendly office, with men whose residence among them they considered as fatal to their liberty and independence. This implacable enmity of the natives, 1510. though it rendered an attempt to establish a settlement in their country extremely difficult as well as dangerous, might have been surmounted at length by the perseverance of the Spaniards, by the superiority of their arms, and their skill in

q Herrera, dec. 1. lib. vii. c. 9. Gomara Hist. c. 78.
r Herrera, dec. 1. lib. vii. c. 9.
s Herrera, dec. 1. lib. vii. c. 15.
t See Note XXIII.

the art of war. But every disaster which can be accumulated upon the unfortunate, combined to complete their ruin. The loss of their ships by various accidents upon an unknown coast, the diseases peculiar to a climate the most noxious in all America, the want of provisions, unavoidable in a country imperfectly cultivated, dissension among themselves, and the incessant hostilities of the natives, involved them in a succession of calamities, the bare recital of which strikes one with horror. Though they received two considerable reinforcements from Hispaniola, the greater part of those who had engaged in this unhappy expedition perished, in less than a year, in the most extreme misery. A few who survived, settled as a feeble colony at Santa Maria el Antigua, on the gulf of Darien, under the command of Vasco Nugnez de Balboa, who, in the most desperate exigences, displayed such courage and conduct, as first gained the confidence of his countrymen, and marked him out as their leader in more splendid and successful undertakings. Nor was he the only adventurer in this expedition who will appear with lustre in more important scenes. Francisco Pizarro was one of Ojeda's companions, and in this school of adversity acquired or improved the talents which fitted him for the extraordinary actions which he afterwards performed. Hernan Cortes, whose name became still more famous, had likewise engaged early in this enterprise, which roused all the active youth of Hispaniola to arms; but the good fortune that accompanied him in his subsequent adventures, interposed to save him from the disasters to which his companions were exposed. He was taken ill at St. Domingo before the departure of the fleet, and detained there by a tedious indisposition.[u]

Conquest of Cuba.

Notwithstanding the unfortunate issue of this expedition, the Spaniards were not deterred from engaging in new schemes of a similar nature. When wealth is acquired gradually by the persevering hand of industry, or accumulated by the slow operations of regular commerce, the means employed are so proportioned to the end attained, that there is nothing to strike the imagination, and little to urge on the active powers of the mind to uncommon efforts. But when large fortunes were created almost instantaneously; when gold and pearls were procured in exchange for baubles; when the countries which produced these rich commodities, defended only by naked savages, might be seized by the first bold invader; objects so singular and alluring roused a wonderful spirit of enterprise among the Spaniards, who rushed with ardour into this new path that was opened to wealth and distinction. While this spirit continued warm and vigorous, every attempt either towards discovery or conquest was applauded, and adventurers engaged in it with emulation. The passion for new undertakings, which characterizes the age of discovery in the latter part of the fifteenth and beginning of the sixteenth century, would alone have been sufficient to prevent the Spaniards from stopping short in their career. But circumstances peculiar to Hispaniola, at this juncture, concurred with it in extending their navigation and conquests. The rigorous treatment of the inhabitants of that island having almost extirpated the race, many of the Spanish planters, as I have already observed, finding it impossible to carry on their works with the same vigour and profit, were obliged to look out for settlements in some country where people were not yet wasted by oppression. Others, with the inconsiderate levity natural to men upon whom wealth pours in with a sudden flow, had squandered, in thoughtless prodigality, what they acquired with ease, and were driven by necessity to embark in the most desperate schemes, in order to retrieve their affairs. From all these causes, when Don Diego Columbus proposed 1511. to conquer the island of Cuba, and to establish a colony there, many persons of chief distinction in Hispaniola engaged with alacrity in the measure. He gave the command of the troops destined for that service to Diego Velasquez, one of his father's companions in his second voyage, and who, having been long settled in Hispaniola, had acquired an ample fortune, with such reputation for probity and prudence, that he seemed to be well qualified for conducting an expedition of importance. Three hundred men were deemed sufficient for the conquest of an island of above seven hundred miles in length, and filled with inhabitants. But they were of the same unwarlike character with the people of Hispaniola. They were not only intimidated by the appearance of their new enemies, but unprepared to resist them. For though, from the time that the Spaniards took possession of the adjacent island, there was reason to expect a descent on their territories, none of the small communities into which Cuba was divided, had either made any provision for its own defence, or had formed any concert for their common safety. The only obstruction the Spaniards met with was from Hatuey, a cazique, who had fled from Hispaniola, and had taken possession of the eastern extremity of Cuba. He stood upon the defensive at their first landing, and endeavoured to drive them back to their ships. His feeble troops, however, were soon broken and dispersed; and he himself being taken prisoner, Velasquez, according to the barbarous maxim of the Spaniards, considered him as a slave who had taken arms against his master, and condemned him to the flames. When Hatuey was fastened to the stake, a Franciscan friar, labouring to convert him, promised him immediate admittance into the joys of heaven, if he would embrace the christian faith. "Are there any Spaniards," says he, after some pause, "in that region of bliss which you describe?" —"Yes," replied the monk, "but only such as are worthy and good."—"The best of them," returned

u Herrera, dec. 1. lib. vii. c. 11, &c. Gomara Hist. c. 57, 58, 59. Benzon. Hist. lib. i. c. 19—23. P. Martyr, decad. p. 122.

the indignant cazique, "have neither worth nor goodness: I will not go to a place where I may meet with one of that accursed race."[x] This dreadful example of vengeance struck the people of Cuba with such terror, that they scarcely gave any opposition to the progress of their invaders; and Velasquez, without the loss of a man, annexed this extensive and fertile island to the Spanish monarchy.[y]

Discovery of Florida.

The facility with which this important conquest was completed, served as an incitement to other undertakings. Juan Ponce de Leon, having acquired both fame and wealth by the reduction of Puerto Rico, was impatient to engage in some new enterprise. He fitted out three ships at his own expense for a voyage of discovery, and his reputation soon drew together a respectable body of followers. He directed his course towards the Lucayo Islands; and after touching at several of them, as well as of the Bahama Isles, he stood to the south-west, and discovered a country hitherto unknown to the Spaniards, which he called Florida, either because he fell in with it on Palm Sunday, or on account of its gay and beautiful appearance. He attempted to land in different places, but met with such vigorous opposition from the natives, who were fierce and warlike, as convinced him that an increase of force was requisite to effect a settlement. Satisfied with having opened a communication with a new country, of whose value and importance he conceived very sanguine hopes, he returned to Puerto Rico, through the channel now known by the name of the Gulf of Florida.

1512.

It was not merely the passion of searching for new countries that prompted Ponce de Leon to undertake this voyage; he was influenced by one of those visionary ideas, which at that time often mingled with the spirit of discovery, and rendered it more active. A tradition prevailed among the natives of Puerto Rico, that in the isle of Bimini, one of the Lucayos, there was a fountain of such wonderful virtue as to renew the youth and recall the vigour of every person who bathed in its salutary waters. In hopes of finding this grand restorative, Ponce de Leon and his followers ranged through the islands, searching, with fruitless solicitude and labour, for the fountain which was the chief object of their expedition. That a tale so fabulous should gain credit among simple uninstructed Indians is not surprising. That it should make any impression upon an enlightened people, appears, in the present age, altogether incredible. The fact, however, is certain; and the most authentic Spanish historians mention this extravagant sally of their credulous countrymen. The Spaniards, at that period, were engaged in a career of activity which gave a romantic turn to their imagination, and daily presented to them strange and marvellous objects. A New World was opened to their view. They visited islands and continents, of whose existence mankind in former ages had no conception. In those delightful countries nature seemed to assume another form: every tree and plant and animal was different from those of the ancient hemisphere. They seemed to be transported into enchanted ground; and after the wonders which they had seen, nothing, in the warmth and novelty of their admiration, appeared to them so extraordinary as to be beyond belief. If the rapid succession of new and striking scenes made such impression even upon the sound understanding of Columbus, that he boasted of having found the seat of Paradise, it will not appear strange that Ponce de Leon should dream of discovering the fountain of youth.[z]

Progress of Balboa in Darien.

Soon after the expedition to Florida, a discovery of much greater importance was made in another part of America. Balboa having been raised to the government of the small colony at Santa Maria in Darien, by the voluntary suffrage of his associates, was so extremely desirous to obtain from the crown a confirmation of their election, that he despatched one of his officers to Spain, in order to solicit a royal commission, which might invest him with a legal title to the supreme command. Conscious, however, that he could not expect success from the patronage of Ferdinand's ministers, with whom he was unconnected, or from negociating in a court to the arts of which he was a stranger, he endeavoured to merit the dignity to which he aspired, and aimed at performing some signal service that would secure him the preference to every competitor. Full of this idea he made frequent inroads into the adjacent country, subdued several of the caziques, and collected a considerable quantity of gold, which abounded more in that part of the continent, than in the islands. In one of those excursions, the Spaniards contended with such eagerness about the division of some gold, that they were at the point of proceeding to acts of violence against one another. A young cazique who was present, astonished at the high value which they set upon a thing of which he did not discern the use, tumbled the gold out of the balance with indignation; and, turning to the Spaniards, "Why do you quarrel (says he) about such a trifle? If you are so passionately fond of gold, as to abandon your own country, and to disturb the tranquillity of distant nations for its sake, I will conduct you to a region where the metal which seems to be the chief object of your admiration and desire, is so common that the meanest utensils are formed of it." Transported with what they heard, Balboa and his companions inquired eagerly where this happy country lay, and how they might arrive at it. He informed them that at the distance of six suns, that is, of six days' journey, towards the south, they should discover another ocean, near to which this

x B. de las Casas, p. 40.
y Herrera. dec. 1. lib. ix, c. 2, 3. &c. Oviedo, lib. xvii. c. 3. p. 179.
z P. Martyr, decad. p. 202. Ensayo Chronol. para la Hist. de la Florida, par. D. Gab. Cardenas, p. 1. Oviedo, lib. xvi. c. 11. Herrera, dec. 1. lib. ix. c. 5. Hist. de la Conq. de la Florida, par Garc. de la Vega, lib. i. c. 3.

wealthy kingdom was situated; but if they intended to attack that powerful state, they must assemble forces far superior in number and strength to those with which they now appeared.[a]

The schemes which he forms.

This was the first information which the Spaniards received concerning the great southern ocean, or the opulent and extensive country known afterwards by the name of Peru. Balboa had now before him objects suited to his boundless ambition, and the enterprising ardour of his genius. He immediately concluded the ocean which the cazique mentioned, to be that for which Columbus had searched without success in this part of America, in hopes of opening a more direct communication with the East Indies; and he conjectured that the rich territory which had been described to him, must be part of that vast and opulent region of the earth. Elated with the idea of performing what so great a man had attempted in vain, and eager to accomplish a discovery which he knew would be no less acceptable to the king than beneficial to his country, he was impatient until he could set out upon this enterprise, in comparison of which all his former exploits appeared inconsiderable. But previous arrangement and preparation were requisite to insure success. He began with courting and securing the friendship of the neighbouring caziques. He sent some of his officers to Hispaniola with a large quantity of gold, as a proof of his past success, and an earnest of his future hopes. By a proper distribution of this, they secured the favour of the governor, and allured volunteers into the service. A considerable reinforcement from that island joined him, and he thought himself in a condition to attempt the discovery.

Difficulty of executing them.

The isthmus of Darien is not above sixty miles in breadth; but this neck of land, which binds together the continents of North and South America, is strengthened by a chain of lofty mountains stretching through its whole extent, which render it a barrier of solidity sufficient to resist the impulse of two opposite oceans. The mountains are covered with forests almost inaccessible. The valleys in that moist climate, where it rains during two-thirds of the year, are marshy, and so frequently overflowed, that the inhabitants find it necessary, in many places, to build their houses upon trees, in order to be elevated at some distance from the damp soil, and the odious reptiles engendered in the putrid waters.[b] Large rivers rush down with an impetuous current from the high grounds. In a region thinly inhabited by wandering savages, the hand of industry had done nothing to mitigate or correct those natural disadvantages. To march across this unexplored country with no other guides but Indians, whose fidelity could be little trusted, was, on all those accounts, the boldest enterprise on which the Spaniards had hitherto ventured in the New World. But the intrepidity of Balboa was such as distinguished him among his countrymen, at a period when every adventurer was conspicuous for daring courage. Nor was bravery his only merit; he was 151 prudent in conduct, generous, affable, and possessed of those popular talents which, in the most desperate undertakings, inspire confidence and secure attachment. Even after the junction of the volunteers from Hispaniola, he was able to muster only an hundred and ninety men for his expedition. But they were hardy veterans, inured to the climate of America, and ready to follow him through every danger. A thousand Indians attended them to carry their provisions; and to complete their warlike array, they took with them several of those fierce dogs, which were no less formidable than destructive to their naked enemies.

Discovers the South Sea.

Balboa set out upon this important expedition on the first of September, about the time that the periodical rains began to abate. He proceeded by sea, and without any difficulty, to the territories of a cazique whose friendship he had gained; but no sooner did he begin to advance into the interior part of the country, than he was retarded by every obstacle, which he had reason to apprehend, from the nature of the territory, or the disposition of its inhabitants. Some of the caziques, at his approach, fled to the mountains with all their people, and carried off or destroyed whatever could afford subsistence to his troops. Others collected their subjects, in order to oppose his progress, and he quickly perceived what an arduous undertaking it was to conduct such a body of men through hostile nations, across swamps, and rivers, and woods, which had never been passed but by straggling Indians. But by sharing in every hardship with the meanest soldier, by appearing the foremost to meet every danger, by promising confidently to his troops the enjoyment of honour and riches superior to what had been attained by the most successful of their countrymen, he inspired them with such enthusiastic resolution, that they followed him without murmuring. When they had penetrated a good way into the mountains, a powerful cazique appeared in a narrow pass, with a numerous body of his subjects, to obstruct their progress. But men who had surmounted so many obstacles, despised the opposition of such feeble enemies. They attacked them with impetuosity, and having dispersed them with much ease and great slaughter, continued their march. Though their guides had represented the breadth of the isthmus to be only a journey of six days, they had already spent twenty-five in forcing their way through the woods and mountains. Many of them were ready to sink under such uninterrupted fatigue in that sultry climate, several were taken ill of the dysentery and other diseases frequent in that country, and all became impatient to reach the period of their labours and sufferings. At length the Indians

a Herrera, dec. 1. lib. ix. c. 2. Gomara, c. 60. P. Martyr, dec. p. 149.

b P. Martyr, dec. p. 158.

assured them, that from the top of the next mountain they should discover the ocean which was the object of their wishes. When, with infinite toil, they had climbed up the greater part of that steep ascent, Balboa commanded his men to halt, and advanced alone to the summit, that he might be the first who should enjoy a spectacle which he had so long desired. As soon as he beheld the South Sea stretching in endless prospect below him, he fell on his knees, and lifting up his hands to heaven, returned thanks to God, who had conducted him to a discovery so beneficial to his country, and so honourable to himself. His followers, observing his transports of joy, rushed forward to join in his wonder, exultation, and gratitude. They held on their course to the shore with great alacrity, when Balboa, advancing up to the middle in the waves with his buckler and sword, took possession of that ocean in the name of the king his master, and vowed to defend it, with these arms, against all his enemies.[c]

That part of the great Pacific or Southern Ocean, which Balboa first discovered, still retains the name of the Gulf of St. Michael, which he gave to it, and is situated to the east of Panama. From several of the petty princes, who governed in the districts adjacent to that gulf, he extorted provisions and gold by force of arms. Others sent them to him voluntarily. To these acceptable presents, some of the caziques added a considerable quantity of pearls; and he learned from them, with much satisfaction, that pearl oysters abounded in the sea which he had newly discovered.

He receives information concerning a more opulent country.

Together with the acquisition of this wealth, which served to soothe and encourage his followers, he received accounts which confirmed his sanguine hopes of future and more extensive benefits from the expedition. All the people on the coast of the South Sea concurred in informing him, that there was a mighty and opulent kingdom situated at a considerable distance towards the south-east, the inhabitants of which had tame animals to carry their burthens. In order to give the Spaniards an idea of these, they drew upon the sand the figure of the llamas or sheep, afterwards found in Peru, which the Peruvians had taught to perform such services as they described. As the llama in its form nearly resembles a camel, a beast of burthen deemed peculiar to Asia, this circumstance, in conjunction with the discovery of the pearls, another noted production of that country, tended to confirm the Spaniards in their mistaken theory with respect to the vicinity of the New World to the East Indies.[d]

Obliged to return.

But though the information which Balboa received from the people on the coast, as well as his own conjectures and hopes, rendered him extremely impatient to visit this unknown country, his prudence restrained him from attempting to invade it with a handful of men, exhausted by fatigue, and weakened by diseases.[e] He determined to lead back his followers, at present, to their settlement of Santa Maria in Darien, and to return next season with a force more adequate to such an arduous enterprise. In order to acquire a more extensive knowledge of the isthmus, he marched back by a different route, which he found to be no less dangerous and difficult than that which he had formerly taken. But to men elated with success, and animated with hope, nothing is insurmountable. Balboa returned to Santa Maria, from which he had been absent four months, with greater glory and more treasure than the Spaniards had acquired in any expedition in the New World. None of Balboa's officers distinguished themselves more in this service than Francisco Pizarro, or assisted with greater courage and ardour in opening a communication with those countries, in which he was destined to act soon a most illustrious part.[f]

1514.

Pedrarias appointed governor of Darien.

Balboa's first care was to send information to Spain of the important discovery which he had made; and to demand a reinforcement of a thousand men, in order to attempt the conquest of that opulent country, concerning which he had received such inviting intelligence. The first account of the discovery of the New World hardly occasioned greater joy than the unexpected tidings, that a passage was at last found to the great southern ocean. The communication with the East Indies, by a course to the westward of the line of demarcation drawn by the pope, seemed now to be certain. The vast wealth which flowed into Portugal from its settlements and conquests in that country, excited the envy, and called forth the emulation, of other states. Ferdinand hoped now to come in for a share in this lucrative commerce, and in his eagerness to obtain it, was willing to make an effort beyond what Balboa required. But even in this exertion, his jealous policy, as well as the fatal antipathy of Fonseca, now bishop of Burgos, to every man of merit who distinguished himself in the New World, were conspicuous. Notwithstanding Balboa's recent services, which marked him out as the most proper person to finish that great undertaking which he had begun, Ferdinand was so ungenerous as to overlook these, and to appoint Pedrarias Davila governor of Darien. He gave him the command of fifteen stout vessels, and twelve hundred soldiers. These were fitted out at the public expense, with a liberality which Ferdinand had never displayed in any former armament destined for the New World; and such was the ardour of the Spanish gentlemen to follow a leader who was about to conduct them to a country, where, as fame reported, they had only to throw their nets into the sea and draw out gold,[g] that fifteen hundred embarked on board the fleet; and if they had not

c Herrera, dec. 1, lib. x. c. 1, &c. Gomara, c. 62, &c. P. Martyr, dec. p. 205, &c.
d Herrera, dec. 1. lib. x. c. 2.
e See Note XXIV.
f Herrera, dec. 1. lib. x. c. 3—6. Gomara, c. 64. P. Martyr, dec. p. 229, &c.
g Ibid. c. 14.

been restrained, a much greater number would have engaged in the service.[h]

Pedrarias reached the gulf of Darien without any remarkable accident, and immediately sent some of his principal officers ashore to inform Balboa of his arrival, with the king's commission, to be governor of the colony. To their astonishment, they found Balboa, of whose great exploits they had heard so much, and of whose opulence they had formed such high ideas, clad in a canvass jacket, and wearing coarse hempen sandals used only by the meanest peasants, employed, together with some Indians, in thatching his own hut with reeds. Even in this simple garb, which corresponded so ill with the expectations and wishes of his new guests, Balboa received them with dignity. The fame of his discoveries had drawn so many adventurers from the islands, that he could now muster four hundred and fifty men. At the head of those daring veterans, he was more than a match for the forces which Pedrarias brought with him. But though his troops murmured loudly at the injustice of the king in superseding their commander, and complained that strangers would now reap the fruits of their toil and success, Balboa submitted with implicit obedience to the will of his sovereign, and received Pedrarias with all the deference due to his character.[i]

Dissensions between him and Balboa.

Notwithstanding this moderation, to which Pedrarias owed the peaceable possession of his government, he appointed a judicial inquiry to be made into Balboa's conduct, while under the command of Nicuessa, and imposed a considerable fine upon him, on account of the irregularities of which he had then been guilty. Balboa felt sensibly the mortification of being subjected to trial and to punishment in a place where he had so lately occupied the first station. Pedrarias could not conceal his jealousy of his superior merit: so that the resentment of the one, and the envy of the other, gave rise to dissensions extremely detrimental to the colony. It was threatened with a calamity still more fatal. Pedrarias had landed in Darien at a most unlucky time of the year, about the middle of the rainy season, in that part of the torrid zone where the clouds pour down such torrents as are unknown in more temperate climates.[k] The village of Santa Maria was seated in a rich plain, environed with marshes and woods. The constitution of Europeans was unable to withstand the pestilential influence of such a situation, in a climate naturally so noxious, and at a season so peculiarly unhealthy. A violent and destructive malady carried off many of the soldiers who accompanied Pedrarias. An extreme scarcity of provisions augmented this distress, as it rendered it impossible to find proper refreshment for the sick, or the necessary sustenance for the healthy.[l] In the space of a month, above six hundred persons perished in the utmost misery. Dejection and despair spread through the colony. Many principal persons solicited their dismission, and were glad to relinquish all their hopes of wealth, in order to escape from that pernicious region. Pedrarias endeavoured to divert those who remained from brooding over their misfortunes, by finding them employment. With this view, he sent several detachments into the interior parts of the country, to levy gold among the natives, and to search for the mines in which it was produced. Those rapacious adventurers, more attentive to present gain than to the means of facilitating their future progress, plundered without distinction wherever they marched. Regardless of the alliances which Balboa had made with several of the caziques, they stripped them of every thing valuable, and treated them, as well as their subjects, with the utmost insolence and cruelty. By their tyranny and exactions, which Pedrarias, either from want of authority or of inclination, did not restrain, all the country from the gulf of Darien to the lake of Nicaragua was desolated, and the Spaniards were inconsiderately deprived of the advantages which they might have derived from the friendship of the natives, in extending their conquests to the South Sea. Balboa, who saw with concern that such ill-judged proceedings retarded the execution of his favourite scheme, sent violent remonstrances to Spain against the imprudent government of Pedrarias, which had ruined a happy and flourishing colony. Pedrarias, on the other hand, accused him of having deceived the king, by magnifying his own exploits, as well as by a false representation of the opulence and value of the country.[m]

Violent proceedings against Balboa.

Ferdinand became sensible at length of his imprudence in superseding the most active and experienced officer he had in the New World, and, by way of compensation to Balboa, appointed him adelantado, or lieutenant-governor of the countries upon the South Sea, with very extensive privileges and authority. At the same time he enjoined Pedrarias to support Balboa in all his operations, and to consult with him concerning every measure which he himself pursued. But to effect such a sudden transition from inveterate enmity to perfect confidence, exceeded Ferdinand's power. Pedrarias continued to treat his rival with neglect; and Balboa's fortune being exhausted by the payment of his fine and other exactions of Pedrarias, he could not make suitable preparations for taking possession of his new government. At length, by the interposition and exhortations of the bishop of Darien, they were brought to a reconciliation; and, in order to cement this union more firmly, Pedrarias agreed to give his daughter in marriage to Balboa. The first effect of their concord was, that Balboa was permitted to make several small incursions into the country. These he con-

July.

1515.

1516.

h Herrera, dec. 1. lib. x. c. 6, 7. P. Martyr, dec. p. 177, 296.
i Ibid. c. 13, 14.
k Richard, Hist. Naturelle de l'Air, tom. i. p. 204.
l Herrera, dec. 1. lib. x. c. 14. P. Martyr, dec. p. 272.
m Herrera, dec. 1. lib. x. c. 15. dec. 2. c. 1, &c. Gomara, c. 66. P. Martyr, dec. 3. c. 10. Relacion de B. de las Casas, p. 12.

ducted with such prudence as added to the reputation which he had already acquired. Many adventurers resorted to him; and with the countenance and aid of Pedrarias, he began to prepare for his expedition to the South Sea. In order to accomplish this, it was necessary to build vessels capable of conveying his troops to those provinces which he purposed to invade. After surmounting many obstacles, and enduring a variety of those hardships which were the portion of the conquerors of America, he at length finished four small brigantines. In these, with three hundred chosen men, a force superior to that with which Pizarro afterwards undertook the same expedition, he was ready to sail towards Peru, when he received an unexpected message from Pedrarias.[n] As his reconciliation with Balboa had never been cordial, the progress which his son-in-law was making revived his ancient enmity, and added to its rancour. He dreaded the prosperity and elevation of a man whom he had injured so deeply. He suspected that success would encourage him to aim at independence upon his jurisdiction; and so violently did the passions of hatred, fear, and jealousy, operate upon his mind, that, in order to gratify his vengeance, he scrupled not to defeat an enterprise of the greatest moment to his country. Under pretexts which were false, but plausible, he desired Balboa to postpone his voyage for a short time, and to repair to Acla, in order that he might have an interview with him. Balboa, with the unsuspicious confidence of a man conscious of no crime, instantly obeyed the summons; but as soon as he entered the place, he was arrested by order of Pedrarias, whose impatience to satiate his revenge did not suffer him to languish long in confinement. Judges were immediately appointed to proceed to his trial. An accusation of disloyalty to the king, and of an intention to revolt against the governor, was preferred against him. Sentence of death was pronounced; and though the judges who passed it, seconded by the whole colony, interceded warmly for his pardon, Pedrarias continued inexorable; and the Spaniards beheld, with astonishment and sorrow, the public execution of a man whom they universally deemed more capable than any who had borne command in America, of forming and accomplishing great designs.[o] Upon his death the expedition which he had planned was relinquished. Pedrarias, notwithstanding the violence and injustice of his proceedings, was not only screened from punishment by the powerful patronage of the bishop of Burgos and other courtiers, but continued in power. Soon after he obtained permission to remove the colony from its unwholesome station of Santa Maria to Panama, on the opposite side of the isthmus; and though it did not gain much in point of healthfulness by the change, the commodious situation of this new settlement contributed greatly to facilitate the subsequent conquests of the Spaniards in the extensive countries situated upon the southern ocean.[p]

1517.

During these transactions in Darien, the history of which it was proper to carry on in an uninterrupted tenor, several important events occurred with respect to the discovery, the conquest, and government of other provinces in the New World. Ferdinand was so intent upon opening a communication with the Molucca or Spice Islands by the west, that, in the year one thousand five hundred and fifteen, he fitted out two ships at his own expense, in order to attempt such a voyage, and gave the command of them to Juan Diaz de Solis, who was deemed one of the most skilful navigators in Spain. He stood along the coast of South America, and on the first of January one thousand five hundred and sixteen entered a river which he called Janeiro, where an extensive commerce is now carried on. From thence he proceeded to a spacious bay, which he supposed to be the entrance into a strait that communicated with the Indian ocean; but upon advancing further, he found it to be the mouth of Rio de Plata, one of the vast rivers by which the southern continent of America is watered. In endeavouring to make a descent in this country, De Solis and several of his crew were slain by the natives, who, in sight of the ships, cut their bodies in pieces, roasted and devoured them. Discouraged with the loss of their commander, and terrified at this shocking spectacle, the surviving Spaniards set sail for Europe, without aiming at any further discovery.[q] Though this attempt proved abortive, it was not without benefit. It turned the attention of ingenious men to this course of navigation, and prepared the way for a more fortunate voyage, by which, a few years posterior to this period, the great design that Ferdinand had in view was accomplished.

1515. New discoveries.

Though the Spaniards were thus actively employed in extending their discoveries and settlements in America, they still considered Hispaniola as their principal colony, and the seat of government. Don Diego Columbus wanted neither inclination nor abilities to have rendered the members of this colony, who were most immediately under his jurisdiction, prosperous and happy. But he was circumscribed in all his operations by the suspicious policy of Ferdinand, who on every occasion, and under pretexts the most frivolous, retrenched his privileges, and encouraged the treasurer, the judges, and other subordinate officers, to counteract his measures, and to dispute his authority. The most valuable prerogative which the governor possessed, was that of distributing Indians among the Spaniards settled in the island. The rigorous servitude of those unhappy men having been but little mitigated by all the regulations in their favour, the power of parcelling out such ne-

State of the colony in Hispaniola.

n Herrera, dec. 2. lib. i. c. 3. lib. ii. c. 11, 13, 21.
o Ibid. lib. ii. c. 21, 22.

p Herrera, dec. 2. lib. iv. c. 1.
q Ibid. lib. i. c. 7. P. Martyr, dec. p. 317.

cessary instruments of labour at pleasure, secured to the governor great influence in the colony. In order to strip him of this, Ferdinand created a new office, with the power of distributing the Indians, and bestowed it upon Rodrigo Albuquerque, a relation of Zapata, his confidential minister. Mortified with the injustice as well as indignity of this invasion upon his rights, in a point so essential, Don Diego could no longer remain in a place where his power and consequence were almost annihilated. He repaired to Spain with the vain hopes of obtaining redress.[r] Albuquerque entered upon his office with all the rapacity of an indigent adventurer impatient to amass wealth. He began with taking the exact number of Indians in the island, and found, that from sixty thousand, who, in the year one thousand five hundred and eight, survived after all their sufferings, they were now reduced to fourteen thousand. These he threw into separate divisions or lots, and bestowed them upon such as were willing to purchase them at the highest price. By this arbitrary distribution, several of the natives were removed from their original habitations, many were taken from their ancient masters, and all of them subjected to heavier burdens, and to more intolerable labour, in order to reimburse their new proprietors. Those additional calamities completed the misery, and hastened on the extinction, of this wretched and innocent race of men.[s]

Controversy with respect to the treatment of the Indians.

The violence of these proceedings, together with the fatal consequences which attended them, not only excited complaints among such as thought themselves aggrieved, but touched the hearts of all who retained any sentiments of humanity. From the time that ecclesiastics were sent as instructors into America, they perceived that the rigour with which their countrymen treated the natives, rendered their ministry altogether fruitless. The missionaries, in conformity to the mild spirit of that religion which they were employed to publish, early remonstrated against the maxims of the planters with respect to the Americans, and condemned the *repartimientos*, or *distributions*, by which they were given up as slaves to their conquerors, as no less contrary to natural justice and the precepts of christianity, than to sound policy. The Dominicans, to whom the instruction of the Americans was originally committed, were most vehement in testifying against the *repartimientos*. In the year one thousand five hundred and eleven, Montesino, one of their most eminent preachers, inveighed against this practice, in the great church at St. Domingo, with all the impetuosity of popular eloquence. Don Diego Columbus, the principal officers of the colony, and all the laymen who had been his hearers, complained of the monk to his superiors; but they, instead of condemning, applauded his doctrine, as equally pious and seasonable. The Franciscans, influenced by the spirit of opposition and rivalship which subsists between the two orders, discovered some inclination to take part with the laity, and to espouse the defence of the *repartimientos*. But as they could not with decency give their avowed approbation to a system of oppression so repugnant to the spirit of religion, they endeavoured to palliate what they could not justify, and alleged, in excuse for the conduct of their countrymen, that it was impossible to carry on any improvement in the colony, unless the Spaniards possessed such dominion over the natives, that they could compel them to labour.[t]

Contrary decisions concerning this point.

The Dominicans, regardless of such political and interested considerations, would not relax in any degree the rigour of their sentiments, and even refused to absolve, or admit to the sacrament, such of their countrymen as continued to hold the natives in servitude.[u] Both parties applied to the king for his decision in a matter of such importance. Ferdinand empowered a committee of his privy-council, assisted by some of the most eminent civilians and divines in Spain, to hear the deputies sent from Hispaniola, in support of their respective opinions. After a long discussion, the speculative point in controversy was determined in favour of the Dominicans, the Indians were declared to be a free people, entitled to all the natural rights of men; but, notwithstanding all this decision, the *repartimientos* were continued upon their ancient footing.[x] As this determination admitted the principle upon which the Dominicans founded their opinion, they renewed their efforts to obtain relief for the Indians with additional boldness and zeal. At length, in order to quiet the colony, which was alarmed by their remonstrances and censures, Ferdinand issued a decree of his privy-council, declaring, that after mature consideration of the Apostolic bull, and other titles by which the crown of Castile claimed a right to its possessions in the New World, the servitude of the Indians was warranted both by the laws of God and of man; that unless they were subjected to the dominion of the Spaniards, and compelled to reside under their inspection, it would be impossible to reclaim them from idolatry, or to instruct them in the principles of the christian faith; that no further scruple ought to be entertained concerning the lawfulness of the *repartimientos*, as the king and council were willing to take the charge of that upon their own consciences; and that therefore the Dominicans, and monks of other religious orders, should abstain, for the future, from those invectives, which, from an excess of charitable but ill-informed zeal, they had uttered against that practice.[y] 1513.

That his intention of adhering to this decree might be fully understood, Ferdinand conferred new grants of Indians upon several of his courtiers.[z]

r Herrera, dec. 1. lib. ix. c. 5. lib. x. c. 12.
s Ibid. lib. x. c. 12.
t Ibid. lib. viii. c. 11. Oviedo, lib. iii. c. 6. p. 97.
u Oviedo, lib. iii. c. 6. p. 97.
x Herrera, dec. 1. lib. viii. c. 12. lib. ix. c. 5.
y Ibid. lib. ix. c. 14. z See Note XXV.

But in order that he might not seem altogether inattentive to the rights of humanity, he published an edict, in which he endeavoured to provide for the mild treatment of the Indians under the yoke to which he subjected them; he regulated the nature of the work which they should be required to perform; he prescribed the mode in which they should be clothed and fed, and gave directions with respect to their instruction in the principles of christianity.[a]

Effect of these.

But the Dominicans, who, from their experience of what was passed, judged concerning the future, soon perceived the inefficacy of those provisions, and foretold, that as long as it was the interest of individuals to treat the Indians with rigour, no public regulations could render their servitude mild or tolerable. They considered it as vain to waste their own time and strength in attempting to communicate the sublime truths of religion to men, whose spirits were broken, and their faculties impaired by oppression. Some of them, in despair, requested the permission of their superiors to remove to the continent, and to pursue the object of their mission among such of the natives as were not hitherto corrupted by the example of the Spaniards, or alienated by their cruelty from the christian faith. Such as remained in Hispaniola continued to remonstrate, with decent firmness, against the servitude of the Indians.[b]

Bartholomew de las Casas appears in defence of the Indians.

The violent operations of Albuquerque, the new distributor of Indians, revived the zeal of the Dominicans against the *repartimientos*, and called forth an advocate for that oppressed people, who possessed all the courage, the talents, and activity requisite in supporting such a desperate cause. This was Bartholomew de las Casas, a native of Seville, and one of the clergymen sent out with Columbus in his second voyage to Hispaniola, in order to settle in that island. He early adopted the opinion prevalent among ecclesiastics, with respect to the unlawfulness of reducing the natives to servitude; and that he might demonstrate the sincerity of his conviction, he relinquished all the Indians who had fallen to his own share in the division of the inhabitants among their conquerors, declaring that he should ever bewail his own misfortune and guilt, in having exercised for a moment this impious dominion over his fellow-creatures.[c] From that time he became the avowed patron of the Indians; and by his bold interpositions in their behalf, as well as by the respect due to his abilities and character, he had often the merit of setting some bounds to the excesses of his countrymen. He did not fail to remonstrate warmly against the proceedings of Albuquerque, and, though he soon found that attention to his own interest rendered this rapacious officer deaf to admonition, he did not abandon the wretched people whose cause he had espoused. He instantly set out for Spain, with the most sanguine hopes of opening the eyes and softening the heart of Ferdinand, by that striking picture of the oppression of his new subjects, which he would exhibit to his view.[d]

Solicits their cause in the court of Spain.

He easily obtained admittance to the king, whom he found in a declining state of health. With much freedom, and no less eloquence, he represented to him all the fatal effects of the *repartimientos* in the New World, boldly charging him with the guilt of having authorized this impious measure, which had brought misery and destruction upon a numerous and innocent race of men, whom Providence had placed under his protection. Ferdinand, whose mind as well as body was much enfeebled by his distemper, was greatly alarmed at this charge of impiety, which at another juncture he would have despised. He listened with deep compunction to the discourse of Las Casas, and promised to take into serious consideration the means of redressing the evil of which he complained. But death prevented him from executing his resolution. Charles of Austria, to whom all his crowns devolved, resided at that time in his paternal dominions in the Low Countries. Las Casas, with his usual ardour, prepared immediately to set out for Flanders, in order to occupy the ear of the young monarch, when cardinal Ximenes, who, as regent, assumed the reins of government in Castile, commanded him to desist from the journey, and engaged to hear his complaints in person.

The regulations of cardinal Ximenes.

He accordingly weighed the matter with attention equal to its importance; and as his impetuous mind delighted in schemes bold and uncommon, he soon fixed upon a plan which astonished the ministers, trained up under the formal and cautious administration of Ferdinand. Without regarding either the rights of Don Diego Columbus, or the regulations established by the late king, he resolved to send three persons to America as superintendents of all the colonies there, with authority, after examining all circumstances on the spot, to decide finally with respect to the point in question. It was a matter of deliberation and delicacy to choose men qualified for such an important station. As all the laymen settled in America, or who had been consulted in the administration of that department, had given their opinion that the Spaniards could not keep possession of their new settlements, unless they were allowed to retain their dominion over the Indians, he saw that he could not rely on their impartiality, and determined to commit the trust to ecclesiastics. As the Dominicans and Franciscans had already espoused opposite sides in the controversy, he, from the same principle of impartiality, excluded both

a Herrera, dec. 1. lib. ix. c. 14.
b Ibid. dec. 1. lib. ix. c. 14. Touron. Hist. Gener. de l'Amerique, tom. i. p. 252.
c Fr. Aug. Davila Padilla Hist. de la Fundacion de la Provincia de St. Jago de Mexico, p. 303, 304. Herrera, dec. 1. lib. x. c. 12.
d Herrera, dec. 1. lib. x. c. 12. Dec. 2. lib. i. c. 11. Davila Padilla Hist. p. 304.

these fraternities from the commission. He confined his choice to the monks of St. Jerome, a small but respectable order in Spain. With the assistance of their general, and in concert with Las Casas, he soon pitched upon three persons whom he deemed equal to the charge. To them he joined Zuazo, a private lawyer of distinguished probity, with unbounded power to regulate all judicial proceedings in the colonies. Las Casas was appointed to accompany them, with the title of Protector of the Indians.[e]

The manner in which they were executed.

To vest such extraordinary powers, as might at once overturn the system of government established in the New World, in four persons, who, from their humble condition in life, were little entitled to possess this high authority, appeared to Zapata, and other ministers of the late king, a measure so wild and dangerous, that they refused to issue the despatches necessary for carrying it into execution. But Ximenes was not of a temper patiently to brook opposition to any of his schemes. He sent for the refractory ministers, and addressed them in such a tone, that in the utmost consternation they obeyed his orders.[f] The superintendents, with their associate Zuazo, and Las Casas, sailed for St. Domingo. Upon their arrival, the first act of their authority was to set at liberty all the Indians who had been granted to the Spanish courtiers, or to any person not residing in America. This, together with the information which had been received from Spain concerning the object of the commission, spread a general alarm. The colonists concluded that they were to be deprived at once of the hands with which they carried on their labour, and that, of consequence, ruin was unavoidable. But the fathers of St. Jerome proceeded with such caution and prudence, as soon dissipated all their fears. They discovered, in every step of their conduct, a knowledge of the world, and of affairs, which is seldom acquired in a cloister; and displayed a moderation as well as gentleness still more rare among persons trained up in the solitude and austerity of a monastic life. Their ears were open to information from every quarter; they compared the different accounts which they received; and after a mature consideration of the whole, they were fully satisfied that the state of the colony rendered it impossible to adopt the plan proposed by Las Casas, and recommended by the cardinal. They plainly perceived that the Spaniards settled in America were so few in number, that they could neither work the mines which had been opened, nor cultivate the country; that they depended for effecting both upon the labour of the natives, and if deprived of it, they must instantly relinquish their conquests, or give up all the advantages which they derived from them; that no allurement was so powerful as to surmount the natural aversion of the Indians to any laborious effort, and that nothing but the authority of a master could compel them to work; and if they were not kept constantly under the eye and discipline of a superior, so great was their natural listlessness and indifference, that they would neither attend to religious instruction, nor observe those rites of christianity which they had been already taught. Upon all those accounts, the superintendents found it necessary to tolerate the *repartimientos*, and to suffer the Indians to remain under subjection to their Spanish masters. They used their utmost endeavours, however, to prevent the fatal effects of this establishment, and to secure to the Indians the consolation of the best treatment compatible with a state of servitude. For this purpose, they revived former regulations, they prescribed new ones, they neglected no circumstance that tended to mitigate the rigour of the yoke; and by their authority, their example, and their exhortations, they laboured to inspire their countrymen with sentiments of equity and gentleness towards the unhappy people upon whose industry they depended. Zuazo, in his department, seconded the endeavours of the superintendents. He reformed the courts of justice, in such a manner as to render their decisions equitable as well as expeditious, and introduced various regulations which greatly improved the interior police of the colony. The satisfaction which his conduct and that of the superintendents gave, was now universal among the Spaniards settled in the New World, and all admired the boldness of Ximenes, in having departed from the ordinary path of business in forming his plan, as well as his sagacity in pitching upon persons, whose wisdom, moderation, and disinterestedness, rendered them worthy of this high trust.[g]

Las Casas dissatisfied with them.

Las Casas alone was dissatisfied. The prudential considerations which influenced the superintendents made no impression upon him. He regarded their idea of accommodating their conduct to the state of the colony, as the maxim of an unhallowed timid policy, which tolerated what was unjust because it was beneficial. He contended that the Indians were by nature free, and as their protector, he required the superintendents not to bereave them of the common privilege of humanity. They received his most virulent remonstrances without emotion, but adhered firmly to their own system. The Spanish planters did not bear with him so patiently, and were ready to tear him in pieces for insisting in a requisition so odious to them. Las Casas, in order to screen himself from their rage, found it necessary to take shelter in a convent; and perceiving that all his efforts in America were fruitless, he soon set out for Europe, with a fixed resolution not to abandon the protection of a people whom he deemed to be cruelly oppressed.[h]

e Herrera. dec. 2. lib. ii. c. 3. f Ibid. c. 6.
g Ibid. c. 15. Remesal, Hist. Gener. lib. ii. c. 14, 15, 16.

h Herrera, dec. 2. lib. ii. c. 16.

His negociations with the ministers of Charles V.

Had Ximenes retained that vigour of mind with which he usually applied to business, Las Casas must have met with no very gracious reception upon his return to Spain. But he found the cardinal languishing under a mortal distemper, and preparing to resign his authority to the young king, who was daily expected from the Low Countries. Charles arrived, took possession of the government, and, by the death of Ximenes, lost a minister, whose abilities and integrity entitled him to direct his affairs. Many of the Flemish nobility had accompanied their sovereign to Spain. From that warm predilection to his countrymen, which was natural at his age, he consulted them with respect to all the transactions in his new kingdom, and they, with an indiscreet eagerness, intruded themselves into every business, and seized almost every department of administration.[i] The direction of American affairs was an object too alluring to escape their attention. Las Casas observed their growing influence, and though projectors are usually too sanguine to conduct their schemes with much dexterity, he possessed a bustling, indefatigable activity, which sometimes accomplishes its purposes with greater success than the most exquisite discernment and address. He courted the Flemish ministers with assiduity. He represented to them the absurdity of all the maxims hitherto adopted with respect to the government of America, particularly during the administration of Ferdinand, and pointed out the defects of those arrangements which Ximenes had introduced. The memory of Ferdinand was odious to the Flemings. The superior virtue and abilities of Ximenes had long been the object of their envy. They fondly wished to have a plausible pretext for condemning the measures, both of the monarch and of the minister, and of reflecting some discredit on their political wisdom. The friends of Don Diego Columbus, as well as the Spanish courtiers, who had been dissatisfied with the cardinal's administration, joined Las Casas in censuring the scheme of sending superintendents to America. This union of so many interests and passions was irresistible; and in consequence of it the fathers of St. Jerome, together with their associate Zuazo, were recalled. Roderigo de Figueroa, a lawyer of some eminence, was appointed chief judge of the island, and received instructions, in compliance with the request of Las Casas, to examine once more, with the utmost attention, the point in controversy between him and the people of the colony, with respect to the treatment of the natives; and in the mean time to do every thing in his power to alleviate their sufferings, and prevent the extinction of the race.[k]

Scheme of supplying the colonies with negroes.

This was all that the zeal of Las Casas could procure at that juncture in favour of the Indians. The impossibility of carrying on any improvements in America, unless the Spanish planters could command the labour of the natives, was an insuperable objection to his plan of treating them as free subjects. In order to provide some remedy for this, without which he found it was in vain to mention his scheme, Las Casas proposed to purchase a sufficient number of negroes from the Portuguese settlements on the coast of Africa, and to transport them to America, in order that they might be employed as slaves in working the mines and cultivating the ground. One of the first advantages which the Portuguese had derived from their discoveries in Africa, arose from the trade in slaves. Various circumstances concurred in reviving this odious commerce, which had been long abolished in Europe, and which is no less repugnant to the feelings of humanity, than to the principles of religion. As early as the year one thousand five hundred and three, a few negro slaves had been sent into the New World.[l] In the year one thousand five hundred and eleven, Ferdinand permitted the importation of them in greater numbers.[m] They were found to be a more robust and hardy race than the natives of America. They were more capable of enduring fatigue, more patient under servitude, and the labour of one negro was computed to be equal to that of four Indians.[n] Cardinal Ximenes, however, when solicited to encourage this commerce, peremptorily rejected the proposition, because he perceived the iniquity of reducing one race of men to slavery, while he was consulting about the means of restoring liberty to another.[o] But Las Casas, from the inconsistency natural to men who hurry with headlong impetuosity towards a favourite point, was incapable of making this distinction. While he contended earnestly for the liberty of the people born in one quarter of the globe, he laboured to enslave the inhabitants of another region; and in the warmth of his zeal to save the Americans from the yoke, pronounced it to be lawful and expedient to impose one still heavier upon the Africans. Unfortunately for the latter, Las Casas's plan was adopted. Charles granted a patent to one of his Flemish favourites, containing an exclusive right of importing four thousand negroes into America. The favourite sold his patent to some Genoese merchants for twenty-five thousand ducats, and they were the first who brought into a regular form that commerce for slaves between Africa and America, which has since been carried on to such an amazing extent.[p]

1518. Las Casas proposes sending labourers to Hispaniola.

But the Genoese merchants, conducting their operations, at first, with the rapacity of monopolists, demanded such an high price for negroes, that the number imported into Hispaniola made no great change upon the state of the colony. Las Casas, whose zeal was no less inventive than indefatigable, had recourse to another expedient for the relief of the Indians. He observed, that most of

i Hist. of Charles V. p. 144.
k Herrera, dec. 2. lib. ii. c. 16, 19, 21. lib. iii. c. 7, 8.
l Ibid. dec. 1. lib. v. c. 12. m Ibid. lib. viii. c. 9
n Herrera, dec. 1. lib. ix. c. 5.
o Ibid. dec. 2. lib. ii. c. 8.
p Ibid. dec. 1. lib. li. c. 20.

the persons who had settled hitherto in America, were sailors and soldiers employed in the discovery or conquest of the country; the younger sons of noble families, allured by the prospect of acquiring sudden wealth; or desperate adventurers, whom their indigence or crimes forced to abandon their native land. Instead of such men, who were dissolute, rapacious, and incapable of that sober persevering industry, which is requisite in forming new colonies, he proposed to supply the settlements in Hispaniola and other parts of the New World with a sufficient number of labourers and husbandmen, who should be allured by suitable premiums to remove thither. These, as they were accustomed to fatigue, would be able to perform the work, to which the Indians, from the feebleness of their constitution, were unequal, and might soon become useful and opulent citizens. But though Hispaniola stood much in need of a recruit of inhabitants, having been visited at this time with the small-pox, which swept off almost all the natives who had survived their long continued oppression, and though Las Casas had the countenance of the Flemish ministers, this scheme was defeated by the bishop of Burgos, who thwarted all his projects.[q]

Forms the idea of a new colony.

Las Casas now despaired of procuring any relief for the Indians in those places where the Spaniards were already settled. The evil was become so inveterate there, as not to admit of a cure. But such discoveries were daily making in the continent, as gave a high idea both of its extent and populousness. In all those vast regions there was but one feeble colony planted; and except a small spot on the isthmus of Darien, the natives still occupied the whole country. This opened a new and more ample field for the humanity and zeal of Las Casas, who flattered himself that he might prevent a pernicious system from being introduced there, though he had failed of success in his attempts to overturn it, where it was already established. Full of this idea, he applied for a grant of the unoccupied country, stretching along the sea-coast from the gulf of Paria to the western frontier of that province now known by the name of Santa Martha. He proposed to settle there with a colony composed of husbandmen, labourers, and ecclesiastics. He engaged, in the space of two years, to civilize ten thousand of the natives, and to instruct them so thoroughly in the arts of social life, that, from the fruits of their industry, an annual revenue of fifteen thousand ducats should arise to the king. In ten years he expected that his improvements would be so far advanced, as to yield annually sixty thousand ducats. He stipulated, that no sailor or soldier should ever be permitted to settle in this district; and that no Spaniard whatever should enter it without his permission. He even projected to clothe the people whom he took along with him in some distinguishing garb, which did not resemble the Spanish dress, that they might appear to the natives to be a different race of men from those who had brought so many calamities upon their country.[r] From this scheme, of which I have traced only the great lines, it is manifest that Las Casas had formed ideas concerning the method of treating the Indians, similar to those by which the Jesuits afterwards carried on their great operations in another part of the same continent. He supposed that the Europeans, by availing themselves of that ascendant which they possessed in consequence of their superior progress in science and improvement, might gradually form the minds of the Americans to relish those comforts of which they were destitute, might train them to the arts of civil life, and render them capable of its functions.

Favourably received.

But to the bishop of Burgos and the council of the Indies, this project appeared not only chimerical, but dangerous in a high degree. They deemed the faculties of the Americans to be naturally so limited, and their indolence so excessive, that every attempt to instruct or to improve them would be fruitless. They contended, that it would be extremely imprudent to give the command of a country extending above a thousand miles along the coast, to a fanciful presumptuous enthusiast, a stranger to the affairs of the world, and unacquainted with the arts of government. Las Casas, far from being discouraged with a repulse, which he had reason to expect, had recourse once more to the Flemish favourites, who zealously patronized his scheme, merely because it had been rejected by the Spanish ministers. They prevailed with their master, who had lately been raised to the imperial dignity, to refer the consideration of this measure to a select number of his privy-counsellors; and Las Casas having excepted against the members of the council of the Indies, as partial and interested, they were all excluded. The decision of men chosen by recommendation of the Flemings, was perfectly conformable to their sentiments. They warmly approved of Las Casas's plan; and gave orders for carrying it into execution, but restricted the territory allotted him to three hundred miles along the coast of Cumana, allowing him, however, to extend it as far as he pleased towards the interior part of the country.[s]

1519.

A solemn deliberation concerning the mode of treating the Indians.

This determination did not pass uncensured. Almost every person who had been in the West Indies exclaimed against it, and supported their opinion so confidently, and with such plausible reasons, as made it advisable to pause and to review the subject more deliberately. Charles himself, though accustomed, at this early period of his life, to adopt the sentiments of his ministers with such submissive deference as did not promise that decisive vigour of mind which distinguished his riper years, could not

q Herrera, dec. 2. lib. ii. c. 21
r Ibid. lib. iv. c. 2.

s Gomara Hist. Gener. c. 77. Herrera, dec. 2. lib. iv. c. 3. Oviedo, lib. xix. c. 5

help suspecting that the eagerness with which the Flemings took part in every affair relating to America, flowed from some improper motive, and began to discover an inclination to examine in person into the state of the question concerning the character of the Americans, and the proper manner of treating them. An opportunity of making this inquiry with great advantage soon occurred. Quevedo, the bishop of Darien, who had accompanied Pedrarias to the continent in the year one thousand five hundred and thirteen, happened to land at Barcelona, where the court then resided. It was quickly known, that his sentiments concerning the talents and disposition of the Indians differed from those of Las Casas; and Charles naturally concluded, that by confronting two respectable persons, who, during their residence in America, had full leisure to observe the manners of the people whom they pretended to describe, he might be able to discover which of them had formed his opinion with the greatest discernment and accuracy.

June 20.

A day for this solemn audience was appointed. The emperor appeared with extraordinary pomp, and took his seat on a throne in the great hall of the palace. His principal courtiers attended. Don Diego Columbus, admiral of the Indies, was summoned to be present. The bishop of Darien was called upon first to deliver his opinion. He, in a short discourse, lamented the fatal desolation of America, by the extinction of so many of its inhabitants; he acknowledged that this must be imputed, in some degree, to the excessive rigour and inconsiderate proceedings of the Spaniards, but declared that all the people of the New World whom he had seen, either in the continent or in the islands, appeared to him to be a race of men marked out, by the inferiority of their talents, for servitude, and whom it would be impossible to instruct or improve, unless they were kept under the continual inspection of a master. Las Casas, at greater length, and with more fervour, defended his own system. He rejected with indignation the idea that any race of men was born to servitude, as irreligious and inhuman. He asserted that the faculties of the Americans were not naturally despicable, but unimproved; that they were capable of receiving instruction in the principles of religion, as well as of acquiring the industry and arts which would qualify them for the various offices of social life; that the mildness and timidity of their nature rendered them so submissive and docile, that they might be led and formed with a gentle hand. He professed, that his intentions in proposing the scheme now under consideration were pure and disinterested; and though, from the accomplishment of his designs, inestimable benefits would result to the crown of Castile, he never had claimed, nor ever would receive, any recompence on that account.

Charles, after hearing both, and consulting with his ministers, did not think himself sufficiently informed to establish any general arrangement with respect to the state of the Indians; but as he had perfect confidence in the integrity of Las Casas, and as even the bishop of Darien admitted his scheme to be of such importance, that a trial should be made of its effects, he issued a patent, granting him the district in Cumana formerly mentioned, with full power to establish a colony there according to his own plan.[t]

The scheme of Las Casas approved of.

1520.

Las Casas pushed on the preparations for his voyage with his usual ardour. But, either from his own inexperience in the conduct of affairs, or from the secret opposition of the Spanish nobility, who universally dreaded the success of an institution that might rob them of the industrious and useful hands which cultivated their estates, his progress in engaging husbandmen and labourers was extremely slow, and he could not prevail on more than two hundred to accompany him to Cumana.

His preparations for executing it.

Nothing, however, could damp his zeal. With this slender train, hardly sufficient to take possession of such a large territory, and altogether unequal to any effectual attempt towards civilizing its inhabitants, he set sail. The first place at which he touched was the island of Puerto Rico. There he received an account of a new obstacle to the execution of his scheme, more insuperable than any he had hitherto encountered. When he left America in the year one thousand five hundred and sixteen, the Spaniards had little intercourse with any part of the continent, except the countries adjacent to the gulf of Darien. But as every species of internal industry began to stagnate in Hispaniola, when, by the rapid decrease of the natives, the Spaniards were deprived of those hands with which they had hitherto carried on their operations, this prompted them to try various expedients for supplying that loss. Considerable numbers of negroes were imported; but on account of their exorbitant price, many of the planters could not afford to purchase them. In order to procure slaves at an easier rate, some of the Spaniards in Hispaniola fitted out vessels to cruise along the coast of the continent. In places where they found themselves inferior in strength, they traded with the natives, and gave European toys in exchange for the plates of gold worn by them as ornaments; but, wherever they could surprise or overpower the Indians, they carried them off by force, and sold them as slaves.[u] In those predatory excursions, such atrocious acts of violence and cruelty had been committed, that the Spanish name was held in detestation all over the continent. Whenever any ships appeared, the inhabitants either fled to the woods, or rushed down

Departs for America, and meets with formidable obstacles.

t Herrera, dec. 2. lib. iv. c. 3, 4, 5. Argensola Annales d'Aragon, 74, 97. Remesal Hist. Gener. lib. ii. c. 19, 20.

u Herrera, dec. 3. lib. ii. c. 3.

to the shore in arms to repel those hated disturbers of their tranquillity. They forced some parties of the Spaniards to retreat with precipitation; they cut off others; and in the violence of their resentment against the whole nation, they murdered two Dominican missionaries, whose zeal had prompted them to settle in the province of Cumana.[x] This outrage against persons revered for their sanctity, excited such indignation among the people of Hispaniola, who, notwithstanding all their licentious and cruel proceedings, were possessed with a wonderful zeal for religion, and a superstitious respect for its ministers, that they determined to inflict exemplary punishment, not only upon the perpetrators of that crime, but upon the whole race. With this view, they gave the command of five ships and three hundred men to Diego Ocampo, with orders to lay waste the country of Cumana with fire and sword, and to transport all the inhabitants as slaves to Hispaniola. This armament Las Casas found at Puerto Rico, in its way to the continent; and as Ocampo refused to defer his voyage, he immediately perceived that it would be impossible to attempt the execution of his pacific plan in a country destined to be the seat of war and desolation.[y]

April 12. Labours to surmount them.

In order to provide against the effects of this unfortunate incident, he set sail directly for St. Domingo, leaving his followers cantoned out among the planters in Puerto Rico. From many concurring causes, the reception which Las Casas met with in Hispaniola was very unfavourable. In his negociations for the relief of the Indians, he had censured the conduct of his countrymen settled there with such honest severity, as rendered him universally odious to them. They considered their own ruin as the inevitable consequence of his success. They were now elated with hope of receiving a large recruit of slaves from Cumana, which must be relinquished if Las Casas were assisted in settling his projected colony there. Figueroa, in consequence of the instructions which he had received in Spain, had made an experiment concerning the capacity of the Indians, that was represented as decisive against the system of Las Casas. He collected in Hispaniola a good number of the natives, and settled them in two villages, leaving them at perfect liberty, and with the uncontrolled direction of their own actions. But that people, accustomed to a mode of life extremely different from that which takes place wherever civilization has made any considerable progress, were incapable of assuming new habits at once. Dejected with their own misfortunes as well as those of their country, they exerted so little industry in cultivating the ground, appeared so devoid of solicitude or foresight in providing for their own wants, and were such strangers to arrangement in conducting their affairs, that the Spaniards pronounced them incapable of being formed to live like men in social life, and considered them as children, who should be kept under the perpetual tutelage of persons superior to themselves in wisdom and sagacity.[z]

Final miscarriage of his scheme.

Notwithstanding all those circumstances, which alienated the persons in Hispaniola to whom Las Casas applied from himself and from his measures, he, by his activity and perseverance, by some concessions, and many threats, obtained at length a small body of troops to protect him and his colony at their first landing. But upon his return to Puerto Rico, he found that the diseases of the climate had been fatal to several of his people; and that others having got employment in that island refused to follow him. With the handful that remained, he set sail and landed in Cumana. Ocampo had executed his commission in that province with such barbarous rage, having massacred many of the inhabitants, sent others in chains to Hispaniola, and forced the rest to fly for shelter to the woods, that the people of a small colony, which he had planted at a place which he named *Toledo*, were ready to perish for want in a desolated country. There, however, Las Casas was obliged to fix his residence, though deserted both by the troops appointed to protect him, and by those under the command of Ocampo, who foresaw and dreaded the calamities to which he must be exposed in that wretched station. He made the best provision in his power for the safety and subsistence of his followers; but as his utmost efforts availed little towards securing either the one or the other, he returned to Hispaniola, in order to solicit more effectual aid for the preservation of men, who, from confidence in him, had ventured into a post of so much danger. Soon after his departure, the natives, having discovered the feeble and defenceless state of the Spaniards, assembled secretly, attacked them with the fury natural to men exasperated by many injuries, cut off a good number, and compelled the rest to fly in the utmost consternation to the island of Cubagua. The small colony settled there on account of the pearl fishery, catching the panic with which their countrymen had been seized, abandoned the island, and not a Spaniard remained in any part of the continent, or adjacent islands, from the gulf of Paria to the borders of Darien. Astonished at such a succession of disasters, Las Casas was ashamed to show his face after this fatal termination of all his splendid schemes. He shut himself up in the convent of the Dominicans at St. Domingo, and soon after assumed the habit of that order.[a]

Though the expulsion of the colony from Cumana happened in the year one thousand five hundred and twenty-one, I have chosen to trace the progress of Las Casas's negociations from their first rise to their final issue without interruption. His system was the object of long and attentive discussion; and though his efforts in behalf of the op-

x Oviedo, Hist. lib. xix. p. 3.
y Herrera, dec. 2. lib. ix. c. 8, 9
z Ibid. lib. x. c. 5.

a Herrera, dec. 2. lib. x. c. 5. dec. 3. lib. ii. c. 3, 4, 5. Oviedo, Hist. lib. xix. c. 5. Gomara, c. 77. Davila Padilla, lib. i. c. 97. Remesal Hist. Gen. lib. xi. c. 22, 23.

pressed Americans, partly from his own rashness and imprudence, and partly from the malevolent opposition of his adversaries, were not attended with that success which he promised with too sanguine confidence, great praise is due to his humane activity, which gave rise to various regulations that were of some benefit to that unhappy people. I return now to the history of the Spanish dicoveries, as they occur in the order of time.[b]

New discoveries towards the west.

Diego Velasquez, who conquered Cuba in the year one thousand five hundred and eleven, still retained the government of that island, as the deputy of Don Diego Columbus, though he seldom acknowledged his superior, and aimed at rendering his own authority altogether independent.[c] Under his prudent administration, Cuba became one of the most flourishing of the Spanish settlements. The fame of this allured thither many persons from the other colonies, in hopes of finding either some permanent establishment or some employment for their activity. As Cuba lay to the west of all the islands occupied by the Spaniards, and as the ocean, which stretches beyond it towards that quarter, had not hitherto been explored, these circumstances naturally invited the inhabitants to attempt new discoveries. An expedition for this purpose, in which activity and resolution might conduct to sudden wealth, was more suited to the genius of the age, than the patient industry requisite in clearing ground and manufacturing sugar. Instigated by this spirit, several officers, who had served under Pedrarias in Darien, entered into an association to undertake a voyage of discovery. They persuaded Francisco Hernandez Cordova, an opulent planter in Cuba, and a man of distinguished courage, to join with them in the adventure, and chose him to be their commander. Velasquez not only approved of the design, but assisted in carrying it on. As the veterans from Darien were extremely indigent, he and Cordova advanced money for purchasing three small vessels, and furnishing them with every thing requisite either for traffic or for war. A hundred and ten men embarked on board of them, and sailed from St. Jago de Cuba on the eighth of February one thousand five hundred and seventeen. By the advice of their chief pilot, Antonio Alaminos, who had served under the first admiral Columbus, they stood directly west, relying on the opinion of that great navigator, who uniformly maintained that a westerly course would lead to the most important discoveries.

On the twenty-first day after their departure from St. Jago, they saw land, which proved to be *Cape Catoche*, the eastern point of that large peninsula projecting from the continent of America, which still retains its original name of *Yucatan*. As they approached the shore, five canoes came off full of people decently clad in cotton garments; an astonishing spectacle to the Spaniards, who had found every other part of America possessed by naked savages. Cordova endeavoured by small presents to gain the good will of these people. They, though amazed at the strange objects now presented for the first time to their view, invited the Spaniards to visit their habitations, with an appearance of cordiality. They landed accordingly, and as they advanced into the country, they observed with new wonder some large houses built with stone. But they soon found that, if the people of Yucatan had made progress in improvement beyond their countrymen, they were likewise more artful and warlike. For though the cazique received Cordova with many tokens of friendship, he had posted a considerable body of his subjects in ambush behind a thicket, who, upon a signal given by him, rushed out and attacked the Spaniards with great boldness, and some degree of martial order. At the first flight of their arrows, fifteen of the Spaniards were wounded; but the Indians were struck with such terror by the sudden explosion of the fire-arms, and so surprised at the execution done by them, by the cross-bows, and by the other weapons of their new enemies, that they fled precipitately. Cordova quitted a country where he had met with such a fierce reception, carrying off two prisoners, together with the ornaments of a small temple, which he plundered in his retreat.

Yucatan.

He continued his course towards the west, without losing sight of the coast, and on the sixteenth day arrived at Campeachy. There the natives received them more hospitably; but the Spaniards were much surprised, that on all the extensive coast along which they had sailed, and which they imagined to be a large island, they had not observed any river.[d] As their water began to fail, they advanced, in hopes of finding a supply; and at length they discovered the mouth of a river at Potonchan, some leagues beyond Campeachy.

Campeachy.

Cordova landed all his troops, in order to protect the sailors while employed in filling the casks; but notwithstanding this precaution, the natives rushed down upon them with such fury, and in such numbers, that forty-seven of the Spaniards were killed upon the spot, and one man only of the whole body escaped unhurt. Their commander, though wounded in twelve different places, directed the retreat with presence of mind equal to the courage with which he had led them on in the engagement, and with much difficulty they regained their ships. After this fatal repulse, nothing remained but to hasten back to Cuba with their shattered forces. In their passage thither they suffered the most exquisite distress for want of water, that men wounded and sickly, shut up in small vessels, and exposed to the heat of the torrid zone, can be supposed to endure. Some of them, sinking under these calamities, died by the way; Cordova, their commander, expired soon after they landed in Cuba.[e]

b Herrera, dec. 2. lib. x. c. 5. p. 329. c Ibid. lib. ii. c. 19. d See Note XXVI. e Herrera, dec. 2. lib. ii. c. 17, 18

Voyage of Grijalva.

Notwithstanding the disastrous conclusion of this expedition, it contributed rather to animate than to damp a spirit of enterprise among the Spaniards. They had discovered an extensive country, situated at no great distance from Cuba, fertile in appearance, and possessed by a people far superior in improvement to any hitherto known in America. Though they had carried on little commercial intercourse with the natives, they had brought off some ornaments of gold, not considerable in value, but of singular fabric. These circumstances, related with the exaggeration natural to men desirous of heightening the merit of their own exploits, were more than sufficient to excite romantic hopes and expectations. Great numbers offered to engage in a new expedition. Velasquez, solicitous to distinguish himself by some service so meritorious as might entitle him to claim the government of Cuba independent of the admiral, not only encouraged their ardour, but at his own expense fitted out four ships for the voyage. Two hundred and forty volunteers, among whom were several persons of rank and fortune, embarked in this enterprise. The command of it was given to Juan de Grijalva, a young man of known merit and courage, with instructions to observe attentively the nature of the countries which he should discover, to barter for gold, and, if circumstances were inviting, to settle a colony in some proper station. He

1518.

sailed from St. Jago de Cuba on the eighth of April one thousand five hundred and eighteen. The pilot Alaminos held the same course as in the former voyage; but the violence of the currents carrying the ships to the south,

Discovers New Spain.

the first land which they made was the island of *Cozumel*, to the east of Yucatan. As all the inhabitants fled to the woods and mountains at the approach of the Spaniards, they made no long stay there, and without any remarkable occurrence they reached Potonchan on the opposite side of the peninsula. The desire of avenging their countrymen who had been slain there, concurred with their ideas of good policy in prompting them to land, that they might chastise the Indians of that district with such exemplary rigour, as would strike terror into all the people around them. But though they disembarked all their troops, and carried ashore some field-pieces, the Indians fought with such courage, that the Spaniards gained the victory with difficulty, and were confirmed in their opinion that the inhabitants of this country would prove more formidable enemies than any they had met with in other parts of America. From Potonchan, they continued their voyage towards the west, keeping as near as possible to the shore, and casting anchor every evening, from dread of the dangerous accidents to which they might be exposed in an unknown sea. During the day their eyes were turned continually towards land, with a mixture of surprise and wonder at the beauty of the country, as well as the novelty of the objects which they beheld. Many villages were scattered along the coast, in which they could distinguish houses of stone that appeared white and lofty at a distance. In the warmth of their admiration, they fancied these to be cities adorned with towers and pinnacles; and one of the soldiers happening to remark that this country resembled Spain in appearance, Grijalva, with universal applause, called it *New Spain*, the name which still distinguishes this extensive and opulent province of the Spanish empire in America.[f] They landed in a river which the natives called *Tabasco*,

June 9. Tabasco.

and the fame of their victory at Potonchan having reached this place, the cazique not only received them amicably, but bestowed presents upon them of such value, as confirmed the high ideas which the Spaniards had formed with respect to the wealth and fertility of the country. These ideas were raised still higher by what occurred at the place where they next touched. This was considerably to the west of Tabasco, in the province since known by the name of Guaxaca.

Guaxaca.

There they were received with the respect paid to superior beings. The people perfumed them as they landed, with incense of gum copal, and presented to them as offerings the choicest delicacies of their country. They were extremely fond of trading with their new visitants, and in six days the Spaniards obtained ornaments of gold, of curious workmanship, to the value of fifteen thousand pesos, in exchange for European toys of small price. The two prisoners whom Cordova had brought from Yucatan, had hitherto served as interpreters; but as they did not understand the language of this country, the Spaniards learned from the natives, by signs, that they were subjects of a great monarch called Montezuma, whose dominion extended over that and many other provinces. Leaving this place, with which he had so much reason to be pleased, Grijalva continued his course towards the west. He landed on a small island, which he named

June 19.

the Isle of Sacrifices, because there the Spaniards beheld, for the first time, the horrid spectacle of human victims, which the barbarous superstition of the natives offered to their gods. He touched at another small island which he called

St. Juan de Ulua.

St. Juan de Ulua. From this place he despatched Pedro de Alvarado, one of his officers, to Velasquez, with a full account of the important discoveries which he had made, and with all the treasure that he had acquired by trafficking with the natives. After the departure of Alvarado, he himself, with the remaining vessels, proceeded along the coast as far as the river Panuco, the country still appearing to be well peopled, fertile, and opulent.

Several of Grijalva's officers contended, that it was

Histor. Verdadera de la Conquista de la Nueva Espana por Bernal Diaz del Costillo, cap. 1–7. Oviedo, lib. xvii. c. 3. Gomara, c. 52. P. Martyr, de Insulis nuper inventis, p. 329.

[f] See Note XXVII.

Reasons for not leaving a colony there.

not enough to have discovered those delightful regions, or to have performed, at their different landing-places, the empty ceremony of taking possession of them for the crown of Castile, and that their glory was incomplete, unless they planted a colony in some proper station, which might not only secure the Spanish nation a footing in the country, but, with the reinforcements which they were certain of receiving, might gradually subject the whole to the dominion of their sovereign. But the squadron had now been above five months at sea; the greatest part of their provisions was exhausted, and what remained of their stores so much corrupted by the heat of the climate, as to be almost unfit for use; they had lost some men by death; others were sickly; the country was crowded with people who seemed to be intelligent as well as brave; and they were under the government of one powerful monarch, who could bring them to act against their invaders with united force. To plant a colony under so many circumstances of disadvantage, appeared a scheme too perilous to be attempted. Grijalva, though possessed both of ambition and courage, was destitute of the superior talents capable of forming or executing such a great plan. He judged it more prudent to return to Cuba, having fulfilled the purpose of his voyage, and accomplished all that the armament which he commanded enabled him to perform. He returned to St. Jago de Cuba on the twenty-sixth of October, from which he had taken his departure about six months before.[g]

Preparations for another expedition.

This was the longest as well as the most successful voyage which the Spaniards had hitherto made in the New World. They had discovered that Yucatan was not an island as they had supposed, but part of the great continent of America. From Potonchan they had pursued their course for many hundred miles along a coast formerly unexplored, stretching at first towards the west, and then turning to the north; all the country which they had discovered appeared to be no less valuable than extensive. As soon as Alvarado reached Cuba, Velasquez, transported with success so far beyond his most sanguine expectations, immediately despatched a person of confidence to carry this important intelligence to Spain, to exhibit the rich productions of the countries which had been discovered by his means, and to solicit such an increase of authority as might enable and encourage him to attempt the conquest of them. Without waiting for the return of his messenger, or for the arrival of Grijalva, of whom he was become so jealous or distrustful that he was resolved no longer to employ him, he began to prepare such a powerful armament, as might prove equal to an enterprise of so much danger and importance.

But as the expedition upon which Velasquez was now intent, terminated in conquests of greater moment than what the Spaniards had hitherto achieved, and led them to the knowledge of a people, who, if compared with those tribes of America with whom they were hitherto acquainted, may be considered as highly civilized; it is proper to pause before we proceed to the history of events extremely different from those which we have already related, in order to take a view of the state of the New World when first discovered, and to contemplate the policy and manners of the rude uncultivated tribes that occupied all the parts of it with which the Spaniards were at this time acquainted.

BOOK IV.

What parts of America were then known.

TWENTY-SIX years had elapsed since Columbus conducted the people of Europe to the New World. During that period the Spaniards had made great progress in exploring its various regions. They had visited all the islands scattered in different clusters through that part of the ocean which flows in between North and South America. They had sailed along the eastern coast of the continent from the river De la Plata to the bottom of the Mexican gulf, and had found that it stretched without interruption through this vast portion of the globe. They had discovered the great Southern ocean, which opened new prospects in that quarter. They had acquired some knowledge of the coast of Florida, which led them to observe the continent as it extended in an opposite direction; and though they pushed their discoveries no further towards the north, other nations had visited those parts which they neglected. The English, in a voyage, the motives and success of which shall be related in another part of this History, had sailed along the coast of America from Labrador to the confines of Florida; and the Portuguese, in quest of a shorter passage to the East Indies, had ventured into the northern seas, and viewed the same regions.[a] Thus, at the period where I have chosen to take a view of the state of the New World, its extent was known almost from its northern extremity to thirty-five degrees south of the equator. The countries which stretch from thence to the southern boundary of America, the great empire of Peru, and the interior state of the extensive dominions subject to the sovereigns of Mexico, were still undiscovered.

The vast extent of the New World.

When we contemplate the New World, the first circumstance that strikes us is its immense extent. It was not a small portion of the earth, so inconsiderable that it might have escaped the observation or research of former ages, which Columbus discovered. He made known a new hemisphere, larger than either Europe, or

g Herrera, dec. 11. lib. iii. c. 1, 2, 9, 10. Bernal Diaz, c. 8, 17. Oviedo Hist. lib. xvii. c. 9, 20. Gomara, c. 49.

a Herrera dec. 1. lib. vi. c. 16.

Asia, or Africa, the three noted divisions of the ancient continent, and not much inferior in dimensions to a third part of the habitable globe.

America is remarkable, not only for its magnitude, but for its position. It stretches from the northern polar circle to a high southern latitude, above fifteen hundred miles beyond the furthest extremity of the old continent on that side of the line. A country of such extent passes through all the climates capable of becoming the habitation of man, and fit for yielding the various productions peculiar either to the temperate or to the torrid regions of the earth.

Grand objects it presents to view.

Next to the extent of the New World, the grandeur of the objects which it presents to view is most apt to strike the eye of an observer. Nature seems here to have carried on her operations upon a larger scale, and with a bolder hand, and to have distinguished the features of this country by a peculiar magnificence.

Its mountains;

The mountains in America are much superior in height to those in the other divisions of the globe. Even the plain of Quito, which may be considered as the base of the Andes, is elevated further above the sea than the top of the Pyrenees. This stupendous ridge of the Andes, no less remarkable for extent than elevation, rises in different places more than one-third above the Peak of Teneriffe, the highest land in the ancient hemisphere. The Andes may literally be said to hide their heads in the clouds; the storms often roll, and the thunder bursts below their summits, which, though exposed to the rays of the sun in the centre of the torrid zone, are covered with everlasting snows.[b]

rivers;

From these lofty mountains descend rivers, proportionably large, with which the streams in the ancient continent are not to be compared, either for length of course, or the vast body of water which they roll towards the ocean. The Maragnon, the Orinoco, the Plata in South America, the Mississippi and St. Laurence in North America, flow in such spacious channels, that, long before they feel the influence of the tide, they resemble arms of the sea rather than rivers of fresh water.[c]

lakes.

The lakes of the New World are no less conspicuous for grandeur than its mountains and rivers. There is nothing in other parts of the globe which resembles the prodigious chain of lakes in North America. They may properly be termed inland seas of fresh water; and even those of the second or third class in magnitude are of larger circuit (the Caspian sea excepted) than the greatest lake of the ancient continent.

Its form favourable to commerce.

The New World is of a form extremely favourable to commercial intercourse. When a continent is formed, like Africa, of one vast solid mass, unbroken by arms of the sea penetrating into its interior parts, with few large rivers, and those at a considerable distance from each other, the greater part of it seems destined to remain for ever uncivilized, and to be debarred from any active or enlarged communication with the rest of mankind. When, like Europe, a continent is opened by inlets of the ocean of great extent, such as the Mediterranean and Baltic; or when, like Asia, its coast is broken by deep bays advancing far into the country, such as the Black sea, the gulfs of Arabia, of Persia, of Bengal, of Siam, and of Leotang; when the surrounding seas are filled with large and fertile islands, and the continent itself watered with a variety of navigable rivers, those regions may be said to possess whatever can facilitate the progress of their inhabitants in commerce and improvement. In all these respects America may bear a comparison with the other quarters of the globe. The gulf of Mexico, which flows in between North and South America, may be considered as a Mediterranean sea, which opens a maritime commerce with all the fertile countries by which it is encircled. The islands scattered in it are inferior only to those in the Indian Archipelago, in number, in magnitude, and in value. As we stretch along the northern division of the American hemisphere, the bay of Chesapeak presents a spacious inlet, which conducts the navigator far into the interior parts of provinces no less fertile than extensive; and if ever the progress of culture and population shall mitigate the extreme rigour of the climate in the more northern districts of America, Hudson's bay may become as subservient to commercial intercourse in that quarter of the globe, as the Baltic is in Europe. The other great portion of the New World is encompassed on every side by the sea, except one narrow neck which separates the Atlantic from the Pacific ocean; and though it be not opened by spacious bays or arms of the sea, its interior parts are rendered accessible by a number of large rivers, fed by so many auxiliary streams, flowing in such various directions, that, almost without any aid from the hand of industry and art, an inland navigation may be carried on through all the provinces from the river De la Plata to the gulf of Paria. Nor is this bounty of nature confined to the southern division of America; its northern continent abounds no less in rivers which are navigable almost to their sources, and by its immense chain of lakes provision is made for an inland communication, more extensive and commodious than in any quarter of the globe. The countries stretching from the gulf of Darien on one side, to that of California on the other, which form the chain that binds the two parts of the American continent together, are not destitute of peculiar advantages. Their coast on one side is washed by the Atlantic ocean, on the other by the Pacific. Some of their rivers flow into the former, some into the latter, and secure to them all the commercial benefits that may result from a communication with both.

b See Note XXVIII.

c See Note XXIX.

Temperature of its climate.

But what most distinguishes America from other parts of the earth, is the peculiar temperature of its climate, and the different laws to which it is subject with respect to the distribution of heat and cold. We cannot determine with precision the portion of heat felt in any part of the globe, merely by measuring its distance from the equator. The climate of a country is affected, in some degree, by its elevation above the sea, by the extent of continent, by the nature of the soil, the height of adjacent mountains, and many other circumstances. The influence of these, however, is, from various causes, less considerable in the greater part of the ancient continent; and from knowing the position of any country there, we can pronounce with greater certainty, what will be the warmth of its climate, and the nature of its productions.

Predominance of cold.

The maxims which are founded upon observation of our hemisphere will not apply to the other. In the New World, cold predominates. The rigour of the frigid zone extends over half of those regions, which should be temperate by their position. Countries where the grape and the fig should ripen, are buried under snow one-half of the year; and lands situated in the same parallel with the most fertile and best cultivated provinces in Europe, are chilled with perpetual frosts, which almost destroy the power of vegetation.[d] As we advance to those parts of America which lie in the same parallel with provinces of Asia and Africa, blessed with an uniform enjoyment of such genial warmth as is most friendly to life and to vegetation, the dominion of cold continues to be felt, and winter reigns, though during a short period, with extreme severity. If we proceed along the American continent into the torrid zone, we shall find the cold prevalent in the New World extending itself also to this region of the globe, and mitigating the excess of its fervour. While the negro on the coast of Africa is scorched with unremitting heat, the inhabitant of Peru breathes an air equally mild and temperate, and is perpetually shaded under a canopy of grey clouds, which intercepts the fierce beams of the sun, without obstructing his friendly influence.[e] Along the eastern coast of America, the climate, though more similar to that of the torrid zone in other parts of the earth, is nevertheless considerably milder than in those countries of Asia and Africa which lie in the same latitude. If from the southern tropic we continue our progress to the extremity of the American continent, we meet with frozen seas, and countries horrid, barren, and scarcely habitable for cold, much sooner than in the north.[f]

Causes of this.

Various causes combine in rendering the climate of America so extremely different from that of the ancient continent. Though the utmost extent of America towards the north be not yet discovered, we know that it advances much nearer to the pole than either Europe or Asia. Both these have large seas to the north, which are open during part of the year; and even when covered with ice, the wind that blows over them is less intensely cold than that which blows over land in the same high latitudes. But in America the land stretches from the river St. Laurence towards the pole, and spreads out immensely to the west. A chain of enormous mountains, covered with snow and ice, runs through all this dreary region. The wind in passing over such an extent of high and frozen land, becomes so impregnated with cold, that it acquires a piercing keenness, which it retains in its progress through warmer climates, and it is not entirely mitigated until it reach the gulf of Mexico. Over all the continent of North America, a north-westerly wind and excessive cold are synonymous terms. Even in the most sultry weather, the moment that the wind veers to that quarter, its penetrating influence is felt in a transition from heat to cold no less violent than sudden. To this powerful cause we may ascribe the extraordinary dominion of cold, and its violent inroads into the southern provinces in that part of the globe.[g]

Other causes, no less remarkable, diminish the active power of heat in those parts of the American continent which lie between the tropics. In all that portion of the globe, the wind blows in an invariable direction from east to west. As this wind holds its course across the ancient continent, it arrives at the countries which stretch along the western shores of Africa, inflamed with all the fiery particles which it hath collected from the sultry plains of Asia, and the burning sands in the African deserts. The coast of Africa is, accordingly, the region of the earth which feels the most fervent heat, and is exposed to the unmitigated ardour of the torrid zone. But this same wind, which brings such an accession of warmth to the countries lying between the river of Senegal and Cafraria, traverses the Atlantic ocean before it reaches the American shore. It is cooled in its passage over this vast body of water, and is felt as a refreshing gale along the coast of Brazil,[h] and Guiana, rendering these countries, though among the warmest in America, temperate, when compared with those which lie opposite to them in Africa.[i] As this wind advances in its course across America, it meets with immense plains, covered with impenetrable forests, or occupied by large rivers, marshes, and stagnating waters, where it can recover no considerable degree of heat. At length it arrives at the Andes, which run from north to south through the whole continent. In passing over their elevated and frozen summits, it is so thoroughly cooled, that the greater part of the countries beyond them hardly feel the ardour to

d See Note XXX.
e Voyage de Ulloa, tom. i. p. 453. Anson's Voyage, p. 184.
f Anson's Voyage, p. 74. and Voyage de Quiros, chez Hist. Gen. des Voyages, tom. xiv. p. 83. Richard Hist. Natur. de l'Air, ii. 305, &c.
g Charlevoix Hist. de Nouv. Fr. iii. 165. Hist. Generale des Voyages, tom. xv. 215, &c.
h See Note XXXI.
i See Note XXXII.

which they seem exposed by their situation.[k] In the other provinces of America, from Tierra Ferme westward to the Mexican empire, the heat of the climate is tempered, in some places, by the elevation of the land above the sea, in others, by their extraordinary humidity, and in all, by the enormous mountains scattered over this tract. The islands of America in the torrid zone are either small or mountainous, and are fanned alternately by refreshing sea and land breezes.

The causes of the extraordinary cold towards the southern limits of America, and in the seas beyond it, cannot be ascertained in a manner equally satisfying. It was long supposed that a vast continent, distinguished by the name of *Terra Australis Incognita*, lay between the southern extremity of America, and the Antarctic pole. The same principles which account for the extraordinary degree of cold in the northern regions of America, were employed in order to explain that which is felt at Cape Horn and the adjacent countries. The immense extent of the southern continent, and the large rivers which it poured into the ocean, were mentioned and admitted by philosophers as causes sufficient to occasion the unusual sensation of cold, and the still more uncommon appearances of frozen seas in that region of the globe. But the imaginary continent to which such influence was ascribed, having been searched for in vain, and the space which it was supposed to occupy having been found to be an open sea, new conjectures must be formed with respect to the causes of a temperature of climate, so extremely different from that which we experience in countries removed at the same distance from the opposite pole.[l]

Condition when first discovered.

After contemplating those permanent and characteristic qualities of the American continent, which arise from the peculiarity of its situation, and the disposition of its parts, the next object that merits attention is its condition when first discovered, as far as that depended upon the industry and operations of man. The effects of human ingenuity and labour are more extensive and considerable, than even our own vanity is apt at first to imagine. When we survey the face of the habitable globe, no small part of that fertility and beauty which we ascribe to the hand of nature, is the work of man. His efforts, when continued through a succession of ages, change the appearance and improve the qualities of the earth. As a great part of the ancient continent has long been occupied by nations far advanced in arts and industry, our eye is accustomed to view the earth in that form which it assumes when rendered fit to be the residence of a numerous race of men, and to supply them with nourishment.

Rude and uncultivated.

But in the New World, the state of mankind was ruder, and the aspect of nature extremely different. Throughout all its vast regions, there were only two monarchies remarkable for extent of territory, or distinguished by any progress in improvement. The rest of this continent was possessed by small independent tribes, destitute of arts and industry, and neither capable to correct the defects, nor desirous to meliorate the condition, of that part of the earth allotted to them for their habitation. Countries, occupied by such people, were almost in the same state as if they had been without inhabitants. Immense forests covered a great part of the uncultivated earth; and as the hand of industry had not taught the rivers to run in a proper channel, or drained off the stagnating water, many of the most fertile plains were overflowed with inundations, or converted into marshes. In the southern provinces, where the warmth of the sun, the moisture of the climate, and the fertility of the soil, combine in calling forth the most vigorous powers of vegetation, the woods are so choked with its rank luxuriance as to be almost impervious, and the surface of the ground is hid from the eye under a thick covering of shrubs and herbs and weeds. In this state of wild unassisted nature, a great part of the large provinces in South America, which extend from the bottom of the Andes to the sea, still remain. The European colonies have cleared and cultivated a few spots along the coast, but the original race of inhabitants, as rude and indolent as ever, have done nothing to open or improve a country, possessing almost every advantage of situation and climate. As we advance towards the northern provinces of America, nature continues to wear the same uncultivated aspect, and in proportion as the rigour of the climate increases, appears more desolate and horrid. There the forests, though not encumbered with the same exuberance of vegetation, are of immense extent; prodigious marshes overspread the plains, and few marks appear of human activity in any attempt to cultivate or embellish the earth. No wonder that the colonies sent from Europe were astonished at their first entrance into the New World. It appeared to them waste, solitary, and uninviting. When the English began to settle in America, they termed the countries of which they took possession, *The Wilderness*. Nothing but their eager expectation of finding mines of gold, could have induced the Spaniards to penetrate through the woods and marshes of America, where, at every step, they observed the extreme difference between the uncultivated face of nature, and that which it acquires under the forming hand of industry and art.[m]

Unwholesome.

The labour and operations of man not only improve and embellish the earth, but render it more wholesome and friendly to life. When any region lies neglected and destitute of cultivation, the air stagnates in the woods, putrid exhalations arise from the waters; the surface of the earth, loaded with rank vegetation, feels

k Acosta Hist. Novi Orbis, lib. ii. c. 11. Buffon Hist. Nat. &c. tom. ii. 512, &c. ix. 107, &c. Osborn's Collect. of Voyages, ii. p. 868.

l See Note XXXIII.

m See Note XXXIV.

not the purifying influence of the sun or of the wind; the malignity of the distempers natural to the climate increases, and new maladies no less noxious are engendered. Accordingly, all the provinces of America, when first discovered, were found to be remarkably unhealthy. This the Spaniards experienced in every expedition into the New World, whether destined for conquest or settlement. Though, by the natural constitution of their bodies, their habitual temperance, and the persevering vigour of their minds, they were as much formed as any people in Europe for active service in a sultry climate, they felt severely the fatal and pernicious qualities of those uncultivated regions through which they marched, or where they endeavoured to plant colonies. Great numbers were cut off by the unknown and violent diseases with which they were infected. Such as survived the destructive rage of those maladies, were not exempted from the noxious influence of the climate. They returned to Europe, according to the description of the early Spanish historians, feeble, emaciated, with languid looks, and complexions of such a sickly yellow colour, as indicated the unwholesome temperature of the countries where they had resided.[n]

Its animals.

The uncultivated state of the New World affected not only the temperature of the air, but the qualities of its productions. The principle of life seems to have been less active and vigorous there, than in the ancient continent. Notwithstanding the vast extent of America, and the variety of its climates, the different species of animals peculiar to it are much fewer in proportion, than those of the other hemisphere. In the islands, there were only four kinds of quadrupeds known, the largest of which did not exceed the size of a rabbit. On the continent, the variety was greater; and though the individuals of each kind could not fail of multiplying exceedingly, when almost unmolested by men, who were neither so numerous, nor so united in society, as to be formidable enemies to the animal creation, the number of distinct species must still be considered as extremely small. Of two hundred different kinds of animals spread over the face of the earth, only about one-third existed in America at the time of its discovery.[o] Nature was not only less prolific in the New World, but she appears likewise to have been less vigorous in her productions. The animals originally belonging to this quarter of the globe appear to be of an inferior race, neither so robust, nor so fierce, as those of the other continent. America gives birth to no creature of such bulk as to be compared with the elephant or rhinoceros, or that equals the lion and tiger in strength and ferocity.[p] The *Tapyr* of Brazil, the largest quadruped of the ravenous tribe in the New World, is not larger than a calf of six months old. The *Puma* and *Jaguar*, its fiercest beasts of prey, which Europeans have inaccurately denominated lions and tigers, possess neither the undaunted courage of the former, nor the ravenous cruelty of the latter.[q] They are inactive and timid, hardly formidable to man, and often turn their backs upon the least appearance of resistance.[r] The same qualities in the climate of America, which stinted the growth, and enfeebled the spirit, of its native animals, have proved pernicious to such as have migrated into it voluntarily from the other continent, or have been transported thither by the Europeans.[s] The bears, the wolves, the deer of America, are not equal in size to those of the Old World.[t] Most of the domestic animals, with which the Europeans have stored the provinces wherein they settled, have degenerated with respect either to bulk or quality, in a country whose temperature and soil seem to be less favourable to the strength and perfection of the animal creation.[u]

Insects and reptiles.

The same causes which checked the growth and the vigour of the more noble animals, were friendly to the propagation and increase of reptiles and insects. Though this is not peculiar to the New World, and those odious tribes, nourished by heat, moisture, and corruption, infest every part of the torrid zone; they multiply faster, perhaps, in America, and grow to a more monstrous bulk. As this country is, on the whole, less cultivated, and less peopled, than the other quarters of the earth, the active principle of life wastes its force in productions of this inferior form. The air is often darkened with clouds of insects, and the ground covered with shocking and noxious reptiles. The country around Porto-Bello swarms with toads in such multitudes, as hide the surface of the earth. At Guayaquil, snakes and vipers are hardly less numerous. Carthagena is infested with numerous flocks of bats, which annoy not only the cattle but the inhabitants.[x] In the islands, legions of ants have, at different times, consumed every vegetable production,[y] and left the earth entirely bare, as if it had been burnt with fire. The damp forests and rank soil of the countries on the banks of the Orinoco and Maragnon, teem with almost every offensive and poisonous creature, which the power of a sultry sun can quicken into life.[z]

Birds.

The birds of the New World are not distinguished by qualities so conspicuous and characteristical, as those which we have observed in its quadrupeds. Birds are more independent of man, and less affected by the changes which his industry and labour make upon the state of the earth. They have a greater propensity to

n Gomara Hist. c. 20. 22. Oviedo Hist. lib. ii. c. 13. lib. v. c. 10. P. Mart. Epist. 545. Decad. p. 176.
o Buffon Hist. Naturelle, tom. ix. p. 86.
p See Note XXXV.
q Buffon Hist. Nat. tom. ix. p. 87. Marcgravii Hist. Nat. Brazil, p. 229.
r Ibid. ix. 13. 203. Acosta Hist. lib. iv. c. 34. Pisonis Hist. p. 6. Herrera, dec. 4. lib. iv. c. 1. lib. x. c. 13.
s Churchill, v. p. 691. Ovalle Relat. of Chili, Churchill, iii. p. 10. Sommario de Oviedo, c. 14—22. Voyage du Des Marchais, iii. 299.
t Buffon Hist. Natur. ix. 103. Kalm's Travels, i. 102. Biet. Voy. de France Equinox. p. 339.
u See Note XXXVI.
x Voyage de Ulloa, tom. i. p. 89. Id. p. 147. Herrera, dec. 11. lib. iii. c. 3. 19.
y See Note XXXVII.
z Voyage de Condamine, p. 167. Gumilla, iii. 120, &c. Hist. Gener. des Voyages, xiv. 317. Dumont Mémoires sur la Louisiane, i. 108. Sommario de Oviedo, c. 52—62.

migrate from one country to another, and can gratify this instinct of their nature without difficulty or danger. Hence the number of birds common to both continents is much greater than that of quadrupeds; and even such as are peculiar to America nearly resemble those with which mankind were acquainted in similar regions of the ancient hemisphere. The American birds of the torrid zone, like those of the same climate in Asia and Africa, are decked in plumage, which dazzles the eye with the beauty of its colours; but nature, satisfied with clothing them in this gay dress, has denied most of them that melody of sound, and variety of notes, which catch and delight the ear. The birds of the temperate climates there, in the same manner as in our continent, are less splendid in their appearance; but, in compensation for that defect, they have voices of greater compass, and more melodious. In some districts of America, the unwholesome temperature of the air seems to be unfavourable even to this part of the creation. The number of birds is less than in other countries, and the traveller is struck with the amazing solitude and silence of its forests.[a] It is remarkable, however, that America, where the quadrupeds are so dwarfish and dastardly, should produce the *Condor*, which is entitled to pre-eminence over all the flying tribe, in bulk, in strength, and in courage.[b]

Soil.

The soil in a continent so extensive as America, must of course be extremely various. In each of its provinces, we find some distinguishing peculiarities; the description of which belongs to those who write their particular history. In general, we may observe, that the moisture and cold, which predominate so remarkably in all parts of America, must have great influence upon the nature of its soil; countries lying in the same parallel with those regions which never feel the extreme rigour of winter in the ancient continent, are frozen over in America during a great part of the year. Chilled by this intense cold, the ground never acquires warmth sufficient to ripen the fruits which are found in the corresponding parts of the other continent. If we wish to rear in America the productions which abound in any particular district of the ancient world, we must advance several degrees nearer to the line than in the other hemisphere, as it requires such an increase of heat to counterbalance the natural frigidity of the soil and climate.[c] At the Cape of Good Hope, several of the plants and fruits peculiar to the countries within the tropics, are cultivated with success; whereas, at St. Augustine in Florida, and Charlestown, in South Carolina, though considerably nearer the line, they cannot be brought to thrive with equal certainty.[d] But, if allowance be made for this diversity in the degree of heat, the soil of America is naturally as rich and fertile as in any part of the earth. As the country was thinly inhabited, and by a people of little industry, who had none of the domestic animals which civilized nations rear in such vast numbers, the earth was not exhausted by their consumption. The vegetable productions, to which the fertility of the soil gave birth, often remained untouched, and being suffered to corrupt on its surface, returned with increase into its bosom.[e] As trees and plants derive a great part of their nourishment from air and water, if they were not destroyed by man and other animals, they would render to the earth more, perhaps, than they take from it, and feed rather than impoverish it. Thus the unoccupied soil of America may have gone on enriching for many ages. The vast number as well as enormous size of the trees in America, indicate the extraordinary vigour of the soil in its native state. When the Europeans first began to cultivate the New World, they were astonished at the luxuriant power of vegetation in its virgin mould; and in several places the ingenuity of the planter is still employed in diminishing and wasting its superfluous fertility, in order to bring it down to a state fit for profitable culture.[f]

How was America peopled?

Having thus surveyed the state of the New World at the time of its discovery, and considered the peculiar features and qualities which distinguish and characterize it, the next inquiry that merits attention is, How was America peopled? By what course did mankind migrate from the one continent to the other? and in what quarter is it most probable that a communication was opened between them?

No tradition concerning it among themselves.

We know, with infallible certainty, that all the human race spring from the same source, and that descendants of one man, under the protection as well as in obedience to the command of Heaven, multiplied and replenished the earth. But neither the annals nor the traditions of nations reach back to those remote ages, in which they took possession of the different countries where they are now settled. We cannot trace the branches of this first family, or point out with certainty the time and manner in which they divided and spread over the face of the globe. Even among the most enlightened people, the period of authentic history is extremely short; and every thing prior to that is fabulous or obscure. It is not surprising, then, that the unlettered inhabitants of America, who have no solicitude about futurity, and little curiosity concerning what is past, should be altogether unacquainted with their own original. The people on the two opposite coasts of America, who occupy those countries in America which approach nearest to the ancient continent, are so remarkably rude, that it is altogether vain to search among them for such information as might discover the place from whence they came, or the ancestors of whom they are descended.[g] Whatever light has been thrown on this

a Bouguer Voy. au Perou, 17. Chanvalon Voyage à la Martinique, p. 96. Warren's Descript. Surinam. Osborn's Collect. ii. 924. Lettres Edif. xxiv. p. 339. Charlev. Hist. de la Nouv. France, iii. 155.
b Voyage de Ulloa, i. 363. Voyage de Condamine, 175. Buffon Hist. Nat. xvi. 184. Voyage du Des Marchais, iii. 320.
c See Note XXXVIII.
d Ibid. XXXIX.
e Buffon Hist. Natur. i. 242. Kalm. i. 151.
f Charlevoix, Hist. de Nouv. Fran. iii. 405. Voyage du Des Marchais, ii. 229. Lery ap de Bry, part iii. p. 174. See Note XL.
g Vinegas's Hist. of California, i. 60.

subject, is derived, not from the natives of America, but from the inquisitive genius of their conquerors.

Various theories.

When the people of Europe unexpectedly discovered a new world, removed at a vast distance from every part of the ancient continent which was then known, and filled with inhabitants whose appearance and manners differed remarkably from the rest of the human species, the question concerning their original became naturally an object of curiosity and attention. The theories and speculations of ingenious men with respect to this subject, would fill many volumes; but are often so wild and chimerical, that I should offer an insult to the understanding of my readers, if I attempted either minutely to enumerate or to refute them. Some have presumptuously imagined that the people of America were not the offspring of the same common parent with the rest of mankind, but that they formed a separate race of men, distinguishable by peculiar features in the constitution of their bodies, as well as in the characteristic qualities of their minds. Others contend, that they are descended from some remnant of the antediluvian inhabitants of the earth, who survived the deluge, which swept away the greatest part of the human species in the days of Noah, and preposterously suppose rude, uncivilized tribes, scattered over an uncultivated continent, to be the most ancient race of people on the earth. There is hardly any nation from the north to the south pole, to which some antiquary, in the extravagance of conjecture, has not ascribed the honour of peopling America. The Jews, the Canaanites, the Phœnicians, the Carthaginians, the Greeks, the Scythians in ancient times, are supposed to have settled in this western world. The Chinese, the Swedes, the Norwegians, the Welsh, the Spaniards, are said to have sent colonies thither in later ages, at different periods, and on various occasions. Zealous advocates stand forth to support the respective claims of those people; and though they rest upon no better foundation than the casual resemblance of some customs, or the supposed affinity between a few words in their different languages, much erudition and more zeal have been employed, to little purpose, in defence of the opposite systems. Those regions of conjecture and controversy belong not to the historian. His is a more limited province, confined by what is established by certain or highly probable evidence. Beyond this I shall not venture, in offering a few observations which may contribute to throw some light upon this curious and much agitated question.

Ought not to be founded on mere conjecture;

1. There are authors who have endeavoured by mere conjecture to account for the peopling of America. Some have supposed that it was originally united to the ancient continent, and disjoined from it by the shock of an earthquake, or the irruption of a deluge. Others have imagined, that some vessel being forced from its course, by the violence of a westerly wind, might be driven by accident towards the American coast, and have given a beginning to population in that desolate continent.[h] But with respect to all those systems, it is vain either to reason or inquire, because it is impossible to come to any decision. Such events as they suppose are barely possible, and may have happened. That they ever did happen, we have no evidence, either from the clear testimony of history, or from the obscure intimations of tradition.

or on resemblance of manners;

2. Nothing can be more frivolous or uncertain than the attempts to discover the original of the Americans, merely by tracing the resemblance between their manners and those of any particular people in the ancient continent. If we suppose two tribes, though placed in the most remote regions of the globe, to live in a climate nearly of the same temperature, to be in the same state of society, and to resemble each other in the degree of their improvement, they must feel the same wants, and exert the same endeavours to supply them. The same objects will allure, the same passions will animate them, and the same ideas and sentiments will arise in their minds. The character and occupations of the hunter in America must be little different from those of an Asiatic, who depends for subsistence on the chase. A tribe of savages on the banks of the Danube must nearly resemble one upon the plains washed by the Mississippi. Instead then of presuming from this similarity, that there is any affinity between them, we should only conclude, that the dispositions and manners of men are formed by their situation, and arise from the state of society in which they live. The moment that begins to vary, the character of a people must change. In proportion as it advances in improvement, their manners refine, their powers and talents are called forth. In every part of the earth, the progress of man hath been nearly the same; and we can trace him in his career from the rude simplicity of savage life, until he attains the industry, the arts, and the elegance of polished society. There is nothing wonderful then in the similitude between the Americans and the barbarous nations of our continent. Had Lafitau, Garcia, and many other authors attended to this, they would not have perplexed a subject which they pretend to illustrate, by their fruitless endeavours to establish an affinity between various races of people, in the old and new continents, upon no other evidence than such a resemblance in their manners as necessarily arises from the similarity of their condition. There are, it is true, among every people some customs which, as they do not flow from any natural want or desire peculiar to their situation, may be denominated usages of arbitrary institution. If between two na-

h Parsons's Remains of Japhet, p. 240. Ancient Univers. Hist. vol. xx. p. 164. P. Feyjoo Teatro Critico, tom. v. p. 304, &c. Acosta Hist. Moral. Novi Orbis, lib. i. c. 16. 19.

tions settled in remote parts of the earth, a perfect agreement with respect to any of these should be discovered, one might be led to suspect that they were connected by some affinity. If, for example, a nation were found in America that consecrated the seventh day to religious worship and rest, we might justly suppose that it had derived its knowledge of this usage, which is of arbitrary institution, from the Jews. But, if it were discovered that another nation celebrated the first appearance of every new moon with extraordinary demonstrations of joy, we should not be entitled to conclude that the observation of this monthly festival was borrowed from the Jews, but ought to consider it merely as the expression of that joy which is natural to man on the return of the planet which guides and cheers him in the night. The instances of customs, merely arbitrary, common to the inhabitants of both hemispheres, are, indeed, so few and so equivocal, that no theory concerning the population of the New World ought to be founded upon them.

or of religious rites.

3. The theories which have been formed with respect to the original of the Americans, from observation of their religious rites and practices, are no less fanciful, and destitute of solid foundation. When the religious opinions of any people are neither the result of rational inquiry, nor derived from the instructions of revelation, they must needs be wild and extravagant. Barbarous nations are incapable of the former, and have not been blessed with the advantages arising from the latter. Still, however, the human mind, even where its operations appear most wild and capricious, holds a course so regular, that in every age and country the dominion of particular passions will be attended with similar effects. The savage of Europe or America, when filled with superstitious dread of invisible beings, or with inquisitive solicitude to penetrate into the events of futurity, trembles alike with fear, or glows with impatience. He has recourse to rites and practices of the same kind, in order to avert the vengeance which he supposes to be impending over him, or to divine the secret which is the object of his curiosity. Accordingly the ritual of superstition in one continent, seems, in many particulars, to be a transcript of that established in the other, and both authorize similar institutions, sometimes so frivolous as to excite pity, sometimes so bloody and barbarous as to create horror. But without supposing any consanguinity between such distant nations, or imagining that their religious ceremonies were conveyed by tradition from the one to the other, we may ascribe this uniformity, which, in many instances, seems very amazing, to the natural operation of superstition and enthusiasm upon the weakness of the human mind.

Not peopled by any nation highly civilized;

4. We may lay it down as a certain principle in this inquiry, that America was not peopled by any nation of the ancient continent, which had made considerable progress in civilization. The inhabitants of the New World were in a state of society so extremely rude, as to be unacquainted with those arts which are the first essays of human ingenuity in its advance towards improvement. Even the most cultivated nations of America were strangers to many of those simple inventions which were almost coeval with society in other parts of the world, and were known in the earliest periods of civil life with which we have any acquaintance. From this it is manifest, that the tribes which originally migrated to America, came off from nations which must have been no less barbarous than their posterity, at the time when they were first discovered by the Europeans. For, although the elegant or refined arts may decline or perish, amidst the violent shocks of those revolutions and disasters to which nations are exposed, the necessary arts of life, when once they have been introduced among any people, are never lost. None of the vicissitudes in human affairs affect these, and they continue to be practised as long as the race of men exists. If ever the use of iron had been known to the savages of America, or to their progenitors; if ever they had employed a plough, a loom, or a forge, the utility of those inventions would have preserved them, and it is impossible that they should have been abandoned or forgotten. We may conclude, then, that the Americans sprung from some people, who were themselves in such an early and unimproved stage of society, as to be unacquainted with all those necessary arts, which continued to be unknown among their posterity when first visited by the Spaniards.

nor from the southern regions of our continent.

5. It appears no less evident that America was not peopled by any colony from the more southern nations of the ancient continent. None of the rude tribes settled in that part of our hemisphere can be supposed to have visited a country so remote. They possessed neither enterprise, nor ingenuity, nor power, that could prompt them to undertake, or enable them to perform, such a distant voyage. That the more civilized nations in Asia or Africa are not the progenitors of the Americans is manifest, not only from the observations which I have already made concerning their ignorance of the most simple and necessary arts, but from an additional circumstance. Whenever any people have experienced the advantages which men enjoy by their dominion over the inferior animals, they can neither subsist without the nourishment which these afford, nor carry on any considerable operation independent of their ministry and labour Accordingly, the first care of the Spaniards, when they settled in America, was to stock it with all the domestic animals of Europe; and if, prior to them, the Tyrians, the Carthaginians, the Chinese, or any other polished people, had taken possession of that continent, we should have found there the animals peculiar to those regions of the globe, where they were originally seated. In all America, however, there is not one animal, tame or wild, which properly belongs to the warm or even

the more temperate countries of the ancient continent. The camel, the dromedary, the horse, the cow, were as much unknown in America, as the elephant or the lion. From which it is obvious, that the people who first settled in the western world did not issue from the countries where those animals abound, and where men, from having been long accustomed to their aid, would naturally consider it, not only as beneficial, but as indispensably necessary to the improvement, and even the preservation, of civil society.

The two continents seem to approach nearest to each other towards the north.

6. From considering the animals with which America is stored, we may conclude that the nearest point of contact between the old and new continents is towards the northern extremity of both, and that there the communication was opened, and the intercourse carried on between them. All the extensive countries in America which lie within the tropics, or approach near to them, are filled with indigenous animals of various kinds, entirely different from those in the corresponding regions of the ancient continent. But the northern provinces of the New World abound with many of the wild animals which are common in such parts of our hemisphere as lie in a similar situation. The bear, the wolf, the fox, the hare, the deer, the roebuck, the elk, and several other species, frequent the forests of North America, no less than those in the north of Europe and Asia.[i] It seems to be evident, then, that the two continents approach each other in this quarter, and are either united, or so nearly adjacent, that these animals might pass from the one to the other.

This ascertained by discovery.

7. The actual vicinity of the two continents is so clearly established by modern discoveries, that the chief difficulty with respect to the peopling of America is removed. While those immense regions which stretch eastward from the river Oby to the sea of Kamchatka were unknown or imperfectly explored, the north-east extremities of our hemisphere were supposed to be so far distant from any part of the New World, that it was not easy to conceive how any communication should have been carried on between them. But the Russians, having subjected the western part of Siberia to their empire, gradually extended their knowledge of that vast country, by advancing towards the east into unknown provinces. These were discovered by hunters in their excursions after game, or by soldiers employed in levying the taxes; and the court of Moscow estimated the importance of those countries, only by the small addition which they made to its revenue. At length Peter the Great ascended the Russian throne. His enlightened, comprehensive mind, intent upon every circumstance that could aggrandize his empire, or render his reign illustrious, discerned consequences of those discoveries which had escaped the observation of his ignorant predecessors. He perceived that in proportion as the regions of Asia extended towards the east, they must approach nearer to America; that the communication between the two continents, which had long been searched for in vain, would probably be found in this quarter, and that by opening it, some part of the wealth and commerce of the western world might be made to flow into his dominions by a new channel. Such an object suited a genius that delighted in grand schemes. Peter drew up instructions with his own hand for prosecuting this design, and gave orders for carrying it into execution.[k]

His successors adopted his ideas, and pursued his plan. The officers whom the Russian court employed in this service had to struggle with so many difficulties, that their progress was extremely slow. Encouraged by some faint traditions among the people of Siberia, concerning a successful voyage in the year one thousand six hundred and forty-eight, round the north-east promontory of Asia, they attempted to follow the same course. Vessels were fitted out, with this view, at different times, from the rivers Lena and Kolyma; but in a frozen ocean, which nature seems not to have destined for navigation, they were exposed to many disasters, without being able to accomplish their purpose. No vessel fitted out by the Russian court ever doubled this formidable Cape;[1] we are indebted for what is known of those extreme regions of Asia, to the discoveries made in excursions by land. In all those provinces an opinion prevails, that there are countries of great extent and fertility, which lie at no considerable distance from their own coasts. These the Russians imagined to be part of America; and several circumstances concurred not only in confirming them in this belief, but in persuading them that some portion of that continent could not be very remote. Trees of various kinds, unknown in those naked regions of Asia, are driven upon the coast by an easterly wind. By the same wind, floating ice is brought thither in a few days; flights of birds arrive annually from the same quarter; and a tradition obtains among the inhabitants, of an intercourse formerly carried on with some countries situated to the east.

After weighing all these particulars, and comparing the position of the countries in Asia which had been discovered, with such parts in the north-west of America as were already known, the Russian court formed a plan, which would have hardly occurred to a nation less accustomed to engage in arduous undertakings, and to contend with great difficulties. Orders were issued to build two vessels at the small village of Ochotz, situated on the sea of Kamchatka, to sail on a voyage of discovery. Though that dreary uncultivated region furnished nothing that could be of use in constructing them, but some larch trees: though not only the iron, the

i Buffon Hist. Nat. ix. p. 97, &c.

k Muller, Voyages et Découvertes par les Russes, tom. i. p. 4, 5, 141.
l See Note XLI.

cordage, the sails, and all the numerous articles requisite for their equipment, but the provisions for victualling them, were to be carried through the immense deserts of Siberia, down rivers of difficult navigation, and along roads almost impassable, the mandate of the sovereign, and the perseverance of the people, at last surmounted every obstacle. Two vessels were finished, and, under the command of the captains Behring and Tschirikow, sailed from Kamchatka, in quest of the New World, in a quarter where it had never been approached. They shaped their course towards the east; and though a storm soon separated the vessels, which never rejoined, and many disasters befell them, the expectations from the voyage were not altogether frustrated. Each of the commanders discovered land, which to them appeared to be part of the American continent; and, according to their observations, it seems to be situated within a few degrees of the north-west coast of California. Each set some of his people ashore: but in one place the inhabitants fled as the Russians approached; in another, they carried off those who landed, and destroyed their boats. The violence of the weather, and the distress of their crews, obliged both captains to quit this inhospitable coast. In their return they touched at several islands, which stretch in a chain from east to west between the country which they had discovered and the coast of Asia. They had some intercourse with the natives, who seemed to them to resemble the North Americans. They presented to the Russians the *calumet*, or pipe of peace, which is a symbol of friendship universal among the people of North America, and an usage of arbitrary institution, peculiar to them.

1741. June 4.

Though the islands of this New Archipelago have been frequented since that time by the Russian hunters, the court of St. Petersburgh, during a period of more than forty years, seems to have relinquished every thought of prosecuting discoveries in that quarter. But in the year one thousand seven hundred and sixty-eight, it was unexpectedly resumed. The sovereign, who had been lately seated on the throne of Peter the Great, possessed the genius and talents of her illustrious predecessor. During the operations of the most arduous and extensive war in which the Russian empire was ever engaged, she formed schemes and executed undertakings, to which more limited abilities would have been incapable of attending but amidst the leisure of pacific times. A new voyage of discovery from the eastern extremity of Asia was planned, and captain Krenitzin and lieutenant Levasheff were appointed to command the two vessels fitted out for that purpose. In their voyage outward they held nearly the same course with the former navigators, they touched at the same islands, observed their situation and productions more carefully, and discovered several new islands, with which Behring and Tschirikow had not fallen in. Though they did not proceed so far to the east as to revisit the country which Behring and Tschirikow supposed to be part of the American continent, yet, by returning in a course considerably to the north of theirs, they corrected some capital mistakes into which their predecessors had fallen, and have contributed to facilitate the progress of future navigators in those seas.[m]

Thus the possibility of a communication between the continents in this quarter rests no longer upon mere conjecture, but is established by undoubted evidence.[n] Some tribe or some families of wandering Tartars, from the restless spirit peculiar to their race, might migrate to the nearest islands, and, rude as their knowledge of navigation was, might, by passing from one to the other, reach at length the coast of America, and give a beginning to population in that continent. The distance between the Marian or Ladrone islands and the nearest land in Asia, is greater than that between the part of America which the Russians discovered, and the coast of Kamchatka; and yet the inhabitants of those islands are manifestly of Asiatic extract. If, notwithstanding their remote situation, we admit that the Marian islands were peopled from our continent, distance alone is no reason why we should hesitate about admitting that the Americans may derive their original from the same source. It is probable that future navigators in those seas, by steering further to the north, may find that the continent of America approaches still nearer to Asia. According to the information of the barbarous people who inhabit the country about the north-east promontory of Asia, there lies, off the coast, a small island, to which they sail in less than a day. From that they can descry a large continent, which according to their description, is covered with forests, and possessed by people whose language they do not understand.[o] By them they are supplied with the skins of martens, an animal unknown in the northern parts of Siberia, and which is never found but in countries abounding with trees. If we could rely on this account, we might conclude, that the American continent is separated from ours only by a narrow strait, and all the difficulties with respect to the communication between them would vanish. What could be offered only as a conjecture when this History was first published, is now known to be certain. The near approach of the two continents to each other has been discovered and traced in a voyage undertaken upon principles so pure and so liberal, and conducted with so much professional skill, as reflect lustre upon the reign of the sovereign by whom it was planned, and do honour to the officers intrusted with the execution of it.[p]

Another communication by the north-west.

It is likewise evident from recent discoveries, that an intercourse between our continent and America might be carried on with no less facility from the north-west extremities of Europe. As early as the

m See Note XLII.

n Muller's Voyages, tom. i. 248, &c. 267. 276.

o Muller's Voyages et Découv. i. 166.

p See Note XLIII.

A. D. 830. ninth century, the Norwegians discovered Greenland, and planted colonies there. The communication with that country, after a long interruption, was renewed in the last century. Some Lutheran and Moravian missionaries, prompted by zeal for propagating the christian faith, have ventured to settle in this frozen and uncultivated region.[q] To them we are indebted for much curious information with respect to its nature and inhabitants. We learn, that the north-west coast of Greenland is separated from America by a very narrow strait; that, at the bottom of the bay into which this strait conducts, it is highly probable that they are united;[r] that the inhabitants of the two countries have some intercourse with one another; that the Esquimaux of America perfectly resemble the Greenlanders in their aspect, dress, and mode of living; that some sailors who had acquired the knowledge of a few words in the Greenlandish language, reported that these were

A. D. 1764. understood by the Esquimaux; that, at length, a Moravian missionary, well acquainted with the language of Greenland, having visited the country of the Esquimaux, found, to his astonishment, that they spoke the same language with the Greenlanders; that they were in every respect the same people, and he was accordingly received and entertained by them as a friend and a brother.[s]

By these decisive facts, not only the consanguinity of the Esquimaux and Greenlanders is established, but the possibility of peopling America from the north of Europe is demonstrated. If the Norwegians, in a barbarous age, when science had not begun to dawn in the north of Europe, possessed such naval skill as to open a communication with Greenland, their ancestors, as much addicted to roving by sea as the Tartars are to wandering by land, might, at some more remote period, accomplish the same voyage, and settle a colony there, whose descendants might, in progress of time, migrate into America. But if, instead of venturing to sail directly from their own coast to Greenland, we suppose that the Norwegians held a more cautious course, and advanced from Shetland to the Feroe Islands, and from them to Iceland, in all which they had planted colonies; their progress may have been so gradual, that this navigation cannot be considered as either longer or more hazardous, than those voyages which that hardy and enterprising race of men is known to have performed in every age.

Probably peopled from the north-east.

8. Though it be possible that America may have received its first inhabitants from our continent, either by the north-west of Europe or the north-east of Asia, there seems to be good reason for supposing that the progenitors of all the American nations, from Cape Horn to the southern confines of Labrador, migrated from the latter rather than the former. The Esquimaux are the only people in America, who, in their aspect or character, bear any resemblance to the northern Europeans. They are manifestly a race of men distinct from all the nations of the American continent, in language, in disposition, and in habits of life. Their original, then, may warrantably be traced up to that source which I have pointed out. But among all the other inhabitants of America, there is such a striking similitude in the form of their bodies and the qualities of their minds, that, notwithstanding the diversities occasioned by the influence of climate, or unequal progress in improvement, we must pronounce them to be descended from one source. There may be a variety in the shades, but we can every where trace the same original colour. Each tribe has something peculiar which distinguishes it, but in all of them we discern certain features common to the whole race. It is remarkable, that in every peculiarity, whether in their persons or dispositions, which characterize the Americans, they have some resemblance to the rude tribes scattered over the north-east of Asia, but almost none to the nations settled in the northern extremities of Europe. We may, therefore, refer them to the former origin, and conclude that their Asiatic progenitors, having settled in those parts of America where the Russians have discovered the proximity of the two continents, spread gradually over its various regions. This account of the progress of population in America coincides with the traditions of the Mexicans concerning their own origin, which, imperfect as they are, were preserved with more accuracy, and merit greater credit, than those of any people in the New World. According to them, their ancestors came from a remote country, situated to the north-west of Mexico. The Mexicans point out their various stations as they advanced from this into the interior provinces, and it is precisely the same route which they must have held, if they had been emigrants from Asia. The Mexicans, in describing the appearance of their progenitors, their manners and habits of life at that period, exactly delineate those of the rude Tartars, from whom I suppose them to have sprung.[t]

Thus have I finished a disquisition which has been deemed of so much importance, that it would have been improper to omit it in writing the history of America. I have ventured to inquire, but without presuming to decide. Satisfied with offering conjectures, I pretend not to establish any system. When an investigation is, from its nature, so intricate and obscure, that it is impossible to arrive at conclusions which are certain, there may be some merit in pointing out such as are probable.[u]

Condition and character of the Americans;

The condition and character of the American nations at the time when they became known to the Europeans,

q Crantz' Hist. of Greenl. i. 242. 244. Prevot, Hist. Gen. des Voyages, tom. xv. 152. not. (96).
r Eggede, p. 2, 3.
s Crantz' Hist. of Greenl. p. 261, 262.

t Acosta Hist. Nat. & Mor. lib. vii. c. 2, &c. Garcia Origen de los Indios, lib. v. c. 3. Torquemada Monar. Ind. lib. i. c. 2, &c. Boturini Benaduci Idea de una Hist. de la Amer. Septentr. § xvii. p. 127.
u Memoires sur la Louisiane, par Dumont, tom. i. p. 119.

deserve more attentive consideration than the inquiry concerning their original. The latter is merely an object of curiosity; the former is one of the most important as well as instructive researches which can occupy the philosopher or historian. In order to complete the history of the human mind, and attain to a perfect knowledge of its nature and operations, we must contemplate man in all those various situations wherein he has been placed. We must follow him in his progress through the different stages of society, as he gradually advances from the infant state of civil life towards its maturity and decline. We must observe, at each period, how the faculties of his understanding unfold; we must attend to the efforts of his active power, watch the various movements of desire and affection, as they rise in his breast, and mark whither they tend, and with what ardour they are exerted. The philosophers and historians of ancient Greece and Rome, our guides in this as well as every other disquisition, had only a limited view of this subject, as they had hardly any opportunity of surveying man in his rudest and most early state. In all those regions of the earth with which they were well acquainted, civil society had made considerable advances, and nations had finished a good part of their career before they began to observe them. The Scythians and Germans, the rudest people of whom any ancient author has transmitted to us an authentic account, possessed flocks and herds, had acquired property of various kinds, and, when compared with mankind in their primitive state, may be reckoned to have attained to a great degree of civilization.

less improved than in any part of the earth.

But the discovery of the New World enlarged the sphere of contemplation, and presented nations to our view, in stages of their progress much less advanced than those wherein they have been observed in our continent. In America, man appears under the rudest form in which we can conceive him to subsist. We behold communities just beginning to unite, and may examine the sentiments and actions of human beings in the infancy of social life, while they feel but imperfectly the force of its ties, and have scarcely relinquished their native liberty. That state of primæval simplicity, which was known in our continent, only by the fanciful description of poets, really existed in the other. The greater part of its inhabitants were strangers to industry and labour, ignorant of arts, imperfectly acquainted with the nature of property, and enjoying almost without restriction or control the blessings which flowed spontaneously from the bounty of nature. There were only two nations in this vast continent which had emerged from this rude state, and had made any considerable progress in acquiring the ideas, and adopting the institutions, which belong to polished societies. Their government and manners will fall naturally under our review in relating the discovery and conquest of the Mexican and Peruvian empires; and we shall have there an opportunity of contemplating the Americans in the state of highest improvement to which they ever attained.

This inquiry confined to the rudest tribes.

At present, our attention and researches shall be turned to the small independent tribes which occupied every other part of America. Among these, though with some diversity in their character, their manners, and institutions, the state of society was nearly similar, and so extremely rude, that the denomination of *savage* may be applied to them all. In a general history of America, it would be highly improper to describe the condition of each petty community, or to investigate every minute circumstance which contributes to form the character of its members. Such an inquiry would lead to details of immeasurable and tiresome extent. The qualities belonging to the people of all the different tribes have such a near resemblance, that they may be painted with the same features. Where any circumstance seem to constitute a diversity in their character and manners worthy of attention, it will be sufficient to point these out as they occur, and to inquire into the cause of such peculiarities.

Difficulty of obtaining information.

It is extremely difficult to procure satisfying and authentic information concerning nations while they remain uncivilized. To discover their true character under this rude form, and to select the features by which they are distinguished, requires an observer possessed of no less impartiality than discernment. For, in every stage of society, the faculties, the sentiments, and desires of men, are so accommodated to their own state, that they become standards of excellence to themselves, they affix the idea of perfection and happiness to those attainments which resemble their own, and wherever the objects and enjoyments to which they have been accustomed are wanting, confidently pronounce a people to be barbarous and miserable. Hence the mutual contempt with which the members of communities, unequal in their degrees of improvement, regard each other. Polished nations, conscious of the advantages which they derive from their knowledge and arts, are apt to view rude nations with peculiar scorn, and, in the pride of superiority, will hardly allow either their occupations, their feelings, or their pleasures, to be worthy of men. It has seldom been the lot of communities, in their early and unpolished state, to fall under the observation of persons endowed with force of mind superior to vulgar prejudices, and capable of contemplating man, under whatever aspect he appears, with a candid and discerning eye.

from the incapacity of the first observers,

The Spaniards, who first visited America, and who had opportunity of beholding its various tribes while entire and unsubdued, and before any change had been made in their ideas or manners by intercourse with a race of men much advanced beyond them in improvement, were far from possessing the quali-

ties requisite for observing the striking spectacle presented to their view. Neither the age in which they lived, nor the nation to which they belonged, had made such progress in true science, as inspires enlarged and liberal sentiments. The conquerors of the New World were mostly illiterate adventurers, destitute of all the ideas which should have directed them in contemplating objects so extremely different from those with which they were acquainted. Surrounded continually with danger, or struggling with hardships, they had little leisure, and less capacity, for any speculative inquiry. Eager to take possession of a country of such extent and opulence, and happy in finding it occupied by inhabitants so incapable to defend it, they hastily pronounced them to be a wretched order of men, formed merely for servitude; and were more employed in computing the profits of their labour, than in inquiring into the operations of their minds, or the reasons of their customs and institutions. The persons who penetrated at subsequent periods into the interior provinces, to which the knowledge and devastations of the first conquerors did not reach, were generally of a similar character; brave and enterprising in a high degree, but so uninformed as to be little qualified either for observing or describing what they beheld.

and their prejudices;

Not only the incapacity, but the prejudices of the Spaniards, render their accounts of the people of America extremely defective. Soon after they planted colonies in their new conquests, a difference in opinion arose with respect to the treatment of the natives. One party solicitous to render their servitudeperpetual, represented them as a brutish, obstinate race, incapable either of acquiring religious knowledge, or of being trained to the functions of social life. The other full of pious concern for their conversion, contended that, though rude and ignorant, they were gentle, affectionate, docile, and by proper instructions and regulations might be formed gradually into good christians and useful citizens. This controversy, as I have already related, was carried on with all the warmth which is natural, when attention to interest on the one hand, and religious zeal on the other, animate the disputants. Most of the laity espoused the former opinion; all the ecclesiastics were advocates for the latter; and we shall uniformly find, that, accordingly as an author belonged to either of these parties, he is apt to magnify the virtues or aggravate the defects of the Americans far beyond truth. Those repugnant accounts increase the difficulty of attaining a perfect knowledge of their character, and render it necessary to peruse all the descriptions of them by Spanish writers with distrust, and to receive their information with some grains of allowance.

and from the system of philosophers.

Almost two centuries elapsed after the discovery of America, before the manners of its inhabitants attracted, in any considerable degree, the attention of philosophers. At length they discovered, that the contemplation of the condition and character of the Americans, in their original state, tended to complete our knowledge of the human species; might enable us to fill up a considerable chasm in the history of its progress; and lead to speculations no less curious than important. They entered upon this new field of study with great ardour; but, instead of throwing light upon the subject, they have contributed in some degree to involve it in additional obscurity. Too impatient to inquire, they hastened to decide; and began to erect systems, when they should have been searching for facts on which to establish their foundations. Struck with the appearance of degeneracy in the human species throughout the New World, and astonished at beholding a vast continent occupied by a naked, feeble, and ignorant race of men, some authors of great name have maintained that this part of the globe had but lately emerged from the sea, and become fit for the residence of man; that every thing in it bore marks of a recent original; and that its inhabitants, lately called into existence, and still at the beginning of their career, were unworthy to be compared with the people of a more ancient and improved continent.[x] Others have imagined, that, under the influence of an unkindly climate, which checks and enervates the principle of life, man never attained in America the perfection which belongs to his nature, but remained an animal of an inferior order, defective in the vigour of his bodily frame, and destitute of sensibility, as well as of force, in the operations of his mind.[y] In opposition to both these, other philosophers have supposed that man arrives at his highest dignity and excellence long before he reaches a state of refinement; and, in the rude simplicity of savage life, displays an elevation of sentiment, an independence of mind, and a warmth of attachment, for which it is vain to search among the members of polished societies.[z] They seem to consider that as the most perfect state of man which is the least civilized. They describe the manners of the rude Americans with such rapture, as if they proposed them for models to the rest of the species. These contradictory theories have been proposed with equal confidence, and uncommon powers of genius and eloquence have been exerted in order to clothe them with an appearance of truth.

As all those circumstances concur in rendering an inquiry into the state of the rude nations in America intricate and obscure, it is necessary to carry it on with caution. When guided in our researches by the intelligent observations of the few philosophers who have visited this part of the globe, we may venture to decide. When obliged to have recourse to the superficial remarks of vulgar travellers, of sailors, traders, buccaneers, and missionaries, we must often pause, and, comparing detached

x M. de Buffon Hist. Nat. iii. 484, &c. ix. 103. 114.

y M. de P. Recher Philos. sur les Americ. passim. z M. Rousseau.

facts, endeavour to discover what they wanted sagacity to observe. Without indulging conjecture, or betraying a propensity to either system, we must study with equal care to avoid the extremes of extravagant admiration or of supercilious contempt for those manners which we describe.

Method observed in the inquiry.

In order to conduct this inquiry with greater accuracy, it should be rendered as simple as possible. Man existed as an individual before he became the member of a community; and the qualities which belong to him under his former capacity should be known, before we proceed to examine those which arise from the latter relation. This is peculiarly necessary in investigating the manners of rude nations. Their political union is so incomplete, their civil institutions and regulations so few, so simple, and of such slender authority, that men in this state ought to be viewed rather as independent agents, than as members of a regular society. The character of a savage results almost entirely from his sentiments or feelings as an individual, and is but little influenced by his imperfect subjection to government and order. I shall conduct my researches concerning the manners of the Americans in this natural order, proceeding gradually from what is simple to what is more complicated.

I shall consider, I. The bodily constitution of the Americans in those regions now under review. II. The qualities of their minds. III. Their domestic state. IV. their political state and institutions. V. Their system of war, and public security. VI. The arts with which they were acquainted. VII. Their religious ideas and institutions. VIII. Such singular detached customs as are not reducible to any of the former heads. IX. I shall conclude with a general review and estimate of their virtues and defects.

The constitution of their bodies.

I. The bodily constitution of the Americans.—The human body is less affected by climate than that of any other animal. Some animals are confined to a particular region of the globe, and cannot exist beyond it; others, though they may be brought to bear the injuries of a climate foreign to them, cease to multiply when carried out of that district which nature destined to be their mansion. Even such as seem capable of being naturalized in various climates, feel the effect of every remove from their proper station, and gradually dwindle and degenerate from the vigour and perfection peculiar to their species. Man is the only living creature whose frame is at once so hardy and so flexible, that he can spread over the whole earth, become the inhabitant of every region, and thrive and multiply under every climate. Subject, however, to the general law of nature, the human body is not entirely exempt from the operation of climate; and when exposed to the extremes either of heat or cold, its size or vigour diminishes.

a Oviedo Sommario, p. 46. D. Life of Columbus, c. 24.
b See Note XLIV. c Ibid. XLV.
d Oviedo Som. p. 51. C. Voy. de Correal, ii. 138. Wafer's Description, p. 131.

Complexion, &c.

The first appearance of the inhabitants of the New World filled the discoverers with such astonishment, that they were apt to imagine them a race of men different from those of the other hemisphere. Their complexion is of a reddish brown, nearly resembling the colour of copper.[a] The hair of their heads is always black, long, coarse, and uncurled. They have no beard, and every part of their body is perfectly smooth. Their persons are of a full size, extremely straight, and well proportioned.[b] Their features are regular, though often distorted by absurd endeavours to improve the beauty of their natural form, or to render their aspect more dreadful to their enemies. In the islands, where four-footed animals were both few and small, and the earth yielded her productions almost spontaneously, the constitution of the natives, neither braced by the active exercises of the chase, nor invigorated by the labour of cultivation, was extremely feeble and languid. On the continent, where the forests abound with game of various kinds, and the chief occupation of many tribes was to pursue it, the human frame acquired greater firmness. Still, however, the Americans were more remarkable for agility than strength. They resembled beasts of prey, rather than animals formed for labour.[c] They were not only averse to toil, but incapable of it; and when roused by force from their native indolence, and compelled to work, they sunk under tasks which the people of the other continent would have performed with ease.[d] This feebleness of constitution was universal among the inhabitants of those regions in America which we are surveying, and may be considered as characteristic of the species there.[e]

More feeble.

The beardless countenance and smooth skin of the American seems to indicate a defect of vigour, occasioned by some vice in his frame. He is destitute of one sign of manhood and of strength. This peculiarity, by which the inhabitants of the New World are distinguished from the people of all other nations, cannot be attributed, as some travellers have supposed, to their mode of subsistence.[f] For though the food of many Americans be extremely insipid, as they are altogether unacquainted with the use of salt, rude tribes in other parts of the earth have subsisted on aliments equally simple, without this mark of degradation, or any apparent symptom of a diminution in their vigour.

Less appetite.

As the external form of the Americans leads us to suspect that there is some natural debility in their frame, the smallness of their appetite for food has been mentioned by many authors as a confirmation of this suspicion. The quantity of food which men consume varies according to the temperature of the climate in which they live, the degree of activity which they exert, and the natural vigour of their

e B. Las Casas Brev. Relac. p. 4. Torquem. Monar. i. 580. Oviedo Sommario, p. 41. Histor. lib. iii. c. 6. Herrera, dec. 1. lib. ix. c. 5. Simon, p. 41.
f Charlev. Hist. de Nouv. Fr. iii. 310.

constitutions. Under the enervating heat of the torrid zone, and when men pass their days in indolence and ease, they require less nourishment than the active inhabitants of temperate or cold countries. But neither the warmth of their climate, nor their extreme laziness, will account for the uncommon defect of appetite among the Americans. The Spaniards were astonished with observing this, not only in the islands, but in several parts of the continent. The constitutional temperance of the natives far exceeded, in their opinion, the abstinence of the most mortified hermits;[g] while on the other hand, the appetite of the Spaniards appeared to the Americans insatiably voracious; and they affirmed, that one Spaniard devoured more food in a day than was sufficient for ten Americans.[h]

Less vehemence of desire.

A proof of some feebleness in their frame, still more striking, is the insensibility of the Americans to the charms of beauty, and the power of love. That passion, which was destined to perpetuate life, to be the bond of social union, and the source of tenderness and joy, is the most ardent in the human breast. Though the perils and hardships of the savage state, though excessive fatigue, on some occasions, and the difficulty at all times of procuring subsistence, may seem to be adverse to this passion, and to have a tendency to abate its vigour, yet the rudest nations in every other part of the globe seem to feel its influence more powerfully than the inhabitants of the New World. The negro glows with all the warmth of desire natural to his climate; and the most uncultivated Asiatics discover that sensibility which, from their situation on the globe, we should expect them to have felt. But the Americans are, in an amazing degree, strangers to the force of this first instinct of nature. In every part of the New World the natives treat their women with coldness and indifference. They are neither the objects of that tender attachment which takes place in civilized society, nor of that ardent desire conspicuous among rude nations. Even in climates where this passion usually acquires its greatest vigour, the savage of America views his female with disdain, as an animal of a less noble species. He is at no pains to win her favour by the assiduity of courtship, and still less solicitous to preserve it by indulgence and gentleness.[i] Missionaries themselves, notwithstanding the austerity of monastic ideas, cannot refrain from expressing their astonishment at the dispassionate coldness of the American young men in their intercourse with the other sex.[k] Nor is this reserve to be ascribed to any opinion which they entertain with respect to the merit of female chastity. That is an idea too refined for a savage, and suggested by a delicacy of sentiment and affection to which he is a stranger.

Reflections with respect to these.

But in inquiries concerning either the bodily or mental qualities of particular races of men, there is not a more common or more seducing error, than that of ascribing to a single cause those characteristic peculiarities, which are the effect of the combined operation of many causes. The climate and soil of America differ, in so many respects, from those of the other hemisphere, and this difference is so obvious and striking, that philosophers of great eminence have laid hold on this as sufficient to account for what is peculiar in the constitution of its inhabitants. They rest on physical causes alone, and consider the feeble frame and languid desire of the Americans, as consequences of the temperament of that portion of the globe which they occupy. But the influences of political and moral causes ought not to have been overlooked. These operate with no less effect than that on which many philosophers rest as a full explanation of the singular appearances which have been mentioned. Wherever the state of society is such as to create many wants and desires, which cannot be satisfied without regular exertions of industry, the body accustomed to labour becomes robust and patient of fatigue. In a more simple state, where the demands of men are so few and so moderate, that they may be gratified, almost without any effort, by the spontaneous productions of nature, the powers of the body are not called forth, nor can they attain their proper strength. The natives of Chili and of North America, the two temperate regions in the New World, who live by hunting, may be deemed an active and vigorous race, when compared with the inhabitants of the isles, or of those parts of the continent where hardly any labour is requisite to procure subsistence. The exertions of a hunter are not, however, so regular, or so continued, as those of persons employed in the culture of the earth, or in the various arts of civilized life; and though his agility may be greater than theirs, his strength is on the whole inferior. If another direction were given to the active powers of man in the New World, and his force augmented by exercise, he might acquire a degree of vigour which he does not in his present state possess. The truth of this is confirmed by experience. Wherever the Americans have been gradually accustomed to hard labour, their constitutions become robust, and they have been found capable of performing such tasks, as seemed not only to exceed the powers of such a feeble frame as has been deemed peculiar to their country, but to equal any effort of the natives, either of Africa or of Europe.[l]

The same reasoning will apply to what has been observed concerning their slender demand for food. As a proof that this should be ascribed as much to their extreme indolence, and often total want of

g Ramusio, iii. 304. F. 306. A. Simon Conquista, &c. p. 39. Hakluyt, iii. 468. 508.

h Herrera, dec. 1. lib. ii. c. 16.

i Hennepin Mœurs des Sauvages, 32, &c. Rochefort Hist. des Isles Antilles, p. 461. Voyage de Correal, ii. 141. Ramusio, iii. 309. F. Lozano Descr. del Gran Chaco, 71. Falkner's Descr. of Pa'agon. p. 125. Letterre di P. Cataneo ap. Muratori Il Christian. Felice, i. 305.

k Chanvalon, p. 51. Lettr. Edif. tom. xxiv. 318. Tertre, ii. 377. Henegas, i. 81. Ribas Hist. de los Triumf. p. 11.

l See Note XLVI.

occupation, as to any thing peculiar in the physical structure of their bodies, it has been observed, that in those districts where the people of America are obliged to exert any unusual effort of activity, in order to procure subsistence, or wherever they are employed in severe labour, their appetite is not inferior to that of other men, and, in some places, it has struck observers as remarkably voracious.[m]

The operation of political and moral causes is still more conspicuous, in modifying the degree of attachment between the sexes. In a state of high civilization, this passion, inflamed by restraint, refined by delicacy, and cherished by fashion, occupies and engrosses the heart. It is no longer a simple instinct of nature; sentiment heightens the ardour of desire, and the most tender emotions of which our frame is susceptible, soothe and agitate the soul. This description, however, applies only to those, who, by their situation, are exempted from the cares and labours of life. Among persons of inferior order, who are doomed by their condition to incessant toil, the dominion of this passion is less violent; their solicitude to procure subsistence, and to provide for the first demand of nature, leaves little leisure for attending to its second call. But if the nature of the intercourse between the sexes varies so much in persons of different rank in polished societies, the condition of man, while he remains uncivilized, must occasion a variation still more apparent. We may well suppose, that amidst the hardships, the dangers, and the simplicity of savage life, where subsistence is always precarious, and often scanty, where men are almost continually engaged in the pursuit of their enemies, or in guarding against their attacks, and where neither dress nor reserve are employed as arts of female allurement, that the attention of the Americans to their women would be extremely feeble, without imputing this solely to any physical defect or degradation in their frame.

It is accordingly observed, that in those countries of America, where, from the fertility of the soil, the mildness of the climate, or some further advances which the natives have made in improvement, the means of subsistence are more abundant, and the hardships of savage life are less severely felt, the animal passion of the sexes becomes more ardent. Striking examples of this occur among some tribes seated on the banks of great rivers well stored with food, among others who are masters of hunting grounds abounding so much with game, that they have a regular and plentiful supply of nourishment with little labour. The superior degree of security and affluence which these tribes enjoy, is followed by their natural effects. The passions implanted in the human frame by the hand of nature acquire additional force; new tastes and desires are formed; the women, as they are more valued and admired, become more attentive to dress and ornament; the men, beginning to feel how much of their own happiness depends upon them, no longer disdain the arts of winning their favour and affection. The intercourse of the sexes becomes very different from that which takes place among their ruder countrymen; and as hardly any restraint is imposed on the gratification of desire, either by religion, or laws, or decency, the dissolution of their manners is excessive.[n]

None of them deformed.

Notwithstanding the feeble make of the Americans, hardly any of them are deformed, or mutilated, or defective in any of their senses. All travellers have been struck with this circumstance, and have celebrated the uniform symmetry and perfection of their external figure. Some authors search for the cause of this appearance in their physical condition. As the parents are not exhausted or over-fatigued with hard labour, they suppose that their children are born vigorous and sound. They imagine, that in the liberty of savage life, the human body, naked and unconfined from its earliest age, preserves its natural form; and that all its limbs and members acquire a juster proportion, than when fettered with artificial restraints, which stint its growth and distort its shape.[o] Something, without doubt, may be ascribed to the operation of these causes; but the true reasons of this apparent advantage, which is common to all savage nations, lie deeper, and are closely interwoven with the nature and genius of that state. The infancy of man is so long and so helpless, that it is extremely difficult to rear children among rude nations. Their means of subsistence are not only scanty, but precarious. Such as live by hunting must range over extensive countries, and shift often from place to place. The care of children, as well as every other laborious task, is devolved upon the women. The distresses and hardships of the savage life, which are often such as can hardly be supported by persons in full vigour, must be fatal to those of more tender age. Afraid of undertaking a task so laborious, and of such long duration, as that of rearing their offspring, the women, in some parts of America, procure frequent abortions by the use of certain herbs, and extinguish the first sparks of that life which they are unable to cherish.[p] Sensible that only stout and well formed children have force of constitution to struggle through such a hard infancy, other nations abandon and destroy such of their progeny as appear feeble or defective, as unworthy of attention.[q] Even when they endeavour to rear all their children without distinction, so great a proportion of the whole number perishes under the rigorous treatment which must be their lot in the savage state, that few of those who laboured under any original frailty attain the age of manhood.[r] Thus, in polished societies, where the

m Gumilla, ii. 12. 70. 247. Lafitau, i. 515. Ovalle Church. ii. 81. Muratori, i. 295.
n Biet. 389. Charlev. iii. 423. Dumont. Mem. sur Louisiane, i. 155.
o Piso, p. 6.
p Ellis's Voyage to Hudson's Bay, 198. Herrera, dec. 7. lib. ix. c. 4.
q Gumilla Hist. ii. 234. Techo's Hist. of Paraguay, &c. Churchill's Collect. vi. 108.
r Creuxii Hist. Canad. p. 57.

means of subsistence are secured with certainty, and acquired with ease; where the talents of the mind are often of more importance than the powers of the body; children are preserved notwithstanding their defects or deformity, and grow up to be useful citizens. In rude nations, such persons are either cut off as soon as they are born, or, becoming a burden to themselves and to the community, cannot long protract their lives. But in those provinces of the New World, where, by the establishment of the Europeans, more regular provision has been made for the subsistence of its inhabitants, and they are restrained from laying violent hands on their children, the Americans are so far from being eminent for any superior perfection in their form, that one should rather suspect some peculiar imbecility in the race, from the extraordinary number of individuals who are deformed, dwarfish, mutilated, blind, or deaf.[s]

Uniformity of their appearance.

How feeble soever the constitution of the Americans may be, it is remarkable, that there is less variety in the human form throughout the New World, than in the ancient continent. When Columbus and the other discoverers first visited the different countries of America which lie within the torrid zone, they naturally expected to find people of the same complexion with those in the corresponding regions of the other hemisphere. To their amazement, however, they discovered that America contained no negroes;[t] and the cause of this singular appearance became as much the object of curiosity, as the fact itself was of wonder. In what part or membrane of the body that humour resides which tinges the complexion of the negro with a deep black, it is the business of anatomists to inquire and describe. The powerful operation of heat appears manifestly to be the cause which produces this striking variety in the human species. All Europe, a great part of Asia, and the temperate countries of Africa, are inhabited by men of a white complexion. All the torrid zone in Africa, some of the warmer regions adjacent to it, and several countries in Asia, are filled with people of a deep black colour. If we survey the nations of our continent, making our progress from cold and temperate countries towards those parts which are exposed to the influence of vehement and unremitting heat, we shall find, that the extreme whiteness of their skin soon begins to diminish; that its colour deepens gradually as we advance; and after passing through all the successive gradations of shade, terminates in an uniform unvarying black. But in America, where the agency of heat is checked and abated by various causes, which I have already explained, the climate seems to be destitute of that force which produces such wonderful effects on the human frame. The colour of the natives of the torrid zone in America is hardly of a deeper hue than that of the people in the more temperate parts of their continent. Accurate observers, who had an opportunity of viewing the Americans in very different climates, and in provinces far removed from each other, have been struck with the amazing similarity of their figure and aspect.[u]

But though the hand of nature has deviated so little from one standard in fashioning the human form in America, the creation of fancy hath been various and extravagant. The same fables that were current in the ancient continent, have been revived with respect to the New World, and America too has been peopled with human beings of monstrous and fantastic appearance. The inhabitants of certain provinces were described to be pigmies of three feet high; those of others to be giants of an enormous size. Some travellers published accounts of people with only one eye; others pretended to have discovered men without heads, whose eyes and mouths were planted in their breasts. The variety of nature in her productions is indeed so great, that it is presumptuous to set bounds to her fertility, and to reject indiscriminately every relation that does not perfectly accord with our own limited observation and experience. But the other extreme, of yielding a hasty assent, on the slightest evidence, to whatever has the appearance of being strange and marvellous, is still more unbecoming a philosophical inquirer; as, in every period, men are more apt to be betrayed into error, by their weakness in believing too much, than by their arrogance in believing too little. In proportion as science extends, and nature is examined with a discerning eye, the wonders which amused ages of ignorance disappear. The tales of credulous travellers concerning America are forgotten; the monsters which they describe have been searched for in vain; and those provinces where they pretend to have found inhabitants of singular forms, are now known to be possessed by people nowise different from the other Americans.

Though those relations may, without discussion, be rejected as fabulous, there are other accounts of varieties in the human species in some parts of the New World, which rest upon better evidence, and merit more attentive examination. This variety has been particularly observed in three different districts. The first of these is situated in the isthmus of Darien, near the centre of America. Lionel Wafer, a traveller possessed of more curiosity and intelligence than we should have expected to find in an associate of buccaneers, discovered there a race of men, few in number, but of a singular make. They are of low stature, according to his description, of a feeble frame, incapable of enduring fatigue. Their colour is a dead milk white; not resembling that of fair people among Europeans, but without any tincture of a blush or sanguine complexion. The skin is covered with a fine hairy down of a chalky white; the hair of their heads, their eye-brows, and eye-lashes, are of the same hue. Their eyes are of a singular form,

s Voyage de Ulloa, i. 232.

t P. Martyr, dec. p. 71.

u See Note XLVII.

and so weak, that they can hardly bear the light of the sun; but they see clearly by moon-light, and are most active and gay in the night.[u] No race similar to this has been discovered in any other part of America. Cortes, indeed, found some persons exactly resembling the white people of Darien, among the rare and monstrous animals which Montezuma had collected.[x] But as the power of the Mexican empire extended to the provinces bordering on the isthmus of Darien, they were probably brought thence. Singular as the appearance of those people may be, they cannot be considered as constituting a distinct species. Among the negroes of Africa, as well as the natives of the Indian islands, nature sometimes produces a small number of individuals, with all the characteristic features and qualities of the white people of Darien. The former are called *Albinos* by the Portuguese, the latter *Kackerlakes* by the Dutch. In Darien the parents of those *Whites* are of the same colour with the other natives of the country; and this observation applies equally to the anomalous progeny of the negroes and Indians. The same mother who produces some children of a colour that does not belong to the race, brings forth the rest with the complexion peculiar to her country.[y] One conclusion may then be formed with respect to the people described by Wafer, the *Albinos* and the *Kackerlakes;* they are a degenerate breed, not a separate class of men; and from some disease or defect of their parents, the peculiar colour and debility which mark their degradation are transmitted to them. As a decisive proof of this, it has been observed, that neither the white people of Darien, nor the Albinos of Africa, propagate their race: their children are of the colour and temperament peculiar to the natives of their respective countries.[z]

The second district that is occupied by inhabitants differing in appearance from the other people of America, is situated in a high northern latitude, extending from the coast of Labrador towards the pole, as far as the country is habitable. The people scattered over those dreary regions, are known to the Europeans by the name of *Esquimaux*. They themselves, with that idea of their own superiority which consoles the rudest and most wretched nations, assume the name of *Keralit* or *Men*. They are of a middle size, and robust, with heads of a disproportioned bulk, and feet as remarkably small. Their complexion, though swarthy, by being continually exposed to the rigour of a cold climate, inclines to the European white, rather than to the copper colour of America, and the men have beards which are sometimes bushy and long.[a] From these marks of distinction, as well as from one still less equivocal, the affinity of their language to that of the Greenlanders, which I have already mentioned, we may conclude, with some degree of confidence, that the Esquimaux are a race different from the rest of the Americans.

We cannot decide with equal certainty concerning the inhabitants of the third district, situated at the southern extremity of America. These are the famous *Patagonians*, who, during two centuries and a half, have afforded a subject of controversy to the learned, and an object of wonder to the vulgar. They are supposed to be one of the wandering tribes, which occupy the vast but least known region of America, which extends from the river de la Plata to the straits of Magellan. Their proper station is in that part of the interior country which lies on the banks of the river Negro; but in the hunting season, they often roam as far as the straits which separate Tierra del Fuego from the main land. The first accounts of this people were brought to Europe by the companions of Magellan,[b] who described them as a gigantic race, above eight feet high, and of strength in proportion to their enormous size. Among several tribes of animals, a disparity in bulk as considerable may be observed. Some large breeds of horses and dogs exceed the more diminutive races in stature and strength, as far as the Patagonian is supposed to rise above the usual standard of the human body. But animals attain the highest perfection of their species only in mild climates, or where they find the most nutritive food in greatest abundance. It is not then in the uncultivated waste of the Magellanic regions, and among a tribe of improvident savages, that we should expect to find a man possessing the highest honours of his race, and distinguished by a superiority of size and vigour, far beyond what he has reached in any other part of the earth. The most explicit and unexceptionable evidence is requisite, in order to establish a fact repugnant to those general principles and laws, which seem to affect the human frame in every other instance, and to decide with respect to its nature and qualities. Such evidence has not hitherto been produced. Though several persons, to whose testimony great respect is due, have visited this part of America since the time of Magellan, and have had interviews with the natives; though some have affirmed, that such as they saw were of gigantic stature, and others have formed the same conclusion from measuring their footsteps, or from viewing the skeletons of their dead; yet their accounts vary from each other in so many essential points, and are mingled with so many circumstances manifestly false or fabulous, as detract much from their credit. On the other hand, some navigators, and those among the most eminent of their order for discernment and accuracy, have asserted that the natives of Patagonia, with whom they had intercourse, though stout and well made, are not of such extraordinary size as to be distinguished from the rest of the human species.[c] The existence of this gigantic race of

u Wafer Descript. of Isth. ap. Dampier, iii. p. 346.
x Cortes ap. Ramus. iii. p. 241. E.
y Margrav. Hist. Rer. Nat. Bras. lib. viii. c. 4.
z Wafer, p. 348. Demanet. Hist. de l'Afrique, ii. 234. Recherch. Philos. sur les Amer. ii. 1, &c. Note XLVIII.

a Ellis's Voy. to Huds. Bay, p. 131. 139. De la Potherie, tom. i. p. 79. Wales Journ. of a Voy. to Churchill River. Phil. Trans. vol. lx. 109.
b Falkner's Description of Patagonia. p. 102.
c See Note XLIX.

men seems, then, to be one of those points in natural history, with respect to which a cautious inquirer will hesitate, and will choose to suspend his assent, until more complete evidence shall decide, whether he ought to admit a fact, seemingly inconsistent with what reason and experience have discovered concerning the structure and condition of man, in all the various situations in which he has been observed.

Their state of health.

In order to form a complete idea with respect to the constitution of the inhabitants of this and the other hemisphere, we should attend not only to the make and vigour of their bodies, but consider what degree of health they enjoy, and to what period of longevity they usually arrive. In the simplicity of the savage state, when man is not oppressed with labour, or enervated by luxury, or disquieted with care, we are apt to imagine that his life will flow on almost untroubled by disease or suffering, until his days be terminated, in extreme old age, by the gradual decays of nature. We find, accordingly, among the Americans, as well as among other rude people, persons, whose decrepit and shrivelled form seems to indicate an extraordinary length of life. But as most of them are unacquainted with the art of numbering, and all of them as forgetful of what is past, as they are improvident of what is to come, it is impossible to ascertain their age with any degree of precision.[d] It is evident that the period of their longevity must vary considerably, according to the diversity of climates, and their different modes of subsistence. They seem, however, to be every where exempt from many of the distempers which afflict polished nations. None of the maladies, which are the immediate offspring of luxury, ever visited them; and they have no names in their languages by which to distinguish this numerous train of adventitious evils.

Diseases.

But whatever be the situation in which man is placed, he is born to suffer; and his diseases, in the savage state, though fewer in number, are like those of the animals whom he nearly resembles in his mode of life, more violent and more fatal. If luxury engenders and nourishes distempers of one species, the rigour and distresses of savage life bring on those of another. As men in this state are wonderfully improvident, and their means of subsistenee precarious, they often pass from extreme want to exuberant plenty, according to the vicissitudes of fortune in the chase, or in consequence of the various degrees of abundance with which the earth affords to them its productions, in different seasons. Their inconsiderate gluttony in the one situation, and their severe abstinence in the other, are equally pernicious. For though the human constitution may be accustomed by habit, like that of animals of prey, to tolerate long famine, and then to gorge voraciously, it is not a little affected by such sudden and violent transitions. The strength and vigour of savages are at some seasons impaired by what they suffer from a scarcity of food; at others, they are afflicted with disorders arising from indigestion and a superfluity of gross aliment. These are so common, that they may be considered as the unavoidable consequence of their mode of subsisting, and cut off considerable numbers in the prime of life. They are likewise extremely subject to consumptions, to pleuritic, asthmatic, and paralytic disorders,[e] brought on by the immoderate hardships and fatigue which they endure in hunting and in war; or owing to the inclemency of the seasons to which they are continually exposed. In the savage state, hardships and fatigue violently assault the constitution. In polished societies, intemperance undermines it. It is not easy to determine which of them operates with most fatal effect, or tends most to abridge human life. The influence of the former is certainly most extensive. The pernicious consequences of luxury reach only a few members in any community; the distresses of savage life are felt by all. As far as I can judge, after very minute inquiry, the general period of human life is shorter among savages, than in well regulated and industrious societies.

One dreadful malady, the severest scourge with which, in this life, offended Heaven chastens the indulgence of criminal desire, seems to have been peculiar to the Americans. By communicating it to their conquerors, they have not only amply avenged their own wrongs, but by adding this calamity to those which formerly imbittered human life, they have, perhaps, more than counterbalanced all the benefits which Europe has derived from the discovery of the New World. This distemper, from the country in which it first raged, or from the people by whom it was supposed to have been spread over Europe, has sometimes been called the Neapolitan, and sometimes the French, disease. At its first appearance, the infection was so malignant, its symptoms so violent, its operation so rapid and fatal, as to baffle all the efforts of medical skill. Astonishment and terror accompanied this unknown affliction in its progress, and men began to dread the extinction of the human race by such a cruel visitation. Experience, and the ingenuity of physicians, gradually discovered remedies of such virtue as to cure or to mitigate the evil. During the course of two centuries and a half, its virulence seems to have abated considerably. At length, in the same manner with the leprosy, which raged in Europe for some centuries, it may waste its force and disappear; and in some happier age, this western infection, like that from the East, may be known only by description.[f]

Power and qualities of their minds.

II. After considering what appears to be peculiar in the bodily constitution of the Americans, our attention is naturally

d Ulloa Notic. America, 323. Bancroft Natural History of Guiana, 334.

e Charlev. N. Fran. iii. 364. Lafitau, ii. 360. De la Potherie, ii. 37.

f See Note L.

turned towards the powers and qualities of their minds. As the individual advances from the ignorance and imbecility of the infant state to vigour and maturity of understanding, something similar to this may be observed in the progress of the species. With respect to it, too, there is a period of infancy, during which several powers of the mind are not unfolded, and all are feeble and defective in their operation. In the early ages of society, while the condition of man is simple and rude, his reason is but little exercised, and his desires move within a very narrow sphere. Hence arise two remarkable characteristics of the human mind in this state. Its intellectual powers are extremely limited; its emotions and efforts are few and languid. Both these distinctions are conspicuous among the rudest and most unimproved of the American tribes, and constitute a striking part of their description.

Intellectual faculties very limited.

What, among polished nations, is called speculative reasoning or research, is altogether unknown in the rude state of society, and never becomes the occupation or amusement of the human faculties, until man be so far improved as to have secured, with certainty, the means of subsistence, as well as the possession of leisure and tranquillity. The thoughts and attention of a savage are confined within the small circle of objects immediately conducive to his preservation or enjoyment. Every thing beyond that, escapes his observation, or is perfectly indifferent to him. Like a mere animal, what is before his eyes interests and affects him; what is out of sight, or at a distance, makes little impression.[g] There are several people in America whose limited understandings seem not to be capable of forming an arrangement for futurity; neither their solicitude nor their foresight extend so far. They follow blindly the impulse of the appetite which they feel, but are entirely regardless of distant consequences, and even of those removed in the least degree from immediate apprehension. While they highly prize such things as serve for present use, or minister to present enjoyment, they set no value upon those which are not the object of some immediate want.[h] When, on the approach of the evening, a Caribbee feels himself disposed to go to rest, no consideration will tempt him to sell his hammock. But, in the morning, when he is sallying out to the business or pastime of the day, he will part with it for the slightest toy that catches his fancy.[i] At the close of winter, while the impression of what he has suffered from the rigour of the climate is fresh in the mind of the North American, he sets himself with vigour to prepare materials for erecting a comfortable hut to protect him against the inclemency of the succeeding season; but, as soon as the weather becomes mild, he forgets what is past, abandons his work, and never thinks of it more, until the return of cold compels him, when too late, to resume it.[k]

If, in concerns the most interesting, and seemingly the most simple, the reason of man, while rude and destitute of culture, differs so little from the thoughtless levity of children, or the improvident instinct of animals, its exertions in other directions cannot be very considerable. The objects towards which reason turns, and the disquisitions in which it engages, must depend upon the state in which man is placed, and are suggested by his necessities and desires. Disquisitions, which appear the most necessary and important to men in one state of society, never occur to those in another. Among civilized nations, arithmetic, or the art of numbering, is deemed an essential and elementary science; and in our continent, the invention and use of it reaches back to a period so remote as is beyond the knowledge of history. But among savages, who have no property to estimate, no hoarded treasures to count, no variety of objects or multiplicity of ideas to enumerate, arithmetic is a superfluous and useless art. Accordingly, among some tribes in America it seems to be quite unknown. There are many who cannot reckon further than three; and have no denomination to distinguish any number above it.[l] Several can proceed as far as ten, others to twenty. When they would convey an idea of any number beyond these, they point to the hair of their head, intimating that it is equal to them, or with wonder declare it to be so great that it cannot be reckoned.[m] Not only the Americans, but all nations, while extremely rude, seem to be unacquainted with the art of computation.[n] As soon, however, as they acquire such acquaintance or connexion with a variety of objects that there is frequent occasion to combine or divide them, their knowledge of numbers increases, so that the state of this art among any people may be considered as one standard, by which to estimate the degree of their improvement. The Iroquois, in North America, as they are much more civilized than the rude inhabitants of Brazil, Paraguay, or Guiana, have likewise made greater advances in this respect; though even their arithmetic does not extend beyond a thousand, as in their petty transactions they have no occasion for any higher number.[o] The Cherokee, a less considerable nation on the same continent, can reckon only as far as a hundred, and to that extent have names for the several numbers; the smaller tribes in their neighbourhood can rise no higher than ten.[p]

No abstract ideas.

In other respects, the exercise of the understanding among rude nations is still more limited. The first ideas of every human being must be such as he receives by the senses. But in the mind of man, while in the savage state, there seem to be hardly any ideas but what enter by

g Ulloa Noticias Americ. 222.
h Venegas Hist. of Calif. i. 66. Supp. Church. Coll. v. 693. Borde Descr. des Caraibes, p. 16. Ellis Voy. 194.
i Labat Voyages, ii. 114, 115. Tertre, ii. 385.
k Adair's Hist. of Amer. Indians, 417.
l Condam. p. 67. Stadius ap. de Bry, ix. 123. Lery, ibid. 251. Biet. 362. Lettr. Edif. 23. 311.
m Dumont Louis, i. 187. Herrera, dec. 1. lib. iii. c. 3. Biet. 396. Borde, 6.
n This is the case with the Greenlanders. Crantz, i. 225. and with Kamchatkadales, M. l'Abbé Chappe, iii. 17.
o Charlev. Nouv. Franc. iii. 402.
p Adair's Hist. of Amer. Indians, 77. See Note LI.

this avenue. The objects around him are presented to his eye. Such as may be subservient to his use, or can gratify any of his appetites, attract his notice; he views the rest without curiosity or attention. Satisfied with considering them under that simple mode in which they appear to him, as separate and detached, he neither combines them so as to form general classes, nor contemplates their qualities apart from the subject in which they inhere, nor bestows a thought upon the operations of his own mind concerning them. Thus he is unacquainted with all the ideas which have been denominated *universal*, or *abstract*, or *of reflection*. The range of his understanding must, of course, be very confined, and his reasoning powers be employed merely on what is sensible. This is so remarkably the case with the ruder nations of America, that their language (as we shall afterwards find) have not a word to express any thing but what is material or corporeal. *Time*, *space*, *substance*, and a thousand other terms, which represent abstract and universal ideas, are altogether unknown to them.[q] A naked savage, cowering over the fire in his miserable cabin, or stretched under a few branches which afford him a temporary shelter, has as little inclination as capacity for useless speculation. His thoughts extend not beyond what relates to animal life; and when they are not directed towards some of its concerns, his mind is totally inactive. In situations where no extraordinary effort either of ingenuity or labour is requisite, in order to satisfy the simple demands of nature, the powers of the mind are so seldom roused to any exertion, that the rational faculties continue almost dormant and unexercised. The numerous tribes scattered over the rich plains of South America, the inhabitants of some of the islands, and of several fertile regions on the continent, come under this description. Their vacant countenance, their staring unexpressive eye, their listless inattention, and total ignorance of subjects, which seemed to be the first which should occupy the thoughts of rational beings, made such impression upon the Spaniards, when they first beheld those rude people, that they considered them as animals of an inferior order, and could not believe that they belonged to the human species.[r] It required the authority of a papal bull to counteract this opinion, and to convince them that the Americans were capable of the functions, and entitled to the privileges, of humanity.[s] Since that time, persons more enlightened and impartial than the discoverers or conquerors of America, have had an opportunity of contemplating the most savage of its inhabitants, and they have been astonished and humbled, with observing how nearly man, in this condition, approaches to the brute creation. But in severer climates, where subsistence cannot be procured with the same ease, where men must unite more closely, and act with greater concert, necessity calls forth their talents, and sharpens their invention, so that the intellectual powers are more exercised and improved. The North American tribes and the natives of Chili, who inhabit the temperate regions in the two great districts of America, are people of cultivated and enlarged understandings, when viewed in comparison with some of those seated in the islands, or on the banks of the Maragnon and Orinoco. Their occupations are more various, their system of policy, as well as of war, more complex, their arts more numerous. But even among them, the intellectual powers are extremely limited in their operations, and unless when turned directly to those objects which interest a savage, are held in no estimation. Both the North Americans and Chilese, when not engaged in some of the functions belonging to a warrior or hunter, loiter away their time in thoughtless indolence, unacquainted with any other subject worthy of their attention, or capable of occupying their minds.[t] If even among them reason is so much circumscribed in its exertions, and never arrives, in its highest attainments, at the knowledge of those general principles and maxims which serve as the foundation of science, we may conclude, that the intellectual powers of man in the savage state are destitute of their proper object, and cannot acquire any considerable degree of vigour and enlargement.

Active efforts of the mind few and languid.

From the same causes, the active efforts of the mind are few, and, on most occasions, languid. If we examine into the motives which rouse men to activity in civilized life, and prompt them to persevere in fatiguing exertions of their ingenuity or strength, we shall find that they arise chiefly from acquired wants and appetites. These are numerous and importunate; they keep the mind in perpetual agitation, and, in order to gratify them, invention must be always on the stretch, and industry must be incessantly employed. But the desires of simple nature are few, and where a favourable climate yields almost spontaneously what suffices to gratify them, they scarcely stir the soul, or excite any violent emotion. Hence the people of several tribes in America waste their life in a listless indolence. To be free from occupation, seems to be all the enjoyment towards which they aspire. They will continue whole days stretched out in their hammocks, or seated on the earth in perfect idleness, without changing their posture, or raising their eyes from the ground, or uttering a single word.[u]

Improvident.

Such is their aversion to labour, that neither the hope of future good, nor the apprehension of future evil, can surmount it. They appear equally indifferent to both, discovering little solicitude, and taking no precautions to avoid the one, or to secure the other. The cravings of hunger may arouse them; but as they devour, with little distinction, whatever will appease its instinctive demands, the exertions which these occasion are of short duration. Destitute of ardour, as well

q Cond. p. 51. r Herr. dec. 2. l. ii. c. 15. s Torq. Mon. Ind. iii. 198.

t Lafitau, ii. 2. u Bouguer Voy. au Perou, 102. Borde, 15.

as variety of desire, they feel not the force of those powerful springs which give vigour to the movements of the mind, and urge the patient hand of industry to persevere in its efforts. Man, in some parts of America, appears in a form so rude, that we can discover no effects of his activity, and the principle of understanding which should direct it seems hardly to be unfolded. Like the other animals, he has no fixed residence; he has erected no habitation to shelter him from the inclemency of the weather; he has taken no measures for securing certain subsistence; he neither sows nor reaps; but roams about as led in search of the plants and fruits which the earth brings forth in succession; and in quest of the game which he kills in the forests, or of the fish which he catches in the rivers.

Some variety with respect to all these.

This description, however, applies only to some tribes. Man cannot continue long in this state of feeble and uninformed infancy. He was made for industry and action, and the powers of his nature, as well as the necessity of his condition, urge him to fulfil his destiny. Accordingly, among most of the American nations, especially those seated in rigorous climates, some efforts are employed, and some previous precautions are taken, for securing subsistence. The career of regular industry is begun, and the laborious arm has made the first essays of its power. Still, however, the improvident and slothful genius of the savage state predominates. Even among those more improved tribes, labour is deemed ignominious and degrading. It is only to work of a certain kind that a man will deign to put his hand. The greater part is devolved entirely upon the women. One half of the community remains inactive, while the other is oppressed with the multitude and variety of its occupations. Thus their industry is partial, and the foresight which regulates it is no less limited. A remarkable instance of this occurs in the chief arrangement with respect to their manner of living. They depend for their subsistence, during one part of the year, on fishing; during another, on hunting; during a third, on the produce of their agriculture. Though experience has taught them to foresee the return of those various seasons, and to make some provision for the respective exigencies of each, they either want sagacity to proportion this provision to their consumption, or are so incapable of any command over their appetites, that from their inconsiderate waste, they often feel the calamities of famine as severely as the rudest of the savage tribes. What they suffer one year does not augment their industry, or render them more provident to prevent similar distresses.[x] This inconsiderate thoughtlessness about futurity, the effect of ignorance and the cause of sloth, accompanies and characterizes man in every stage of savage life;[y] and, by a capricious singularity in his operations, he is then least solicitous about supplying his wants, when the means of satisfying them are most precarious, and procured with the greatest difficulty.[z]

Their social state.

III. After viewing the bodily constitution of the Americans, and contemplating the powers of their minds, we are led, in the natural order of inquiry, to consider them as united together in society. Hitherto our researches have been confined to the operations of understanding respecting themselves as individuals, now they will extend to the degree of their sensibility and affection towards their species.

Domestic union.

The domestic state is the first and most simple form of human association. The union of the sexes, among different animals, is of longer or shorter duration in proportion to the ease or difficulty of rearing their offspring. Among those tribes where the season of infancy is short, and the young soon acquire vigour or agility, no permanent union is formed. Nature commits the care of training up the offspring to the mother alone, and her tenderness, without any other assistance, is equal to the task. But where the state of infancy is long and helpless, and the joint assiduity of both parents is requisite in tending their feeble progeny, there a more intimate connexion takes place, and continues until the purpose of nature be accomplished, and the new race grow up to full maturity. As the infancy of man is more feeble and helpless than that of any other animal, and he is dependent, during a much longer period, on the care and foresight of his parents, the union between husband and wife came early to be considered, not only as a solemn, but as a permanent, contract. A general state of promiscuous intercourse between the sexes never existed but in the imagination of poets. In the infancy of society, when men, destitute of arts and industry, lead a hard precarious life, the rearing of their progeny demands the attention and efforts of both parents; and if their union had not been formed and continued with this view, the race could not have been preserved. Accordingly, in America, even among the rudest tribes, a regular union between husband and wife was universal, and the rights of marriage were understood and recognised. In those districts where subsistence was scanty, and the difficulty of maintaining a family was great, the man confined himself to one wife. In warmer and more fertile provinces, the facility of procuring food concurred with the influence of climate in inducing the inhabitants to increase the number of their wives.[a] In some countries, the marriage union subsisted during life; in others, the impatience of the Americans under restraint of any species, together with their natural levity and caprice, prompted them to dissolve it on very slight pretexts, and often without assigning any cause.[b]

Condition of women.

But in whatever light the Americans considered the obligation of this con-

x Charlev. N. Fr. iii. 338. Lettr. Edif. 23. 298. Descript. of N. France, Osborn's Collect. ii. 880. De la Potherie, ii. 63.
y Bancroft's Nat. Hist. of Guiana, 326. 333.
z See Note LII.

a Lettr. Edif. 23. 318. Lafitau Mœurs, i. 554. Lery ap. de Bry, iii. 234. Journal de Grillet et Bechamel, p. 88.
b Lafitau, i. 580. Joutel Journ. Histor. 345. Lozano Descr. del Gran Chaco, 70. Hennepin Mœurs des Sauvages, p. 30. 33.

tract, either as perpetual, or only as temporary, the condition of women was equally humiliating and miserable. Whether man has been improved by the progress of arts and civilization in society, is a question which, in the wantonness of disputation, has been agitated among philosophers. That women are indebted to the refinements of polished manners for a happy change in their state, is a point which can admit of no doubt. To despise and to degrade the female sex, is the characteristic of the savage state in every part of the globe. Man, proud of excelling in strength and in courage, the chief marks of pre-eminence among rude people, treats woman, as an inferior, with disdain. The Americans, perhaps from that coldness and insensibility which has been considered as peculiar to their constitution, add neglect and harshness to contempt. The most intelligent travellers have been struck with this inattention of the Americans to their women. It is not, as I have already observed, by a studied display of tenderness and attachment, that the American endeavours to gain the heart of the woman whom he wishes to marry. Marriage itself, instead of being an union of affection and interests between equals, becomes, among them, the unnatural conjunction of a master with his slave. It is the observation of an author, whose opinions are deservedly of great weight, that wherever wives are purchased, their condition is extremely depressed.[c] They become the property and the slaves of those who buy them. In whatever part of the globe this custom prevails, the observation holds. In countries where refinement has made some progress, women, when purchased, are excluded from society, shut up in sequestered apartments, and kept under the vigilant guard of their masters. In ruder nations, they are degraded to the meanest functions. Among many people of America, the marriage-contract is properly a purchase. The man buys his wife of her parents. Though unacquainted with the use of money, or with such commercial transactions as take place in more improved society, he knows how to give an equivalent for any object which he desires to possess. In some places, the suitor devotes his service for a certain time to the parents of the maid whom he courts; in others, he hunts for them occasionally, or assists in cultivating their fields, and forming their canoes; in others, he offers presents of such things as are deemed most valuable on account of their usefulness or rarity.[d] In return for these he receives his wife; and this circumstance, added to the low estimation of women among savages, leads him to consider her as a female servant whom he has purchased, and whom he has a title to treat as an inferior. In all unpolished nations, it is true, the functions in domestic economy, which fall naturally to the share of women, are so many, that they are subjected to hard labour, and must bear more than their full portion of the common burthen. But in America their condition is so peculiarly grievous, and their depression so complete, that servitude is a name too mild to describe their wretched state. A wife, among most tribes, is no better than a beast of burthen, destined to every office of labour and fatigue. While the men loiter out the day in sloth, or spend it in amusement, the women are condemned to incessant toil. Tasks are imposed upon them without pity, and services are received without complaisance or gratitude.[e] Every circumstance reminds women of this mortifying inferiority. They must approach their lords with reverence; they must regard them as more exalted beings, and are not permitted to eat in their presence.[f] There are districts in America where this dominion is so grievous, and so sensibly felt, that some women, in a wild emotion of maternal tenderness, have destroyed their female children in their infancy, in order to deliver them from that intolerable bondage to which they knew they were doomed.[g] Thus the first institution of social life is perverted. That state of domestic union towards which nature leads the human species, in order to soften the heart to gentleness and humanity, is rendered so unequal, as to establish a cruel distinction between the sexes, which forms the one to be harsh and unfeeling, and humbles the other to servility and subjection.

Their women not prolific.

It is owing, perhaps, in some measure to this state of depression, that women in rude nations are far from being prolific.[h] The vigour of their constitution is exhausted by excessive fatigue, and the wants and distresses of savage life are so numerous, as to force them to take various precautions in order to prevent too rapid an increase of their progeny. Among wandering tribes, or such as depend chiefly upon hunting for subsistence, the mother cannot attempt to rear a second child, until the first has attained such a degree of vigour as to be in some measure independent of her care. From this motive it is the universal practice of the American women to suckle their children during several years;[i] and as they seldom marry early, the period of their fertility is over before they can finish the long but necessary attendance upon two or three children.[k] Among some of the least polished tribes, whose industry and foresight do not extend so far as to make any regular provision for their own subsistence, it is a maxim not to burthen themselves with rearing more than two children;[l] and no such numerous families, as are frequent in civilized societies, are to be found among men in the savage state.[m] When twins are born, one of them commonly is abandoned, because the mother is not equal to the task of rearing both.[n] When a

c Sketches of Hist. of Man, i. 184.
d Lafitau Mœurs, &c. i. 560, &c. Charlev. iii. 285, &c. Herrera, dec. 4. lib. iv. c. 7. Dumont, ii. 156.
e Tertre, ii. 382. Borde Relat. des Mœurs des Caraibes, p. 21. Biet, 357. Condamine, p. 110. Fermin, i. 79.
f Gumilla, i. 153. Barrere, 164. Labat. Voy. ii. 78. Chanvalon, 51. Tertre, ii. 300.
g Gumilla, ii. 233. 238. Herrera, dec. 7. lib. ix. c. iv.
h Lafitau, i. 590. Charlevoix, iii. 304. i Her. dec. 6. lib. i. c. 4.
k Charlev. iii. 303. Dumont Mem. sur Louisiane, ii. 270. Deny's Hist. Natur. de l'Amerique, &c. ii. 365. Charlev. Hist. de Parag. ii. 422.
l Techo's Account of Paraguay, &c. Church. Collect. vi. 108. Lett. Edif. 24. 200. Lozano Descr. 92.
m Macleur's Journal, 63. n Lett. Edif. x. 200. See Note LIII

mother dies while she is nursing a child, all hope of preserving its life fails, and it is buried together with her in the same grave.[p] As the parents are frequently exposed to want by their own improvident indolence, the difficulty of sustaining their children becomes so great, that it is not uncommon to abandon or destroy them.[q] Thus their experience of the difficulty of training up an infant to maturity, amidst the hardships of savage life, often stifles the voice of nature among the Americans, and suppresses the strong emotions of parental tenderness.

Parental affection and filial duty.

But, though necessity compels the inhabitants of America thus to set bounds to the increase of their families, they are not deficient in affection and attachment to their offspring. They feel the power of this instinct in its full force, and as long as their progeny continue feeble and helpless, no people exceed them in tenderness and care.[r] But in rude nations, the dependence of children upon their parents is of shorter continuance than in polished societies. When men must be trained to the various functions of civil life by previous discipline and education, when the knowledge of abstruse sciences must be taught, and dexterity in intricate arts must be acquired, before a young man is prepared to begin his career of action, the attentive feelings of a parent are not confined to the years of infancy, but extend to what is more remote, the establishment of his child in the world. Even then his solicitude does not terminate. His protection may still be requisite, and his wisdom and experience still prove useful guides. Thus a permanent connexion is formed; parental tenderness is exercised, and filial respect returned, throughout the whole course of life. But in the simplicity of the savage state, the affection of parents, like the instinctive fondness of animals, ceases almost entirely as soon as their offspring attain maturity. Little instruction fits them for that mode of life to which they are destined. The parents, as if their duty were accomplished, when they have conducted their children through the helpless years of infancy, leave them afterwards at entire liberty. Even in their tender age, they seldom advise or admonish, they never chide or chastise them. They suffer them to be absolute masters of their own actions.[s] In an American hut, a father, a mother, and their posterity, live together like persons assembled by accident, without seeming to feel the obligation of the duties mutually arising from this connexion.[t] As filial love is not cherished by the continuance of attention or good offices, the recollection of benefits received in early infancy is too faint to excite it. Conscious of their own liberty, and impatient of restraint, the youth of America are accustomed to act as if they were totally independent. Their parents are not objects of greater regard than other persons. They treat them always with neglect, and often with such harshness and insolence, as to fill those who have been witnesses of their conduct with horror.[u] Thus the ideas which seem to be natural to man in his savage state, as they result necessarily from his circumstances and condition in that period of his progress, affect the two capital relations in domestic life. They render the union between husband and wife unequal. They shorten the duration, and weaken the force, of the connexion between parents and children.

Political institutions.

IV. From the domestic state of the Americans, the transition to the consideration of their civil government and political institutions is natural. In every inquiry concerning the operations of men when united together in society, the first object of attention should be their mode of subsistence. Accordingly as that varies, their laws and policy must be different. The institution suited to the ideas and exigences of tribes, which subsist chiefly by fishing or hunting, and which have as yet acquired but an imperfect conception of any species of property, will be much more simple than those which must take place when the earth is cultivated with regular industry, and a right of property, not only in its productions, but in the soil itself, is completely ascertained.

Mode of subsistence;

All the people of America, now under review, belong to the former class. But though they may all be comprehended under the general denomination of savage, the advances which they had made in the art of procuring to themselves a certain and plentiful subsistence, were very unequal. On the extensive plains of South America, man appears in one of the rudest states in which he has been ever observed, or, perhaps, can exist. Several tribes depend entirely upon the bounty of nature for subsistence. They discover no solicitude, they employ little foresight, they scarcely exert any industry, to secure what is necessary for their support. The *Topayers* of Brazil, the *Guaxeros* of Tierra Firme, the *Caiguas*, the *Moxos*, and several other people of Paraguay, are unacquainted with every species of cultivation. They neither sow nor plant. Even the culture of the manioc, of which cassada bread is made, is an art too intricate for their ingenuity, or too fatiguing to their indolence. The roots which the earth produces spontaneously, the fruits, the berries, and the seeds, which they gather in the woods, together with lizards and other reptiles, which multiply amazingly with the heat of the climate in a fat soil, moistened by frequent rains, supply them with food during some part of the year.[x] At other times they subsist by fishing;

by fishing;

and nature seems to have indulged the laziness of the South American tribes by the liberality with which she ministers, in this way, to their

p Charlev. iii. 368. Lett. Edif. x. 200. P. Melch. Hernandez. Mem. de Cheriqui. Colbert. Collect. Orig. Pap. i.

q Venegas, Hist. of Californ. i. 82.

r Gumilla, i. 211. Biet, 390.

s Charlev. iii. 272. Biet, 390. Gumilla, i. 212. Lafitau, i. 602. Creuxii Hist. Canad. p. 71. Fernandez, Relac. Hist. de los Chequit. 33.

t Charlev. Hist. N. Fr. iii. 273.

u Gumilla, i. 212. Tertre, ii. 376. Charlev. Hist. de. N. France, iii. 309. Charlev. Hist. de Parag. i. 115. Lozano, Descript. del. Gran Chaco, p. 68. 100, 101. Fernand. Relac. Histor. de los Chequit. 426.

x Nieuhoff. Hist. of Brazil. Church. Coll. ii. 134. Simon Conquista de Tierra Firme, p. 166. Techo, Account of Paraguay, &c. Church. vi. 78. Lettr. Edif. 23. 384. 10. 190. Lozano, Descrip. del Gran Chaco, p. 81. Ribas, Histor. de los Triumfos, &c. p. 7.

wants. The vast rivers of that region in America abound with an infinite variety of the most delicate fish. The lakes and marshes formed by the annual overflowing of the waters, are filled with all the different species, where they remain shut up, as in natural reservoirs, for the use of the inhabitants. They swarm in such shoals, that in some places they are catched without art or industry.[y] In others, the natives have discovered a method of infecting the water with the juice of certain plants, by which the fish are so intoxicated, that they float on the surface, and are taken with the hand.[z] Some tribes have ingenuity enough to preserve them without salt, by drying or smoking them upon hurdles over a slow fire.[a] The prolific quality of the rivers in South America induces many of the natives to resort to their banks, and to depend almost entirely for nourishment on what their waters supply with such profusion.[b] In this part of the globe, hunting seems not to have been the first employment of men, or the first effort of their invention and labour to obtain food. They were fishers before they became hunters; and as the occupations of the former do not call for equal exertions of activity or talents with those of the latter, people in that state appear to possess neither the same degree of enterprise nor of ingenuity. The petty nations, adjacent to the Maragnon and Orinoco, are manifestly the most inactive and least intelligent of all the Americans.

by hunting;

None but tribes contiguous to great rivers can sustain themselves in this manner. The greater part of the American nations, dispersed over the forests with which their country is covered, do not procure subsistence with the same facility. For although these forests, especially in the southern continent of America, are stored plentifully with game,[c] considerable efforts of activity and ingenuity are requisite in pursuit of it. Necessity incited the natives to the one, and taught them the other. Hunting became their principal occupation; and as it called forth strenuous exertions of courage, of force, and of invention, it was deemed no less honourable than necessary. This occupation was peculiar to the men. They were trained to it from their earliest youth. A bold and dexterous hunter ranked next in fame to the distinguished warrior, and an alliance with the former is often courted in preference to one with the latter.[d] Hardly any device, which the ingenuity of man has discovered for insnaring or destroying wild animals, was unknown to the Americans. While engaged in this favourite exercise, they shake off the indolence peculiar to their nature, the latent powers and vigour of their minds are roused, and they become active, persevering, and indefatigable. Their sagacity in finding their prey, and their address in killing it, are equal. Their reason and their senses being constantly directed towards this one object, the former displays such fertility of invention, and the latter acquire such a degree of acuteness, as appear almost incredible. They discern the footsteps of a wild beast, which escape every other eye, and can follow them with certainty through the pathless forest. If they attack their game openly, their arrow seldom errs from the mark;[e] if they endeavour to circumvent it by art, it is almost impossible to avoid their toils. Among several tribes, their young men were not permitted to marry, until they had given such proofs of their skill in hunting as put it beyond doubt that they were capable of providing for a family. Their ingenuity, always on the stretch, and sharpened by emulation, as well as necessity, has struck out many inventions, which greatly facilitate success in the chase. The most singular of these is the discovery of a poison in which they dip the arrows employed in hunting. The slightest wound with those envenomed shafts is mortal. If they only pierce the skin the blood fixes and congeals in a moment, and the strongest animal falls motionless to the ground. Nor does this poison, notwithstanding its violence and subtilty, infect the flesh of the animal which it kills. That may be eaten with perfect safety, and retain its native relish and qualities. All the nations situated upon the banks of the Maragnon and Orinoco are acquainted with this composition, the chief ingredient in which is the juice extracted from the root of the *curare*, a species of withe.[f] In other parts of America, they employ the juice of the *manchenille* for the same purpose, and it operates with no less fatal activity. To people possessed of those secrets, the bow is a more destructive weapon than the musket, and, in their skilful hands, does great execution among the birds and beasts which abound in the forests of America.

by agriculture.

But the life of a hunter gradually leads man to a state more advanced. The chase, even where prey is abundant, and the dexterity of the hunter much improved, affords but an uncertain maintenance, and at some seasons it must be suspended altogether. If a savage trusts to his bow alone for food, he and his family will be often reduced to extreme distress.[g] Hardly any region of the earth furnishes man spontaneously with what his wants require. In the mildest climates, and most fertile soils, his own industry and foresight must be exerted, in some degree, to secure a regular supply of food. Their experience of this surmounts the abhorrence of labour natural to savage nations, and compels them to have recourse to culture, as subsidiary to hunting. In particular situations, some small tribes may subsist by fishing, independent of any production of the earth raised

y See Note LIV. z See Note LV.
a Condam. 159. Gumilla, ii. 37. Lettr. Edif. 14. 199. 23. 328. Acugna, Relat. de la Riv. des Amaz. 138.
b Barrere, Relat. de Fr. Equin. p. 155.
c P. Martyr, Decad. p. 324. Gumilla, ii. 4, &c. Acugna. i. 156.
d Charlev. Histoire de la N. France, iii. 115.
e Biet. Voy. de France Equin. 357. Davies's Discov. of the River of Amaz. Purchas. iv. p. 1287.
f Gumilla, ii. 1, &c. Condam. 208. Recherch. Philos. ii. 239. Bancroft's Nat. Hist. of Guiana, 281, &c.
g See Note LVI.

by their own industry. But throughout all America, we scarcely meet with any nation of hunters, which does not practise some species of cultivation.

The various fruits of their culture.

The agriculture of the Americans, however, is neither extensive nor laborious. As game and fish are their principal food, all they aim at, by cultivation, is to supply any occasional defect of these. In the southern continent of America, the natives confined their industry to rearing a few plants, which in a rich soil and warm climate were easily trained to maturity. The chief of these is *maize*, well known in Europe by the name of Turkey or Indian wheat, a grain extremely prolific, of simple culture, agreeable to the taste, and affording a strong hearty nourishment. The second is the *manioc*, which grows to the size of a large shrub, or small tree, and produces roots somewhat resembling parsnips. After carefully squeezing out the juice, these roots are grated down to a fine powder, and formed into thin cakes, called *cassada* bread, which, though insipid to the taste, proves no contemptible food.[g] As the juice of the manioc is a deadly poison, some authors have celebrated the ingenuity of the Americans, in converting a noxious plant into wholesome nourishment. But it should rather be considered as one of the desperate expedients for procuring subsistence, to which necessity reduces rude nations; or, perhaps, men were led to the use of it by a progress, in which there is nothing marvellous. One species of manioc is altogether free of any poisonous quality, and may be eaten without any preparation but that of roasting it in the embers. This, it is probable, was first used by the Americans as food; and necessity having gradually taught them the art of separating its pernicious juice from the other species, they have by experience found it to be more prolific as well as more nourishing.[h] The third is the *plantain*, which, though it rises to the height of a tree, it is of such quick growth, that in less than a year it rewards the industry of the cultivator with its fruit. This, when roasted, supplies the place of bread, and is both palatable and nourishing.[i] The fourth is the *potato*, whose culture and qualities are too well known to need any description. The fifth is *pimento*, a small tree yielding a strong aromatic spice. The Americans, who, like other inhabitants of warm climates, delight in whatever is hot and of poignant flavour, deem this seasoning a necessary of life, and mingle it copiously with every kind of food they take.[k]

Such are the various productions, which were the chief object of culture among the hunting tribes on the continent of America; and with a moderate exertion of active and provident industry, these might have yielded a full supply to the wants of a numerous people. But men, accustomed to the free and vagrant life of hunters, are incapable of regular application to labour, and consider agriculture as a secondary and inferior occupation. Accordingly, the provision for subsistence, arising from cultivation, was so limited and scanty among the Americans, that, upon any accidental failure of their usual success in hunting, they were often reduced to extreme distress.

In the islands, the mode of subsisting was considerably different. None of the large animals which abound on the continent were known there. Only four species of quadrupeds, besides a kind of small dumb dog, existed in the islands, the biggest of which did not exceed the size of a rabbit.[l] To hunt such diminutive prey, was an occupation which required no effort either of activity or courage. The chief employment of a hunter in the isles was to kill birds, which on the continent are deemed ignoble game, and left chiefly to the pursuit of boys.[m] This want of animals, as well as their peculiar situation, led the islanders to depend principally upon fishing for their subsistence.[n] Their rivers, and the sea with which they are surrounded, supplied them with this species of food. At some particular seasons, turtle, crabs, and other shell-fish, abounded in such numbers, that the natives could support themselves with a facility in which their indolence delighted.[o] At other times they ate lizards, and various reptiles of odious forms.[p] To fishing, the inhabitants of the islands added some degree of agriculture. Maize,[q] manioc, and other plants, were cultivated in the same manner as on the continent. But all the fruits of their industry, together with what their soil and climate produced spontaneously, afforded them but a scanty maintenance. Though their demands for food were very sparing, they hardly raised what was sufficient for their own consumption. If a few Spaniards settled in any district, such a small addition of supernumerary mouths soon exhausted their scanty stores, and brought on a famine.

Their agriculture very limited.

Two circumstances, common to all the savage nations of America, concurred with those which I have already mentioned, not only in rendering their agriculture imperfect, but in circumscribing their power in all their operations. They had no tame animals; and they were unacquainted with the useful metals.

Two causes of its imperfection.

In other parts of the globe, man, in his rudest state, appears as lord of the creation, giving law to various tribes of animals, which he has tamed, and reduced to subjection. The Tartar follows his prey on the horse which he has reared; or tends his numerous herds, which furnish him both with food and clothing: the Arab

The want of tame animals.

g Sloane, Hist. of Jam. Introduct. p. 18. Labat, i. 394. Acosta, Hist. Ind. Occid. Natur. lib. iv. c. 17. Ulloa, i. 62. Aublet, Mem. sur le Magnioc, Hist. des Plantes, tom. ii. p. 65, &c.

h Martyr, Decad. 301. Labat, i. 411. Gumilla, iii. 192. Machucha Milic. Indiana, 164. See Note LVII.

i See Note LVIII.

k Gumilla, iii. 171. Acosta, lib. iv. c. 20.

l Oviedo, lib. xii. in proem.

m Ribas, Hist. de los Triumf. p. 13. De la Potherie, ii. 33. iii. 20.

n Oviedo, lib. xiii. c. 1. Gomara, Hist. Gener. c. 28.

o Gomara, Hist. Gener. c. 9. Labat, ii. 221, &c.

p Oviedo, lib. xiii. c. 3.

q See Note LIX.

has rendered the camel docile, and avails himself of its persevering strength: the Laplander has formed the rein-deer to be subservient to his will; and even the people of Kamchatka have trained their dogs to labour. This command over the inferior creatures is one of the noblest prerogatives of man, and among the greatest efforts of his wisdom and power. Without this, his dominion is incomplete. He is a monarch who has no subjects; a master without servants, and must perform every operation by the strength of his own arm. Such was the condition of all the rude nations in America. Their reason was so little improved, or their union so incomplete, that they seem not to have been conscious of the superiority of their nature, and suffered all the animal creation to retain its liberty, without establishing their own authority over any one species. Most of the animals, indeed, which have been rendered domestic in our continent, do not exist in the New World; but those peculiar to it are neither so fierce nor so formidable, as to have exempted them from servitude. There are some animals of the same species in both continents. But the rein-deer, which has been tamed and broken to the yoke in the one hemisphere, runs wild in the other. The *bison* of America is manifestly of the same species with the horned cattle of the other hemisphere.[r] The latter, even among the rudest nations in our continent, have been rendered domestic; and, in consequence of his dominion over them, man can accomplish works of labour with greater facility, and has made a great addition to his means of subsistence. The inhabitants of many regions of the New World, where the bison abounds, might have derived the same advantages from it. It is not of a nature so indocile, but that it might have been trained to be as subservient to man as our cattle.[s] But a savage, in that uncultivated state wherein the Americans were discovered, is the enemy of the other animals, not their superior. He wastes and destroys, but knows not how to multiply or to govern them.[t]

This, perhaps, is the most notable distinction between the inhabitants of the Ancient and New Worlds, and a high pre-eminence of civilized men above such as continue rude. The greatest operations of man, in changing and improving the face of nature, as well as his most considerable efforts in cultivating the earth, are accomplished by means of the aid which he receives from the animals that he has tamed, and employs in labour. It is by their strength that he subdues the stubborn soil, and converts the desert or marsh into a fruitful field. But man, in his civilized state, is so accustomed to the service of the domestic animals, that he seldom reflects upon the vast benefits which he derives from it. If we were to suppose him, even when most improved, to be deprived of their useful ministry, his empire over nature must in some measure cease, and he would remain a feeble animal, at a loss how to subsist, and incapable of attempting such arduous undertakings as their assistance enables him to execute with ease.

Want of the useful metals.

It is a doubtful point, whether the dominion of man over the animal creation, or his acquiring the useful metals, has contributed most to extend his power. The era of this important discovery is unknown, and in our hemisphere very remote. It is only by tradition, or by digging up some rude instruments of our forefathers, that we learn that mankind were originally unacquainted with the use of metals, and endeavoured to supply the want of them by employing flints, shells, bones, and other hard substances, for the same purposes which metals serve among polished nations. Nature completes the formation of some metals. Gold, silver, and copper, are found in their perfect state in the clefts of rocks, in the sides of mountains, or the channels of rivers. These were accordingly the metals first known, and first applied to use. But iron, the most serviceable of all, and to which man is most indebted, is never discovered in its perfect form; its gross and stubborn ore must feel twice the force of fire, and go through two laborious processes, before it become fit for use. Man was long acquainted with the other metals before he acquired the art of fabricating iron, or attained such ingenuity as to perfect an invention, to which he is indebted for those instruments wherewith he subdues the earth, and commands all its inhabitants. But in this, as well as in many other respects, the inferiority of the Americans was conspicuous. All the savage tribes, scattered over the continent and islands, were totally unacquainted with the metals which their soil produces in great abundance, if we except some trifling quantity of gold, which they picked up in the torrents that descended from their mountains, and formed into ornaments. Their devices to supply this want of the serviceable metals, were extremely rude and awkward. The most simple operation was to them an undertaking of immense difficulty and labour. To fell a tree with no other instruments than hatchets of stone, was employment for a month.[u] To form a canoe into shape, and to hollow it, consumed years; and it frequently began to rot before they were able to finish it.[x] Their operations in agriculture were equally slow and defective. In a country covered with woods of the hardest timber, the clearing of a small field destined for culture required the united efforts of a tribe, and was a work of much time and great toil. This was the business of the men, and their indolence was satisfied with performing it in a very slovenly manner. The labour of cultivation was left to the women, who, after digging, or rather stirring, the field, with wooden mattocks, and stakes hardened in the fire, sowed or planted it; but they were more indebted

r Buffon, Artic. *Bison*.
s Nouv. Découverte par Hennepin, p. 192. Kalm, i. 207.
t Buffon, Hist. Nat. ix. 85. Hist. Philos. et Polit. des Etablissem. des Europ. dans les deux Indes, vi. 364.
u Gumilla, iii. 196.
x Borde, Relat. des Caraibes. p. 22.

for the increase to the fertility of the soil, than to their own rude industry.[y]

Agriculture, even when the strength of man is seconded by that of the animals which he has subjected to the yoke, and his power augmented by the use of the various instruments with which the discovery of metals has furnished him, is still a work of great labour; and it is with the sweat of his brow that he renders the earth fertile. It is not wonderful, then, that people destitute of both these advantages should have made so little progress in cultivation, that they must be considered as depending for subsistenec on fishing and hunting, rather than on the fruits of their own labour.

Political institutions arising from this state.

From this description of the mode of subsisting among the rude American tribes, the form and genius of their politieal institutions may be deduced, and we are enabled to trace various circumstanees of distinetion between them and more eivilized nations.

1. Divided into small communities.

1. They were divided into small independent communities. While hunting is the chief souree of subsistenee, a vast extent of territory is requisite for supporting a small number of people. In proportion as men multiply and unite, the wild animals, on which they depend for food, diminish, or fly at a greater distanee from the haunts of their enemy. The increase of a society in this state is limited by its own nature, and the members of it must either disperse, like the game whieh they pursue, or fall upon some better method of procuring food than by hunting. Beasts of prey are by nature solitary and unsoeial; they go not forth to the chase in herds, but delight in those recesses of the forest where they can roam and destroy undisturbed. A nation of hunters resembles them both in occupation and in genius. They cannot form into large communities, because it would be impossible to find subsistence; and they must drive to a distance every rival who may eneroaeh on those domains, whieh they eonsider as their own. This was the state of all the American tribes; the numbers in eaeh were ineonsiderable, though scattered over countries of great extent; they were far removed from one another, and engaged in perpetual hostilities or rivalship.[z] In America, the word *nation* is not of the same import as in other parts of the globe. It is applied to small soeieties, not exeeeding, perhaps, two or three hundred persons, but occupying provinees greater than some kingdoms in Europe. The country of Guiana, though of larger extent than the kingdom of France, and divided among a greater number of nations, did not contain above twenty five thousand inhabitants.[a] In the provinces whieh border on the Orinoco, one may travel several hundred miles in different directions, without finding a single hut, or observing the footsteps of a human ereature.[b] In North America, where the elimate is more rigorous, and the soil less fertile, the desolation is still greater. There, journeys of some hundred leagues have been made through uninhabited plains and forests.[c] As long as hunting eontinues to be the chief employment of man, to whieh he trusts for subsistenee, he ean hardly be said to have occupied the earth.[d]

Unacquainted with the idea of property.

2. Nations which depend upon hunting are, in a great measure, strangers to the idea of property. As the animals on whieh the hunter feeds are not bred under his inspection, nor nourished by his eare, he can elaim no right to them, while they run wild in the forest. Where game is so plentiful that it may be catched with little trouble, men never dream of appropriating what is of small value, or of easy acquisition. Where it is so rare, that the labour or danger of the ehase requires the united efforts of a tribe, or village, what is killed is a common stoek, belonging equally to all, who, by their skill or their courage, have contributed to the success of the exeursion. The forest, or hunting-grounds, are deemed the property of the tribe, from which it has a title to exclude every rival nation. But no individual arrogates a right to any district of these, in preference to his fellow-citizens. They belong alike to all; and thither, as to a general and undivided store, all repair in quest of sustenanee. The same principles by which they regulate their chief oceupation, extend to that which is subordinate. Even agriculture has not introdueed among them a complete idea of property. As the men hunt, the women labour together, and after they have shared the toils of the seed-time, they enjoy the harvest in common.[e] Among some tribes, the increase of their cultivated lands is deposited in a public granary, and divided among them at stated times, according to their wants.[f] Among others, though they lay up separate stores, they do not aequire such an exclusive right of property, that they can enjoy superfluity, while those around them suffer want.[g] Thus the distinctions arising from the inequality of possessions are unknown. The terms rich or poor enter not into their language, and being strangers to property, they are unacquainted with what is the great object of laws and policy, as well as the chief motive which indueed mankind to establish the various arrangements of regular government.[h]

High sense of equality and independence.

3. People in this state retain a high sense of equality and independence. Wherever the idea of property is not established, there can be no distinction among men, but what arises from personal qualities. These can be eonspicuous only on such occasions as eall them forth into exertion. In times of danger, or in affairs of intrieacy, the wisdom and experienee of

y Gumilla, iii. 166. Lettr. Edif. xii. 10.
z Lozano, Descrip. del Gran Chaco, 59, 62. Fernandez, Relac. Hist. de los Chequit. 162.
a Voyages de Marchais. iv. 353. b Gumilla, ii. 101.
c M. Fabry, quoted by Buffon, iii. 448. Lafitau, ii. 179. Bossu, Travels through Louisiana, i. 111. See Note LX.
d See Note LXI. e Dr. Ferguson's Essay, 125.
f Gumilla, i, 265. Brickell, Hist. of N. Carol. 327. See Note LXII.
g Denys, Hist. Natur. ii. 392, 393.
h P. Martyr, dec. p. 45 Veneg. Hist. of Californ. i. 66. Lery, Navig. in Brazil, c. 17.

age are consulted, and prescribe the measures which ought to be pursued. When a tribe of savages takes the field against the enemies of their country, the warrior of most approved courage leads the youth to the combat.[i] If they go forth in a body to the chase, the most expert and adventurous hunter is foremost, and directs their motions. But during seasons of tranquillity and inaction, when there is no occasion to display those talents, all pre-eminence ceases. Every circumstance indicates that all the members of the community are on a level. They are clothed in the same simple garb. They feed on the same plain fare. Their houses and furniture are exactly similar. No distinction can arise from the inequality of possessions. Whatever forms dependence on one part, or constitutes superiority on the other, is unknown. All are freemen, all feel themselves to be such, and assert with firmness the rights which belong to that condition.[k] This sentiment of independence is imprinted so deeply in their nature, that no change of condition can eradicate it, and bend their minds to servitude. Accustomed to be absolute masters of their own conduct, they disdain to execute the orders of another; and having never known control, they will not submit to correction.[l] Many of the Americans, when they found that they were treated as slaves by the Spaniards, died of grief; many destroyed themselves in despair.[m]

Sense of subordination imperfect.

4. Among people in this state, government can assume little authority, and the sense of civil subordination must remain very imperfect. While the idea of property is unknown, or incompletely conceived; while the spontaneous productions of the earth, as well as the fruits of industry, are considered as belonging to the public stock, there can hardly be any such subject of difference or discussion among the members of the same community, as will require the hand of authority to interpose in order to adjust it. Where the right of separate and exclusive possession is not introduced, the great object of law and jurisdiction does not exist. When the members of a tribe are called into the field, either to invade the territories of their enemies or to repel their attacks, when they are engaged together in the toil and dangers of the chase, they then perceive that they are part of a political body. They are conscious of their own connexion with the companions in conjunction with whom they act; and they follow and reverence such as excel in conduct and valour. But, during the intervals between such common efforts, they seem scarcely to feel the ties of political union.[n] No visible form of government is established. The names of *magistrate* and *subject* are not in use. Every one seems to enjoy his natural independence almost entire. If a scheme of public utility be proposed, the members of the community are left at liberty to choose whether they will or will not assist in carrying it into execution. No statute imposes any service as a duty, no compulsory laws oblige them to perform it. All their resolutions are voluntary, and flow from the impulse of their own minds.[o] The first step towards establishing a public jurisdiction has not been taken in those rude societies. The right of revenge is left in private hands.[p] If violence is committed, or blood is shed, the community does not assume the power either of inflicting or of moderating the punishment. It belongs to the family and friends of the person injured or slain to avenge the wrong, or to accept of the reparation offered by the aggressor. If the elders interpose, it is to advise, not to decide, and it is seldom their counsels are listened to; for as it is deemed pusillanimous to suffer an offender to escape with impunity, resentment is implacable and everlasting.[q] The object of government among savages is rather foreign than domestic. They do not aim at maintaining interior order and police by public regulations, or the exertions of any permanent authority, but labour to preserve such union among the members of their tribe, that they may watch the motions of their enemies, and act against them with concert and vigour.

To what people those descriptions apply.

Such was the form of political order established among the greater part of the American nations. In this state were almost all the tribes spread over the provinces extending eastward of the Mississippi, from the mouth of the St. Laurence to the confines of Florida. In a similar condition were the people of Brazil, the inhabitants of Chili, several tribes in Paraguay and Guiana, and in the countries which stretch from the mouth of the Orinoco to the peninsula of Yucatan. Among such an infinite number of petty associations, there may be peculiarities which constitute a distinction, and mark the various degrees of their civilization and improvement. But an attempt to trace and enumerate these would be vain, as they have not been observed by persons capable of discerning the minute and delicate circumstances which serve to discriminate nations resembling one another in their general character and features. The description which I have given of the political institutions that took place among those rude tribes in America, concerning which we have received most complete information, will apply with little variation, to every people, both in its northern and southern division, who have advanced no further in civilization, than to add some slender degree of agriculture to fishing and hunting.

Imperfect as those institutions may appear, several tribes were not so far advanced in their political progress. Among all those petty nations which trusted for subsistence entirely to fishing and hunting without any species of cultivation, the union

i Acosta. Hist. lib. vi. c. 19. Stadius, Hist. Brazil, lib. ii. c. 13. De Bry, iii. p. 110. Biet. 361.
k Labat, vi. 124. Brickell, Hist. of Carol. 310. l See Note LXIII.
m Oviedo, lib. iii. c. 6. p. 97. Vega, Conquist. de la Florida, i. 30. ii. 416. Labat, ii. 138. Benzo, Hist. Nov. Orb. lib. iv. c. 25.
n Lozano, Descr. del Gran Chaco, 93. Melendez Teforos Verdaderos, ii. 23. See Note LXIV. o Charlev. Hist. N. France, iii. 266. 268.
p Herrera, dec. 8. lib. iv. c. 8.
q Charlev. Hist. N. France, iii. 271, 272. Lafit. i. 468. Cassani, Hist. de Nuevo Reyno de Granada, 226.

was so incomplete, and their sense of mutual dependence so feeble, that hardly any appearance of government or order can be discerned in their proceedings. Their wants are few, their objects of pursuit simple, they form into separate tribes, and act together, from instinct, habit, or conveniency, rather than from any formal concert and association. To this class belong the Californians, several of the small nations in the extensive country of Paraguay, some of the people on the banks of the Orinoco and on the river St. Magdalene, in the new kingdom of Granada.[r]

Some irregular appearances;

But though among these last mentioned tribes there was hardly any shadow of regular government, and even among those which I first described its authority is slender and confined within narrow bounds, there were, however, some places in America, where government was carried far beyond the degree of perfection which seems natural to rude nations. In surveying the political operations of man, either in his savage or civilized state, we discover singular and eccentric institutions, which start as it were from their station, and fly off so wide, that we labour in vain to bring them within the general laws of any system, or to account for them by those principles which influence other communities in a similar situation. Some instances of this occur among those people of America, whom I have included under the common denomination of savage. These are so curious and important that I shall describe them, and attempt to explain their origin.

particularly in some of the warmer regions;

In the New World, as well as in other parts of the globe, cold or temperate countries appear to be the favourite seat of freedom and independence. There the mind, like the body, is firm and vigorous. There men, conscious of their own dignity, and capable of the greatest efforts in asserting it, aspire to independence, and their stubborn spirits stoop with reluctance to the yoke of servitude. In warmer climates, by whose influence the whole frame is so much enervated, that present pleasure is the supreme felicity, and mere repose is enjoyment, men acquiesce, almost without a struggle, in the dominion of a superior. Accordingly, if we proceed from north to south along the continent of America, we shall find the power of those vested with authority gradually increasing, and the spirit of the people becoming more tame and passive, In Florida, the authority of the sachems, caziques, or chiefs, was not only permanent, but hereditary. They were distinguished by peculiar ornaments, they enjoyed prerogatives of various kinds, and were treated by their subjects with that reverence, which people accustomed to subjection pay to a master.[s]

among the Natchez;

Among the Natchez, a powerful tribe now extinct, formerly situated on the banks of the Mississippi, a difference of rank took place, with which the northern tribes were altogether unacquainted. Some families were reputed noble, and enjoyed hereditary dignity. The body of the people was considered as vile, and formed only for subjection. This distinction was marked by appellations which intimated the high elevation of the one state, and the ignominious depression of the other. The former were called *Respectable;* the latter, the *Stinkards*. The great Chief, in whom the supreme authority was vested, is reputed to be a being of superior nature, the brother of the sun, the sole object of their worship. They approach this great Chief with religious veneration, and honour him as the representative of their deity. His will is a law to which all submit with implicit obedience. The lives of his subjects are so absolutely at his disposal, that if any one has incurred his displeasure, the offender comes with profound humility and offers him his head. Nor does the dominion of the Chiefs end with their lives; their principal officers, their favourite wives, together with many domestics of inferior rank, are sacrificed at their tombs, that they may be attended in the next world by the same persons who served them in this; and such is the reverence in which they are held, that those victims welcome death with exultation, deeming it a recompence of their fidelity, and a mark of distinction, to be selected to accompany their deceased master.[t] Thus a perfect despotism, with its full train of superstition, arrogance, and cruelty, is established among the Natchez, and by a singular fatality, that people has tasted of the worst calamities incident to polished nations, though they themselves are not far advanced beyond the tribes around them in civility and improvement.

in the islands;

In Hispaniola, Cuba, and the larger islands, their caziques or chiefs possessed extensive power. The dignity was transmitted by hereditary right from father to son. Its honours and prerogatives were considerable. Their subjects paid great respect to the caziques, and executed their orders without hesitation or reserve.[u] They were distinguished by peculiar ornaments, and in order to preserve or augment the veneration of the people, they had the address to call in the aid of superstition to uphold their authority. They delivered their mandates as the oracles of heaven, and pretended to possess the power of regulating the seasons, and of dispensing rain or sunshine, according as their subjects stood in need of them.

in Bogota;

In some parts of the southern continent, the power of the caziques seems to have been as extensive as in the isles. In Bogota, which is now a province of the new kingdom of Granada, there was settled a nation, more considerable in number, and more improved in the various arts of life, than any in America, except the Mexi-

r Venegas i. 68. Lettr. Edif. ii. 176. Techo. Hist. of Parag. Churchill, vi. 78. Hist. Gen. des Voyages, xiv. 74.

s Cardenas y Cano Ensayo Chronol. à la Hist. de Florida, p. 46. Le Moyne de Morgues Icones Floridæ. Ap. de Bry, p. 1, 4, &c. Charlev. Hist. N. France, iii. 467, 468.

t Dumont, Memoir. Hist. sur Louisiane, i. 175. Charl. Hist. N. France, iii. 419, &c. Lettr. Edif. 20. 106. 111.

u Herrera, dec. 1. lib. i. c. 16. lib. iii. c. 44. p. 88. Life of Columbus, ch. 32.

eans and Peruvians. The people of Bogota subsisted chiefly by agrieulture. The idea of property was introduced among them, and its rights, seeured by laws, handed down by tradition, and observed with great care.[x] They lived in towns which may be termed large when eompared with those in other parts of America. They were elothed in a decent manner, and their houses may be termed eommodious, when eompared with those of the small tribes around them. The effeets of this uneommon eivilization were conspieuous. Government had assumed a regular form. A jurisdietion was established, which took eognizance of different erimes, and punished them with rigour. A distinetion of ranks was known; their chief, to whom the Spaniards gave the title of monareh, and who merited that name on account of his splendour as well as power, reigned with absolute authority. He was attended by officers of various conditions; he never appeared in publie without a numerous retinue; he was carried in a sort of palanquin with much pomp, and harbingers went before him to sweep the road and strew it with flowers. This uncommon pomp was supported by presents or taxes received from his subjects, to whom their prince was such an object of veneration, that none of them presumed to look him directly in the face, or ever approached him but with an averted countenance.[y] There were other tribes on the same eontinent, among which, though far less advanced than the people of Bogota in their progress towards refinement, the freedom and independence, natural to man in his savage state, was much abridged, and their eaziques had assumed extensive authority.

Causes of those irregular appearances.

It is not easy to point out the circumstances, or to discover the causes, which contributed to introduce and establish among each of those people a form of government so different from that of the tribes around them, and so repugnant to the genius of rude nations. If the persons who had an opportunity of observing them in their original state had been more attentive and more discerning, we might have received information from their eonquerors sufficient to guide us in this inquiry. If the transactions of people, unacquainted with the use of letters, were not involved in impenetrable obscurity, we might have derived some information from this domestic source. But as nothing satisfactory can be gathered either from the accounts of the Spaniards, or from their own traditions, we must have reeourse to conjectures, in order to explain the irregular appearances in the political state of the people whom I have mentioned. As all those tribes whieh had lost their native liberty and independenee were seated in the torrid zone, or in eountries approaching to it, the climate may be supposed to have had some influenee in forming their minds to that servitude, which seems to be the destiny of man in those regions of the globe. But though the influence of climate, more powerful than that of any other natural cause, is not to be overlooked, that alone cannot be admitted as a solution of the point in question. The operations of men are so complex, that we must not attribute the form which they assume to the force of a single principle or cause. Although despotism be confined in America to the torrid zone, and to the warm regions bordering upon it, I have already observed that these countries eontain various tribes, some of which possess a high degree of freedom, and others are altogether unaequainted with the restraints of government. The indolenee and timidity peculiar to the inhabitants of the islands, render them so incapable of the sentiments or efforts necessary for maintaining independence, that there is no oceasion to search for any other cause of their tame submission to the will of a superior. The subjeetion of the Natchez, and of the people of Bogota, seems to have been the consequence of a differenee in their state from that of the other Americans. They were settled nations, residing eonstantly in one place. Hunting was not the chief oecupation of the former, and the latter seem hardly to have trusted to it for any part of their subsistence. Both had made such progress in agrieulture and arts, that the idea of property was introduced in some degree in the one community, and fully established in the other. Among people in this state avariee and ambition have acquired objects, and have begun to exert their power; views of interest allure the selfish; the desire of pre-eminenee excites the enterprising; dominion is courted by both; and passions unknown to man in his savage state prompt the interested and ambitious to encroaeh on the rights of their fellow-citizens. Motives, with which rude nations are equally unaequainted, induee the people to submit tamely to the usurped authority of their superiors. But even among nations in this state, the spirit of subjects could not have been rendered so obsequious, or the power of rulers so unbounded, without the intervention of superstition. By its fatal influence, the human mind, in every stage of its progress, is depressed, and its native vigour and independenee subdued. Whoever ean acquire the direction of this formidable engine, is secure of dominion over his species. Unfortunately for the people whose institutions are the subjeet of inquiry, this power was in the hands of their chiefs. The caziques of the isles could put what responses they pleased into the mouths of their *Cemis* or gods; and it was by their interposition, and in their name, that they imposed any tribute or burden on their people.[z] The same power and prerogative was exereised by the great chief of the Natchez, as the principal minister as well as the representative of the sun, their deity. The respect which the people of Bogota paid to their monarchs was likewise inspired by religion.

x Piedrahita, Hist. de las Conquist. del Reyno de Gran. p. 46.
y Herrera, dec. 6. lib. i. c. 2. lib. v. c. 56. Piedrahita, c. 5. p. 25, &c. Gomara, Hist. c. 72.

z Herrera, dec. 1. lib. iii. c. 3.

and the heir-apparent of the kingdom was educated in the innermost recess of their principal temple, under such austere discipline, and with such peculiar rites, as tended to fill his subjects with high sentiments concerning the sanctity of his character, and the dignity of his station.[b] Thus superstition, which, in the rudest period of society, is either altogether unknown, or wastes its force in childish unmeaning practices, had acquired such an ascendant over those people of America who had made some little progress towards refinement, that it became the chief instrument of bending their minds to an untimely servitude, and subjected them, in the beginning of their political career, to a despotism hardly less rigorous than that which awaits nations in the last stage of their corruption and decline.

Their art of war.

V. After examining the political institutions of the rude nations in America, the next object of attention is their art of war, or their provision for public security and defence. The small tribes dispersed over America are not only independent and unconnected, but engaged in perpetual hostilities with one another.[c] Though mostly strangers to the idea of separate property, vested in any individual, the rudest of the American nations are well acquainted with the rights of each community to its own domains. This right they hold to be perfect and exclusive, entitling the possessor to oppose the encroachment of neighbouring tribes. As it is of the utmost consequence to prevent them from destroying or disturbing the game in their hunting grounds, they guard this national property with a jealous attention. But as their territories are extensive, and the boundaries of them not exactly ascertained, innumerable subjects of dispute arise, which seldom terminate without bloodshed. Even in this simple and primitive state of society, interest is a source of discord, and often prompts savage tribes to take arms, in order to repel or punish such as encroach on the forests or plains, to which they trust for subsistence.

Their motives for engaging in war;

But interest is not either the most frequent or the most powerful motive of the incessant hostilities among rude nations. These must be imputed to the passion of revenge; which rages with such violence in the breast of savages, that eagerness to gratify it may be considered as the distinguishing characteristic of men in their uncivilized state. Circumstances of powerful influence, both in the interior government of rude tribes, and in their external operations against foreign enemies, concur in cherishing and adding strength to a passion fatal to the general tranquillity. When the right of redressing his own wrongs is left in the hands of every individual, injuries are felt with exquisite sensibility, and vengeance exercised with unrelenting rancour. No time can obliterate the memory of an offence, and it is seldom that it can be expiated but by the blood of the offender. In carrying on their public wars, savage nations are influenced by the same ideas, and animated with the same spirit, as in prosecuting private vengeance. In small communities, every man is touched with the injury or affront offered to the body of which he is a member, as if it were a personal attack upon his own honour or safety. The desire of revenge is communicated from breast to breast, and soon kindles into rage. As feeble societies can take the field only in small parties, each warrior is conscious of the importance of his own arm, and feels that to it is committed a considerable portion of the public vengeance. War, which between extensive kingdoms is carried on with little animosity, is prosecuted by small tribes with all the rancour of a private quarrel. The resentment of nations is as implacable as that of individuals. It may be dissembled or suppressed, but is never extinguished; and often, when least expected or dreaded, it bursts out with redoubled fury.[d] When polished nations have obtained the glory of victory, or have acquired an addition of territory, they may terminate a war with honour. But savages are not satisfied until they extirpate the community which is the object of their hatred. They fight, not to conquer, but to destroy. If they engage in hostilities, it is with a resolution never to see the face of the enemy in peace, but to prosecute the quarrel with immortal enmity.[e] The desire of vengeance is the first and almost the only principle, which a savage instils into the minds of his children.[f] This grows up with him as he advances in life; and as his attention is directed to few objects, it acquires a degree of force unknown among men whose passions are dissipated and weakened by the variety of their occupations and pursuits. The desire of vengeance, which takes possession of the heart of savages, resembles the instinctive rage of an animal, rather than the passion of a man. It turns, with undiscerning fury, even against inanimate objects. If hurt accidentally by a stone, they often seize it in a transport of anger, and endeavour to wreak their vengeance upon it.[g] If struck with an arrow in a battle, they will tear it from the wound, break and bite it with their teeth, and dash it on the ground.[h] With respect to their enemies, the rage of vengeance knows no bounds. When under the dominion of this passion, man becomes the most cruel of all animals. He neither pities, nor forgives, nor spares.

from the spirit of vengeance.

Hence the ferocity of their wars;

The force of this passion is so well understood by the Americans themselves, that they always apply to it, in order to excite their people to take arms. If the elders of any tribe attempt to rouse their youth from sloth, if a chief wishes to allure a

b Piedrahita, p. 27.
c Ribas, Hist. de los Triumf. p. 9.
d Boucher, Hist. Nat. de N. France, p. 93. Charlev. Hist. de N. France, iii. 215. 251. Lery ap de Bry, iii. 204. Creux, Hist. Canad. p. 72. Lozano, Descr. del Gran Chaco, 25. Hennep. Mœurs des Sauv. 40.
e Charlev. Hist. N. Fr. iii. 251. Colden, i. 108. ii. 126. Barrere, p. 170, 173.
f Charlev. Hist. N. Fr. iii. 326. Lery ap. de Bry, iii. 236. Lozano, Hist. de Parag. i. 144.
g Lery ap. de Bry, iii. 190.
h Lery ap. de Bry, iii. 208. Herrera, dec. 1. lib. vi. c. 8.

band of warriors to follow him in invading an enemy's country, the most persuasive topics of their martial eloquence are drawn from revenge. "The bones of our countrymen," say they, "lie uncovered; their bloody bed has not been washed clean. Their spirits cry against us; they must be appeased. Let us go and devour the people by whom they were slain. Sit no longer inactive upon your mats; lift the hatchet, console the spirits of the dead, and tell them that they shall be avenged."[i]

and their perpetuity. Animated with such exhortations, the youth snatch their arms in a transport of fury, raise the song of war, and burn with impatience to imbrue their hands in the blood of their enemies. Private chiefs often assemble small parties, and invade a hostile tribe, without consulting the rulers of the community. A single warrior, prompted by caprice or revenge, will take the field alone, and march several hundred miles to surprise and cut off a straggling enemy.[k] The exploits of a noted warrior, in such solitary excursions, often form the chief part in the history of an American campaign;[l] and their elders connive at such irregular sallies, as they tend to cherish a martial spirit, and accustom their people to enterprise and danger.[m] But when a war is national, and undertaken by public authority, the deliberations are formal and slow. The elders assemble, they deliver their opinions in solemn speeches, they weigh with maturity the nature of the enterprise, and balance its beneficial or disadvantageous consequences with no inconsiderable portion of political discernment or sagacity. Their priests and soothsayers are consulted, and sometimes they ask the advice even of their women.[n] If the determination be for war, they prepare for it with much ceremony. A leader offers to conduct the expedition, and is accepted. But no man is constrained to follow him; the resolution of the community to commence hostilities imposes no obligation upon any member to take part in the war. Each individual is still master of his own conduct, and his engagement in the service is perfectly voluntary.[o]

Mode of carrying on war; The maxims by which they regulate their military operations, though extremely different from those which take place among more civilized and populous nations, are well suited to their own political state, and the nature of the country in which they act. They never take the field in numerous bodies, as it would require a greater effort of foresight and industry, than is usual among savages, to provide for their subsistence, during a march of some hundred miles through dreary forests, or during a long voyage upon their lakes and rivers. Their armies are not encumbered with baggage or military stores. Each warrior, besides his arms, carries a mat and a small bag of pounded maize, and with these is completely equipped for any service. While at a distance from the enemy's frontier, they disperse through the woods, and support themselves with the game which they kill, or the fish which they catch. As they approach nearer to the territories of the nation which they intend to attack, they collect their troops, and advance with greater caution. Even in their hottest and most active wars, they proceed wholly by stratagem and ambuscade. They place not their glory in attacking their enemies with open force. To surprise and destroy is the greatest merit of a commander, and the highest pride of his followers. War and hunting are their only occupations, and they conduct both with the same spirit and the same arts. They follow the track of their enemies through the forest. They endeavour to discover their haunts, they lurk in some thicket near to these, and, with the patience of a sportsman lying in wait for game, will continue in their station day after day, until they can rush upon their prey when most secure, and least able to resist them. If they meet no straggling party of the enemy, they advance towards their villages, but with such solicitude to conceal their own approach, that they often creep on their hands and feet through the woods, and paint their skins of the same colour with the withered leaves, in order to avoid detection.[p] If so fortunate as to remain unobserved, they set on fire the enemies' huts in the dead of night, and massacre the inhabitants, as they fly naked and defenceless from the flames. If they hope to effect a retreat without being pursued, they carry off some prisoners, whom they reserve for a more dreadful fate. But if, notwithstanding all their address and precautions, they find that their motions are discovered, that the enemy has taken the alarm, and is prepared to oppose them, they usually deem it most prudent to retire. They regard it as extreme folly to meet an enemy who is on his guard, upon equal terms, or to give battle in an open field. The most distinguished success is a disgrace to a leader, if it has been purchased with any considerable loss of his followers,[q] and they never boast of a victory, if stained with the blood of their own countrymen.[r] To fall in battle, instead of being reckoned an honourable death, is a misfortune which subjects the memory of a warrior to the imputation of rashness or imprudence.[s]

not owing to any defect of courage; This system of war was universal in America; and the small uncivilized tribes, dispersed through all its different regions and climates, display more craft than boldness in carrying on their hostilities. Struck with this conduct, so opposite to the ideas and maxims of Europeans, several authors contend that it flows from a feeble and dastardly spirit peculiar to the Ameri-

i Charlev. Hist. N. Fr. iii. 216, 217. Lery ap. de Bry, iii. 204.
k See Note LXV.
l Ibid. LXVI.
m Bossu, i. 140. Lery ap. de Bry, 215. Hennepin, Mœurs des Sauv. 41. Lafitau, ii. 169.
n Charlev. Hist. N. Fr. 215. 268. Biet, 367. 380.
o Charlev. Hist. N. Fr. 217, 218.
p Charlev. Hist. N. Fr. iii. 237, 238. Hennep. Mœurs des Sauv. p. 59.
q See Note LXVII.
r Charlev. Hist. N. Fr. iii. 238. 307. Biet. 381. Lafitau, Mœurs des Sauv. ii. 248.
s Charlev. iii. 376. See Note LXVIII.

cans, which is incapable of any generous or manly exertion.[t] But when we reflect that many of these tribes, on occasions which call for extraordinary efforts, not only defend themselves with obstinate resolution, but attack their enemies with the most daring courage, and that they possess fortitude of mind superior to the sense of danger or the fear of death, we must ascribe their habitual caution to some other cause than constitutional timidity.[u] The number of men in each tribe is so small, the difficulty of rearing new members amidst the hardships and dangers of savage life so great, that the life of a citizen is extremely precious, and the preservation of it becomes a capital object in their policy. Had the point of honour been the same among the feeble American tribes as among the powerful nations of Europe, had they been taught to court fame or victory in contempt of danger and death, they must have been ruined by maxims so ill adapted to their condition. But wherever their communities are more populous, so that they can act with considerable force, and can sustain the loss of several of their members, without being sensibly weakened, the military operations of the Americans more nearly resemble those of other nations. The Brazilians, as well as the tribes situated upon the banks of the river De la Plata, often take the field in such numerous bodies as deserve the name of armies.[x] They defy their enemies to the combat, engage in regular battles, and maintain the conflict with that desperate ferocity, which is natural to men who, having no idea of war but that of exterminating their enemies, never give or take quarter.[y] In the powerful empires of Mexico and Peru, great armies were assembled, frequent battles were fought, and the theory as well as practice of war were different from what took place in those petty societies which assume the name of nations.

Incapable of order or discipline.

But though vigilance and attention are the qualities chiefly requisite, where the object of war is to deceive and to surprise; and though the Americans, when acting singly, display an amazing degree of address in concealing their own motions, and discovering those of an enemy, yet it is remarkable, that, when they take the field in parties, they can seldom be brought to observe the precautions most essential to their own security. Such is the difficulty of accustoming savages to subordination, or to act in concert; such is their impatience under restraint, and such their caprice and presumption, that it is rarely they can be brought to conform themselves to the counsels and directions of their leaders. They never station sentinels around the place where they rest at night, and after marching some hundred miles to surprise an enemy, are often surprised themselves, and cut off, while sunk in as profound sleep as if they were not within reach of danger.[z]

If, notwithstanding this negligence and security, which often frustrate their most artful schemes, they catch the enemy unprepared, they rush upon them with the utmost ferocity, and tearing off the scalps of all those who fall victims to their rage,[a] they carry home those strange trophies in triumph. These they preserve as monuments, not only of their own prowess, but of the vengeance which their arm has inflicted upon the people who were objects of public resentment.[b] They are still more solicitous to seize prisoners. During their retreat, if they hope to effect it unmolested, the prisoners are commonly exempt from any insult, and treated with some degree of humanity, though guarded with the most strict attention.

Treatment of prisoners.

But after this temporary suspension, the rage of the conquerors rekindles with new fury. As soon as they approach their own frontier, some of their number are despatched to inform their countrymen with respect to the success of the expedition. Then the prisoners begin to feel the wretchedness of their condition. The women of the village, together with the youth who have not attained to the age of bearing arms, assemble, and forming themselves into two lines, through which the prisoners must pass, beat and bruise them with sticks or stones in a cruel manner.[c] After this first gratification of their rage against their enemies, follow lamentations for the loss of such of their own countrymen as have fallen in the service, accompanied with words and actions which seem to express the utmost anguish and grief. But in a moment, upon a signal given, their tears cease; they pass, with a sudden and unaccountable transition, from the depths of sorrow to the transports of joy; and begin to celebrate their victory with all the wild exultation of a barbarous triumph.[d] The fate of the prisoners remains still undecided. The old men deliberate concerning it. Some are destined to be tortured to death, in order to satiate the revenge of the conquerors; some to replace the members which the community has lost in that or former wars. They who are reserved for this milder fate, are led to the huts of those whose friends have been killed. The women meet them at the door, and if they receive them, their sufferings are at an end. They are adopted into the family, and according to their phrase, are seated upon the mat of the deceased. They assume his name, they hold the same rank, and are treated thenceforward with all the tenderness due to a father, a brother, a husband, or a friend. But if, either from caprice or an unrelenting desire of revenge, the women of any family refuse to accept of the prisoner who is offered to them, his doom is fixed. No power can then save him from torture and death.

Their indifference concerning their fate,

While their lot is in suspense, the prisoners themselves appear altogether unconcerned about what may befall

t Recherches Philos. sur les Americ. i. 115. Voyage de March. iv. 410.
u Lafitau, Mœurs des Sauv. ii. 248, 249. Charlev. N. Fr. iii. 307.
x Fabri Veriss. Descrip. Indiæ ap. de Bry, vii. p. 42.
y See Note LXIX.

z Charlev. N. Fr. iii. 236, 237. Lettr. Edif. 17. 308. 20. 130. Lafit. Mœurs, 247. Lahontan, ii. 176.
a See Note LXX. b Lafit. Mœurs, ii. 256.
c Lahontan, ii. 184.
d Charlev. Hist. N. Fr. iii. 241. Lafit. Mœurs, ii. 264.

them. They talk, they eat, they sleep, as if they were perfectly at ease, and no danger impending. When the fatal sentence is intimated to them, they receive it with an unaltered countenance, raise their death-song, and prepare to suffer like men. Their conquerors assemble as to a solemn festival, resolved to put the fortitude of the captive to the utmost proof. A scene ensues, the bare description of which is enough to chill the heart with horror, wherever men have been accustomed, by milder institutions, to respect their species, and melt with tenderness at the sight of human sufferings. The prisoners are tied naked to a stake, but so as to be at liberty to move round it. All who are present, men, women, and children, rush upon them like furies. Every species of torture is applied that the rancour of revenge can invent. Some burn their limbs with red hot irons, some mangle their bodies with knives, others tear their flesh from their bones, pluck out their nails by the roots, and rend and twist their sinews. They vie with one another in refinements of torture. Nothing sets bounds to their rage but the dread of abridging the duration of their vengeance by hastening the death of the sufferers; and such is their cruel ingenuity in tormenting, that, by avoiding industriously to hurt any vital part, they often prolong this scene of anguish for several days. In spite of all that they suffer, the victims continue to chant their death song with a firm voice, they boast of their own exploits, they insult their tormentors for their want of skill in avenging their friends and relations, they warn them of the vengeance which awaits them on account of what they are now doing, and excite their ferocity by the most provoking reproaches and threats. To display undaunted fortitude in such dreadful situations, is the noblest triumph of a warrior. To avoid the trial by a voluntary death, or to shrink under it, is deemed infamous and cowardly. If any one betray symptoms of timidity, his tormentors often despatch him at once with contempt, as unworthy of being treated like a man.[e] Animated with those ideas, they endure, without a groan, what it seems almost impossible that human nature should sustain. They appear to be not only insensible of pain, but to court it. "Forbear," said an aged chief of the Iroquois, when his insults had provoked one of his tormentors to wound him with a knife, "forbear these stabs of your knife, and rather let me die by fire, that those dogs, your allies, from beyond the sea, may learn by my example to suffer like men."[f] This magnanimity, of which there are frequent instances among the American warriors, instead of exciting admiration, or calling forth sympathy, exasperates the fierce spirits of their torturers to fresh acts of cruelty.[g] Weary, at length, of contending with men whose constancy of mind they cannot vanquish, some chief, in a rage, puts a period to their sufferings, by despatching them with his dagger or club.[h]

and fortitude under torture.

This barbarous scene is often succeeded by one no less shocking. As it is imposible to appease the fell spirit of revenge which rages in the heart of a savage, this frequently prompts the Americans to devour those unhappy persons, who have been the victims of their cruelty. In the ancient world, tradition has preserved the memory of barbarous nations of cannibals, who fed on human flesh. But in every part of the New World there were people to whom this custom was familiar. It prevailed in the southern continent, in several of the islands,[k] and in various districts of North America.[l] Even in those parts, where circumstances, with which we are unacquainted, had in a great measure abolished this practice, it seems formerly to have been so well known, that it is incorporated into the idiom of their language. Among the Iroquois, the phrase by which they express their resolution of making war against an enemy is, "Let us go and eat that nation." If they solicit the aid of a neighbouring tribe, they invite it to "eat broth made of the flesh of their enemies."[m] Nor was the practice peculiar to rude unpolished tribes; the principle from which it took rise is so deeply rooted in the minds of the Americans, that it subsisted in Mexico, one of the civilized empires in the New World, and relics of it may be discovered among the more mild inhabitants of Peru. It was not scarcity of food, as some authors imagine, and the importunate cravings of hunger, which forced the Americans to those horrid repasts on their fellow-creatures. Human flesh was never used as common food in any country, and the various relations concerning people who reckoned it among the stated means of subsistence, flow from the credulity and mistakes of travellers. The rancour of revenge first prompted men to this barbarous action.[n] The fiercest tribes devoured none but prisoners taken in war, or such as they regarded as enemies.[o] Women and children, who were not the objects of enmity, if not cut off in the fury of their first inroad into an hostile country, seldom suffered by the deliberate effects of their revenge.[p]

Sometimes eat their prisoners.

The people of South America gratify their revenge in a manner somewhat different, but with no less unrelenting rancour. Their prisoners, after meeting at their first entrance with the same rough reception as among the North Americans,[q] are not only exempt from injury, but treated with the greatest kindness. They are feasted and caressed, and some beautiful young women are appointed to at-

e De la Potherie, ii. 237. iii. 48.
f Colden, Hist. of Five Nations, i. 200.
g Voyages de Lahont. i. 236.
h Charlev. Hist. N. Fran. iii. 243, &c. 385. Lafitau Mœurs, ii. 265. Creuxii Hist. Canad. p. 73. Hennep. Mœurs des Sauv. p. 64, &c. Lahont. i. 233, &c. Tertre, ii. 405. De la Potherie, ii. 22, &c.
i Stadius ap. de Bry, iii. 123. Lery, ibid. 210. Biet, 384. Lettr. Edif. 23. 341. Piso, 8. Condam. 84. 97. Ribas, Hist. de los Triumf. 473.
k Life of Columb. 529. Mart. Dec. p. 18. Tertre, ii. 405.
l Dumont, Mem. i. 254. Charlev. Hist. N. Fr. i. 259. ii. 14. iii. 21. De la Potherie, iii. 50.
m Charlev. Hist. N. Fr. iii. 208, 209. Lettr. Edif. 23. p. 277. De la Potherie, ii. 298. See Note LXXI.
n Biet, 383. Blanco, Conversion de Piritu, p. 28. Bancroft, Nat. Hist. of Guiana, p. 259, &c.
o See Note LXXII.
p Biet, 382. Bandini, Vita di Americo, 84. Tertre, 405. Fermin. Descript. de Surin. i. 54,
q Stadius ap. de Bry, iii. p. 40. 123.

tend and solace them. It is not easy to account for this part of their conduct, unless we impute it to a refinement in cruelty. For, while they seem studious to attach the captives to life, by supplying them with every enjoyment that can render it agreeable, their doom is irrevocably fixed. On a day appointed, the victorious tribe assembles, the prisoner is brought forth with great solemnity, he views the preparations for the sacrifice with as much indifference as if he himself were not the victim, and, meeting his fate with undaunted firmness, is despatched with a single blow. The moment he falls, the women seize the body, and dress it for the feast. They besmear their children with the blood, in order to kindle in their bosoms a hatred of their enemies, which is never extinguished; and all join in feeding upon the flesh with amazing greediness and exultation.[r] To devour the body of a slaughtered enemy, they deem the most complete and exquisite gratification of revenge. Wherever this practice prevails, captives never escape death, but they are not tortured with the same cruelty as among tribes which are less accustomed to such horrid feasts.[s]

As the constancy of every American warrior may be put to such severe proof, the great object of military education and discipline in the New World is to form the mind to sustain it. When nations carry on war with open force, defy their enemies to the combat, and vanquish them by the superiority of their skill or courage, soldiers are trained to be active, vigorous, and enterprising. But in America, where the genius and maxims of war are extremely different, passive fortitude is the quality in highest estimation. Accordingly, it is early the study of the Americans to acquire sentiments and habits, which will enable them to behave like men, when their resolution shall be put to the proof. As the youth of other nations exercise themselves in feats of activity and force, those of America vie with one another in exhibitions of their patience under sufferings. They harden their nerves by those voluntary trials, and gradually accustom themselves to endure the sharpest pain without complaining. A boy and girl will bind their naked arms together and place a burning coal between them, in order to try who first discovers such impatience as to shake it off.[t] All the trials, customary in America, when a youth is admitted into the class of warriors, or when a warrior is promoted to the dignity of captain or chief, are accommodated to this idea of manliness. They are not displays of valour, but of patience; they are not exhibitions of their ability to offend, but of their capacity to suffer. Among the tribes on the banks of the Orinoco, if a warrior aspires to the rank of captain, his probation begins with a long fast, more rigid than any ever observed by the most abstemious hermit. At the close of this the chiefs assemble, each gives him three lashes with a large whip, applied so vigorously, that his body is almost flayed, and if he betrays the least symptoms of impatience, or even sensibility, he is disgraced for ever, and rejected as unworthy of the honour to which he aspires. After some interval, the constancy of the candidate is proved by a more excruciating trial. He is laid in a hammock with his hands bound fast, and an innumerable multitude of venomous ants, whose bite occasions exquisite pain, and produces a violent inflammation, are thrown upon him. The judges of his merit stand around the hammock, and, while these cruel insects fasten upon the most sensible parts of his body, a sigh, a groan, an involuntary motion expressive of what he suffers, would exclude him for ever from the rank of captain. Even after this evidence of his fortitude, it is not deemed to be completely ascertained, but must stand another test more dreadful than any he has hitherto undergone. He is again suspended in his hammock, and covered with leaves of the palmetto. A fire of stinking herbs is kindled underneath, so as he may feel its heat, and be involved in its smoke. Though scorched and almost suffocated, he must continue to endure with the same patient insensibility. Many perish in this rude essay of their firmness and courage, but such as go through it with applause, receive the ensigns of their new dignity with much solemnity, and are ever after regarded as leaders of approved resolution, whose behaviour, in the most trying situations, will do honour to their country.[u] In North America, the previous trial of a warrior is neither so formal, nor so severe. Though even there, before a youth is permitted to bear arms, his patience and fortitude are proved by blows, by fire, and by insults, more intolerable to a haughty spirit than both.[x]

The amazing steadiness with which the Americans endure the most exquisite torments, has induced some authors to suppose that, from the peculiar feebleness of their frame, their sensibility is not so acute as that of other people; as women, and persons of a relaxed habit, are observed to be less affected with pain than robust men, whose nerves are more firmly braced. But the constitution of the Americans is not so different, in its texture, from that of the rest of the human species, as to account for this diversity in their behaviour. It flows from a principle of honour, instilled early, and cultivated with such care, as to inspire man in his rudest state with an heroic magnanimity, to which philosophy hath endeavoured, in vain, to form him, when more highly improved and polished. This invincible constancy he has been taught to consider as the chief distinction of a man, and the highest attainment of a warrior. The ideas which influence his conduct, and the passions which take possession of his heart, are few. They operate of course with more decisive effect, than when the mind is crowded with a multiplicity of objects, or distracted by the variety of its pursuits; and when every motive that

r Stadius ap. de Bry, iii. 128, &c. Lery, ibid. 210.
s See Note LXXIII. t Charlev. Hist. N. Fr. iii. 307.
u Gumilla, ii. 286, &c. Biet, 376, &c.
x Charlev. Hist. N. Fr. iii. 219.

acts with any force in forming the sentiments of a savage, prompts him to suffer with dignity, he will bear what might seem to be impossible for human patience to sustain. But wherever the fortitude of the Americans is not roused to exertion by their ideas of honour, their feelings of pain are the same with those of the rest of mankind.[y] Nor is that patience under sufferings for which the Americans have been so justly celebrated an universal attainment. The constancy of many of the victims is overcome by the agonies of torture. Their weakness and lamentations complete the triumph of their enemies, and reflect disgrace upon their own country.[z]

Wasted by their perpetual wars.

The perpetual hostilities carried on among the American tribes are productive of very fatal effects. Even in seasons of public tranquillity, their imperfect industry does not supply them with any superfluous store of provisions; but when the irruption of an enemy desolates their cultivated lands, or disturbs them in their hunting excursions, such a calamity reduces a community, naturally improvident and destitute of resources, to extreme want. All the people of the district that is invaded, are frequently forced to take refuge in woods or mountains, which can afford them little subsistence, and where many of them perish. Notwithstanding their excessive caution in conducting their military operations, and the solicitude of every leader to preserve the lives of his followers, as the rude tribes in America seldom enjoy any interval of peace, the loss of men among them is considerable in proportion to the degree of population. Thus famine and the sword combine in thinning their numbers. All their communities are feeble, and nothing now remains of several nations, which were once considerable, but the name.[a]

Recruit their numbers by adopting prisoners.

Sensible of this continual decay, there are tribes which endeavour to recruit their national force when exhausted, by adopting prisoners taken in war, and by this expedient prevent their total extinction. The practice, however, is not universally received. Resentment operates more powerfully among savages, than considerations of policy. Far the greater part of their captives was anciently sacrificed to their vengeance, and it is only since their numbers began to decline fast, that they have generally adopted milder maxims. But such as they do naturalize, renounce for ever their native tribe, and assume the manners as well as passions of the people by whom they are adopted[b] so entirely, that they often join them in expeditions against their own countrymen. Such a sudden transition, and so repugnant to one of the most powerful instincts implanted by nature, would be deemed strange among many people; but among the members of small communities, where national enmity is violent and deep-rooted, it has the appearance of being still more unaccountable. It seems, however, to result naturally from the principles upon which war is carried on in America. When nations aim at exterminating their enemies, no exchange of prisoners can ever take place. From the moment one is made a prisoner, his country and his friends consider him as dead.[c] He has incurred indelible disgrace by suffering himself to be surprised or to be taken by an enemy; and were he to return home, after such a stain upon his honour, his nearest relations would not receive or even acknowledge that they knew him.[d] Some tribes were still more rigid, and if a prisoner returned, the infamy which he had brought on his country was expiated by putting him instantly to death.[e] As the unfortunate captive is thus an outcast from his own country, and the ties which bound him to it are irreparably broken, he feels less reluctance in forming a new connexion with people, who, as an evidence of their friendly sentiments, not only deliver him from a cruel death, but offer to admit him to all the rights of a fellow-citizen. The perfect similarity of manners among savage nations facilitates and completes the union, and induces a captive to transfer not only his allegiance, but his affection, to the community into the bosom of which he is received.

Their inferiority in war to polished nations.

But though war be the chief occupation of men in their rude state, and to excel in it their highest distinction and pride, their inferiority is always manifest when they engage in competition with polished nations. Destitute of that foresight which discerns and provides for remote events, strangers to the union and mutual confidence requisite in forming any extensive plan of operations, and incapable of the subordination no less requisite in carrying such plans into execution, savage nations may astonish a disciplined enemy by their valour, but seldom prove formidable to him by their conduct; and whenever the contest is of long continuance, must yield to superior art.[f] The empires of Peru and Mexico, though their progress in civilization, when measured by the European or Asiatic standards, was inconsiderable, acquired such an ascendency over the rude tribes around them, that they subjected most of them with great facility to their power. When the people of Europe overran the various provinces of America, this superiority was still more conspicuous. Neither the courage nor number of the natives could repel a handful of invaders. The alienation and enmity, prevalent among barbarians, prevented them from uniting in any common scheme of defence, and while each tribe fought separately, all were subdued.

Their arts.

VI. The arts of rude nations unacquainted with the use of metals, hardly merit any attention on their own account, but are worthy of some notice, as far as they serve to dis-

y See Note LXXIV.
z Charlev. Hist. N. Fr. iii. 248, 385. De la Potherie, iii. 48.
a Charlev. Hist. N. Fr. iii. 202, 203, 429. Gumilla, ii. 227, &c.
b Charlev. Hist. N. Fr. iii. 245, &c. Lafit. ii. 308.
c See Note LXXV.
d Lahont, ii. 185, 186.
e Herrera, dec. 3. lib. iv. c. 16. p. 173.
f See Note LXXVI

play the genius and manners of man in this stage of his progress. The first distress a savage must feel, will arise from the manner in which his body is affected, by the heat, or cold, or moisture, of the climate under which he lives; and his first care will be to provide some covering for his own defence. In the warmer and more mild climates of America, none of the rude tribes were clothed. To most of them nature had not even suggested any idea of impropriety in being altogether uncovered.[g] As under a mild climate there was little need of any defence from the injuries of the air, and their extreme indolence shunned every species of labour to which it was not urged by absolute necessity, all the inhabitants of the isles, and a considerable part of the people on the continent, remained in this state of naked simplicity. Others were satisfied with some slight covering, such as decency required. But though naked, they were not unadorned. They dressed their hair in many different forms. They fastened bits of gold, or shells, or shining stones, in their ears, their noses, and cheeks.[h] They stained their skins with a great variety of figures; and they spent much time, and submitted to great pain, in ornamenting their persons in this fantastic manner. Vanity, however, which finds endless occupation for ingenuity and invention, in nations where dress has become a complex and intricate art, is circumscribed within so narrow bounds, and confined to so few articles among naked savages, that they are not satisfied with those simple decorations, and have a wonderful propensity to alter the natural form of their bodies, in order to render it (as they imagine) more perfect and beautiful. This practice was universal among the rudest of the American tribes. Their operations for that purpose begin as soon as an infant is born. By compressing the bones of the skull, while still soft and flexible, some flatten the crown of their heads; some squeeze them into the shape of a cone; others mould them as much as possible into a square figure;[i] and they often endanger the lives of their posterity by their violent and absurd efforts to derange the plan of nature, or to improve upon her designs. But in all their attempts either to adorn or to new-model their persons, it seems to have been less the object of the Americans to please, or to appear beautiful, than to give an air of dignity and terror to their aspect. Their attention to dress had more reference to war than to gallantry. The difference in rank and estimation between the two sexes was so great, as seems to have extinguished, in some measure, their solicitude to appear mutually amiable. The man deemed it beneath him to adorn his person, for the sake of one on whom he was accustomed to look down as a slave. It was when the warrior had in view to enter the council of his nation, or to take the field against its enemies, that he assumed his choicest ornaments, and decked his person with the nicest care.[k] The decorations of the women were few and simple; whatever was precious or splendid was reserved for the men. In several tribes the women were obliged to spend a considerable part of their time every day in adorning and painting their husbands, and could bestow little attention upon ornamenting themselves. Among a race of men so haughty as to despise, or so cold as to neglect them, the women naturally became careless and slovenly, and the love of finery and show, which has been deemed their favourite passion, was confined chiefly to the other sex.[l] To deck his person was the distinction of a warrior, as well as one of his most serious occupations.[m] In one part of their dress, which, at first sight, appears the most singular and capricious, the Americans have discovered considerable sagacity in providing against the chief inconveniences of their climate, which is often sultry and moist to excess. All the different tribes, which remain unclothed, are accustomed to anoint and rub their bodies with the grease of animals, with viscous gums, and with oils of different kinds. By this they check that profuse perspiration, which, in the torrid zone, wastes the vigour of the frame, and abridges the period of human life. By this, too, they provide a defence against the extreme moisture during the rainy season.[n] They likewise, at certain seasons, temper paint of different colours with those unctuous substances, and bedaub themselves plentifully with that composition. Sheathed with this impenetrable varnish, their skins are not only protected from the penetrating heat of the sun, but as all the innumerable tribes of insects have an antipathy to the smell or taste of that mixture, they are delivered from their teasing persecution, which amidst forests and marshes, especially in the warmer regions, would have been altogether intolerable in a state of perfect nakedness.[o]

Dress and ornaments.

The next object to dress that will engage the attention of a savage, is to prepare some habitation which may afford him shelter by day, and a retreat at night. Whatever is connected with his ideas of personal dignity, whatever bears any reference to his military character, the savage warrior deems an object of importance. Whatever relates only to peaceable and inactive life, he views with indifference. Hence, though finically attentive to dress, he is little solicitous about the elegance or disposition of his habitation. Savage nations, far from that state of improvement, in which the mode of living is considered as a mark of distinction, and unacquainted with those wants

Habitations.

g Lery Navigat. ap. de Bry, iii. p. 164. Life of Columbus, c. 24. Venegas, Hist. of Californ. p. 70.

h Lery ap. de Bry, iii. p. 165. Lettr. Edif. 20. 223.

i Oviedo, Hist. lib. iii. c. 5. Ulloa, i. 329. Voyage de Labat. ii. 72. Charlevoix, iii. 323. Gumilla, i. 197, &c. Acugna, Relat. de la Riv. des Amaz. ii. 83. Lawson's Voyage to Carolina, p. 33.

k Wafer's Voyage, p. 142. Lery ap. de Bry, iii. 167. Charlev. Hist. N. Fran. iii. 216. 222.

l Charlev. Hist. de la Nouv. Fran. iii. 278. 327. Lafit. ii. 53. Kalm's Voyage, iii. 273. Lery ap. de Bry, iii. 169, 170. Purch. Pilgr. iv. 1287. Ribas, Hist. de los Triumf. &c. 472.

m See Note LXXVII.

n See Note LXXVIII.

o Labat, ii. 73. Gumilla, i. 190. 202. Bancroft, Nat. Hist. of Guiana, 81. 280.

which require a variety of accommodation, regulate the construction of their houses according to their limited ideas of necessity. Some of the American tribes were so extremely rude, and had advanced so little beyond the primeval simplicity of nature, that they had no houses at all. During the day, they take shelter from the scorching rays of the sun under thick trees; at night they form a shed with their branches and leaves.[p] In the rainy season they retire into coves, formed by the hand of nature, or hollowed out by their own industry.[q] Others, who have no fixed abode, and roam through the forest in quest of game, sojourn in temporary huts, which they erect with little labour, and abandon without any concern. The inhabitants of those vast plains, which are deluged by the overflowing of rivers during the heavy rains that fall periodically between the tropics, raise houses upon piles fastened in the ground, or place them among the boughs of trees, and are thus safe amidst that wide extended inundation which surrounds them.[r] Such were the first essays of the rudest Americans towards providing themselves with habitations. But even among tribes which are more improved, and whose residence is become altogether fixed, the structure of their houses is extremely mean and simple. They are wretched huts, sometimes of an oblong and sometimes of a circular form, intended merely for shelter, with no view to elegance, and little attention to convenicncy. The doors are so low that it is necessary to bend or to creep on the hands and feet in order to enter them. They are without windows, and have a large hole in the middle of the roof, to convey out the smoke. To follow travellers in other minute circumstances of their descriptions, is not only beneath the dignity of history, but would be foreign to the object of my researches. One circumstance merits attention, as it is singular, and illustrates the character of the people. Some of their houses are so large as to contain accommodation for fourscore or a hundred persons. These are built for the reception of different families, which dwell together under the same roof,[s] and often around a common fire, without separate apartments, or any kind of screen or partition between the spaces which they respectively occupy. As soon as men have acquired distinct ideas of property; or when they are so much attached to their females, as to watch them with care and jealousy; families of course divide and settle in separate houses, where they can secure and guard whatever they wish to preserve. This singular mode of habitation among several people of America, may therefore be considered, not only as the effect of their imperfect notions concerning property, but as a proof of inattention and indifference towards their women. If they had not been accustomed to perfect equality, such an arrangement could not have taken place. If their sensibility had been apt to have taken alarm, they would not have trusted the virtue of their women amidst the temptations and opportunities of such a promiscuous intercourse. At the same time, the perpetual concord which reigns in habitations where so many families are crowded together, is surprising, and affords a striking evidence that they must be people of either a very gentle or of a very phlegmatic temper, who, in such a situation, are unacquainted with animosity, brawling, and discord.[t]

Their arms.

After making some provision for his dress and habitation, a savage will perceive the necessity of preparing proper arms with which to assault or repel an enemy. This, accordingly, has early exercised the ingenuity and invention of all rude nations. The first offensive weapons were doubtless such as chance presented, and the first efforts of art to improve upon these, were extremely awkward and simple. Clubs made of some heavy wood, stakes hardened in the fire, lances whose heads were armed with flint or the bones of some animal, are weapons known to the rudest nations All these, however, were of use only in close encounter. But men wished to annoy their enemies while at a distance, and the bow and arrow is the most early invention for this purpose. This weapon is in the hands of people, whose advances in improvement are extremely inconsiderable, and is familiar to the inhabitants of every quarter of the globe. It is remarkable, however, that some tribes in America were so destitute of art and ingenuity, that they had not attained to the discovery of this simple invention,[u] and seem to have been unacquainted with the use of any missive weapon. The sling, though in its construction not more complex than the bow, and among many nations of equal antiquity, was little known to the people of North America,[x] or the islands, but appears to have been used by a few tribes in the southern continent.[y] The people, in some provinces of Chili, and those of Patagonia, towards the southern extremity of America, use a weapon peculiar to themselves. They fasten stones, about the size of a fist, to each end of a leather thong of eight feet in length, and swinging these round their heads, throw them with such dexterity, that they seldom miss the object at which they aim.[z]

Their domestic utensils.

Among people who had hardly any occupation but war or hunting, the chief exertions of their invention,[a] as well as industry, were naturally directed towards these objects. With respect to every thing else, their wants and desires were so limited, that their invention was not upon the stretch. As their food and habitations are perfectly simple, their domestic utensils are few

p See Note LXXIX.
q Lettres Edif. v. 273. Venegas, Hist. of Califor. i. 76. Lozano, Descrip. del Gran Chaco, p. 55. Lettres Edif. ii. 176. Gumilla, i. 383. Bancroft, Nat. Hist. of Guiana, 277.
r Gumilla, i. 225. Herrera, dec. 1. lib. ix. c. 6. Oviedo Somnar. p. 53. C. s See Note LXXX.
t Journ. de Grillet et Bechamel dans la Goyane, p. 65. Lafit. Mœurs, ii. 4. Torquem. Monarq. i. 247. Journal, Hist. de Joutal, 217. Lery, Hist. Brazil, ap. de Bry, iii. 238. Lozano, Descr. del Gran Chaco, 67. u Piedrahita, Conq. del Nuevo Reyno, ix. 12.
x Naufr. de Alv. Nun. Cabeça de Vaca, c. x. p. 12.
y Piedrah. p. 16. See Note LXXXI.
z Ovalle's Relation of Chili. Church. Collect. iii. 82. Falkner's Descript. of Patagon. p. 130. a See Note LXXXII.

and rude. Some of the southern tribes had discovered the art of forming vessels of earthen ware, and baking them in the sun, so as they could endure the fire. In North America, they hollowed a piece of hard wood into the form of a kettle, and filling it with water, brought it to boil by putting red-hot stones into it.[b] These vessels they used in preparing part of their provisions; and this may be considered as a step towards refinement and luxury, for men in their rudest state were not acquainted with any method of dressing their victuals but by roasting them on the fire; and among several tribes in America, this is the only species of cookery yet known.[c] But the masterpiece of art, among the savages of America, is the construction of the canoes. An Esquimaux, shut up in his boat of whalebone, covered with the skins of seals, can brave that stormy ocean, on which the barrenness of his country compels him to depend for the chief part of his subsistence.[d] The people of Canada venture upon their rivers and lakes in boats made of the bark of trees, and so light that two men can carry them, wherever shallows or cataracts obstruct the navigation.[e] In these frail vessels they undertake and accomplish long voyages.[f] The inhabitants of the isles and of the southern continent form their canoes by hollowing the trunk of a large tree, with infinite labour; and though in appearance they are extremely awkward and unwieldy, they paddle and steer them with such dexterity, that Europeans, well acquainted with all the improvements in the science of navigation, have been astonished at the rapidity of their motion, and the quickness of their evolutions. Their *pirogues*, or war-boats, are so large as to carry forty or fifty men; their canoes employed in fishing and in short voyages are less capacious.[g] The form as well as materials of all these various kinds of vessels is well adapted to the service for which they are destined; and the more minutely they are examined, the mechanism of their structure, as well as neatness of their fabric, will appear the more surprising.

Dressing their food.

Construction of their canoes.

But, in every attempt towards industry among the Americans, one striking quality in their character is conspicuous. They apply to work without ardour, carry it on with little activity, and, like children, are easily diverted from it. Even in operations which seem the most interesting, and where the most powerful motives urge them to vigorous exertions, they labour with a languid listlessness. Their work advances under their hand with such slowness, that an eye-witness compares it to the imperceptible progress of vegetation.[h] They will spend so many years in forming a canoe, that it often begins to rot with age before they finish it. They will suffer one part of a roof to decay and perish, before they complete the other.[i] The slightest manual operation consumes an amazing length of time, and what in polished nations would hardly be an effort of industry, is among savages an arduous undertaking. This slowness of the Americans in executing works of every kind may be imputed to various causes. Among savages, who do not depend for subsistence upon the efforts of regular industry, time is of so little importance, that they set no value upon it; and provided they can finish a design, they never regard how long they are employed about it. The tools which they employ are so awkward and defective, that every work in which they engage must necessarily be tedious. The hand of the most industrious and skilful artist, were it furnished with no better instrument than a stone hatchet, a shell, or the bone of some animal, would find it difficult to perfect the most simple work. It is by length of labour that he must endeavour to supply his defect of power. But above all, the cold phlegmatic temper peculiar to the Americans renders their operations languid. It is almost impossible to rouse them from that habitual indolence to which they are sunk; and unless when engaged in war or hunting, they seem incapable of exerting any vigorous effort. Their ardour of application is not so great as to call forth that inventive spirit which suggests expedients for facilitating and abridging labour. They will return to a task day after day, but all their methods of executing it are tedious and operose.[k] Even since the Europeans have communicated to them the knowledge of their instruments, and taught them to imitate their arts, the peculiar genius of the Americans is conspicuous in every attempt they make. They may be patient and assiduous in labour, they can copy with a servile and minute accuracy, but discover little invention and no talents for despatch. In spite of instruction and example, the spirit of the race predominates; their motions are naturally tardy, and it is vain to urge them to quicken their pace. Among the Spaniards in America, *the work of an Indian* is a phrase by which they describe any thing, in the execution of which an immense time has been employed, and much labour wasted.[l]

Listlessness with which they apply to labour.

VII. No circumstance respecting rude nations has been the object of greater curiosity than their religious tenets and rites; and none, perhaps, has been so imperfectly understood, or represented with so little fidelity. Priests and missionaries are the persons who have had the best opportunities of carrying on this inquiry, among the most uncivilized of the American tribes. Their minds, engrossed by the doctrines of their own religion, and habituated to its institutions, are apt to discover something which resembles those objects of their veneration, in the opinions and rites of every people. Whatever they contemplate, they view through one medium, and draw and accommo-

Their religion

Peculiar difficulties in this inquiry.

b Charlev. Hist. N. Fran. iii. 332.
c See Note LXXXIII.
d Ellis Voy. 133.
e See Note LXXXIV.
f Lafit. Mœurs, &c. ii. 213.
g Labat, Voyages, ii. 91, &c. 131.
h Gumilla, ii. 297.
i Borde, Relat. des Caraibes, p. 22.
k See Note LXXXV.
l Voyages de Ulloa, i. 335. Lettr. Edif. &c. 15. 348.

date it to their own system. They study to reconcile the institutions, which fall under their observation, to their own creed, not to explain them according to the rude notions of the people themselves. They ascribe to them ideas which they are incapable of forming, and suppose them to be acquainted with principles and facts, which it is impossible that they should know. Hence, some missionaries have been induced to believe, that even among the most barbarous nations in America, they had discovered traces, no less distinct than amazing, of their acquaintance with the sublime mysteries and peculiar institutions of christianity. From their own interpretation of certain expressions and ceremonies, they have concluded that these people had some knowledge of the doctrine of the Trinity, of the incarnation of the Son of God, of his expiatory sacrifice, of the virtue of the cross, and of the efficacy of the sacraments.[m] In such unintelligent and credulous guides, we can place little confidence.

But even when we make our choice of conductors with the greatest care, we must not follow them with implicit faith. An inquiry into the religious notions of rude nations is involved in peculiar intricacies, and we must often pause in order to separate the facts which our informers relate from the reasonings with which they are accompanied, or the theories which they build upon them. Several pious writers, more attentive to the importance of the subject than to the condition of the people whose sentiments they were endeavouring to discover, have bestowed much unprofitable labour in researches of this nature.[n]

Confined to two articles.

There are two fundamental doctrines, upon which the whole system of religion, as far as it can be discovered by the light of nature, is established. The one respects the being of a God, the other the immortality of the soul. To discover the ideas of the uncultivated nations under our review with regard to those important points, is not only an object of curiosity, but may afford instruction. To these two articles I shall confine my researches, leaving subordinate opinions, and the detail of local superstitions, to more minute inquirers.

The being of God.

Whoever has had any opportunity of examining into the religious opinions of persons in the inferior ranks of life, even in the most enlightened and civilized nations, will find that their system of belief is derived from instruction, not discovered by inquiry. That numerous part of the human species, whose lot is labour, whose principal and almost sole occupation is to secure subsistence, views the arrangement and operations of nature with little reflection, and has neither leisure nor capacity for entering into that path of refined and intricate speculation which conducts to the knowledge of the principles of natural religion. In the early and most rude periods of savage life, such disquisitions are altogether unknown. When the intellectual powers are just beginning to unfold, and their first feeble exertions are directed towards a few objects of primary necessity and use; when the faculties of the mind are so limited, as not to have formed abstract or general ideas; when language is so barren, as to be destitute of names to distinguish any thing that is not perceived by some of the senses; it is preposterous to expect that man should be capable of tracing with accuracy the relation between cause and effect; or to suppose that he should rise from the contemplation of the one to the knowledge of the other, and form just conceptions of a Deity, as the Creator and Governor of the universe. The idea of creation is so familiar wherever the mind is enlarged by science, and illuminated with revelation, that we seldom reflect how profound and abstruse this idea is, or consider what progress man must have made in observation and research, before he could arrive at any knowledge of this elementary principle in religion. Accordingly, several tribes have been discovered in America, which have no idea whatever of a Supreme Being, and no rites of religious worship. Inattentive to that magnificent spectacle of beauty and order presented to their view, unaccustomed to reflect either upon what they themselves are, or to inquire who is the author of their existence, men, in their savage state, pass their days like the animals around them, without knowledge or veneration of any superior power, Some rude tribes have not in their language any name for the Deity, nor have the most accurate observers been able to discover any practice or institution which seemed to imply that they recognised his authority, or were solicitous to obtain his favour.[o] It is however only among men in the most uncultivated state of nature, and while their intellectual faculties are so feeble and limited as hardly to elevate them above the irrational creation, that we discover this total insensibility to the impressions of any invisible power.

But the human mind, formed for religion, soon opens to the reception of ideas, which are destined, when corrected and refined, to be the great source of consolation amidst the calamities of life. Among some of the American tribes, still in the infancy of improvement, we discern apprehensions of some invisible and powerful beings. These apprehensions are originally indistinct and perplexed, and seem to be suggested rather by the dread of impending evils, than to flow from gratitude for blessings received. While nature holds on her course with uniform and undisturbed regularity, men enjoy the benefits resulting from it, without inquiring concerning its cause. But every deviation from this regular course

m Venegas, i. 88, 92. Torquemada, ii. 445. Garcia Origen. 122. Herrera, dec. 4. lib. ix. c. 7. dec. 5. lib. iv. c. 7.

n See Note LXXXVI.

o Biet, 539. Lery ap. de Bry, iii. 221. Nieuhoff. Church. Coll. ii. 132. Lettr. Edif. 2. 177. Id. 12, 13. Venegas, i. 87. Lozano, Descript. del Gran Chaco, 59. Fernand. Mission. de Chequit. 39. Gumilla, ii. 156. Rochefort, Hist. des Antilles, p. 468. Margrave, Hist. in Append. de Chiliensibus, 216. Ulloa, Notic. Americ. 335, &c. Barrere, 218, 219. Harcourt, Voyage to Guiana, Purch. Pilgr. iv. p. 1273. Account of Brazil, by a Portuguese. Ibid. p. 1289. Jones's Journal, p. 59. See Note LXXXVII.

rouses and astonishes them. When they behold events to which they are not accustomed, they search for the reasons of them with eager curiosity. Their understanding is unable to penetrate into these; but imagination, a more forward and ardent faculty of the mind, decides without hesitation. It ascribes the extraordinary occurrences in nature to the influence of invisible beings, and supposes that the thunder, the hurricane, and the earthquake, are effects of their interposition. Some such confused notion of spiritual or invisible power, superintending over those natural calamities which frequently desolate the earth, and terrify its inhabitants, may be traced among many rude nations.[p] But besides this, the disasters and dangers of savage life are so many, and men often find themselves in situations so formidable, that the mind, sensible of its own weakness, has no resource but in the guidance and protection of wisdom and power superior to what is human. Dejected with calamities which oppress him, and exposed to dangers which he cannot repel, the savage no longer relies upon himself; he feels his own impotence, and sees no prospect of being extricated, but by the interposition of some unseen arm. Hence, in all unenlightened nations, the first rites or practices which bear any resemblance to acts of religion, have it for their object to avert evils which men suffer or dread. The *Manitous* or *Okkis* of the North Americans were amulets or charms, which they imagined to be of such virtue, as to preserve the persons who reposed confidence in them from every disastrous event; or they were considered as tutelar spirits, whose aid they might implore in circumstances of distress.[q] The *Cemis* of the islanders were reputed by them to be the authors of every calamity that afflicts the human race; they were represented under the most frightful forms, and religious homage was paid to them with no other view than to appease these furious deities.[r] Even among those tribes whose religious system was more enlarged, and who had formed some conception of benevolent beings, which delighted in conferring benefits, as well as of malicious powers prone to inflict evil, superstition still appears as the offspring of fear, and all its efforts were employed to avert calamities. They were persuaded that their good deities, prompted by the beneficence of their nature, would bestow every blessing in their power, without solicitation or acknowledgment; and their only anxiety was to soothe and deprecate the wrath of the powers whom they regarded as the enemies of mankind.[s]

Such were the imperfect conceptions of the greater part of the Americans with respect to the interpositions of invisible agents, and such, almost universally, was the mean and illiberal object of their superstitions. Were we to trace back the ideas of other nations to that rude state in which history first presents them to our view, we should discover a surprising resemblance in their tenets and practices; and should be convinced, that, in similar circumstances, the faculties of the human mind hold nearly the same course in their progress, and arrive at almost the same conclusions. The impressions of fear are conspicuous in all the systems of superstition formed in this situation. The most exalted notions of men rise no higher than to a perplexed apprehension of certain beings, whose power, though supernatural, is limited as well as partial.

Remarkable diversity in their religious notions.

But, among other tribes, which have been longer united, or have made greater progress in improvement, we discern some feeble pointing towards more just and adequate conceptions of the power that presides in nature. They seem to perceive that there must be some universal cause to whom all things are indebted for their being. If we may judge by some of their expressions, they appear to acknowledge a divine power to be the maker of the world, and the disposer of all events. They denominate him the *Great Spirit*.[t] But these ideas are faint and confused, and when they attempt to explain them, it is manifest, that among them the word *spirit* has a meaning very different from that in which we employ it, and that they have no conception of any deity but what is corporeal. They believe their gods to be of the human form, though of a nature more excellent than man, and retail such wild incoherent fables concerning their functions and operations, as are altogether unworthy of a place in history. Even among these tribes, there is no established form of public worship; there are no temples erected in honour of their deities; and no ministers peculiarly consecrated to their service. They have the knowledge, however, of several superstitious ceremonies and practices handed down to them by tradition, and to these they have recourse with a childish credulity, when roused by any emergence from their usual insensibility, and excited to acknowledge the power, and to implore the protection, of superior beings.[u]

System of the Natchez.

The tribe of the Natchez, and the people of Bogota, had advanced beyond the other uncultivated nations of America in their ideas of religion, as well as in their political institutions; and it is no less difficult to explain the cause of this distinction than of that which we have already considered. The sun was the chief object of religious worship among the Natchez. In their temples, which were constructed with some magnificence, and decorated with various ornaments, according to their mode of architecture, they preserved a perpetual fire, as the purest emblem of their divinity. Ministers were appointed to watch and feed this sacred flame. The first function of the great chief of the nation, every morning, was an act of obeisance to the sun; and festivals returned

p See Note LXXXVIII.
q Charlev. N. Fr. iii. 343, &c. Creuxii Hist. Canad. p. 82, &c.
r Oviedo, lib. iii. c. 1. p. 111. P. Martyr, dec. p. 102, &c.

s Tertre, ii. 365. Borde, p. 14. State of Virginia, by a Native, book iii. p. 32, 33. Dumont, i. 165. Bancroft, Nat. Hist. of Guiana, 309.
t Charlev. N. Fr. iii. 343. Sagard, Voy. du Pays des Hurons, 226.
u Charlev. N. Fr. iii. 345. Colden, i. 17.

at stated seasons, which were celebrated by the whole community with solemn but unbloody rites.[x] This is the most refined species of superstition known in America, and, perhaps, one of the most natural as well as most seducing. The sun is the apparent source of the joy, fertility, and life, diffused through nature; and while the human mind, in its earliest essays towards inquiry, contemplates and admires his universal and animating energy, its admiration is apt to stop short at what is visible, without reaching to the unseen cause; and pays that adoration to the most glorious and beneficial work of God, which is due only to him who formed it. As fire is the purest and most active of the elements, and in some of its qualities and effects resembles the sun, it was, not improperly, chosen to be the emblem of his powerful operation. The ancient Persians, a people far superior, in every respect, to that rude tribe whose rites I am describing, founded their religious system on similar principles, and established a form of public worship, less gross and exceptionable than that of any people destitute of guidance from revelation. This surprising coincidence in sentiment between two nations, in such different states of improvement, is one of the many singular and unaccountable circumstances which occur in the history of human affairs.

Among the people of Bogota, the sun and moon were, likewise, the chief objects of veneration. Their system of religion was more regular and complete, though less pure, than that of the Natchez. They had temples, altars, priests, sacrifices, and that long train of ceremonies, which superstition introduces wherever she has fully established her dominion over the minds of men. But the rites of their worship were cruel and bloody. They offered human victims to their deities, and many of their practices nearly resembled the barbarous institutions of the Mexicans, the genius of which we shall have an opportunity of considering more attentively in its proper place.[y]

Their ideas concerning the immortality of the soul;

With respect to the other great doctrine of religion, concerning the immortality of the soul, the sentiments of the Americans were more united: the human mind, even when least improved and invigorated by culture, shrinks from the thoughts of annihilation, and looks forward with hope and expectation to a state of future existence. This sentiment, resulting from a secret consciousness of its own dignity, from an instinctive longing after immortality, is universal, and may be deemed natural. Upon this are founded the most exalted hopes of man in his highest state of improvement; nor has nature withheld from him this soothing consolation, in the most early and rude period of his progress. We can trace this opinion from one extremity of America to the other, in some regions more faint and obscure, in others more perfectly developed, but nowhere unknown. The most uncivilized of its savage tribes do not apprehend death as the extinction of being. All entertain hopes of a future and more happy state, where they shall be for ever exempt from the calamities which imbitter human life in its present condition. This future state they conceive to be a delightful country, blessed with perpetual spring, whose forests abound with game, whose rivers swarm with fish, where famine is never felt, and uninterrupted plenty shall be enjoyed without labour or toil. But as men, in forming their first imperfect ideas concerning the invisible world, suppose that there they shall continue to feel the same desires, and to be engaged in the same occupations, as in the present world; they naturally ascribe eminence and distinction, in that state, to the same qualities and talents which are here the object of their esteem. The Americans, accordingly, allotted the highest place, in their country of spirits, to the skilful hunter, to the adventurous and successful warrior, and to such as had tortured the greatest number of captives, and devoured their flesh.[z] These notions were so prevalent, that they gave rise to an universal custom, which is at once the strongest evidence that the Americans believe in a future state, and the best illustration of what they expect there. As they imagine, that departed spirits begin their career anew in the world whither they are gone, that their friends may not enter upon it defenceless and unprovided, they bury together with the bodies of the dead, their bow, their arrows, and other weapons used in hunting or war; they deposit in their tombs the skins or stuffs of which they make garments, Indian corn, manioc, venison, domestic utensils, and whatever is reckoned among the necessaries in their simple mode of life.[a] In some provinces, upon the decease of a cazique or chief, a certain number of his wives, of his favourites, and of his slaves, were put to death, and interred together with him, that he might appear with the same dignity in his future station, and be waited upon by the same attendants.[b] This persuasion is so deep-rooted, that many of the deceased person's retainers offer themselves as voluntary victims, and court the privilege of accompanying their departed master, as a high distinction. It has been found difficult, on some occasions, to set bounds to this enthusiasm of affectionate duty, and to reduce the train of a favourite leader to such a number as the tribe could afford to spare.[c]

induce them to bury arms, &c. with the dead.

Among the Americans, as well as other uncivilized nations, many of the rites and observances which bear some

Superstition connected with devotion.

x Dumont, i. 158, &c. Charlev. N. Fr. iii. 417, &c. 429. Lafitau, i. 167.

y Piedrahita, Conq. del. N. Reyno, p. 17. Herrera, dec. 6. lib. v. c. 6.

z Lery ap. de Bry, iii. 222. Charlev. N. Fr. iii. 351, &c. De la Potherie, ii. 45, &c. iii. 5.

a Chronica de Cieca de Leon, c. 28. Sagard, 288. Creux. Hist. Canad. p. 91. Rochefort, Hist. des Antilles, 568. Biet, 391. De la Potherie, ii. 44. iii. 8. Blanco, Convers. de Piritu, p. 35.

b Dumont, Louisiane, i. 208, &c. Oviedo, lib. v. c. 3. Gomara, Hist. Gen. c. 28. P. Mart. decad. 304. Charlev. N. Fr. iii. 421. Herrera, dec. 1. lib. iii. c. 3. P. Melchior Hernandez, Memor. de Cheriqui. Coll. Orig. Papers, i. Chron. de Cieca de Leon, c. 33. c See Note LXXXIX.

resemblance to acts of religion, have no connexion with devotion, but proceed from a fond desire of prying into futurity. The human mind is most apt to feel and to discover this vain curiosity, when its own powers are most feeble and uninformed. Astonished with occurrences, of which it is unable to comprehend the cause, it naturally fancies, that there is something mysterious and wonderful in their origin. Alarmed at events of which it cannot discern the issue or the consequences, it has recourse to other means of discovering them, than the exercise of its own sagacity. Wherever superstition is so established as to form a regular system, this desire of penetrating into the secrets of futurity is connected with it. Divination becomes a religious act. Priests, as the ministers of Heaven, pretend to deliver its oracles to men. They are the only soothsayers, augurs, and magicians, who profess the sacred and important art of disclosing what is hid from other eyes.

This department belongs to their physicians.

But, among rude nations, who pay no veneration to any superintending power, and who have no established rites or ministers of religion, their curiosity to discover what is future and unknown, is cherished by a different principle, and derives strength from another alliance. As the diseases of men in a savage state are, as has been already observed, like those of the animal creation, few but extremely violent, their impatience under what they suffer, and solicitude for the recovery of health, soon inspired them with extraordinary reverence for such as pretended to understand the nature of their maladies, and to be possessed of knowledge sufficient to preserve or deliver them from their sudden and fatal effects. These ignorant pretenders, however, were such utter strangers to the structure of the human frame, as to be equally unacquainted with the causes of its disorders, and the manner in which they will terminate. Superstition, mingled frequently with some portion of craft, supplied what they wanted in science. They imputed the origin of diseases to supernatural influence, and prescribed or performed a variety of mysterious rites, which they gave out to be of such efficacy as to remove the most dangerous and inveterate maladies. The credulity and love of the marvellous, natural to uninformed men, favoured the deception, and prepared them to be the dupes of those impostors. Among savages, their first physicians are a kind of conjurers or wizards, who boast that they know what is past, and can foretell what is to come. Incantations, sorcery, and mummeries of diverse kinds, no less strange than frivolous, are the means which they employ to expel the imaginary causes of malignity;[d] and, relying upon the efficacy of these, they predict with confidence what will be the fate of their deluded patients. Thus superstition, in its earliest form, flowed from the solicitude of man to be delivered from present distress, not from his dread of evils awaiting him in a future life, and was originally ingrafted on medicine, not on religion. One of the first and most intelligent historians of America was struck with this alliance between the art of divination and that of physic, among the people of Hispaniola.[e] But this was not peculiar to them. The *Alexis*, the *Piayas*, the *Autmoins*, or whatever was the distinguishing name of their diviners and charmers in other parts of America, were all the physicians of their respective tribes, in the same manner as the *Bubitos* of Hispaniola. As their function led them to apply to the human mind when enfeebled by sickness, and as they found it, in that season of dejection, prone to be alarmed with imaginary fears, or amused with vain hopes, they easily induced it to rely with implicit confidence on the virtue of their spells, and the certainty of their predictions.[f]

Gradually extends.

Whenever men acknowledge the reality of supernatural power and discernment in one instance, they have a propensity to admit it in others. The Americans did not long suppose the efficacy of conjuration to be confined to one subject. They had recourse to it in every situation of danger or distress. When the events of war were peculiarly disastrous, when they met with unforeseen disappointment in hunting, when inundations or drought threatened their crops with destruction, they called upon their conjurers to begin their incantations, in order to discover the causes of those calamities, or to foretell what would be their issue.[g] Their confidence in this delusive art gradually increased, and manifested itself in all the occurrences of life. When involved in any difficulty, or about to enter upon any transaction of moment, every individual regularly consulted the sorcerer, and depended upon his instructions to extricate him from the former, as well as to direct his conduct in the latter. Even among the rudest tribes in America, superstition appears in this form, and divination is an art in high esteem. Long before man had acquired such knowledge of a deity as inspires reverence and leads to adoration, we observe him stretching out a presumptuous hand to draw aside that veil with which Providence kindly conceals its purpose from human knowledge; and we find him labouring with fruitless anxiety to penetrate into the mysteries of the divine administration. To discern and to worship a superintending power, is an evidence of the enlargement and maturity of the human understanding; a vain desire of prying into futurity, is the error of its infancy, and a proof of its weakness.

From this weakness proceeded likewise the faith of the Americans in dreams, their observation of omens, their attention to the chirping of birds, and

d P. Melch. Hernandez, Memorial de Cheriqui. Collect. Orig. Pap. i.
e Oviedo, lib. v. c. 1.
f Herrera, dec. 1. lib. iii. c. 4. Osborne, Coll. ii. 860. Dumont, i. 169, &c. Charlev. N. Fr. iii. 361 364, &c. Lawson, N. Carol. 214. Ribas, Triumf. p. 17. Biet, 386. De la Potherie, ii. 35, &c.
g Charlev. N. Fran. iii. 3. Dumont, i. 173. Fernand. Relac. de los Chequit. p. 40. Lozano, 81. Margrave, 279.

the cries of animals, all which they suppose to be indications of future events; and if any one of these prognostics is deemed unfavourable, they instantly abandon the pursuit of those measures on which they are most eagerly bent.[h]

Detached customs.

VIII. But if we would form a complete idea of the uncultivated nations of America, we must not pass unobserved some singular customs, which, though universal and characteristic, could not be reduced, with propriety, to any of the articles into which I have divided my inquiry concerning their manners.

Love of dancing.

Among savages, in every part of the globe, the love of dancing is a favourite passion. As, during a great part of their time, they languish in a state of inactivity and indolence, without any occupation to rouse or interest them, they delight universally in a pastime which calls forth the active powers of their nature into exercise. The Spaniards, when they first visited America, were astonished at the fondness of the natives for dancing, and beheld with wonder a people, cold and unanimated in most of their other pursuits, kindle into life, and exert themselves with ardour, as often as this favourite amusement recurred. Among them, indeed, dancing ought not to be denominated an amusement. It is a serious and important occupation, which mingles in every occurrence of public or private life. If any intercourse be necessary between two American tribes, the ambassadors of the one approach in a solemn dance, and present the calumet or emblem of peace; the sachems of the other receive it with the same ceremony.[i] If war is denounced against an enemy, it is by a dance, expressive of the resentment which they feel, and of the vengeance which they meditate.[k] If the wrath of their gods is to be appeased, or their beneficence to be celebrated; if they rejoice at the birth of a child, or mourn the death of a friend,[l] they have dances appropriated to each of these situations, and suited to the different sentiments with which they are then animated. If a person is indisposed, a dance is prescribed as the most effectual means of restoring him to health; and if he himself cannot endure the fatigue of such an exercise, the physician or conjurer performs it in his name, as if the virtue of his activity could be transferred to his patient.[m]

All their dances are imitations of some action; and though the music by which they are regulated is extremely simple and tiresome to the ear by its dull monotony, some of their dances appear wonderfully expressive and animated. The war dance is, perhaps, the most striking. It is the representation of a complete American campaign. The departure of the warriors from their village, their march into the enemy's country, the caution with which they encamp, the address with which they station some of their party in ambush, the manner of surprising the enemy, the noise and ferocity of the combat, the scalping of those who are slain, the seizing of prisoners, the triumphant return of the conquerors, and the torture of the victims, are successively exhibited. The performers enter with such enthusiastic ardour into their several parts; their gestures, their countenance, their voice, are so wild and so well adapted to their various situations, that Europeans can hardly believe it to be a mimic scene, or view it without emotions of fear and horror.[n]

But however expressive some of the American dances may be, there is one circumstance in them remarkable, and connected with the character of the race. The songs, the dances, the amusements of other nations, expressive of the sentiments which animate their hearts, are often adapted to display or excite that sensibility which mutually attaches the sexes. Among some people, such is the ardour of this passion, that love is almost the sole object of festivity and joy; and as rude nations are strangers to delicacy, and unaccustomed to disguise any emotion of their minds, their dances are often extremely wanton and indecent. Such is the *Calenda*, of which the natives of Africa are so passionately fond;[o] and such the feats of the dancing girls, which the Asiatics contemplate with so much avidity of desire. But, among the Americans, more cold and indifferent to their females, from causes which I have already explained, the passion of love mingles but little with their festivals and pastimes. Their songs and dances are mostly solemn and martial; they are connected with some of the serious and important affairs of life;[p] and having no relation to love or gallantry, are seldom common to the two sexes, but executed by the men and women apart.[q] If, on some occasions, the women are permitted to join in the festival, the character of the entertainment is still the same, and no movement or gesture is expressive of attachment, or encourages familiarity.[r]

Passion for gaming.

An immoderate love of play, especially games of hazard, which seems to be natural to all people unaccustomed to the occupations of regular industry, is likewise universal among the Americans. The same causes, which so often prompt persons in civilized life, who are at their ease, to have recourse to this pastime, render it the delight of the savage. The former are independent of labour, the latter do not feel the necessity of it; and as both are unemployed, they run with transport to whatever is interesting enough to stir and to agitate their minds. Hence the Americans,

h Charlev. N. Fr. iii. 262. 353. Stadius ap. de Bry, iii. 120. Creuxii Hist. Canad. 84. Techo, Hist. of Parag. Church. Coll. vi. 37. De la Potherie, iii. 6.

i De la Potherie, Hist. ii. 17, &c. Charlev. N. Fr. iii. 211. 297. La Hontan, i. 100. 137. Hennepin, Decou. 146, &c.

k Charlev. N. Fr. iii. 298. Lafitau, i. 523.

l Joutel, 343. Gomara. Hist. Gen. c. 196.

m Denys, Hist. Nat. 189. Brickell, 372. De la Potherie, ii. 36.

n De la Potherie. ii. 116. Charlev. N. Fr. iii. 297. Lafitau, i. 523.

o Adanson, Voyage to Senegal, iii. 287. Labat, Voyag. iv. 463. Sloane, Hist. Nat. of Jam. Introd. p. 48. Fermin, Descript. de Surin. i. 139.

p Descript. of N. France. Osborne, Coll. ii. 883. Charlev. N. Fr. iii. 84.

q Wafer's Account of Isthmus, &c. 169. Lery ap. de Bry, iii. 177. Lozano, Hist. de Parag. i. 149. Herrera, dec. 2. lib. vii. c. 8. dec. 4. lib. x. c. 4. See Note XC.

r Barrere, Fr. Equin. p. 191.

who at other times are so indifferent, so phlegmatic, so silent, and animated with so few desires, as soon as they engage in play become rapacious, impatient, noisy, and almost frantic with eagerness. Their furs, their domestic utensils, their clothes, their arms, are staked at the gaming-table, and when all is lost, high as their sense of independence is, in a wild emotion of despair or of hope, they will often risk their personal liberty upon a single cast.[s] Among several tribes, such gaming parties frequently recur, and become their most acceptable entertainment at every great festival. Superstition, which is apt to take hold of those passions which are most vigorous, frequently lends its aid to confirm and strengthen this favourite inclination. Their conjurers are accustomed to prescribe a solemn match at play, as one of the most efficacious methods of appeasing their gods, or of restoring the sick to health.[t]

And for drinking.

From causes similar to those which render them fond of play, the Americans are extremely addicted to drunkenness. It seems to have been one of the first exertions of human ingenuity to discover some composition of an intoxicating quality; and there is hardly any nation so rude, or so destitute of invention, as not to have succeeded in this fatal research. The most barbarous of the American tribes have been so unfortunate as to attain this art; and even those which are so deficient in knowledge, as to be unacquainted with the method of giving an inebriating strength to liquors by fermentation, can accomplish the same end by other means. The people of the islands of North America, and of California, used, for this purpose, the smoke of tobacco, drawn up with a certain instrument into the nostrils, the fumes of which ascending to the brain, they felt all the transports and phrensy of intoxication.[u] In almost every other part of the New World, the natives possessed the art of extracting an intoxicating liquor from maize or the manioc root, the same substances which they convert into bread. The operation by which they effect this, nearly resembles the common one of brewing, but with this difference, that in place of yeast, they use a nauseous infusion of a certain quantity of maize or manioc chewed by their women. The saliva excites a vigorous fermentation, and in a few days the liquor becomes fit for drinking. It is not disagreeable to the taste, and when swallowed in large quantities, is of an intoxicating quality.[x] This is the general beverage of the Americans, which they distinguish by various names, and for which they feel such a violent and insatiable desire, as it is not easy either to conceive or describe. Among polished nations, where a succession of various functions and amusements keeps the mind in continual occupation, the desire for strong drink is regulated in a great measure by the climate, and increases or diminishes according to the variations of its temperature. In warm regions, the delicate and sensible frame of the inhabitants does not require the stimulation of fermented liquors. In colder countries, the constitution of the natives, more robust and more sluggish, stands in need of generous liquors to quicken and animate it. But among savages, the desire of something that is of power to intoxicate, is in every situation the same. All the people of America, if we except some small tribes near the Straits of Magellan, whether natives of the torrid zone, or inhabitants of its more temperate regions, or placed by a harder fate in the severe climates towards its northern or southern extremity, appear to be equally under the dominion of this appetite.[y] Such a similarity of taste, among people in such different situations, must be ascribed to the influence of some moral cause, and cannot be considered as the effect of any physical or constitutional want. While engaged in war or in the chase, the savage is often in the most interesting situations, and all the powers of his nature are roused to the most vigorous exertions. But those animating scenes are succeeded by long intervals of repose, during which the warrior meets with nothing that he deems of sufficient dignity or importance to merit his attention. He languishes and mopes in this season of indolence. The posture of his body is an emblem of the state of his mind. In one climate, cowering over the fire in his cabin; in another, stretched under the shade of some tree, he dozes away his time in sleep, or in an unthinking joyless inactivity, not far removed from it. As strong liquors awake him from this torpid state, give a brisker motion to his spirits, and enliven him more thoroughly than either dancing or gaming, his love of them is excessive. A savage when not engaged in action, is a pensive melancholy animal; but as soon as he tastes, or has a prospect of tasting, the intoxicating draught, he becomes gay and frolicksome.[z] Whatever be the occasion or pretext on which the Americans assemble, the meeting always terminates in a debauch. Many of their festivals have no other object, and they welcome the return of them with transports of joy. As they are not accustomed to restrain any appetite, they set no bounds to this. The riot often continues without intermission several days; and whatever may be the fatal effects of their excess, they never cease from drinking as long as one drop of liquor remains. The persons of greatest eminence, the most distinguished warriors, and the chiefs most renowned for their wisdom, have no greater command of themselves than the most obscure members of the community. Their eagerness for present enjoyment renders them blind to its fatal consequences; and those very men, who in other situations seem to possess a force of mind more than human, are in this instance inferior to

s Charlev. N. Fran. iii. 261. 318. Lafitau, ii. 338, &c. Ribas, Triumf. 13. Brickell, 335.
t Charlev. N. Fran. iii. 262.
u Oviedo, Hist. ap. Ramus. iii. 113. Venegas, i. 68. Naufrag. de Cabeca de Vaca, cap. 26. See Note XCI.
x Stadius ap. de Bry, iii. 111. Lery, ibid. 175.
y Gumilla, i. 257. Lozano, Descr. del Gran Chaco, 56. 103. Ribas, 8. Ulloa, i. 249. 337. Marchias, iv. 436. Fernandez, Mission. de las Chequit. 35. Barrere, p. 203. Blanco, Convers. de Piritu, 31.
z Melendez Tesorez Verdad. iii. 369.

children in foresight, as well as consideration, and mere slaves of brutal appetite.[a] When their passions, naturally strong, are heightened and inflamed by drink, they are guilty of the most enormous outrages, and the festivity seldom concludes without deeds of violence or bloodshed.[b]

But, amidst this wild debauch, there is one circumstance remarkable; the women, in most of the American tribes, are not permitted to partake of it.[c] Their province is to prepare the liquor, to serve it about to the guests, and to take care of their husbands and friends, when their reason is overpowered. This exclusion of the women from an enjoyment so highly valued by savages, may be justly considered as a mark of their inferiority, and as an additional evidence of that contempt with which they were treated in the New World. The people of North America, when first discovered, were not acquainted with any intoxicating drink; but as the Europeans early found it their interest to supply them with spirituous liquors, drunkenness soon became as universal among them as among their countrymen to the south; and their women having acquired this new taste, indulge it with as little decency and moderation as the men.[d]

Put to death the aged and incurable.

It were endless to enumerate all the detached customs which have excited the wonder of travellers in America; but I cannot omit one seemingly as singular as any that has been mentioned. When their parents and other relations become old, or labour under any distemper which their slender knowledge of the healing art cannot remove, the Americans cut short their days with a violent hand, in order to be relieved from the burden of supporting and tending them. This practice prevailed among the ruder tribes in every part of the continent, from Hudson's Bay to the river De la Plata; and however shocking it may be to those sentiments of tenderness and attachment, which, in civilized life, we are apt to consider as congenial with our frame, the condition of man in the savage state leads and reconciles him to it. The same hardships and difficulty of procuring subsistence, which deter savages, in some cases, from rearing their children, prompt them to destroy the aged and infirm. The declining state of the one is as helpless as the infancy of the other. The former are no less unable than the latter to perform the functions that belong to a warrior or hunter, or to endure those various distresses in which savages are so often involved, by their own want of foresight and industry. Their relations feel this; and, incapable of attending to the wants or weaknesses of others, their impatience under an additional burden prompts them to extinguish that life which they find it difficult to sustain. This is not regarded as a deed of cruelty, but as an act of mercy. An American, broken with years and infirmities, conscious that he can no longer depend on the aid of those around him, places himself contentedly in his grave; and it is by the hands of his children or nearest relations that the thong is pulled, or the blow inflicted, which releases him for ever from the sorrows of life.[e]

a Ribas, 9. Ulloa, i. 338.
b Lettr. Edif. ii. 178. Torquemada, Mond. Ind. i. 339.
c See Note XCII.

General estimate of their character.

IX. After contemplating the rude American tribes in such various lights; after taking a view of their customs and manners from so many different stations, nothing remains but to form a general estimate of their character, compared with that of more polished nations. A human being, as he comes originally from the hand of nature, is every where the same. At his first appearance in the state of infancy, whether it be among the rudest savages, or in the most civilized nation, we can discern no quality which marks any distinction or superiority. The capacity of improvement seems to be the same; and the talents he may afterwards acquire, as well as the virtues he may be rendered capable of exercising, depend, in a great measure, upon the state of society in which he is placed. To this state his mind naturally accommodates itself, and from it receives discipline and culture. In proportion to the wants which it accustoms a human being to feel, and the functions in which these engage him, his intellectual powers are called forth. According to the connexions which it establishes between him and the rest of his species, the affections of his heart are exerted. It is only by attending to this great principle, that we can discover what is the character of man in every different period of his progress.

Intellectual powers.

If we apply it to savage life, and measure the attainments of the human mind in that state by this standard, we shall find, according to an observation which I have already made, that the intellectual powers of man must be extremely limited in their operations. They are confined within the narrow sphere of what he deems necessary for supplying his own wants. Whatever has not some relation to these, neither attracts his attention, nor is the object of his inquiries. But however narrow the bounds may be within which the knowledge of a savage is circumscribed, he possesses thoroughly that small portion which he has attained. It was not communicated to him by formal instruction; he does not attend to it as a matter of mere speculation and curiosity; it is the result of his own observation, the fruit of his own experience, and accommodated to his condition and exigencies. While employed in the active occupations of war or of hunting, he often finds himself in difficult and perilous situations, from which the efforts of his own sagacity must extricate him. He is frequently engaged in measures, where every step depends upon his own ability to decide, where he must rely solely upon his own penetration to discern the dangers to which he is exposed, and upon his own wisdom in providing against them. In conse-

d Hutchinson, Hist. of Massachus. 469. Lafitau, ii. 125. Sagard, 146.
e Cassani, Hist. de N. Reyno de Gran. p. 300. Piso, p. 6. Ellis, Voy. 191. Gumilla, i. 333.

quence of this, he feels the knowledge which he possesses, and the efforts which he makes, and either in deliberation or action rests on himself alone.

Political talents.

As the talents of individuals are exercised and improved by such exertions, much political wisdom is said to be displayed in conducting the affairs of their small communities. The council of old men in an American tribe, deliberating upon its interests, and determining with respect to peace or war, has been compared to the senate in more polished republics. The proceedings of the former, we are told, are often no less formal and sagacious than those of the latter. Great political wisdom is exhibited in pondering the various measures proposed, and in balancing their probable advantages, against the evils of which they may be productive. Much address and eloquence are employed by the leaders, who aspire at acquiring such confidence with their countrymen as to have an ascendent in those assemblies.[f] But, among savage tribes, the field for displaying political talents cannot be extensive. Where the idea of private property is incomplete, and no criminal jurisdiction is established, there is hardly any function of internal government to exercise. Where there is no commerce, and scarcely any intercourse among separate tribes; where enmity is implacable, and hostilities are carried on almost without intermission; there will be few points of public concern to adjust with their neighbours; and that department of their affairs which may be denominated foreign, cannot be so intricate as to require much refined policy in conducting it. Where individuals are so thoughtless and improvident as seldom to take effectual precautions for self-preservation, it is vain to expect that public measures and deliberations will be regulated by the contemplation of remote events. It is the genius of savages to act from the impulse of present passion. They have neither foresight nor temper to form complicated arrangements with respect to their future conduct. The consultations of the Americans, indeed, are so frequent, and their negociations are so many,[g] and so long protracted, as to give their proceedings an extraordinary aspect of wisdom. But this is not owing so much to the depth of their schemes, as to the coldness and phlegm of their temper, which render them slow in determining.[h] If we except the celebrated league that united the Five Nations in Canada into a federal republic, which shall be considered in its proper place, we can discern few such traces of political wisdom among the rude American tribes, as discover any great degree of foresight or extent of intellectual abilities. Even among them, we shall find public measures more frequently directed by the impetuous ferocity of their youth, than regulated by the experience and wisdom of their old men.

Degree of affection.

As the condition of man in the savage state is unfavourable to the progress of the understanding, it has a tendency likewise, in some respects, to check the exercise of affection, and to render the heart contracted. The strongest feeling in the mind of a savage is a sense of his own independence. He has sacrificed so small a portion of his natural liberty by becoming a member of society, that he remains, in a great degree, the sole master of his own actions.[i] He often takes his resolutions alone, without consulting, or feeling any connexion with the persons around him. In many of his operations, he stands as much detached from the rest of his species, as if he had formed no union with them. Conscious how little he depends upon other men, he is apt to view them with a careless indifference. Even the force of his mind contributes to increase this unconcern; and as he looks not beyond himself in deliberating with respect to the part which he should act, his solicitude about the consequences of it seldom extends further. He pursues his own career, and indulges his own fancy, without inquiring or regarding whether what he does be agreeable or offensive to others, whether they may derive benefit or receive hurt from it. Hence the ungovernable caprice of savages, their impatience under any species of restraint, their inability to suppress or moderate any inclination, the scorn or neglect with which they receive advice, their high estimation of themselves, and their contempt of other men. Among them, the pride of independence produces almost the same effects with interestedness in a more advanced state of society; it refers every thing to a man himself, it leads him to be indifferent about the manner in which his actions may affect other men, and renders the gratification of his own wishes the measure and end of conduct.

Hardness of heart.

To the same cause may be imputed the hardness of heart, and insensibility, remarkable in all savage nations. Their minds, roused only by strong emotions, are little susceptible of gentle, delicate, or tender affections.[k] Their union is so incomplete, that each individual acts as if he retained all his natural rights entire and undiminished. If a favour is conferred upon him, or any beneficial service is performed on his account, he receives it with much satisfaction, because it contributes to his enjoyment; but this sentiment extends not beyond himself; it excites no sense of obligation; he neither feels gratitude, nor thinks of making any return.[l] Even among persons the most closely connected, the exchange of those good offices which strengthen attachment, mollify the heart, and sweeten the intercourse of life, is not frequent. The high ideas of independence among the Americans nourish a sullen reserve, which keeps them at a distance from each other. The nearest relations are mutually afraid to make any demand, or to solicit any service,[m] lest it should be considered by the other as imposing a burden, or laying a restraint upon his will.

f Charlev. N. Fr. iii. 269, &c.
g See Note XCIII.
h Charlev. N. Fr. iii. 271.
i Fernandez, Mission. de los Chequit. 33.
k Charlev. N. Fr. iii. 309.
l Oviedo, Hist. lib. xvi. c. 2. See Note XCIV.
m De la Potherie, iii. 28.

Insensibility.

I have already remarked the influence of this hard unfeeling temper upon domestic life, with respect to the connexion between husband and wife, as well as that between parents and children. Its effects are no less conspicuous, in the performance of those mutual offices of tenderness which the infirmities of our nature frequently exact. Among some tribes, when any of their number are seized with any violent disease, they are generally abandoned by all around them, who, careless of their recovery, fly in the utmost consternation from the supposed danger of infection.[n] But even where they are not thus deserted, the cold indifference with which they are attended can afford them little consolation. No look of sympathy, no soothing expressions, no officious services, contribute to alleviate the distress of the sufferers, or to make them forget what they endure.[o] Their nearest relations will often refuse to submit to the smallest inconvenience, or to part with the least trifle, however much it may tend to their accommodation or relief.[p] So little is the breast of a savage susceptible of those sentiments which prompt men to that feeling attention which mitigates the calamities of human life, that in some provinces of America, the Spaniards have found it necessary to enforce the common duties of humanity by positive laws, and to oblige husbands and wives, parents and children, under severe penalties, to take care of each other during their sickness.[q] The same harshness of temper is still more conspicuous in their treatment of the animal creation. Prior to their intercourse with the people of Europe, the North Americans had some tame dogs, which accompanied them in their hunting excursions, and served them with all the ardour and fidelity peculiar to the species. But, instead of that fond attachment which the hunter naturally feels towards those useful companions of his toils, they requite their services with neglect, seldom feed, and never caress them.[r] In other provinces the Americans have become acquainted with the domestic animals of Europe, and avail themselves of their service; but it is universally observed that they always treat them harshly,[s] and never employ any method, either for breaking or managing them, but force and cruelty. In every part of the deportment of man in his savage state, whether towards his equals of the human species, or towards the animals below him, we recognise the same character, and trace the operations of a mind intent on its own gratifications, and regulated by its own caprice, with little attention or sensibility to the sentiments and feelings of the beings around him.

Taciturnity.

After explaining how unfavourable the savage state is to the cultivation of the understanding and to the improvement of the heart, I should not have thought it necessary to mention what may be deemed its lesser defects, if the character of nations, as well as of individuals, were not often more distinctly marked by circumstances apparently trivial than by those of greater moment. A savage, frequently placed in situations of danger and distress, depending on himself alone, and wrapped up in his own thoughts and schemes, is a serious melancholy animal. His attention to others is small. The range of his own ideas is narrow. Hence that taciturnity which is so disgusting to men accustomed to the open intercourse of social conversation. When they are not engaged in action, the Americans often sit whole days in one posture, without opening their lips.[t] When they go forth to war, or to the chase, they usually march in a line at some distance from one another, and without exchanging a word. The same profound silence is observed when they row together in a canoe.[u] It is only when they are animated by intoxicating liquors, or roused by the jollity of the festival and dance, that they become gay and conversible.

Cunning.

To the same causes may be imputed the refined cunning with which they form and execute their schemes. Men who are not habituated to a liberal communication of their own sentiments and wishes, are apt to be so distrustful, as to place little confidence in others, and to have recourse to an insidious craft in accomplishing their own purposes. In civilized life, those persons who, by their situations, have but a few objects of pursuit on which their minds incessantly dwell, are most remarkable for low artifice in carrying on their little projects. Among savages, whose views are equally confined, and their attention no less persevering, those circumstances must operate still more powerfully, and gradually accustom them to a disingenuous subtilty in all their transactions. The force of this is increased by habits which they acquire in carrying on the two most interesting operations wherein they are engaged. With them war is a system of craft, in which they trust for success to stratagem more than to open force, and have their invention continually on the stretch to circumvent and surprise their enemies. As hunters, it is their constant object to insnare, in order that they may destroy. Accordingly, art and cunning have been universally observed as distinguishing characteristics of all savages. The people of the rude tribes of America are remarkable for their artifice and duplicity. Impenetrably secret in forming their measures, they pursue them with a patient undeviating attention, and there is no refinement of dissimulation which they cannot employ, in order to insure success. The natives of Peru were engaged above thirty years in concerting the plan of that insurrection which took place under the vice-royalty of the Marquis de Villa Garcia; and

n Lettre da P. Cataneo ap. Muratori Christian. i. 309. Tertre, ii. 410. Lozano, 100. Herrera, dec. 4. lib. viii. c. 5. dec. 5. lib. iv. c. 2. Falkner's Descript. of Patagonia, 98.
o Gumilla, i. 329. Lozano, 100.
p Garcia Origen, &c. 90. Herrera, dec. 4. lib. viii. c. 5.
q Cogulludo, Hist. de Yucathan, p. 300.
r Charlev. N. Fr. iii. 119. 337.
s Ulloa, Notic. American. 312.
t Voyage de Bouguer, 102.
u Charlev. iii. 340.

though it was communicated to a great number of persons, in all different ranks, no indication of it ever transpired during that long period; no man betrayed his trust, or by an unguarded look, or rash word, gave rise to any suspicion of what was intended.[x] The dissimulation and craft of individuals is no less remarkable than that of nations. When set upon deceiving, they wrap themselves up so artificially, that it is impossible to penetrate into their intentions, or to detect their designs.[y]

Virtues.

But if there be defects or vices peculiar to the savage state, there are likewise virtues which it inspires, and good qualities, to the exercise of which it is friendly. The bonds of society sit so loose upon the members of the more rude American tribes, that they hardly feel any restraint. Hence the spirit of independence, which is the pride of a savage, and which he considers as the unalienable prerogative of man. Incapable of control, and disdaining to acknowledge any superior, his mind, though limited in its powers, and erring in many of its pursuits, acquires such elevation by the consciousness of its own freedom, that he acts on some occasions with astonishing force, and perseverance, and dignity.

Independent spirit.

Fortitude.

As independence nourishes this high spirit among savages, the perpetual wars in which they are engaged call it forth into action. Such long intervals of tranquillity as are frequent in polished societies, are unknown in the savage state. Their enmities, as I have observed, are implacable and immortal. The valour of the young men is never allowed to rust in inaction. The hatchet is always in their hand, either for attack or defence. Even in their hunting excursions, they must be on their guard against surprise from the hostile tribes by which they are surrounded. Accustomed to continual alarms, they grow familiar with danger; courage becomes an habitual virtue, resulting naturally from their situation, and strengthened by constant exertions. The mode of displaying fortitude may not be the same in small and rude communities, as in more powerful and civilized states. Their system of war, and standard of valour, may be formed upon different principles, but in no situation does the human mind rise more superior to the sense of danger, or the dread of death, than in its most simple and uncultivated state.

Attachment to their community.

Another virtue remarkable among savages, is attachment to the community of which they are members. From the nature of their political union, one might expect this tie to be extremely feeble. But there are circumstances which render the influence, even of their loose mode of association, very powerful. The American tribes are small; combined against their neighbours, in prosecuting of ancient enmities, or in avenging recent injuries, their interests and operations are neither numerous nor complex. These are objects,

x Voy. de Ulloa, ii. 309. y Gumilla. i. 162. Charlev. iii. 109.

which the uncultivated understanding of a savage can comprehend. His heart is capable of forming connexions which are so little diffused. He assents with warmth to public measures, dictated by passions similar to those which direct his own conduct. Hence the ardour with which individuals undertake the most perilous service, when the community deems it necessary. Hence their fierce and deep-rooted antipathy to the public enemies. Hence their zeal for the honour of their tribe, and that love of their country, which prompts them to brave danger that it may triumph, and to endure the most exquisite torments, without a groan, that it may not be disgraced.

Satisfaction with their own condition.

Thus, in every situation where a human being can be placed, even in the most unfavourable, there are virtues which peculiarly belong to it; there are affections which it calls forth; there is a species of happiness which it yields. Nature, with most beneficent intention, conciliates and forms the mind to its condition; the ideas and wishes of man extend not beyond that state of society to which he is habituated. What it presents as objects of contemplation or enjoyment, fills and satisfies his mind, and he can hardly conceive any other mode of life to be pleasant, or even tolerable. The Tartar, accustomed to roam over extensive plains, and to subsist on the product of his herds, imprecates upon his enemy, as the greatest of all curses, that he may be condemned to reside in one place, and to be nourished with the top of a weed. The rude Americans, fond of their own pursuits, and satisfied with their own lot, are equally unable to comprehend the intention or utility of the various accommodations, which, in more polished society, are deemed essential to the comfort of life. Far from complaining of their own situation, or viewing that of men in a more improved state with admiration or envy, they regard themselves as the standard of excellence, as beings the best entitled, as well as the most perfectly qualified, to enjoy real happiness. Unaccustomed to any restraint upon their will or their actions, they behold with amazement the inequality of rank and the subordination which takes place in civilized life, and consider the voluntary submission of one man to another, as a renunciation, no less base than unaccountable, of the first distinction of humanity. Void of foresight as well as free from care themselves, and delighted with that state of indolent security, they wonder at the anxious precautions, the unceasing industry, and complicated arrangements of Europeans, in guarding against distant evils, or providing for future wants; and they often exclaim against their preposterous folly, in thus multiplying the troubles and increasing the labour of life.[z] This preference of their own manners is conspicuous on every occasion. Even the names, by which the various nations wish to be distin-

z Charlev. N. Fr. iii. 338. Lahontan, ii. 97.

guished, are assumed from this idea of their own pre-eminence. The appellation which the Iroquois give to themselves is, *the chief of men*.[a] *Caraibe*, the original name of the fierce inhabitants of the Windward Islands, signifies, *the warlike people*.[b] The Cherokee, from an idea of their own superiority, call the Europeans *Nothings*, or *the accursed race*, and assume to themselves the name of *the beloved people*.[c] The same principle regulated the notions of the other Americans concerning the Europeans; for although, at first, they were filled with astonishment at their arts, and with dread of their power, they soon came to abate their estimation of men whose maxims of life were so different from their own. Hence they called them the froth of the sea, men without father or mother. They supposed, that either they had no country of their own, and therefore invaded that which belonged to others;[d] or that, being destitute of the necessaries of life at home, they were obliged to roam over the ocean, in order to rob such as were more amply provided.

Men, thus satisfied with their condition, are far from any inclination to relinquish their own habits, or to adopt those of civilized life. The transition is too violent to be suddenly made. Even where endeavours have been used to wean a savage from his own customs, and to render the accommodations of polished society familiar to him; even where he has been allowed to taste of those pleasures, and has been honoured with those distinctions, which are the chief objects of our desire, he droops and languishes under the restraint of laws and forms, he seizes the first opportunity of breaking loose from them, and returns with transport to the forest or the wild, where he can enjoy a careless and uncontrolled freedom.[e]

Thus I have finished a laborious delineation of the character and manners of the uncivilized tribes scattered over the vast continent of America. In this, I aspire not at rivalling the great masters who have painted and adorned savage life, either in boldness of design, or in the glow and beauty of their colouring. I am satisfied with the more humble merit of having persisted with patient industry, in viewing my subject in many various lights, and collecting from the most accurate observers such detached, and often minute features, as might enable me to exhibit a portrait that resembles the original.

General caution with respect to this inquiry.

Before I close this part of my work, one observation more is necessary, in order to justify the conclusions which I have formed, or to prevent the mistakes into which such as examine them may fall. In contemplating the inhabitants of a country so widely extended as America, great attention should be paid to the diversity of climates under which they are placed. The influence of this I have pointed out with respect to several important particulars which have been the object of research; but even where it has not been mentioned, it ought not to be overlooked. The provinces of America are of such different temperament, that this alone is sufficient to constitute a distinction between their inhabitants. In every part of the earth where man exists, the power of climate operates, with decisive influence, upon his condition and character. In those countries which approach near to the extremes of heat or cold, this influence is so conspicuous as to strike every eye. Whether we consider man merely as an animal, or as being endowed with rational powers which fit him for activity and speculation, we shall find that he has uniformly attained the greatest perfection of which his nature is capable, in the temperate regions of the globe. There his constitution is most vigorous, his organs most acute, and his form most beautiful. There, too, he possesses a superior extent of capacity, greater fertility of imagination, more enterprising courage, and a sensibility of heart which gives birth to desires, not only ardent, but persevering. In this favourite situation he has displayed the utmost efforts of his genius, in literature, in policy, in commerce, in war, and in all the arts which improve or embellish life.[f]

This powerful operation of climate is felt most sensibly by rude nations, and produces greater effects than in societies more improved. The talents of civilized men are continually exerted in rendering their own condition more comfortable; and by their ingenuity and inventions, they can, in a great measure, supply the defects, and guard against the inconveniences, of any climate. But the improvident savage is affected by every circumstance peculiar to his situation. He takes no precaution either to mitigate or improve it. Like a plant, or an animal, he is formed by the climate under which he is placed, and feels the full force of its influence.

In surveying the rude nations of America, this natural distinction between the inhabitants of the temperate and torrid zones is very remarkable. They may, accordingly, be divided into two great classes. The one comprehends all the North Americans, from the river St. Laurence to the gulf of Mexico, together with the people of Chili, and a few small tribes towards the extremity of the southern continent. To the other belong all the inhabitants of the islands, and those settled in the various provinces which extend from the isthmus of Darien almost to the southern confines of Brazil, along the east side of the Andes. In the former, which comprehends all the regions of the temperate zone that in America are inhabited, the human species appear manifestly to be more perfect. The natives are more robust, more active, more intelligent, and more courageous. They possess, in the most eminent degree, that force of mind, and love of independence, which

a Coldan, i. 3.
b Rochefort, Hist. des Antilles, 455.
c Adair, Hist of Amer. Indians, p. 32.
d Benon. Hist. Novi Orbis, lib. iii. c. 21.
e Charlev. N. Fr. iii. 322.
f Dr. Ferguson's Essay on the Hist. of Civil Society, part. iii. c. 1.

I have pointed out as the chief virtues of man in his savage state. They have defended their liberty with persevering fortitude against the Europeans, who subdued the other rude nations of America with the greatest ease. The natives of the temperate zone are the only people in the New World who are indebted for their freedom to their own valour. The North Americans, though long encompassed by three formidable European powers, still retain part of their original possessions, and continue to exist as independent nations. The people of Chili, though early invaded, still maintain a gallant contest with the Spaniards, and have set bounds to their encroachments; whereas, in the warmer regions, men are more feeble in their frame, less vigorous in the efforts of their minds, of a gentle but dastardly spirit, more enslaved by pleasure, and more sunk in indolence. Accordingly, it is in the torrid zone that the Europeans have most completely established their dominion over America; the most fertile and desirable provinces in it are subject to their yoke; and if several tribes there still enjoy independence, it is either because they have never been attacked by an enemy already satiated with conquest, and possessed of larger territories than he was able to occupy, or because they have been saved from oppression by their remote and inaccessible situation.

Conspicuous as this distinction may appear between the inhabitants of those different regions, it is not, however, universal. Moral and political causes, as I have formerly observed, affect the disposition and character of individuals, as well as nations, still more powerfully than the influence of climate. There are, accordingly, some tribes, in various parts of the torrid zone, possessed of courage, high spirit, and love of independence, in a degree hardly inferior to the natives of more temperate climates. We are too little acquainted with the history of those people, to be able to trace the several circumstances in their progress and condition, to which they are indebted for this remarkable pre-eminence. The fact, nevertheless, is certain. As early as the first voyage of Columbus, he received information that several of the islands were inhabited by the *Caribbees*, a fierce race of men, nowise resembling their feeble and timid neighbours. In his second expedition to the New World, he found this information to be just, and was himself a witness of their intrepid valour.[g] The same character they have maintained invariably in all subsequent contests with the people of Europe;[h] and, even in our own times, we have seen them make a gallant stand in defence of the last territory which the rapacity of their invaders had left in their possession.[i] Some nations in Brazil were no less eminent for vigour of mind and bravery in war.[k] The people of the isthmus of Darien boldly met the Spaniards in the field, and frequently repelled those formidable invaders.[l] Other instances might be produced. It is not by attending to any single cause or principle, how powerful and extensive soever its influence may appear, that we can explain the actions, or account for the character, of men. Even the law of climate, more universal, perhaps, in its operation than any that affects the human species, cannot be applied, in judging of their conduct, without many exceptions.

g Life of Columbus, c. 47, 48. See Note XCV
h Rochefort, Hist. des Antilles, 531.
i See Note XCVI.

BOOK V.

1518. Preparations of Velasquez for invading New Spain.

When Grijalva returned to Cuba, he found the armament destined to attempt the conquest of that rich country which he had discovered, almost complete. Not only ambition, but avarice, had urged Velasquez to hasten his preparations; and having such a prospect of gratifying both, he had advanced considerable sums out of his private fortune towards defraying the expenses of the expedition. At the same time, he exerted his influence as governor, in engaging the most distinguished persons in the colony to undertake the service.[a] At a time when the spirit of the Spanish nation was adventurous to excess, a number of soldiers, eager to embark in any daring enterprise, soon appeared. But it was not so easy to find a person qualified to take the command in an expedition of so much importance; and the character of Velasquez, who had the right of nomination, greatly increased the difficulty of the choice. Though of most aspiring ambition, and not destitute of talents for government, he possessed neither such courage nor such vigour and activity of mind, as to undertake in person the conduct of the armament which he was preparing. In this embarrassing situation, he formed the chimerical scheme, not only of achieving great exploits by a deputy, but of securing to himself the glory of conquests which were to be made by another. In the execution of this plan he fondly aimed at reconciling contradictions. He was solicitous to choose a commander of intrepid resolution, and of superior abilities, because he knew these to be requisite in order to insure success; but, at the same time, from the jealousy natural to little minds, he wished this person to be of a spirit so tame and obsequious, as to be entirely dependent on his will. But when he came to apply those ideas in forming an opinion concerning the several officers who occurred to his thoughts as worthy of being intrusted with the command, he soon perceived that it was impossible to find such incompatible qualities united in one character. Such as were distinguished for courage and talents were too high-spirited to be passive instruments in his hands. Those who appeared more gentle and

k Lery ap. de Bry, iii. 207, &c.
l Herrera, dec. 1. lib. x. c. 15, &c.; dec. 2. passim.
a See Note XCVII.

tractable were destitute of capacity, and unequal to the charge. This augmented his perplexity and his fears. He deliberated long, and with much solicitude, and was still wavering in his choice, when Amador de Lares, the royal treasurer in Cuba, and Andres Duero, his own secretary, the two persons in whom he chiefly confided, were encouraged by this irresolution to propose a new candidate, and they supported their recommendation with such assiduity and address, that, no less fatally for Velasquez than happily for their country, it proved successful.[b]

He appoints Cortes commander.

The man whom they pointed out to him was Fernando Cortes. He was born at Medellin, a small town in Estremadura, in the year one thousand four hundred and eighty-five, and descended from a family of noble blood, but of very moderate fortune. Being originally destined by his parents to the study of law, as the most likely method of bettering his condition, he was sent early to the university of Salamanca, where he imbibed some tincture of learning. But he was soon disgusted with an academic life, which did not suit his ardent and restless genius, and retired to Medellin, where he gave himself up entirely to active sports and martial exercises. At this period of life, he was so impetuous, so overbearing, and so dissipated, that his father was glad to comply with his inclination, and send him abroad as an adventurer in arms. There were in that age two conspicuous theatres, on which such of the Spanish youth as courted military glory might display their valour; one in Italy, under the command of the great captain; the other in the New World. Cortes preferred the former, but was prevented by indisposition from embarking with a reinforcement of troops sent to Naples. Upon this disappointment he turned his views towards America, whither he was allured by the prospect of the advantages which he might derive from the patronage of Ovando,[c] the governor of Hispaniola, who was his kinsman. When he landed at St. Domingo in one thousand five hundred and four, his reception was such as equalled his most sanguine hopes, and he was employed by the governor in several honourable and lucrative stations. These, however, did not satisfy his ambition; and in the year one thousand five hundred and eleven he obtained permission to accompany Diego Velasquez in his expedition to Cuba. In this service he distinguished himself so much, that notwithstanding some violent contests with Velasquez, occasioned by trivial events unworthy of remembrance, he was at length taken into favour, and received an ample concession of lands and of Indians, the recompence usually bestowed upon adventurers in the New World.[d]

Though Cortes had not hitherto acted in high command, he had displayed such qualities in several scenes of difficulty and danger, as raised universal expectation, and turned the eyes of his countrymen towards him, as one capable of performing great things. The turbulence of youth, as soon as he found objects and occupations suited to the ardour of his mind, gradually subsided, and settled into a habit of regular indefatigable activity. The impetuosity of his temper, when he came to act with his equals, insensibly abated, by being kept under restraint, and mellowed into a cordial soldierly frankness. These qualities were accompanied with calm prudence in concerting his schemes, with persevering vigour in executing them, and with what is peculiar to superior genius, the art of gaining the confidence and governing the minds of men. To all which were added the inferior accomplishments that strike the vulgar, and command their respect; a graceful person, a winning aspect, extraordinary address in martial exercises, and a constitution of such vigour as to be capable of enduring any fatigue.

As soon as Cortes was mentioned to Velasquez by his two confidants, he flattered himself that he had at length found what he had hitherto sought in vain, a man with talents for command, but not an object for jealousy. Neither the rank nor the fortune of Cortes, as he imagined, were such that he could aspire at independence. He had reason to believe that by his own readiness to bury ancient animosities in oblivion, as well as his liberality in conferring several recent favours, he had already gained the good-will of Cortes, and hoped, by this new and unexpected mark of confidence, that he might attach him for ever to his interest.

Soon becomes jealous of him. Oct. 23.

Cortes, receiving his commission with the warmest expressions of respect and gratitude to the governor, immediately erected his standard before his own house, appeared in a military dress, and assumed all the ensigns of his new dignity. His utmost influence and activity were exerted in persuading many of his friends to engage in the service, and in urging forward the preparations for the voyage. All his own funds, together with what money he could raise by mortgaging his lands and Indians, were expended in purchasing military stores and provisions, or in supplying the wants of such of his officers as were unable to equip themselves in a manner suited to their rank.[e] Inoffensive, and even laudable as this conduct was, his disappointed competitors were malicious enough to give it a turn to his disadvantage. They represented him as aiming already, with little disguise, at establishing an independent authority over his troops, and endeavouring to secure their respect or love by his ostentatious and interested liberality. They reminded Velasquez of his former dissensions with the man in whom he now reposed so much confidence, and foretold that Cortes would be more apt to avail himself of the power which the governor was inconsiderately putting in his hands, to avenge past injuries, than

b B. Diaz. c. 19. Gomara, Cron. c. 7. Herrera, dec. 2. lib. iii. c. 11.
c See Note XCVIII.
d Gomara, Cron. c. 1, 2, 3.
e See Note XCIX.

to requite recent obligations. These insinuations made such impression upon the suspicious mind of Velasquez, that Cortes soon observed some symptoms of a growing alienation and distrust in his behaviour, and was advised by Lares and Duero to hasten his departure, before these should become so confirmed as to break out with open violence. Fully sensible of this danger, he urged forward his preparations with such rapidity, that he set sail from St. Jago de Cuba on the eighteenth of November, Velasquez accompanying him to the shore, and taking leave of him with an appearance of perfect friendship and confidence, though he had secretly given it in charge to some of Cortes's officers, to keep a watchful eye upon every part of their commander's conduct.[f]

Endeavours to deprive him of his commission,

Cortes proceeded to Trinidad, a small settlement on the same side of the island, where he was joined by several adventurers, and received a supply of provisions and military stores, of which his stock was still very incomplete. He had hardly left St. Jago, when the jealousy which had been working in the breast of Velasquez grew so violent, that it was impossible to suppress it. The armament was no longer under his own eye and direction; and he felt, that as his power over it ceased, that of Cortes would become more absolute. Imagination now aggravated every circumstance which had formerly excited suspicion: the rivals of Cortes industriously threw in reflections which increased his fears; and with no less art than malice they called superstition to their aid, employing the predictions of an astrologer in order to complete the alarm. All these, by their united operation, produced the desired effect. Velasquez repented bitterly of his own imprudence, in having committed a trust of so much importance to a person whose fidelity appeared so doubtful, and hastily despatched instructions to Trinidad, empowering Verdugo, the chief magistrate there, to deprive Cortes of his commission. But Cortes had already made such progress in gaining the esteem and confidence of his troops, that, finding officers as well as soldiers equally zealous to support his authority, he soothed or intimidated Verdugo, and was permitted to depart from Trinidad without molestation.

and to lay him under arrest.

From Trinidad Cortes sailed for the Havana, in order to raise more soldiers, and to complete the victualling of his fleet. There several persons of distinction entered into the service, and engaged to supply what provisions were still wanting; but as it was necessary to allow them some time for performing what they had promised, Velasquez, sensible that he ought no longer to rely on a man of whom he had so openly discovered his distrust, availed himself of the interval which this unavoidable delay afforded, in order to make one attempt more to wrest the command out of the hands of Cortes. He loudly complained of Verdugo's conduct, accusing him either of childish facility, or of manifest treachery, in suffering Cortes to escape from Trinidad. Anxious to guard against a second disappointment, he sent a person of confidence to the Havana, with peremptory injunctions to Pedro Barba, his lieutenant-governor in that colony, instantly to arrest Cortes, to send him prisoner to St. Jago under a strong guard, and to countermand the sailing of the armament until he should receive further orders. He wrote likewise to the principal officers, requiring them to assist Barba in executing what he had given him in charge. But before the arrival of this messenger, a Franciscan friar of St. Jago had secretly conveyed an account of this interesting transaction to Bartholomew de Olmedo, a monk of the same order, who acted as chaplain to the expedition.

Cortes defeats his schemes, and continues his preparations.

Cortes, forewarned of the danger, had time to take precautions for his own safety. His first step was to find some pretext for removing from the Havana Diego de Ordaz, an officer of great merit, but in whom, on account of his known attachment to Velasquez, he could not confide in this trying and delicate juncture. He gave him the command of a vessel, destined to take on board some provisions in a small harbour beyond cape Antonio, and thus made sure of his absence, without seeming to suspect his fidelity. When he was gone, Cortes no longer concealed the intentions of Velasquez from his troops; and as officers and soldiers were equally impatient to set out on an expedition, in preparing for which most of them had expended all their fortunes, they expressed their astonishment and indignation at that illiberal jealousy, to which the governor was about to sacrifice, not only the honour of their general, but all their sanguine hopes of glory and wealth. With one voice they entreated that he would not abandon the important station to which he had such a good title. They conjured him not to deprive them of a leader whom they followed with such well-founded confidence, and offered to shed the last drop of their blood in maintaining his authority. Cortes was easily induced to comply with what he himself so ardently desired. He swore that he would never desert soldiers who had given him such a signal proof of their attachment, and promised instantly to conduct them to that rich country, which had been so long the object of their thoughts and wishes. This declaration was received with transports of military applause, accompanied with threats and imprecations against all who should presume to call in question the jurisdiction of their general, or to obstruct the execution of his designs.

The amount of his forces.

Every thing was now ready for their departure; but though this expedition was fitted out by the united efforts of the Spanish power in Cuba; though every settlement had contributed its quota of men and provisions; though

f Gomara, Cron. c. 7. B. Diaz, c. 20.

the governor had laid out considerable sums, and each adventurer had exhausted his stock or strained his credit, the poverty of the preparations was such as must astonish the present age, and bore, indeed, no resemblance to an armament destined for the conquest of a great empire. The fleet consisted of eleven vessels; the largest of a hundred tons, which was dignified by the name of admiral; three of seventy or eighty tons, and the rest small open barks. On board of these were six hundred and seventeen men; of which five hundred and eight belonged to the land service, and a hundred and nine were seamen or artificers. The soldiers were divided into eleven companies, according to the number of the ships; to each of which Cortes appointed a captain, and committed to him the command of the vessel while at sea, and of the men when on shore.[g] As the use of fire-arms among the nations of Europe was hitherto confined to a few battalions of regularly disciplined infantry, only thirteen soldiers were armed with muskets, thirty-two were cross-bowmen, and the rest had swords and spears. Instead of the usual defensive armour, which must have been cumbersome in a hot climate, the soldiers wore jackets quilted with cotton, which experience had taught the Spaniards to be a sufficient protection against the weapons of the Americans. They had only sixteen horses, ten small field pieces, and four falconets.[h]

1519. Feb. 10. His departure from Cuba.

With this slender and ill-provided train did Cortes set sail, to make war upon a monarch whose dominions were more extensive than all the kingdoms subject to the Spanish crown. As religious enthusiasm always mingled with the spirit of adventure in the New World, and, by a combination still more strange, united with avarice, in prompting the Spaniards to all their enterprises, a large cross was displayed in their standards, with this inscription, *Let us follow the cross, for under this sign we shall conquer.*

So powerfully were Cortes and his followers animated with both these passions, that no less eager to plunder the opulent country whither they were bound, than zealous to propagate the Christian faith among its inhabitants, they set out, not with the solicitude natural to men going upon dangerous services, but with that confidence which arises from security of success, and certainty of the divine protection.

Touches at Cozumel;

As Cortes had determined to touch at every place which Grijalva had visited, he steered directly towards the island of Cozumel; there he had the good fortune to redeem Jerome de Aguilar, a Spaniard, who had been eight years a prisoner among the Indians. This man was perfectly acquainted with a dialect of their language understood through a large extent of country, and possessing besides a considerable share of prudence and sagacity, proved extremely useful as an interpreter. From Cozumel Cortes proceeded to the river of Tabasco, in hopes of a reception as friendly as Grijalva had met with there, and of finding gold in the same abundance; but the disposition of the natives, from some unknown cause, was totally changed. After repeated endeavours to conciliate their good-will, he was constrained to have recourse to violence. Though the forces of the enemy were numerous, and advanced with extraordinary courage, they were routed with great slaughter, in several successive actions. The loss which they sustained, and still more the astonishment and terror excited by the destructive effect of the fire-arms, and the dreadful appearance of the horses, humbled their fierce spirits, and induced them to sue for peace. They acknowledged the king of Castile as their sovereign, and granted Cortes a supply of provisions, with a present of cotton garments, some gold, and twenty female slaves.[i]

March 4. and at Tabasco.

Cortes continued his course to the westward, keeping as near the shore as possible, in order to observe the country; but could discover no proper place for landing, until he arrived at St. Juan de Ulua.[k] As he entered this harbour, a large canoe full of people, among whom were two who seemed to be persons of distinction, approached his ship with signs of peace and amity. They came on board without fear or distrust, and addressed him in a most respectful manner, but in a language altogether unknown to Aguilar. Cortes was in the utmost perplexity and distress, at an event of which he instantly foresaw all the consequences, and already felt the hesitation and uncertainty with which he should carry on the great schemes which he meditated, if, in his transactions with the natives, he must depend entirely upon such an imperfect, ambiguous, and conjectural mode of communication, as the use of signs. But he did not remain long in his embarrassing situation; a fortunate accident extricated him, when his own sagacity could have contributed little towards his relief. One of the female slaves, whom he had received from the cazique of Tabasco, happened to be present at the first interview between Cortes and his new guests. She perceived his distress, as well as the confusion of Aguilar; and as she perfectly understood the Mexican language, she explained what they had said in the Yucatan tongue, with which Aguilar was acquainted. This woman, known afterwards by the name of Donna Marina, and who makes a conspicuous figure in the history of the New World, where great revolutions were brought about by small causes and inconsiderable instruments, was born in one of the provinces of the Mexican empire. Having been sold as a slave in the early part of her life, after a variety of adventures she fell

Arrives at St. Juan de Ulua.

April 2.

g See Note C.
i See Note CI.

h B. Diaz, c. 19.

k B. Diaz, c. 31—35. Gomara, Cron. c. 18—23. Herrera, dec. 2. lib. iv. c. 11, &c.

into the hands of the Tabascans, and had resided long enough among them to acquire their language, without losing the use of her own. Though it was both tedious and troublesome to converse by the intervention of two different interpreters, Cortes was so highly pleased with having discovered this method of carrying on some intercourse with the people of a country into which he was determined to penetrate, that in the transports of his joy he considered it as a visible interposition of Providence in his favour.[1]

Lands his troops.

He now learned, that the two persons whom he had received on board of his ship were deputies from Teutile and Pilpatoe, two officers intrusted with the government of that province, by a great monarch, whom they called Montezuma; and that they were sent to inquire what his intentions were in visiting their coast, and to offer him what assistance he might need, in order to continue his voyage. Cortes, struck with the appearance of those people, as well as the tenor of the message, assured them, in respectful terms, that he approached their country with most friendly sentiments, and came to propose matters of great importance to the welfare of their prince and his kingdom, which he would unfold more fully, in person, to the governor and the general. Next morning, without waiting for any answer, he landed his troops, his horses, and artillery; and having chosen proper ground, began to erect huts for his men and to fortify his camp. The natives, instead of opposing the entrance of those fatal guests into their country, assisted them in all their operations, with an alacrity of which they had ere long good reason to repent.

His first interview with the Mexicans.

Next day Teutile and Pilpatoe entered the Spanish camp with a numerous retinue, and Cortes considering them as the ministers of a great monarch, entitled to a degree of attention very different from that which the Spaniards were accustomed to pay the petty caziques with whom they had intercourse in the isles, received them with much formal ceremony. He informed them, that he came as ambassador from Don Carlos of Austria, king of Castile, the greatest monarch of the east, and was intrusted with propositions of such moment, that he could impart them to none but the emperor Montezuma himself, and therefore required them to conduct him, without loss of time, into the presence of their master. The Mexican officers could not conceal their uneasiness at a request, which they knew would be disagreeable, and which they foresaw might prove extremely embarrassing to their sovereign, whose mind had been filled with many disquieting apprehensions, ever since the former appearance of the Spaniards on his coasts. But before they attempted to dissuade Cortes from insisting on this demand, they endeavoured to conciliate his good-will, by entreating him to accept of certain presents, which, as humble slaves of Montezuma, they laid at his feet. They were introduced with great parade, and consisted of fine cotton cloth, of plumes of various colours, and of ornaments of gold and silver to a considerable value; the workmanship of which appeared to be as curious as the materials were rich. The display of these produced an effect very different from what the Mexicans intended. Instead of satisfying it increased the avidity of the Spaniards, and rendered them so eager and impatient to become masters of a country which abounded with such precious productions, that Cortes could hardly listen with patience to the arguments which Pilpatoe and Teutile employed to dissuade him from visiting the capital, and in a haughty determined tone he insisted on his demand, of being admitted to a personal audience of their sovereign. During this interview, some painters, in the train of the Mexican chiefs, had been diligently employed in delineating, upon white cotton cloths, figures of the ships, the horses, the artillery, the soldiers, and whatever else attracted their eyes as singular. When Cortes observed this, and was informed that these pictures were to be sent to Montezuma, in order to convey to him a more lively idea of the strange and wonderful objects now presented to their view, than any words could communicate, he resolved to render the representation still more animating and interesting, by exhibiting such a spectacle as might give both them and their monarch an awful impression of the extraordinary prowess of his followers, and the irresistible force of their arms. The trumpets, by his order, sounded an alarm; the troops, in a moment, formed in order of battle, the infantry performed such martial exercises as were best suited to display the effect of their different weapons; the horse, in various evolutions, gave a specimen of their agility and strength; the artillery pointed towards the thick woods which surrounded the camp, were fired, and made dreadful havoc among the trees. The Mexicans looked on with that silent amazement which is natural when the mind is struck with objects, which are both awful and above its comprehension. But, at the explosion of the cannon, many of them fled, some fell to the ground, and all were so much confounded at the sight of men whose power so nearly resembled that of the gods, that Cortes found it difficult to compose and re-assure them. The painters had now many new objects on which to exercise their art, and they put their fancy on the stretch in order to invent figures and symbols to represent the extraordinary things which they had seen.

Negociations with Montezuma.

Messengers were immediately despatched to Montezuma with those pictures, and a full account of every thing that had passed since the arrival of the Spaniards, and by them Cortes sent a present of some European curiosities to Montezuma, which, though of no great

[1] B. Diaz, c. 37, 38, 39. Gomara, Cron. c. 25, 26. Herrera, dec. 2. lib v. c. 4.

value, he believed would be acceptable on account of their novelty. The Mexican monarchs, in order to obtain early information of every occurrence in all the corners of their extensive empire, had introduced a refinement in police, unknown, at that time, in Europe. They had couriers posted at proper stations along the principal roads; and as these were trained to agility by a regular education, and relieved one another at moderate distances, they conveyed intelligence with surprising rapidity. Though the capital in which Montezuma resided was above an hundred and eighty miles from St. Juan de Ulua, Cortes's presents were carried thither, and an answer to his demands was received in a few days. The same officers who had hitherto treated with the Spaniards, were employed to deliver this answer; but as they knew how repugnant the determination of their master was to all the schemes and wishes of the Spanish commander, they would not venture to make it known until they had previously endeavoured to soothe and mollify him. For this purpose they renewed their negociation, by introducing a train of a hundred Indians, loaded with presents sent to him by Montezuma. The magnificence of these was such as became a great monarch, and far exceeded any idea which the Spaniards had hitherto formed of his wealth. They were placed on mats spread on the ground, in such order as showed them to the greatest advantage. Cortes and his officers viewed, with admiration, the various manufactures of the country; cotton stuffs so fine, and of such delicate texture, as to resemble silk; pictures of animals, trees, and other natural objects, formed with feathers of different colours, disposed and mingled with such skill and elegance, as to rival the works of the pencil in truth and beauty of imitation. But what chiefly attracted their eyes, were two large plates of a circular form, one of massive gold representing the sun, the other of silver, an emblem of the moon.[m] These were accompanied with bracelets, collars, rings, and other trinkets of gold; and, that nothing might be wanting which could give the Spaniards a complete idea of what the country afforded, with some boxes filled with pearls, precious stones, and grains of gold unwrought, as they had been found in the mines or rivers. Cortes received all these with an appearance of profound veneration for the monarch by whom they were bestowed. But when the Mexicans, presuming upon this, informed him, that their master, though he desired him to accept of what he had sent as a token of regard for that monarch whom Cortes represented, would not give his consent that foreign troops should approach nearer to his capital, or even allow them to continue longer in his dominions, the Spanish general declared, in a manner more resolute and peremptory than formerly, that he must insist on his first demand, as he could not, without dishonour, return to his own country, until he was admitted into the presence of the prince whom he was appointed to visit in the name of his sovereign. The Mexicans, astonished at seeing any man dare to oppose that will, which they were accustomed to consider as supreme and irresistible, yet afraid of precipitating their country into an open rupture with such formidable enemies, prevailed with Cortes to promise, that he would not move from his present camp, until the return of a messenger whom they sent to Montezuma for further instructions.[n]

His presents.

Forbids Cortes to approach his capital.

The firmness with which Cortes adhered to his original proposal, should naturally have brought the negociation between him and Montezuma to a speedy issue, as it seemed to leave the Mexican monarch no choice, but either to receive him with confidence as a friend, or to oppose him openly as an enemy. The latter was what might have been expected from a haughty prince in possession of extensive power. The Mexican empire, at this period, was at a pitch of grandeur to which no society ever attained in so short a period. Though it had subsisted, according to their own traditions, only a hundred and thirty years, its dominion extended from the North to the South sea, over territories stretching, with some small interruption, above five hundred leagues from east to west, and more than two hundred from north to south, comprehending provinces not inferior in fertility, population, and opulence, to any in the torrid zone. The people were warlike and enterprising, the authority of the monarch unbounded, and his revenues considerable. If, with the forces which might have been suddenly assembled in such an empire, Montezuma had fallen upon the Spaniards while encamped on a barren unhealthy coast, unsupported by any ally, without a place of retreat, and destitute of provisions, it seems to be impossible, even with all the advantages of their superior discipline and arms, that they could have stood the shock, and they must either have perished in such an unequal contest, or have abandoned the enterprise.

State of the Mexican empire at that period.

As the power of Montezuma enabled him to take this spirited part, his own dispositions were such as seemed naturally to prompt him to it. Of all the princes who had swayed the Mexican sceptre, he was the most haughty, the most violent, and the most impatient of control. His subjects looked up to him with awe, and his enemies with terror. The former he governed with unexampled rigour; but they were impressed with such an opinion of his capacity, as commanded their respect; and, by many victories over the latter, he had spread far the dread of his arms, and had added several considerable provinces to his dominions. But though his talents might be suited to the transactions of a state so imperfectly polished as the Mexican empire, and sufficient to conduct them while in their accustomed course,

Character of the monarch.

m See Note CII.

n B. Diaz, c. 39. Gomara, Cron. c. 27. Herr. dec. 2. lib. v. c. 5, 6.

they were altogether inadequate to a conjuncture so extraordinary, and did not qualify him either to judge with the discernment or to act with the decision requisite in such a trying emergence.

His perplexity and terror upon the arrival of the Spaniards.

From the moment that the Spaniards appeared on his coast, he discovered symptoms of timidity and embarrassment. Instead of taking such resolutions as the consciousness of his own power, or the memory of his former exploits, might have inspired, he deliberated with an anxiety and hesitation which did not escape the notice of his meanest courtiers. The perplexity and discomposure of Montezuma's mind upon this occasion, as well as the general dismay of his subjects, were not owing wholly to the impression which the Spaniards had made by the novelty of their appearance and the terror of their arms. Its origin may be traced up to a more remote source. There was an opinion, if we may believe the earliest and most authentic Spanish historians, almost universal among the Americans, that some dreadful calamity was impending over their heads, from a race of formidable invaders, who should come from regions towards the rising sun, to overrun and desolate their country. Whether this disquieting apprehension flowed from the memory of some natural calamity which had afflicted that part of the globe, and impressed the minds of the inhabitants with superstitious fears and forebodings, or whether it was an imagination accidentally suggested by the astonishment which the first sight of a new race of men occasioned, it is impossible to determine. But as the Mexicans were more prone to superstition than any people in the New World, they were more deeply affected by the appearance of the Spaniards, whom their credulity instantly represented as the instrument destined to bring about this fatal revolution which they dreaded. Under those circumstances, it ceases to be incredible that a handful of adventurers should alarm the monarch of a great empire, and all his subjects.[o]

Continues to negociate.

Notwithstanding the influence of this impression, when the messenger arrived from the Spanish camp with an account that the leader of the strangers, adhering to his original demand, refused to obey the order enjoining him to leave the country, Montezuma assumed some degree of resolution, and, in a transport of rage natural to a fierce prince unaccustomed to meet with any opposition to his will, he threatened to sacrifice those presumptuous men to his gods. But his doubts and fears quickly returned, and instead of issuing orders to carry his threats into execution, he again called his ministers to confer and offer their advice. Feeble and temporizing measures will always be the result when men assemble to deliberate in a situation where they ought to act. The Mexican counsellors took no effectual measure for expelling such troublesome intruders, and were satisfied with issuing a more positive injunction, requiring them to leave the country; but this they preposterously accompanied with a present of such value, as proved fresh inducement to remain there.

Anxiety and apprehensions of the Spaniards.

Meanwhile, the Spaniards were not without solicitude, or a variety of sentiments, in deliberating concerning their own future conduct. From what they had already seen, many of them formed such extravagant ideas concerning the opulence of the country, that, despising danger or hardships, when they had in view treasures which appeared to be inexhaustible, they were eager to attempt the conquest. Others, estimating the power of the Mexican empire by its wealth, and enumerating the various proofs which had occurred of its being under a well-regulated administration, contended, that it would be an act of the wildest phrensy to attack such a state with a small body of men, in want of provisions, unconnected with any ally, and already enfeebled by the diseases peculiar to the climate, and the loss of several of their number.[p] Cortes secretly applauded the advocates for bold measures, and cherished their romantic hopes, as such ideas corresponded with his own, and favoured the execution of the schemes which he had formed. From the time that the suspicions of Velasquez broke out with open violence in the attempts to deprive him of the command, Cortes saw the necessity of dissolving a connexion which would obstruct and embarrass all his operations, and watched for a proper opportunity of coming to a final rupture with him. Having this in view, he had laboured by every art to secure the esteem and affection of his soldiers. With his abilities for command, it was easy to gain their esteem; and his followers were quickly satisfied that they might rely, with perfect confidence, on the conduct and courage of their leader. Nor was it more difficult to acquire their affection. Among adventurers, nearly of the same rank, and serving at their own expense, the dignity of command did not elevate a general above mingling with those who acted under him. Cortes availed himself of this freedom of intercourse, to insinuate himself into their favour, and by his affable manners, by well-timed acts of liberality to some, by inspiring all with vast hopes, and by allowing them to trade privately with the natives,[q] he attached the greater part of his soldiers so firmly to himself, that they almost forgot that the armament had been fitted out by the authority and at the expense of another.

Schemes of Cortes.

His address in carrying them on.

During those intrigues, Teutile arrived with the present from Montezuma, and, together with it, delivered the ultimate order of that monarch to depart instantly out of his dominions; and when Cortes, instead of complying, renewed his request of an audience, the Mexican turned from him abruptly, and quitted the camp

o Cortes Relatione Seconda, ap. Ramus. iii. 234, 235. Herrera, dec. 2. lib. iii. c. 1. lib. v. c. 11. lib. vii. c. 6. Gomara, Cron. c. 66, 92, 144.

p B. Diaz. c. 40.

q See Note CIII.

with looks and gestures which strongly expressed his surprise and resentment. Next morning, none of the natives who used to frequent the camp in great numbers, in order to barter with the soldiers and to bring in provisions, appeared. All friendly correspondence seemed now to be at an end, and it was expected every moment that hostilities would commence. This, though an event that might have been foreseen occasioned a sudden consternation among the Spaniards, which imboldened the adherents of Velasquez not only to murmur and cabal against their general, but to appoint one of their number to remonstrate openly against his imprudence in attempting the conquest of a mighty empire with such inadequate force, and to urge the necessity of returning to Cuba, in order to refit the fleet and augment the army. Diego de Ordaz, one of his principal officers, whom the malcontents charged with this commission, delivered it with a soldierly freedom and bluntness, assuring Cortes that he spoke the sentiments of the whole army. He listened to this remonstrance without any appearance of emotion, and as he well knew the temper and wishes of his soldiers, and foresaw how they would receive a proposition fatal at once to all the splendid hopes and schemes which they had been forming with such complacency, he carried his dissimulation so far as to seem to relinquish his own measures in compliance with the request of Ordaz, and issued orders that the army should be in readiness next day to re-embark for Cuba. As soon as this was known, the disappointed adventurers exclaimed and threatened; the emissaries of Cortes, mingling with them, inflamed their rage; the ferment became general; the whole camp was almost in open mutiny; all demanding with eagerness to see their commander. Cortes was not slow in appearing; when, with one voice, officers and soldiers expressed their astonishment and indignation at the orders which they had received. It was unworthy, they cried, of the Castilian courage, to be daunted at the first aspect of danger, and infamous to fly before any enemy appeared. For their parts, they were determined not to relinquish an enterprise that had hitherto been successful, and which tended so visibly to spread the knowledge of true religion, and to advance the glory and interest of their country. Happy under his command, they would follow him with alacrity through every danger, in quest of those settlements and treasures which he had so long held out to their view; but if he chose rather to return to Cuba, and tamely give up all his hopes of distinction and opulence to an envious rival, they would instantly choose another general to conduct them in that path of glory which he had not spirit to enter.

Cortes, delighted with their ardour, took no offence at the boldness with which it was uttered. The sentiments were what he himself had inspired, and the warmth of expression satisfied him that his followers had imbibed them thoroughly. He affected, however, to be surprised at what he heard, declaring that his orders to prepare for embarking were issued from a persuasion that this was agreeable to his troops; that, from deference to what he had been informed was their inclination, he had sacrificed his own private opinion, which was firmly bent on establishing immediately a settlement on the sea-coast, and then on endeavouring to penetrate into the interior part of the country; that now he was convinced of his error; and as he perceived that they were animated with the generous spirit which breathed in every true Spaniard, he would resume, with fresh ardour, his original plan of operation, and doubted not to conduct them, in the career of victory, to such independent fortunes as their valour merited. Upon this declaration, shouts of applause testified the excess of their joy. The measure seemed to be taken with unanimous consent; such as secretly condemned it being obliged to join in the acclamations, partly to conceal their disaffection from their general, and partly to avoid the imputation of cowardice from their fellow-soldiers.[r]

Establishing a form of civil government.

Without allowing his men time to cool or to reflect, Cortes set about carrying his design into execution. In order to give a beginning to a colony, he assembled the principal persons in his army, and by their suffrage elected a council and magistrates, in whom the government was to be vested. As men naturally transplant the institutions and forms of the mother-country into their new settlements, this was framed upon the model of a Spanish corporation. The magistrates were distinguished by the same names and ensigns of office, and were to exercise a similar jurisdiction. All the persons chosen were most firmly devoted to Cortes, and the instrument of their election was framed in the king's name, without any mention of their dependence on Velasquez. The two principles of avarice and enthusiasm, which prompted the Spaniards to all their enterprises in the New World, seem to have concurred in suggesting the name which Cortes bestowed on his infant settlement. He called it, *The rich town of the true Cross.*[s]

Resigns his commission.

The first meeting of the new council was distinguished by a transaction of great moment. As soon as it assembled, Cortes applied for leave to enter; and approaching with many marks of profound respect, which added dignity to the tribunal, and set an example of reverence for its authority, he began a long harangue, in which, with much art, and in terms extremely flattering to persons just entering upon their new function, he observed, that as the supreme jurisdiction over the colony which they had planted was now vested in this court, he considered them as clothed with the authority, and representing the person, of their sovereign; that accordingly he

r B. Diaz, c. 40, 41, 42. Herrera, dec. 2. lib. v. c. 6, 7.

s Villa rica de la vera Cruz.

would communicate to them what he deemed essential to the public safety, with the same dutiful fidelity as if he were addressing his royal master; that the security of a colony settled in a great empire, whose sovereign had already discovered his hostile intentions, depended upon arms, and the efficacy of these upon the subordination and discipline preserved among the troops; that his right to command was derived from a commission granted by the governor of Cuba; and as that had been long since revoked, the lawfulness of his jurisdiction might well be questioned; that he might be thought to act upon a defective, or even a dubious, title; nor could they trust an army which might dispute the powers of its general, at a juncture when it ought implicitly to obey his orders; that, moved by these considerations, he now resigned all his authority to them, that they, having both right to choose, and power to confer full jurisdiction, might appoint one in the king's name, to command the army in its future operations; and as for his own part, such was his zeal for the service in which they were engaged, that he would most cheerfully take up a pike with the same hand that laid down the general's truncheon, and convince his fellow-soldiers, that though accustomed to command, he had not forgotten how to obey. Having finished his discourse, he laid the commission from Velasquez upon the table, and after kissing his truncheon, delivered it to the chief magistrate, and withdrew.

and is chosen chief-justice and captain-general.

The deliberations of the council were not long, as Cortes had concerted this important measure with his confidants, and had prepared the other members with great address, for the part which he wished them to take. His resignation was accepted; and as the uninterrupted tenor of their prosperity under his conduct afforded the most satisfying evidence of his abilities for command, they, by their unanimous suffrage, elected him chief-justice of the colony, and captain-general of its army, and appointed his commission to be made out in the king's name, with most ample powers, which were to continue in force until the royal pleasure should be further known. That this deed might not be deemed the machination of a junto, the council called together the troops, and acquainted them with what had been resolved. The soldiers, with eager applause, ratified the choice which the council had made; the air resounded with the name of Cortes, and all vowed to shed their blood in support of his authority.

Asserts his authority with vigour.

Cortes having now brought his intrigues to the desired issue, and shaken off his mortifying dependence on the governor of Cuba, accepted of the commission which vested in him supreme jurisdiction, civil as well as military, over the colony, with many professions of respect to the council, and gratitude to the army. Together with his new command, he assumed greater dignity, and began to exercise more extensive powers. Formerly he had felt himself to be only the deputy of a subject; now he acted as the representative of his sovereign. The adherents of Velasquez, fully aware of what would be the effect of this change in the situation of Cortes, could no longer continue silent and passive spectators of his actions. They exclaimed openly against the proceedings of the council as illegal, and against those of the army as mutinous. Cortes, instantly perceiving the necessity of giving a timely check to such seditious discourse by some vigorous measure, arrested Ordaz, Escudero, and Velasquez de Leon, the ringleaders of this faction, and sent them prisoners aboard the fleet, loaded with chains. Their dependants, astonished and overawed, remained quiet; and Cortes, more desirous to reclaim than to punish his prisoners, who were officers of great merit, courted their friendship with such assiduity and address, that the reconciliation was perfectly cordial; and on the most trying occasions, neither their connexion with the governor of Cuba, nor the memory of the indignity with which they had been treated, tempted them to swerve from an inviolable attachment to his interest.[t] In this as well as his other negociations at this critical conjuncture, which decided with respect to his future fame and fortune, Cortes owed much of his success to the Mexican gold, which he distributed with a liberal hand both among his friends and his opponents.[u]

His friendship courted by the Zempoallans.

Cortes, having thus rendered the union between himself and his army indissoluble, by engaging it to join him in disclaiming any dependence on the governor of Cuba, and in repeated acts of disobedience to his authority, thought he might now venture to quit the camp in which he had hitherto remained, and advance into the country. To this he was encouraged by an event no less fortunate than seasonable. Some Indians having approached his camp in a mysterious manner, were introduced into his presence. He found that they were sent with a proffer of friendship from the cazique of Zempoalla, a considerable town at no great distance; and from their answers to a variety of questions which he put to them, according to his usual practice in every interview with the people of the country, he gathered, that their master, though subject to the Mexican empire, was impatient of the yoke, and filled with such dread and hatred of Montezuma, that nothing could be more acceptable to him than any prospect of deliverance from the oppression under which he groaned. On hearing this, a ray of light and hope broke in upon the mind of Cortes. He saw that the great empire which he intended to attack was neither perfectly united, nor its sovereign universally beloved. He concluded, that the causes of disaffection could not be confined to one province;

t B. Diaz, c. 42, 43. Gomara, Cron. c. 30, 31. Herrera, dec. 2. lib. v. c. 7

u B. Diaz, c. 44.

but that in other corners there must be malcontents, so weary of subjection, or so desirous of change, as to be ready to follow the standard of any protector. Full of those ideas, on which he began to form a scheme, that time, and more perfect information concerning the state of the country, enabled him to mature, he gave a most gracious reception to the Zempoallans, and promised soon to visit their cazique.[x]

Marches to Zempoalla.

In order to perform this promise, it was not necessary to vary the route which he had already fixed for his march. Some officers, whom he had employed to survey the coast, having discovered a village named Quiabislan, about forty miles to the northward, which, both on account of the fertility of the soil and commodiousness of the harbour, seemed to be a more proper station for a settlement than that where he was encamped, Cortes determined to remove thither. Zempoalla lay in his way, where the cazique received him in the manner which he had reason to expect—with gifts and caresses, like a man solicitous to gain his good-will; with respect approaching almost to adoration, like one who looked up to him as a deliverer. From him he learned many particulars with respect to the character of Montezuma, and the circumstances which rendered his dominion odious. He was a tyrant, as the cazique told him with tears, haughty, cruel, and suspicious; who treated his own subjects with arrogance, ruined the conquered provinces by excessive exactions, and often tore their sons and daughters from them by violence; the former, to be offered as victims to his gods; the latter, to be reserved as concubines for himself or favourites. Cortes, in reply to him, artfully insinuated, that one great object of the Spaniards in visiting a country so remote from their own, was to redress grievances, and to relieve the distressed; and having encouraged him to hope for this interposition in due time, he continued his march to Quiabislan.

Builds a fort.

The spot which his officers had recommended as a proper situation, appeared to him to be so well chosen, that he immediately marked out ground for a town. The houses to be erected were only huts; but these were to be surrounded with fortifications, of sufficient strength to resist the assaults of an Indian army. As the finishing of those fortifications was essential to the existence of a colony, and of no less importance in prosecuting the designs which the leader and his followers meditated, both in order to secure a place of retreat, and to preserve their communication with the sea, every man in the army, officers as well as soldiers, put his hand to the work, Cortes himself setting them an example of activity and perseverance in labour. The Indians of Zempoalla and Quiabislan lent their aid; and this petty station, the parent of so many mighty settlements, was soon in a state of defence.[y]

Concludes a formal alliance with several caziques.

While engaged in this necessary work, Cortes had several interviews with the caziques of Zempoalla and Quiabislan; and availing himself of their wonder and astonishment at the new objects which they daily beheld, he gradually inspired them with such a high opinion of the Spaniards, as beings of a superior order and irresistible in arms, that, relying on their protection, they ventured to insult the Mexican power, at the very name of which they were accustomed to tremble. Some of Montezuma's officers having appeared to levy the usual tribute, and to demand a certain number of human victims as an expiation for their guilt in presuming to hold intercourse with those strangers whom the emperor had commanded to leave his dominions, instead of obeying the order, the caziques made them prisoners, treated them with great indignity, and as their superstition was no less barbarous than that of the Mexicans, they prepared to sacrifice them to their gods. From this last danger they were delivered by the interposition of Cortes, who manifested the utmost horror at the mention of such a deed. The two caziques having now been pushed to an act of such open rebellion, as left them no hope of safety but in attaching themselves inviolably to the Spaniards, they soon completed their union with them, by formally acknowledging themselves to be vassals of the same monarch. Their example was followed by the Totonaques, a fierce people who inhabited the mountainous part of the country. They willingly subjected themselves to the crown of Castile, and offered to accompany Cortes with all their forces in his march towards Mexico.[z]

His measures to procure a confirmation of his authority by the king.

Cortes had now been above three months in New Spain; and though this period had not been distinguished by martial exploits, every moment had been employed in operations, which though less splendid, were more important. By his address in conducting his intrigues with his own army, as well as his sagacity in carrying on his negociations with the natives, he had already laid the foundations of his future success. But whatever confidence he might place in the plan which he had formed, he could not but perceive, that as his title to command was derived from a doubtful authority, he held it by a precarious tenure. The injuries which Velasquez had received, were such as would naturally prompt him to apply for redress to their common sovereign; and such a representation, he foresaw, might be given of his conduct, that he had reason to apprehend, not only that he might be degraded from his present rank, but subjected to punishment. Before he began his march, it was necessary to take the most effectual precautions against this impending danger. With this view he persuaded the magistrates of the colony at Vera Cruz to ad-

x B. Diaz, c. 41. Gomara Cron. c. 28.
y B. Diaz, c. 45, 46, 48. Gomara Cron. c. 32, 33, 37. Herrera, dec. 2. lib. v. c. 8, 9.

z B. Diaz, c. 47. Gomara Cron. 35, 36. Herrera, dec. 2. lib. v. c. 9, 10, 11.

dress a letter to the king, the chief object of which was to justify their own conduct in establishing a colony independent on the jurisdiction of Velasquez. In order to accomplish this, they endeavoured to detract from his merit in fitting out the two former armaments under Cordova and Grijalva, affirming that these had been equipped by the adventurers who engaged in the expeditions, and not by the governor. They contended that the sole object of Velasquez was to trade or barter with the natives, not to attempt the conquest of New Spain, or to settle a colony there. They asserted that Cortes and the officers who served under him had defrayed the greater part of the expense in fitting out the armament. On this account, they humbly requested their sovereign to ratify what they had done in his name, and to confirm Cortes in the supreme command by his royal commission. That Charles might be induced to grant more readily what they demanded, they gave him a pompous description of the country which they had discovered: of its riches, the number of its inhabitants, their civilization and arts; they related the progress which they had already made in annexing some parts of the country situated on the sea-coast to the crown of Castile; and mentioned the schemes which they had formed, as well as the hopes which they entertained, of reducing the whole to subjection.[a] Cortes himself wrote in a similar strain; and as he knew that the Spanish court, accustomed to the exaggerated representations of every new country by its discoverers, would give little credit to their splendid accounts of New Spain, if these were not accompanied with such a specimen of what it contained as would excite a high idea of its opulence, he solicited his soldiers to relinquish what they might claim as their part of the treasures which had hitherto been collected, in order that the whole might be sent to the king. Such was the ascendant which he had acquired over their minds, and such their own romantic expectations of future wealth, that an army of indigent and rapacious adventurers was capable of this generous effort, and offered to their sovereign the richest present that had hitherto been transmitted from the New World.[b] Portocarrero and Montejo, the chief magistrates of the colony, were appointed to carry this present to Castile, with express orders not to touch at Cuba in their passage thither.[c]

A conspiracy against Cortes.

While a vessel was preparing for their departure, an unexpected event occasioned a general alarm. Some soldiers and sailors, secretly attached to Velasquez, or intimidated at the prospect of the dangers unavoidable in attempting to penetrate into the heart of a great empire with such unequal force, formed the design of seizing one of the brigantines, and making their escape to Cuba, in order to give the governor such intelligence as might enable him to intercept the ship which was to carry the treasure and despatches to Spain. This conspiracy, though formed by persons of low rank, was conducted with profound secrecy; but at the moment when every thing was ready for execution, they were betrayed by one of their associates.

He destroys his fleet.

Though the good fortune of Cortes interposed so seasonably on this occasion, the detection of this conspiracy filled his mind with most disquieting apprehensions, and prompted him to execute a scheme which he had long revolved. He perceived that the spirit of disaffection still lurked among his troops; that though hitherto checked by the uniform success of his schemes, or suppressed by the hand of authority, various events might occur which would encourage and call it forth. He observed, that many of his men, weary of the fatigue of service, longed to revisit their settlements in Cuba; and that upon any appearance of extraordinary danger, or any reverse of fortune, it would be impossible to restrain them from returning thither. He was sensible that his forces, already too feeble, could bear no diminution, and that a very small defection of his followers would oblige him to abandon the enterprise. After ruminating often, and with much solicitude, upon those particulars, he saw no hope of success but in cutting off all possibility of retreat, and in reducing his men to the necessity of adopting the same resolution with which he himself was animated, either to conquer or to perish. With this view, he determined to destroy his fleet; but as he durst not venture to execute such a bold resolution by his single authority, he laboured to bring his soldiers to adopt his ideas with respect to the propriety of this measure. His address in accomplishing this was not inferior to the arduous occasion in which it was employed. He persuaded some, that the ships had suffered so much by having been long at sea, as to be altogether unfit for service; to others he pointed out what a seasonable reinforcement of strength they would derive from the junction of a hundred men, now unprofitably employed as sailors; and to all he represented the necessity of fixing their eyes and wishes upon what was before them, without allowing the idea of a retreat once to enter their thoughts. With universal consent the ships were drawn ashore, and after stripping them of their sails, rigging, iron works, and whatever else might be of use, they were broke in pieces. Thus, from an effort of magnanimity, to which there is nothing parallel in history, five hundred men voluntarily consented to be shut up in a hostile country, filled with powerful and unknown nations; and having precluded every means of escape, left themselves

a In this letter it is asserted, that though a considerable number of Spaniards have been wounded in their various encounters with the people of Tabasco, not one of them died, and all had recovered in a very short time. This seems to confirm what I observe in p. 863. concerning the imperfection of the offensive weapons used by the Americans. In this letter, the human sacrifices offered by the Mexicans to their deities are described minutely, and with great horror; some of the Spaniards, it is said, had been eye-witnesses of those barbarous rites. To the letter is subjoined a catalogue and description of the presents sent to the emperor. That published by Gomara, Cron. c. 29. seems to have been copied from it. Pet. Martyr describes many of the articles in his treatise 'De Insulis nuper inventis,' p. 354, &c.

b See Note CIV.

c B. Diaz, c. 54. Gomara Cron. c. 40.

without any resource but their own valour and perseverance.[d]

Nothing now retarded Cortes; the alacrity of his troops and the disposition of his allies were equally favourable. All the advantages, however, derived from the latter, though procured by much assiduity and address, were well nigh lost in a moment, by an indiscreet sally of religious zeal, which, on many occasions, precipitated Cortes into actions inconsistent with the prudence that distinguishes his character. Though hitherto he had neither time nor opportunity to explain to the natives the errors of their own superstition, or to instruct them in the principles of the christian faith, he commanded his soldiers to overturn the altars and to destroy the idols in the chief temple of Zempoalla, and in their place to erect a crucifix and an image of the Virgin Mary. The people beheld this with astonishment and horror; the priests excited them to arms; but such was the authority of Cortes, and so great the ascendant which the Spaniards had acquired, that the commotion was appeased without bloodshed, and concord perfectly re-established.[e]

Advances into the country.

Cortes began his march from Zempoalla on the sixteenth of August, with five hundred men, fifteen horse, and six field-pieces. The rest of his troops, consisting chiefly of such as from age or infirmity were less fit for active service, he left as a garrison in Villa Rica, under the command of Escalante, an officer of merit, and warmly attached to his interest. The cazique of Zempoalla supplied him with provisions, and with two hundred of those Indians called *Tamemes*, whose office, in a country where tame animals were unknown, was to carry burthens, and to perform all servile labour. They were a great relief to the Spanish soldiers, who hitherto had been obliged, not only to carry their own baggage, but to drag along the artillery by main force. He offered likewise a considerable body of his troops, but Cortes was satisfied with four hundred; taking care, however, to choose persons of such note as might prove hostages for the fidelity of their master. Nothing memorable happened in his progress, until he arrived on the confines of Tlascala. The inhabitants of that province, a warlike people, were implacable enemies of the Mexicans, and had been united in an ancient alliance with the caziques of Zempoalla. Though less civilized than the subjects of Montezuma, they were advanced in improvement far beyond the rude nations of America, whose manners we have described. They had made considerable progress in agriculture; they dwelt in large towns; they were not strangers to some species of commerce; and in the imperfect accounts of their institutions and laws, transmitted to us by the early Spanish writers, we discern traces both of distributive justice and of criminal jurisdiction in their interior police. But still, as the degree of their civilization was incomplete, and as they depended for subsistence, not on agriculture alone, but trusted for it in a great measure to hunting, they retained many of the qualities natural to men in this state. Like them, they were fierce and revengeful; like them, too, they were high-spirited and independent. In consequence of the former, they were involved in perpetual hostilities, and had but a slender and occasional intercourse with neighbouring states. The latter inspired them with such detestation of servitude, that they not only refused to stoop to a foreign yoke, and maintained an obstinate and successful contest in defence of their liberty against the superior power of the Mexican empire, but they guarded with equal solicitude against domestic tyranny; and disdaining to acknowledge any master, they lived under the mild and limited jurisdiction of a council elected by their several tribes.

His war with the Tlascalans.

Cortes, though he had received information concerning the martial character of this people, flattered himself that his professions of delivering the oppressed from the tyranny of Montezuma, their inveterate enmity to the Mexicans, and the example of their ancient allies the Zempoallans, might induce the Tlascalans to grant him a friendly reception. In order to dispose them to this, four Zempoallans of great eminence were sent ambassadors, to request, in his name, and in that of their cazique, that they would permit the Spaniards to pass through the territories of the republic, in their way to Mexico. But instead of the favourable answer which was expected, the Tlascalans seized the ambassadors, and without any regard to their public character, made preparations for sacrificing them to their gods. At the same time, they assembled their troops, in order to oppose those unknown invaders, if they should attempt to make their passage good by force of arms. Various motives concurred in precipitating the Tlascalans into this resolution. A fierce people, shut up within its own narrow precincts, and little accustomed to any intercourse with foreigners, is apt to consider every stranger as an enemy, and is easily excited to arms. They concluded, from Cortes's proposal of visiting Montezuma in his capital, that, notwithstanding all his professions, he courted the friendship of a monarch whom they both hated and feared. The imprudent zeal of Cortes in violating the temples in Zempoalla filled the Tlascalans with horror; and as they were no less attached to their superstition than the other nations of New Spain, they were impatient to avenge their injured gods, and to acquire the merit of offering up to them, as victims, those impious men who had dared to profane their altars; they contemned the small number of the Spaniards, as they had not yet measured their own strength with that of these new enemies, and had no idea of the superiority which they derived from their arms and discipline.

d Relat. di Cortes. Ramus. iii. 225. B. Diaz, c. 57, 58. Herrera, dec. 2. lib. v. c. 14.

e B. Diaz, c. 41, 42. Herrera, dec. 2. lib. v. c. 3, 4.

Aug. 30. Success of it.

Cortes, after waiting some days in vain for the return of his ambassadors, advaneed into the Tlascalan territories. As the resolutions of people who delight in war are executed with no less promptitude than they are formed, he found troops in the field ready to oppose him. They attaeked him with great intrepidity, and, in the first eneounter, wounded some of the Spaniards, and killed two horses; a loss, in their situation, of great moment, because it was irreparable. From this specimen of their courage, Cortes saw the necessity of proceeding with eaution. His army marched in close order; he chose the stations where he halted with attention, and fortified every camp with extraordinary eare. During fourteen days he was exposed to almost uninterrupted assaults, the Tlascalans advancing with numerous armies, and renewing the attack in various forms, with a degree of valour and perseverance to which the Spaniards had seen nothing parallel in the New World. The Spanish historians describe those successive battles with great pomp, and enter into a minute detail of particulars, mingling many exaggerated and incredible circumstanees [f] with such as are real and marvellous. But no power of words can render the recital of a combat interesting, where there is no equality of danger; and when the narrative closes with an account of thousands slain on the one side, while not a single person falls on the other, the most laboured descriptions of the previous disposition of the troops, or of the various vicissitudes in the engagement, command no attention.

Some singular circumstances in it.

There are some circumstances, however, in this war, which are memorable, and merit notice, as they throw light upon the character both of the people of New Spain, and of their conquerors. Though the Tlasealans brought into the field such numerous armies as appear sufficient to have overwhelmed the Spaniards, they were never able to make any impression upon their small battalion. Singular as this may seem, it is not inexplicable. The Tlascalans, though addicted to war, were, like all unpolished nations, strangers to military order and discipline, and lost in a great measure the advantage which they might have derived from their numbers, and the impetuosity of their attack, by their constant solicitude to carry off the dead and wounded. This point of honour, founded on a sentiment of tenderness natural to the human mind, and strengthened by anxiety to preserve the bodies of their countrymen from being devoured by their enemies, was universal among the people of New Spain. Attention to this pious office occupied them even during the heat of combat,[g] broke their union, and diminished the force of the impression which they might have made by a joint effort.

Not only was their superiority in number of little avail, but the imperfection of their military weapons rendered their valour in a great measure inoffensive. After three battles, and many skirmishes and assaults, not one Spaniard was killed in the field. Arrows and spears, headed with flint or the bones of fishes, stakes hardened in the fire, and wooden swords, though destructive weapons among naked Indians, were easily turned aside by the Spanish bucklers, and could hardly penetrate the *escaupiles*, or quilted jackets, which the soldiers wore. The Tlascalans advanced boldly to the charge, and often fought hand to hand. Many of the Spaniards were wounded, though all slightly, which cannot be imputed to any want of courage or strength in their enemies, but to the defect of the arms with which they assailed them.

Notwithstanding the fury with which the Tlascalans attacked the Spaniards, they seemed to have conducted their hostilities with some degree of barbarous generosity. They gave the Spaniards warning of their hostile intentions, and as they knew that their invaders wanted provisions, and imagined, perhaps, like the other Americans, that they had left their own country because it did not afford them subsistence, they sent to their camp a large supply of poultry and maize, desiring them to eat plentifully, because they scorned to attack an enemy enfeebled by hunger; and it would be an affront to their gods to offer them famished victims, as well as disagreeable to themselves to feed on such emaciated prey.[h]

When they were taught by the first encounter with their new enemies, that it was not easy to execute this threat; when they perceived, in the subsequent engagements, that notwithstanding all the efforts of their own valour, of which they had a very high opinion, not one of the Spaniards was slain or taken, they began to conceive them to be a superior order of beings, against whom human power could not avail. In this extremity they had recourse to their priests, requiring them to reveal the mysterious causes of such extraordinary events, and to declare what new means they should employ in order to repulse those formidable invaders. The priests, after many sacrifices and incantations, delivered this response: That these strangers were the offspring of the sun, procreated by his animating energy in the regions of the east; that, by day, while cherished with the influence of his parental beams, they were invincible; but by night, when his reviving heat was withdrawn, their vigour declined and faded like the herbs in the field, and they dwindled down into mortal men.[i] Theories less plausible have gained credit with more enlightened nations, and have influenced their conduet. In consequence of this, the Tlascalans, with the implicit confidence of men who fancy themselves to be under the guidance of Heaven, acted in contradiction to one of their most established maxims in war, and ventured to attaek the enemy with a strong body in the night-time, in hopes of destroying them when enfeebled and surprised. But Cortes had greater vigilanee and discernment than to be de-

f See Note CV.

g B. Diaz, c. 65.

h Herr. dec. 2. lib. vi. c. 6. Gomara Cron. c. 47.

i B. Diaz, c. 66.

ccived by the rude stratagems of an Indian army. The sentinels at his out-posts, observing some extraordinary movement among the Tlascalans, gave the alarm. In a moment the troops were under arms, and sallying out, dispersed the party with great slaughter, without allowing it to approach the camp. The Tlascalans convinced by sad experience that their priests had deluded them, and satisfied that they attempted in vain, either to deceive or to vanquish their enemies, their fierceness abated, and they began to incline seriously to peace.

The Tlascalans disposed to peace.

They were at a loss, however, in what manner to address the strangers, what idea to form of their character, and whether to consider them as beings of a gentle or of a malevolent nature. There were circumstances in their conduct which seemed to favour each opinion. On the one hand, as the Spaniards constantly dismissed the prisoners whom they took, not only without injury, but often with presents of European toys, and renewed their offers of peace after every victory; this lenity amazed people, who, according to the exterminating system of war known in America, were accustomed to sacrifice and devour without mercy all the captives taken in battle, and disposed them to entertain favourable sentiments of the humanity of their new enemies. But, on the other hand, as Cortes had seized fifty of their countrymen who brought provisions to his camp, and, supposing them to be spies, had cut off their hands;[k] this bloody spectacle, added to the terror occasioned by the fire-arms and horses, filled them with dreadful impressions of the ferocity of their invaders.[l] This uncertainty was apparent in the mode of addressing the Spaniards. "If," said they, "you are divinities of a cruel and savage nature, we present to you five slaves, that you may drink their blood and eat their flesh. If you are mild deities, accept an offering of incense and variegated plumes. If you are men, here is meat, and bread, and fruit to nourish you."[m] The peace which both parties now desired with equal ardour, was soon concluded. The Tlascalans yielded themselves as vassals to the crown of Castile, and engaged to assist Cortes in all his future operations. He took the republic under his protection, and promised to defend their persons and possessions from injury or violence.

Concluded.

Advantages of it to the Spaniards.

This treaty was concluded at a seasonable juncture for the Spaniards. The fatigue of service among a small body of men, surrounded by such a multitude of enemies, was incredible. Half the army was on duty every night, and even they whose turn it was to rest, slept always upon their arms, that they might be ready to run to their posts on a moment's warning. Many of them were wounded; a good number, and among these Cortes himself, laboured under the distempers prevalent in hot climates, and several had died since they set out from Vera Cruz. Notwithstanding the supplies which they received from the Tlascalans, they were often in want of provisions, and so destitute of the necessaries most requisite in dangerous service, that they had no salve to dress their wounds, but what was composed with the fat of the Indians whom they had slain.[n] Worn out with such intolerable toil and hardships, many of the soldiers began to murmur, and, when they reflected on the multitude and boldness of their enemies, more were ready to despair. It required the utmost exertion of Cortes's authority and address to check this spirit of despondency in its progress, and to reanimate his followers with their wonted sense of their own superiority over the enemies with whom they had to contend.[o] The submission of the Tlascalans, and their own triumphant entry into the capital city, where they were received with the reverence paid to beings of a superior order, banished, at once, from the minds of the Spaniards, all memory of past sufferings, dispelled every anxious thought with respect to their future operations, and fully satisfied them that there was not now any power in America able to withstand their arms.[p]

Cortes solicitous to gain their confidence,

Cortes remained twenty days in Tlascala, in order to allow his troops a short interval of repose after such hard service. During that time he was employed in transactions and inquiries of great moment with respect to his future schemes. In his daily conferences with the Tlascalan chiefs, he received information concerning every particular relative to the state of the Mexican empire, or to the qualities of its sovereign, which could be of use in regulating his conduct, whether he should be obliged to act as a friend or as an enemy. As he found that the antipathy of his new allies to the Mexican nation was no less implacable than had been represented, and perceived what benefit he might derive from the aid of such powerful confederates, he employed all his powers of insinuation in order to gain their confidence. Nor was any extraordinary exertion of these necessary. The Tlascalans, with the levity of mind natural to unpolished men, were, of their own accord, disposed to run from the extreme of hatred to that of fondness. Every thing in the appearance and conduct of their guests was to them matter of wonder.[q] They gazed with admiration at whatever the Spaniards did, and fancying them to be of heavenly origin, were eager not only to comply with their demands, but to anticipate their wishes. They offered, accordingly, to accompany Cortes in his march to Mexico, with all the forces of the republic, under the command of their most experienced captains

k Cortes Relat. Ramus. iii. 228. C. Gomara Cron. c. 48.
l See Note CVI.
m B. Diaz, c. 70. Gomara Cron. c. 47. Her. dec. 2. lib. vi. c. 7.
n B. Diaz, c. 62, 65.
o Cortes Relat. Ramus. iii. 229. B. Diaz, c. 69. Gomara Cron. c. 51.
p Cortes Relat. Ramus. iii. 230. B. Diaz, c. 72.
q See Note CVII.

which he had almost lost by his rash zeal.

But, after bestowing so much pains on cementing this union, all the beneficial fruits of it were on the point of being lost, by a new effusion of that intemperate religious zeal with which Cortes was animated, no less than the other adventurers of the age. They all considered themselves as instruments employed by Heaven to propagate the christian faith, and the less they were qualified, either by their knowledge or morals, for such a function, they were more eager to discharge it. The profound veneration of the Tlascalans for the Spaniards, having encouraged Cortes to explain to some of their chiefs the doctrines of the christian religion, and to insist that they should abandon their own superstitions, and embrace the faith of their new friends, they, according to an idea universal among barbarous nations, readily acknowledged the truth and excellence of what he taught; but contended, that the *Teules* of Tlascala were divinities no less than the God in whom the Spaniards believed; and as that Being was entitled to the homage of Europeans, so they were bound to revere the same powers which their ancestors had worshipped. Cortes continued, nevertheless, to urge his demand in a tone of authority, mingling threats with his arguments, until the Tlascalans could bear it no longer, and conjured him never to mention this again, lest the gods should avenge on their heads the guilt of having listened to such a proposition. Cortes, astonished and enraged at their obstinacy, prepared to execute by force what he could not accomplish by persuasion, and was going to overturn their altars, and cast down their idols with the same violent hand as at Zempoalla, if Father Bartholomew de Olmedo, chaplain to the expedition, had not checked his inconsiderate impetuosity. He represented the imprudence of such an attempt in a large city newly reconciled, and filled with people no less superstitious than warlike; he declared, that the proceeding at Zempoalla had always appeared to him precipitate and unjust; that religion was not to be propagated by the sword, or infidels to be converted by violence; that other weapons were to be employed in this ministry; patient instruction must enlighten the understanding, and pious example captivate the heart, before men could be induced to abandon error, and embrace the truth.[r] Amidst scenes, where a narrow-minded bigotry appears in such close union with oppression and cruelty, sentiments so liberal and humane soothe the mind with unexpected pleasure; and at a time when the rights of conscience were little understood in the christian world, and the idea of toleration unknown, one is astonished to find a Spanish monk of the sixteenth century among the first advocates against persecution, and in behalf of religious liberty. The remonstrances of an ecclesiastic, no less respectable for wisdom than virtue, had their proper weight with Cortes. He left the Tlascalans in the undisturbed exercise of their own rites, requiring only that they should desist from their horrid practice of offering human victims in sacrifice.

Advances to Cholula.

Cortes, as soon as his troops were fit for service, resolved to continue his march towards Mexico, notwithstanding the earnest dissuasives of the Tlascalans, who represented his destruction as unavoidable, if he put himself in the power of a prince so faithless and cruel as Montezuma. As he was accompanied by six thousand Tlascalans, he had now the command of forces which resembled a regular army. They directed their course towards Cholula; Montezuma, who had at length consented to admit the Spaniards into his presence, having informed Cortes that he had given orders for his friendly reception there. Cholula was a considerable town, and though only five leagues distant from Tlascala, was formerly an independent state, but had been lately subjected to the Mexican empire. This was considered by all the people of New Spain as a holy place, the sanctuary and chief seat of their gods, to which pilgrims resorted from every province, and a greater number of human victims were offered in its principal temple than even in that of Mexico.[s] Montezuma seems to have invited the Spaniards thither, either from some superstitious hope that the gods would not suffer this sacred mansion to be defiled, without pouring down their wrath upon those impious strangers, who ventured to insult their power in the place of its peculiar residence; or from a belief that he himself might there attempt to cut them off with more certain success, under the immediate protection of his divinities.

Oct. 13.

The severity of his procedure there.

Cortes had been warned by the Tlascalans, before he set out on his march, to keep a watchful eye over the Cholulans. He himself, though received into the town with much seeming respect and cordiality, observed several circumstances in their conduct which excited suspicion. Two of the Tlascalans, who were encamped at some distance from the town, as the Cholulans refused to admit their ancient enemies within its precincts, having found means to enter in disguise, acquainted Cortes, that they observed the women and children of the principal citizens retiring in great hurry every night; and that six children had been sacrificed in the chief temple, a rite which indicated the execution of some warlike enterprise to be approaching. At the same time, Marina the interpreter received information from an Indian woman of distinction, whose confidence she had gained, that the destruction of her friends was concerted; that a body of Mexican troops lay concealed near the town; that some of the streets were barricaded, and in others, pits or deep trenches were dug, and slightly covered over, as traps into which the horses might fall; that

r B. Diaz, c. 77. p. 54. c. 83. p. 61.

s Torquemada, Monar. Ind. i. 281, 282. ii. 291. Gomara Cron. c. 61. Herrera, dec. 2. lib. vii. c. 2.

stones or missive weapons were collected on the tops of the temples, with which to overwhelm the infantry; that the fatal hour was now at hand, and their ruin unavoidable. Cortes, alarmed at this concurring evidence, secretly arrested three of the chief priests, and extorted from them a confession that confirmed the intelligence which he had received. As not a moment was to be lost, he instantly resolved to prevent his enemies, and to inflict on them such dreadful vengeance as might strike Montezuma and his subjects with terror. For this purpose, the Spaniards and Zempoallans were drawn up in a large court, which had been allotted for their quarters, near the centre of the town; the Tlascalans had orders to advance; the magistrates and several of the chief citizens were sent for, under various pretexts, and seized. On a signal given, the troops rushed out, and fell upon the multitude, destitute of leaders, and so much astonished, that the weapons dropping from their hands, they stood motionless, and incapable of defence. While the Spaniards pressed them in front, the Tlascalans attacked them in the rear. The streets were filled with bloodshed and death. The temples, which afforded a retreat to the priests and some of the leading men, were set on fire, and they perished in the flames. This scene of horror continued two days; during which the wretched inhabitants suffered all that the destructive rage of the Spaniards, or the implacable revenge of their Indian allies, could inflict. At length the carnage ceased, after the slaughter of six thousand Cholulans, without the loss of a single Spaniard. Cortes then released the magistrates, and reproaching them bitterly for their intended treachery, declared, that as justice was now appeased, he forgave the offence, but required them to recall the citizens who had fled, and re-establish order in the town. Such was the ascendant which the Spaniards had acquired over this superstitious race of men, and so deeply were they impressed with an opinion of their superior discernment, as well as power, that, in obedience to this command, the city was in a few days filled again with people, who, amidst the ruins of their sacred buildings, yielded respectful service to men whose hands were stained with the blood of their relations and fellow-citizens.

Oct. 29. Advances towards Mexico.

From Cholula, Cortes advanced directly towards Mexico, which was only twenty leagues distant. In every place through which he passed, he was received as a person possessed of sufficient power to deliver the empire from the oppression under which it groaned; and the caziques or governors communicated to him all the grievances which they felt under the tyrannical government of Montezuma, with that unreserved confidence which men naturally repose in superior beings. When Cortes first observed the seeds of discontent in the remote provinces of the empire, hope dawned upon his mind; but when he now discovered such symptoms of alienation from their monarch near the seat of government, he concluded that the vital parts of the constitution were affected, and conceived the most sanguine expectations of overturning a state, whose natural strength was thus divided and impaired. While those reflections encouraged the general to persist in his arduous undertaking, the soldiers were no less animated by observations more obvious to their capacity. In descending from the mountains of Chalco, across which the road lay, the vast plain of Mexico opened gradually to their view. When they first beheld this prospect, one of the most striking and beautiful on the face of the earth; when they observed fertile and cultivated fields stretching further than the eye could reach; when they saw a lake resembling the sea in extent, encompassed with large towns, and discovered the capital city rising upon an island in the middle, adorned with its temples and turrets; the scene so far exceeded their imagination, that some believed the fanciful descriptions of romance were realized, and that its enchanted palaces and gilded domes were presented to their sight; others could hardly persuade themselves that this wonderful spectacle was any thing more than a dream.[u] As they advanced, their doubts were removed, but their amazement increased. They were now fully satisfied that the country was rich beyond any conception which they had formed of it, and flattered themselves that at length they should obtain an ample recompence for all their services and sufferings.

First view of it.

Hitherto they had met with no enemy to oppose their progress, though several circumstances occurred which led them to suspect that some design was formed to surprise and cut them off. Many messengers arrived successively from Montezuma, permitting them one day to advance, requiring them on the next to retire, as his hopes or fears alternately prevailed; and so wonderful was this infatuation, which seems to be unaccountable on any supposition but that of a superstitious dread of the Spaniards, as beings of a superior nature, that Cortes was almost at the gates of the capital, before the monarch had determined whether to receive him as a friend, or to oppose him as an enemy. But as no sign of open hostility appeared, the Spaniards, without regarding the fluctuations of Montezuma's sentiments, continued their march along the causeway which led to Mexico through the lake, with great circumspection and the strictest discipline, though without seeming to suspect the prince whom they were about to visit.

The irresolution of Montezuma.

When they drew near the city, about a thousand persons, who appeared to be of distinction, came forth to meet them, adorned with plumes and clad in mantles of fine cotton. Each of these, in his order, passed by

His first interview with the Spaniards.

t Cortes Relat. Ramus. iii. 231. B. Diaz, c. 83. Gomara Cron. c. 64. Herrera, dec. 2. lib. vii. c. 1, 2. See Note CVIII.

u See Note CIX.

Cortes, and saluted him according to the mode deemed most respectful and submissive in their country. They announced the approach of Montezuma himself, and soon after his harbingers came in sight. There appeared first two hundred persons in an uniform dress, with large plumes of feathers, alike in fashion, marching two and two, in deep silence, bare-footed, with their eyes fixed on the ground. These were followed by a company of higher rank, in their most showy apparel, in the midst of whom was Montezuma, in a chair or litter richly ornamented with gold and feathers of various colours. Four of his principal favourites carried him on their shoulders, others supported a canopy of curious workmanship over his head. Before him marched three officers with rods of gold in their hands, which they lifted up on high at certain intervals, and at that signal all the people bowed their heads, and hid their faces, as unworthy to look on so great a monarch. When he drew near, Cortes dismounted, advancing towards him with officious haste, and in a respectful posture. At the same time Montezuma alighted from his chair, and leaning on the arms of two of his near relations, approached with a slow and stately pace, his attendants covering the street with cotton cloths, that he might not touch the ground. Cortes accosted him with profound reverence, after the European fashion. He returned the salutation, according to the mode of his country, by touching the earth with his hand, and then kissing it. This ceremony, the customary expression of veneration from inferiors towards those who were above them in rank, appeared such amazing condescension in a proud monarch, who scarcely deigned to consider the rest of mankind as of the same species with himself, that all his subjects firmly believed those persons, before whom he humbled himself in this manner, to be something more than human. Accordingly, as they marched through the crowd, the Spaniards frequently, and with much satisfaction, heard themselves denominated *Teules*, or divinities. Nothing material passed in this first interview. Montezuma conducted Cortes to the quarters which he had prepared for his reception, and immediately took leave of him, with a politeness not unworthy of a court more refined. "You are now," says he, "with your brothers in your own house; refresh yourselves after your fatigue, and be happy until I return."[x] The place allotted to the Spaniards for their lodging was a house built by the father of Montezuma. It was surrounded by a stone wall, with towers at proper distances, which served for defence as well as for ornament, and its apartments and courts were so large, as to accommodate both the Spaniards and their Indian allies. The first care of Cortes was to take precautions for his security, by planting the artillery so as to command the different avenues which led to it, by appointing a large division of his troops to be always on guard, and by posting sentinels at proper stations, with injunctions to observe the same vigilant discipline as if they were within sight of an enemy's camp.

His idea of the Spaniards.

In the evening, Montezuma returned to visit his guests with the same pomp as in their first interview, and brought presents of such value, not only to Cortes and to his officers, but even to the private men, as proved the liberality of the monarch to be suitable to the opulence of his kingdom. A long conference ensued, in which Cortes learned what was the opinion of Montezuma with respect to the Spaniards. It was an established tradition, he told him, among the Mexicans, that their ancestors came originally from a remote region, and conquered the provinces now subject to his dominion; that after they were settled there, the great captain who conducted this colony, returned to his own country, promising, that at some future period his descendants should visit them, assume the government, and reform their constitution and laws; that from what he had heard and seen of Cortes and his followers, he was convinced that they were the very persons whose appearance the Mexican traditions and prophecies taught them to expect; that accordingly he had received them, not as strangers, but as relations of the same blood and parentage, and desired that they might consider themselves as masters in his dominions, for both himself and his subjects should be ready to comply with their will, and even to prevent their wishes. Cortes made a reply in his usual style, with respect to the dignity and power of his sovereign, and his intention in sending him into that country; artfully endeavouring so to frame his discourse, that it might coincide as much as possible with the idea which Montezuma had formed concerning the origin of the Spaniards. Next morning, Cortes and some of his principal attendants were admitted to a public audience of the emperor. The three subsequent days were employed in viewing the city, the appearance of which, so far superior in the order of its buildings and the number of its inhabitants to any place the Spaniards had beheld in America, and yet so little resembling the structure of a European city, filled them with surprise and admiration.

Mexico, or *Tenuchtitlan*, as it was anciently called by the natives, is situated in a large plain, environed by mountains of such height, that, though within the torrid zone, the temperature of its climate is mild and healthful. All the moisture which descends from the high grounds is collected in several lakes, the two largest of which, of about ninety miles in circuit, communicate with each other. The waters of the one are fresh, those of the others brackish. On the banks of the latter, and on some small islands adjoining to them, the capital of Montezuma's empire was built. The access to the city was by artificial causeways or streets formed of stones and earth, about thirty feet in breadth. As the

x Cortes Relat. Ram. iii. 232—235. B. Diaz. c. 83—88. Gomara Cron. c. 64, 65. Herrera, dec. 2. lib. vii. c. 3, 4, 5.

waters of the lake during the rainy season overflowed the flat country, these causeways were of considerable length. That of Tacuba, on the west, extended a mile and a half; that of Tepeaca,[y] on the northwest, three miles; that of Cuoyacan, towards the south, six miles. On the east there was no causeway, and the city could be approached only by canoes.[z] In each of these causeways were openings at proper intervals, through which the waters flowed, and over these beams of timber were laid, which being covered with earth, the causeway or street had everywhere an uniform appearance. As the approaches to the city were singular, its construction was remarkable. Not only the temples of their gods, but the houses belonging to the monarch, and to persons of distinction, were of such dimensions, that in comparison with any other buildings which had been hitherto discovered in America, they might be termed magnificent. The habitations of the common people were mean, resembling the huts of other Indians. But they were all placed in a regular manner, on the banks of the canals which passed through the city, in some of its districts, or on the sides of the streets which intersected it in other quarters. In several places were large openings or squares, one of which, allotted for the great market, is said to have been so spacious, that forty or fifty thousand persons carried on traffic there. In this city, the pride of the New World, and the noblest monument of the industry and art of man, while unacquainted with the use of iron, and destitute of aid from any domestic animal, the Spaniards, who are most moderate in their computations, reckon that there were at least sixty thousand inhabitants.[a]

Their dangerous situation.

But how much soever the novelty of those objects might amuse or astonish the Spaniards, they felt the utmost solicitude with respect to their own situation. From a concurrence of circumstances, no less unexpected than favourable to their progress, they had been allowed to penetrate into the heart of a powerful kingdom, and were now lodged in its capital, without having once met with open opposition from its monarch. The Tlascalans, however, had earnestly dissuaded them from placing such confidence in Montezuma as to enter a city of such peculiar situation as Mexico, where that prince would have them at mercy, shut up as it were in a snare, from which it was impossible to escape. They assured them that the Mexican priests had, in the name of the gods, counselled their sovereign to admit the Spaniards into the capital, that he might cut them off there at one blow with perfect security.[b] They now perceived too plainly, that the apprehensions of their allies were not destitute of foundation; that, by breaking the bridges placed at certain intervals on the causeways, or by destroying part of the causeways themselves, their retreat would be rendered impracticable, and they must remain cooped up in the centre of a hostile city, surrounded by multitudes sufficient to overwhelm them, and without a possibility of receiving aid from their allies. Montezuma had, indeed, received them with distinguished respect. But ought they to reckon upon this as real, or to consider it as feigned? Even if it were sincere, could they promise on its continuance? Their safety depended upon the will of a monarch in whose attachment they had no reason to confide; and an order flowing from his caprice, or a word uttered by him in passion, might decide irrevocably concerning their fate.[c]

Solicitude and perplexity of Cortes.

These reflections, so obvious as to occur to the meanest soldier, did not escape the vigilant sagacity of their general. Before he set out from Cholula, Cortes had received advice from Villa Rica,[d] that Qualpopoca, one of the Mexican generals on the frontiers, having assembled an army in order to attack some of the people whom the Spaniards had encouraged to throw off the Mexican yoke, Escalante had marched out with part of the garrison to support his allies; that an engagement had ensued, in which, though the Spanish were victorious, Escalante, with seven of his men, had been mortally wounded, his horse killed, and one Spaniard had been surrounded by the enemy and taken alive; that the head of this unfortunate captive, after being carried in triumph to different cities in order to convince the people that their invaders were not immortal, had been sent to Mexico.[e] Cortes, though alarmed with this intelligence, as an indication of Montezuma's hostile intentions, had continued his march. But as soon as he entered Mexico, he became sensible, that, from an excess of confidence in the superior valour and discipline of his troops, as well as from the disadvantage of having nothing to guide him in an unknown country, but the defective intelligence which he had received from people with whom his mode of communication was very imperfect, he had pushed forward into a situation, where it was difficult to continue, and from which it was dangerous to retire. Disgrace, and perhaps ruin, was the certain consequence of attempting the latter. The success of his enterprise depended upon supporting the high opinion which the people of New Spain had formed with respect to the irresistible power of his arms. Upon the first symptom of timidity on his part, their veneration would cease, and Montezuma, whom fear alone restrained at present, would let loose upon him the whole force of his empire. At the same time, he knew that the countenance of his own sovereign was to be obtained only by a series of victories, and that nothing but the merit of extraordinary success

y I am indebted to M. Clavigero for correcting an error of importance in my description of Mexico. From the east, where Tezeuco was situated, there was no causeway, as I have observed, and yet by some inattention on my part, or on that of the printer, in all the former editions one of the causeways was said to lead to Tezeuco. M. Clavigero's measurement of the length of these causeways differs somewhat from that which I have adopted from F. Torribio. Clavig. ii. p. 72.

z F. Torribio MS.

a Cortes Relat. Ram. iii. 239. D. Relat. della gran Citta de Mexico, par un Gentelhuomo del Cortese. Ram. ibid. 304. E. Herrera, dec. 2. lib. vii. c. 14, &c.

b B. Diaz, c. 85, 86.

c Ibid. c. 94.

d Cortes Relat. Ram. iii. 235. C.

e B. Diaz, c. 93, 94. Herrera, dec. 2. lib. viii. c. 1.

could screen his conduct from the censure of irregularity. From all these considerations, it was necessary to maintain his station, and to extricate himself out of the difficulties in which one bold step had involved him, by venturing upon another still bolder. The situation was trying, but his mind was equal to it; and after revolving the matter with deep attention, he fixed upon a plan no less extraordinary than daring. He determined to seize Montezuma in his palace, and to carry him as a prisoner to the Spanish quarters. From the superstitious veneration of the Mexicans for the person of their monarch, as well as their implicit submission to his will, he hoped, by having Montezuma in his power, to acquire the supreme direction of their affairs; or, at least, with such a sacred pledge in his hands, he made no doubt of being secure from any effort of their violence.

Resolves to seize Montezuma.

This he immediately proposed to his officers. The timid startled at a measure so audacious, and raised objections. The more intelligent and resolute, conscious that it was the only resource in which there appeared any prospect of safety, warmly approved of it, and brought over their companions so cordially to the same opinion, that it was agreed instantly to make the attempt. At his usual hour of visiting Montezuma, Cortes went to the palace, accompanied by Alvarado, Sandoval, Lugo, Velasquez de Leon, and Davila, five of his principal officers, and as many trusty soldiers. Thirty chosen men followed, not in regular order, but sauntering at some distance, as if they had no object but curiosity; small parties were posted at proper intervals, in all the streets leading from the Spanish quarters to the court; and the remainder of his troops, with the Tlascalan allies, were under arms ready to sally out on the first alarm. Cortes and his attendants were admitted without suspicion: the Mexicans retiring, as usual, out of respect. He addressed the monarch in a tone very different from that which he had employed in former conferences, reproaching him bitterly as the author of the violent assault made upon the Spaniards by one of his officers, and demanded public reparation for the loss which they had sustained by the death of some of their companions, as well as for the insult offered to the great prince whose servants they were. Montezuma, confounded at this unexpected accusation, and changing colour, either from consciousness of guilt, or from feeling the indignity with which he was treated, asserted his own innocence with great earnestness, and, as a proof of it, gave orders instantly to bring Qualpopoca and his accomplices prisoners to Mexico. Cortes replied, with seeming complaisance, that a declaration so respectable left no doubt remaining in his own mind, but that something more was requisite to satisfy his followers, who would never be convinced that Montezuma did not harbour hostile intentions against them, unless, as an evidence of his confidence and attachment, he removed from his own palace, and took up his residence in the Spanish quarters, where he should be served and honoured as became a great monarch. The first mention of so strange a proposal bereaved Montezuma of speech, and almost of motion. At length, indignation gave him utterance, and he haughtily answered, "That persons of his rank were not accustomed voluntarily to give up themselves as prisoners; and were he mean enough to do so, his subjects would not permit such an affront to be offered to their sovereign." Cortes, unwilling to employ force, endeavoured alternately to soothe and to intimidate him. The altercation became warm; and having continued above three hours, Velasquez de Leon, an impetuous and gallant young man, exclaimed with impatience, "Why waste more time in vain? Let us either seize him instantly, or stab him to the heart." The threatening voice and fierce gestures with which these words were uttered, struck Montezuma. The Spaniards, he was sensible, had now proceeded so far, as left him no hope that they would recede. His own danger was imminent, the necessity unavoidable. He saw both, and abandoning himself to his fate, complied with their request.

His manner of executing this.

His officers were called. He communicated to them his resolution. Though astonished and afflicted, they presumed not to question the will of their master, but carried him in silent pomp, all bathed in tears, to the Spanish quarters. When it was known that the strangers were conveying away the emperor, the people broke out into the wildest transports of grief and rage, threatening the Spaniards with immediate destruction, as the punishment justly due to their impious audacity. But as soon as Montezuma appeared with a seeming gaiety of countenance, and waved his hand, the tumult was hushed; and upon his declaring it to be of his own choice that he went to reside for some time among his new friends, the multitude, taught to revere every intimation of their sovereign's pleasure, quietly dispersed.[f]

Montezuma carried to the Spanish quarters.

Thus was a powerful prince seized by a few strangers in the midst of his capital, at noon-day, and carried off as a prisoner without opposition or bloodshed. History contains nothing parallel to this event, either with respect to the temerity of the attempt, or the success of the execution; and were not all the circumstances of this extraordinary transaction authenticated by the most unquestionable evidence, they would appear so wild and extravagant, as to go far beyond the bounds of that probability which must be preserved even in fictitious narrations.

Montezuma was received in the Spanish quarters with all the ceremonious respect which Cortes had promised. He was attended by his own domestics, and served with his usual state. His principal officers had free access to him, and

Received with apparent respect.

[f] B. Diaz, c. 95. Gomara Cron. c. 83. Cortes Relat. Ram. iii. p. 235, 236. Herrera, dec. 2. lib. viii. c. 2, 3.

he carried on every function of government as if he had been at perfect liberty. The Spaniards, however, watched him with the scrupulous vigilance which was natural in guarding such an important prize,[g] endeavouring at the same time to soothe and reconcile him to his situation, by every external demonstration of regard and attachment. But from captive princes the hour of humiliation and suffering is never far distant. Qualpopoca, his son, and five of the principal officers who served under him, were brought prisoners to the capital, in consequence of the orders which Montezuma had issued. The emperor gave them up to Cortes, that he might inquire into the nature of their crime, and determine their punishment. They were formally tried by a Spanish court-martial; and though they had acted no other part than what became loyal subjects and brave men, in obeying the orders of their lawful sovereign, and in opposing the invaders of their country, they were condemned to be burnt alive. The execution of such atrocious deeds is seldom long suspended. The unhappy victims were instantly led forth. The pile on which they were laid was composed of the weapons collected in the royal magazine for the public defence. An innumerable multitude of Mexicans beheld, in silent astonishment, the double insult offered to the majesty of their empire, an officer of distinction committed to the flames by the authority of strangers, for having done what he owed in duty to his natural sovereign; and the arms provided by the foresight of their ancestors for avenging public wrongs, consumed before their eyes.

Subjected to cruel indignities.

Dec. 4.

But these were not the most shocking indignities which the Mexicans had to bear. The Spaniards, convinced that Qualpopoca would not have ventured to attack Escalante without orders from his master, were not satisfied with inflicting vengeance on the instrument employed in committing that crime, while the author of it escaped with impunity. Just before Qualpopoca was led out to suffer, Cortes entered the apartment of Montezuma, followed by some of his officers, and a soldier carrying a pair of fetters; and approaching the monarch with a stern countenance, told him, that as the persons who were now to undergo the punishment which they merited, had charged him as the cause of the outrage committed, it was necessary that he likewise should make atonement for that guilt; then turning away abruptly, without waiting for a reply, commanded the soldiers to clap the fetters on his legs. The orders were instantly executed. The disconsolate monarch, trained up with an idea that his person was sacred and inviolable, and considering this profanation of it as the prelude of immediate death, broke out into loud lamentations and complaints. His attendants, speechless with horror, fell at his feet, bathing them with their tears; and bearing up the fetters in their hands, endeavoured with officious tenderness to lighten their pressure. Nor did their grief and despondency abate until Cortes returned from the execution, and with a cheerful countenance ordered the fetters to be taken off. As Montezuma's spirits had sunk with unmanly dejection, they now rose into indecent joy; and with an unbecoming transition, he passed at once from the anguish of despair to transports of gratitude and expressions of fondness towards his deliverer.

Reasons of Cortes's conduct.

In those transactions, as represented by the Spanish historians, we search in vain for the qualities which distinguish other parts of Cortes's conduct. To usurp a jurisdiction which could not belong to a stranger, who assumed no higher character than that of an ambassador from a foreign prince, and under colour of it, to inflict a capital punishment on men whose conduct entitled them to esteem, appears an act of barbarous cruelty. To put the monarch of a great kingdom in irons, and, after such ignominious treatment, suddenly to release him, seems to be a display of power no less inconsiderate than wanton. According to the common relation, no account can be given either of one action or the other, but that Cortes, intoxicated with success, and presuming on the ascendant which he had acquired over the minds of the Mexicans, thought nothing too bold for him to undertake, or too dangerous to execute. But, in one view, these proceedings, however repugnant to justice and humanity, may have flowed from that artful policy which regulated every part of Cortes's behaviour towards the Mexicans. They had conceived the Spaniards to be an order of beings superior to men. It was of the utmost consequence to cherish this illusion, and to keep up the veneration which it inspired. Cortes wished that shedding the blood of a Spaniard should be deemed the most heinous of all crimes; and nothing appeared better calculated to establish this opinion, than to condemn the first Mexicans who had ventured to commit it to a cruel death, and to oblige their monarch himself to submit to a mortifying indignity, as an expiation for being accessory to a deed so atrocious.[h]

1520. The power which Cortes acquired.

The rigour with which Cortes punished the unhappy persons who first presumed to lay violent hands upon his followers, seems accordingly to have made all the impression that he desired. The spirit of Montezuma was not only overawed, but subdued. During six months that Cortes remained in Mexico, the monarch continued in the Spanish quarters, with an appearance of as entire satisfaction and tranquillity, as if he had resided there, not from constraint, but through choice. His ministers and officers attended him as usual. He took cognizance of all affairs; every order was issued in his name. The external aspect of government appearing the same, and all its ancient forms being scrupulously ob-

g See Note CX.

h See Note CXI.

served, the people were so little sensible of any change, that they obeyed the mandates of their monarch with the same submissive reverence as ever. Such was the dread which both Montezuma and his subjects had of the Spaniards, or such the veneration in which they held them, that no attempt was made to deliver their sovereign from confinement; and though Cortes, relying on this ascendant which he had acquired over their minds, permitted him not only to visit his temples, but to make hunting excursions beyond the lake, a guard of a few Spaniards carried with it such a terror as to intimidate the multitude, and secure the captive monarch.[i]

Thus, by the fortunate temerity of Cortes in seizing Montezuma, the Spaniards at once secured to themselves more extensive authority in the Mexican empire than it was possible to have acquired in a long course of time by open force; and they exercised more absolute sway in the name of another than they could have done in their own. The arts of polished nations, in subjecting such as are less improved, have been nearly the same in every period. The system of screening a foreign usurpation, under the sanction of authority derived from the natural rulers of a country, the device of employing the magistrates and forms already established as instruments to introduce a new dominion, of which we are apt to boast as sublime refinements in policy peculiar to the present age, were inventions of a more early period, and had been tried with success in the west, long before they were practised in the east.

Use which he makes of it.

Cortes availed himself to the utmost of the powers which he possessed by being able to act in the name of Montezuma. He sent some Spaniards, whom he judged best qualified for such commissions, into different parts of the empire, accompanied by persons of distinction, whom Montezuma appointed to attend them both as guides and protectors. They visited most of the provinces, viewed their soil and productions, surveyed with particular care the districts which yielded gold or silver, pitched upon several places as proper stations for future colonies, and endeavoured to prepare the minds of the people for submitting to the Spanish yoke. While they were thus employed, Cortes, in the name and by the authority of Montezuma, degraded some of the principal officers in the empire, whose abilities or independent spirit excited his jealousy, and substituted in their place persons less capable or more obsequious.

One thing still was wanting to complete his security. He wished to have such command of the lake as might insure a retreat, if, either from levity or disgust, the Mexicans should take arms against him, and break down the bridges or causeways. This, too, his own address, and the facility of Montezuma, enabled him to accomplish. Having frequently entertained his prisoner with pompous accounts of the European marine and art of navigation, he awakened his curiosity to see those moving palaces which made their way through the water without oars. Under pretext of gratifying this desire, Cortes persuaded Montezuma to appoint some of his subjects to fetch part of the naval stores which the Spaniards had deposited at Vera Cruz to Mexico, and to employ others in cutting down and preparing timber. With their assistance, the Spanish carpenters soon completed two brigantines, which afforded a frivolous amusement to the monarch, and were considered by Cortes as a certain resource, if he should be obliged to retire.

Montezuma acknowledges himself a vassal of Spain.

Encouraged by so many instances of the monarch's tame submission to his will, Cortes ventured to put it to a proof still more trying. He urged Montezuma to acknowledge himself a vassal of the king of Castile, to hold his crown of him as superior, and to subject his dominions to the payment of an annual tribute. With this requisition, the last and most humbling that can be made to one possessed of sovereign authority, Montezuma was so obsequious as to comply. He called together the chief men of his empire, and in a solemn harangue, reminding them of the traditions and prophecies which led them to expect the arrival of a people sprung from the same stock with themselves, in order to take possession of the supreme power, he declared his belief that the Spaniards were this promised race; that therefore he recognised the right of their monarch to govern the Mexican empire; that he would lay his crown at his feet, and obey him as a tributary. While uttering these words, Montezuma discovered how deeply he was affected in making such a sacrifice. Tears and groans frequently interrupted his discourse. Overawed and broken as his spirit was, it still retained such a sense of dignity, as to feel that pang which pierces the heart of princes when constrained to resign independent power. The first mention of such a resolution struck the assembly dumb with astonishment. This was followed by a sudden murmur of sorrow, mingled with indignation, which indicated some violent eruption of rage to be near at hand. This Cortes foresaw, and seasonably interposed to prevent it, by declaring that his master had no intention to deprive Montezuma of the royal dignity, or to make any innovation upon the constitution and laws of the Mexican empire. This assurance, added to their dread of the Spanish power, and to the authority of their monarch's example, extorted a reluctant consent from the assembly.[k] The act of submission and homage was executed with all the formalities which the Spaniards were pleased to prescribe.[l]

The amount of the treasure collected by the Spaniards.

Montezuma, at the desire of Cortes, accompanied this profession of fealty and homage with a magnificent present

i Cortes Relat. p. 236. E. B. Diaz, c. 97, 98, 99.
k See Note CXII.

l Cortes Relat. 238. D. B. Diaz, c. 101. Gomara Cron. c. 92. Herrera, dec. 2. lib. x. c. 4.

to his new sovereign; and after his example, his subjects brought in very liberal contributions. The Spaniards now collected all the treasure which had been either voluntarily bestowed upon them at different times by Montezuma, or had been extorted from his people under various pretexts; and having melted the gold and silver, the value of these, without including jewels and ornaments of various kinds, which were preserved on account of their curious workmanship, amounted to six hundred thousand *pesos*. The soldiers were impatient to have it divided, and Cortes complied with their desire. A fifth of the whole was first set apart as the tax due to the king. Another fifth was allotted to Cortes as commander in chief. The sums advanced by Velasquez, by Cortes, and by some of the officers, towards defraying the expense of fitting out the armament, were then deducted. The remainder was divided among the army, including the garrison of Vera Cruz, in proportion to their different ranks. After so many defalcations, the share of a private man did not exceed a hundred pesos. This sum fell so far below their sanguine expectations, that some soldiers rejected it with scorn, and others murmured so loudly at this cruel disappointment of their hopes, that it required all the address of Cortes, and no small exertion of his liberality, to appease them. The complaints of the army were not altogether destitute of foundation. As the crown had contributed nothing towards the equipment or success of the armament, it was not without regret that the soldiers beheld it sweep away so great a proportion of the treasure purchased by their blood and toil. What fell to the share of the general appeared, according to the ideas of wealth in the sixteenth century, an enormous sum. Some of Cortes's favourites had secretly appropriated to their own use several ornaments of gold, which neither paid the royal fifth, nor were brought into account as part of the common stock. It was, however, so manifestly the interest of Cortes at this period to make a large remittance to the king, that it is highly probable those concealments were not of great consequence.

Division of it, and the discontent it occasioned.

Reasons why gold was found in such small quantities.

The total sum amassed by the Spaniards bears no proportion to the ideas which might be formed, either by reflecting on the descriptions given by historians of the ancient splendour of Mexico, or by considering the productions of its mines in modern times. But among the ancient Mexicans, gold and silver were not the standards by which the worth of other commodities was estimated; and, destitute of the artificial value derived from this circumstance, were no further in request than as they furnished materials for ornaments and trinkets. These were either consecrated to the gods in their temples, or were worn as marks of distinction by their princes and some of their most eminent chiefs. As the consumption of the precious metals was inconsiderable, the demand for them was not such as to put either the ingenuity or industry of the Mexicans on the stretch, in order to augment their store. They were altogether unacquainted with the art of working the rich mines with which their country abounded. What gold they had was gathered in the beds of rivers, native, and ripened into a pure metallic state.[m] The utmost effort of their labour in search of it was to wash the earth carried down by torrents from the mountains, and to pick out the grains of gold which subsided; and even this simple operation, according to the report of the persons whom Cortes appointed to survey the provinces where there was a prospect of finding mines, they performed very unskilfully.[n] From all those causes, the whole mass of gold in possession of the Mexicans was not great. As silver is rarely found pure, and the Mexican art was too rude to conduct the process for refining it in a proper manner, the quantity of this metal was still less considerable.[o] Thus, though the Spaniards had exerted all the power which they possessed in Mexico, and often with indecent rapacity, in order to gratify their predominant passion, and though Montezuma had fondly exhausted his treasures, in hopes of satiating their thirst for gold, the product of both, which probably included a great part of the bullion in the empire, did not rise in value above what has been mentioned.[p]

Montezuma inflexible with respect to religion.

But however pliant Montezuma might be in other matters, with respect to one point he was inflexible. Though Cortes often urged him, with the importunate zeal of a missionary, to renounce his false gods, and to embrace the christian faith, he always rejected the proposition with horror. Superstition, among the Mexicans, was formed into such a regular and complete system, that its institutions naturally took fast hold of the mind; and while the rude tribes in other parts of America were easily induced to relinquish a few notions and rites, so loose and arbitrary as hardly to merit the name of a public religion, the Mexicans adhered tenaciously to their mode of worship, which, however barbarous, was accompanied with such order and solemnity as to render it an object of the highest veneration. Cortes, finding all his attempts ineffectual to shake the constancy of Montezuma, was so much enraged at his obstinacy, that in a transport of zeal he led out his soldiers to throw down the idols in the grand temple by force. But the priests taking arms in defence of their altars, and the people crowding with great ardour to support them, Cortes's prudence overruled his zeal, and induced him to desist from his rash attempt, after dislodging the idols from one of the shrines, and placing in their stead an image of the Virgin Mary.[q]

m Cortes Relat. p. 236. F. B. Diaz, c. 102, 103. Gomara Cron. c. 90.
n B. Diaz, c. 103.
o Herrera, dec. 2. lib. ix. c. 4.
p See Note CXIII.
q See Note CXIV.

Schemes of the Mexicans to destroy the Spaniards.

From that moment the Mexicans, who had permitted the imprisonment of their sovereign, and suffered the exactions of strangers without a struggle, began to meditate how they might expel or destroy the Spaniards, and thought themselves called upon to avenge their insulted deities. The priests and leading men held frequent consultations with Montezuma for this purpose. But as it might prove fatal to the captive monarch to attempt either the one or the other by violence, he was willing to try more gentle means. Having called Cortes into his presence, he observed, that now, as all the purposes of his embassy were fully accomplished, the gods had declared their will, and the people signified their desire, that he and his followers should instantly depart out of the empire. With this he required them to comply, or unavoidable destruction would fall suddenly on their heads. The tenor of this unexpected requisition, as well as the determined tone in which it was uttered, left Cortes no room to doubt that it was the result of some deep scheme concerted between Montezuma and his subjects. He quickly perceived that he might derive more advantage from a seeming compliance with the monarch's inclination, than from an ill-timed attempt to change or to oppose it; and replied, with great composure, that he had already begun to prepare for returning to his own country; but as he had destroyed the vessels in which he arrived, some time was requisite for building other ships. This appeared reasonable. A number of Mexicans were sent to Vera Cruz to cut down timber, and some Spanish carpenters were appointed to superintend the work. Cortes flattered himself, that during this interval he might either find means to avert the threatened danger, or receive such reinforcements as would enable him to despise it.

Anxiety and danger of Cortes.

Almost nine months were elapsed since Portocarrero and Montejo had sailed with his despatches to Spain; and he daily expected their return with a confirmation of his authority from the king. Without this, his condition was insecure and precarious; and after all the great things which he had done, it might be his doom to bear the name and suffer the punishment of a traitor. Rapid and extensive as his progress had been, he could not hope to complete the reduction of a great empire with so small a body of men, which by this time diseases of various kinds had considerably thinned; nor could he apply for recruits to the Spanish settlements in the islands, until he received the royal approbation of his proceedings.

The arrival of a new armament,

While he remained in this cruel situation, anxious about what was past, uncertain with respect to the future, and by the late declaration of Montezuma oppressed with a new addition of cares, a Mexican courier arrived with an account of some ships having appeared on the coast. Cortes with fond credulity imagining that his messengers were returned from Spain, and that the completion of all his wishes and hopes was at hand, imparted the glad tidings to his companions, who received them with transports of mutual gratulation. Their joy was not of long continuance. A courier from Sandoval, whom Cortes had appointed to succeed Escalante in command at Vera Cruz, brought certain information that the armament was fitted out by Velasquez, governor of Cuba, and instead of bringing the aid which they expected, threatened them with immediate destruction.

fitted out by Velasquez,

The motives which prompted Velasquez to this violent measure are obvious. From the circumstances of Cortes's departure, it was impossible not to suspect his intention of throwing off all dependence upon him. His neglecting to transmit any account of his operations to Cuba, strengthened this suspicion, which was at last confirmed beyond doubt, by the indiscretion of the officers whom Cortes sent to Spain. They, from some motive which is not clearly explained by the contemporary historians, touched at the island of Cuba, contrary to the peremptory orders of their general.[r] By this means Velasquez not only learned that Cortes and his followers, after formally renouncing all connexion with him, had established an independent colony in New Spain, and were soliciting the king to confirm their proceedings by his authority; but he obtained particular information concerning the opulence of the country, the valuable presents which Cortes had received, and the inviting prospects of success that opened to his view. Every passion which can agitate an ambitious mind; shame, at having been so grossly over-reached; indignation at being betrayed by the man whom he had selected as the object of his favour and confidence; grief, for having wasted his fortune to aggrandize an enemy; and despair of recovering so fair an opportunity of establishing his fame and extending his power, now raged in the bosom of Velasquez. All these, with united force, excited him to make an extraordinary effort in order to be avenged on the author of his wrongs, and to wrest from him his usurped authority and conquests. Nor did he want the appearance of a good title to justify such an attempt. The agent whom he sent to Spain with an account of Grijalva's voyage, had met with a most favourable reception; and from the specimens which he produced, such high expectations were formed concerning the opulence of New Spain, that Velasquez was authorized to prosecute the discovery of the country, and appointed governor of it during life, with more extensive power and privileges than had been granted to any adventurer from the time of Columbus.[s] Elated by this distinguishing mark of favour, and warranted to consider Cortes not only as intruding upon his jurisdiction, but as disobedient to the royal mandate, he determined to vindi-

r B. Diaz, c. 54, 55. Herrera, dec. 2. lib. v. c. 14. Gomara Cron. c. 96.

s Herrera, dec. 2. lib. iii. c. 11.

cate his own rights, and the honour of his sovereign, by force of arms.[t] His ardour in carrying on his preparations was such as might have been expected from the violence of the passions with which he was animated; and in a short time an armament was completed, consisting of eighteen ships, which had on board fourscore horsemen, eight hundred foot soldiers, of which eighty were musketeers, and a hundred and twenty cross-bow men, together with a train of twelve pieces of cannon. As Velasquez's experience of the fatal consequence of committing to another what he ought to have executed himself, had not rendered him more enterprising, he vested the command of this formidable body, which, in the infancy of the Spanish power in America, merits the appellation of an army, in Pamphilo de Narvaez, with instructions to seize Cortes and his principal officers, to send them prisoners to him, and then to complete the discovery and conquest of the country in his name.

under the command of Narvaez.

The proceedings of Narvaez. April.

After a prosperous voyage, Narvaez landed his men without opposition near St. Juan de Ulua. Three soldiers, whom Cortes had sent to search for mines in that district, immediately joined him. By this accident he not only received information concerning the progress and situation of Cortes, but as these soldiers had made some progress in the knowledge of the Mexican language, he acquired interpreters, by whose means he was enabled to hold some intercourse with the people of the country. But, according to the low cunning of deserters, they framed their intelligence with more attention to what they thought would be agreeable, than to what they knew to be true; and represented the situation of Cortes to be so desperate, and the disaffection of his followers to be so general, as increased the natural confidence and presumption of Narvaez. His first operation, however, might have taught him not to rely on their partial accounts. Having sent to summon the governor of Vera Cruz to surrender, Guevara, a priest whom he employed in that service, made the requisition with such insolence, that Sandoval, an officer of high spirit, and zealously attached to Cortes, instead of complying with his demands, seized him and his attendants, and sent them in chains to Mexico

Cortes deeply alarmed.

Cortes received them, not like enemies, but as friends, and condemning the severity of Sandoval, set them immediately at liberty. By this well-timed clemency, seconded by caresses and presents, he gained their confidence, and drew from them such particulars concerning the force and intentions of Narvaez, as gave him a view of the impending danger in its full extent. He had not to contend now with half-naked Indians, no match for him in war, and still more inferior in the arts of policy, but to take the field against an army in courage and martial discipline equal to his own, in number far superior, acting under the sanction of royal authority, and commanded by an officer of known bravery. He was informed that Narvaez, more solicitous to gratify the resentment of Velasquez, than attentive to the honour or interest of his country, had begun his intercourse with the natives, by representing him and his followers as fugitives and outlaws, guilty of rebellion against their own sovereign, and of injustice in invading the Mexican empire; and had declared that his chief object in visiting the country was to punish the Spaniards who had committed these crimes, and to rescue the Mexicans from oppression. He soon perceived that the same unfavourable representations of his character and actions had been conveyed to Montezuma, and that Narvaez had found means to assure him, that as the conduct of those who kept him under restraint was highly displeasing to the king his master, he had it in charge not only to rescue an injured monarch from confinement, but to reinstate him in the possession of his ancient power and independence. Animated with this prospect of being set free from subjection to strangers, the Mexicans in several provinces began openly to revolt from Cortes, and to regard Narvaez as a deliverer no less able than willing to save them. Montezuma himself kept up a secret intercourse with the new commander, and seemed to court him as a person superior in power and dignity to those Spaniards whom he had hitherto revered as the first of men.[u]

His deliberations concerning his own conduct.

Such were the various aspects of danger and difficulty which presented themselves to the view of Cortes. No situation can be conceived more trying to the capacity and firmness of a general, or where the choice of the plan which ought to be adopted was more difficult. If he should wait the approach of Narvaez in Mexico, destruction seemed to be unavoidable; for while the Spaniards pressed him from without, the inhabitants, whose turbulent spirit he could hardly restrain with all his authority and attention, would easily lay hold on such a favourable opportunity of avenging all their wrongs. If he should abandon the capital, set the captive monarch at liberty, and march out to meet the enemy; he must at once forego the fruits of all his toils and victories, and relinquish advantages which could not be recovered without extraordinary efforts and infinite danger. If, instead of employing force, he should have recourse to conciliating measures, and attempt an accommodation with Narvaez; the natural haughtiness of that officer, augmented by consciousness of his present superiority, forbade him to cherish any sanguine hope of success. After revolving every scheme with deep attention, Cortes fixed upon that which in execution was most hazardous, but, if successful, would prove most beneficial to himself and to his country; and with the decisive intrepidity suited to desperate situations,

t See Note CXV.

u See Note CXVI.

determined to make one bold effort for victory under every disadvantage, rather than sacrifice his own conquests and the Spanish interests in Mexico.

His negociations with the followers of Narvaez.

But though he foresaw that the contest must be terminated finally by arms, it would have been not only indecent, but criminal, to have marched against his countrymen, without attempting to adjust matters by an amicable negociation. In this service he employed Olmedo, his chaplain, to whose character the function was well suited, and who possessed, besides, such prudence and address as qualified him to carry on the secret intrigues in which Cortes placed his chief confidence. Narvaez rejected, with scorn, every scheme of accommodation that Olmedo proposed, and was with difficulty restrained from laying violent hands on him and his attendants. He met, however, with a more favourable reception among the followers of Narvaez, to many of whom he delivered letters, either from Cortes or his officers, their ancient friends and companions. Cortes artfully accompanied these with presents of rings, chains of gold, and other trinkets of value, which inspired those needy adventurers with high ideas of the wealth that he had acquired, and with envy of their good fortune who were engaged in his service. Some, from hopes of becoming sharers in those rich spoils, declared for an immediate accommodation with Cortes. Others, from public spirit, laboured to prevent a civil war, which, whatever party should prevail, must shake, and perhaps subvert, the Spanish power, in a country where it was so imperfectly established. Narvaez disregarded both, and by a public proclamation denounced Cortes and his adherents rebels and enemies to their country. Cortes, it is probable, was not much surprised at the untractable arrogance of Narvaez; and, after having given such a proof of his own pacific disposition as might justify his recourse to other means, he determined to advance towards an enemy whom he had laboured in vain to appease.

Marches against him. May.

He left a hundred and fifty men in the capital, under the command of Pedro de Alvarado, an officer of distinguished courage, for whom the Mexicans had conceived a singular degree of respect. To the custody of this slender garrison he committed a great city, with all the wealth he had amassed, and, what was still of greater importance, the person of the imprisoned monarch. His utmost art was employed in concealing from Montezuma the real cause of his march. He laboured to persuade him, that the strangers who had lately arrived were his friends and fellow-subjects; and that, after a short interview with them, they would depart together, and return to their own country. The captive prince, unable to comprehend the designs of the Spaniards, or to reconcile what he now heard with the declarations of Narvaez, and afraid to discover any symptom of suspicion or distrust of Cortes, promised to remain quietly in the Spanish quarters, and to cultivate the same friendship with Alvarado which he had uniformly maintained with him. Cortes, with seeming confidence in this promise, but relying principally upon the injunctions which he had given Alvarado to guard his prisoner with the most scrupulous vigilance, set out from Mexico.

Number of his troops.

His strength, even after it was reinforced by the junction of Sandoval and the garrison of Vera Cruz, did not exceed two hundred and fifty men. As he hoped for success chiefly from the rapidity of his motions, his troops were not encumbered either with baggage or artillery. But as he dreaded extremely the impression which the enemy might make with their cavalry, he had provided against this danger with the foresight and sagacity which distinguish a great commander. Having observed that the Indians in the province of Chinantla used spears of extraordinary length and force, he armed his soldiers with these, and accustomed them to that deep and compact arrangement which the use of this formidable weapon, the best perhaps that ever was invented for defence, enabled them to assume.

Continues to negociate as he advanced.

With this small but firm battalion, Cortes advanced towards Zempoalla, of which Narvaez had taken possession. During his march, he made repeated attempts towards some accommodation with his opponent. But Narvaez requiring that Cortes and his followers should instantly recognise his title to be governor of New Spain, in virtue of the powers which he derived from Velasquez; and Cortes refusing to submit to any authority which was not founded on a commission from the emperor himself, under whose immediate protection he and his adherents had placed their infant colony; all these attempts proved fruitless. The intercourse, however, which this occasioned between the two parties, proved of no small advantage to Cortes, as it afforded him an opportunity of gaining some of Narvaez's officers by liberal presents, of softening others by a semblance of moderation, and of dazzling all by the appearance of wealth among his troops, most of his soldiers having converted their share of the Mexican gold into chains, bracelets, and other ornaments, which they displayed with military ostentation. Narvaez and a little junto of his creatures excepted, all the army leaned towards an accommodation with their countrymen. This discovery of their inclination irritated his violent temper almost to madness. In a transport of rage, he set a price upon the head of Cortes, and of his principal officers; and having learned that he was now advanced within a league of Zempoalla with his small body of men, he considered this as an insult which merited immediate chastisement, and marched out with all his troops to offer him battle.

Attacks Narvaez in the night,

But Cortes was a leader of greater abilities and experience than, on equal ground, to fight an enemy so far superior in number, and so much better appointed. Having taken

his station on the opposite bank of the river de Canoas, where he knew that he could not be attacked, he beheld the approach of the enemy without concern, and disregarded this vain bravado. It was then the beginning of the wet season,[x] and the rain had poured down, during a great part of the day, with the violence peculiar to the torrid zone. The followers of Narvaez, unaccustomed to the hardships of military service, murmured so much at being thus fruitlessly exposed, that, from their unsoldier-like impatience, as well as his own contempt of his adversary, their general permitted them to retire to Zempoalla. The very circumstance which induced them to quit the field, encouraged Cortes to form a scheme by which he hoped at once to terminate the war. He observed, that his hardy veterans, though standing under the torrents which continued to fall, without a single tent or any shelter whatsoever to cover them, were so far from repining at hardships which were become familiar to them, that they were still fresh and alert for service. He foresaw that the enemy would naturally give themselves up to repose after their fatigue, and that, judging of the conduct of others by their own effeminacy, they would deem themselves perfectly secure at a season so unfit for action. He resolved, therefore, to fall upon them in the dead of night, when the surprise and terror of this unexpected attack might more than compensate the inferiority of his numbers. His soldiers, sensible that no resource remained but in some desperate effort of courage, approved of the measure with such warmth, that Cortes, in a military oration which he addressed to them before they began their march, was more solicitous to temper than to inflame their ardour. He divided them into three parties. At the head of the first he placed Sandoval; intrusting this gallant officer with the most dangerous and important service, that of seizing the enemy's artillery, which was planted before the principal tower of the temple, where Narvaez had fixed his headquarters. Christoval de Olid commanded the second, with orders to assault the tower, and lay hold on the general. Cortes himself conducted the third and smallest division, which was to act as a body of reserve, and to support the other two as there should be occasion. Having passed the river de Canoas, which was much swelled with the rains, not without difficulty, the water reaching almost to their chins, they advanced in profound silence, without beat of drum, or sound of any warlike instrument; each man armed with his sword, his dagger, and his Chinantlan spear. Narvaez, remiss in proportion to his security, had posted only two sentinels to watch the motions of an enemy whom he had such good cause to dread. One of these was seized by the advanced guard of Cortes's troops, the other made his escape, and hurrying to the town with all the precipitation of fear and zeal, gave such timely notice of the enemy's approach, that there was full leisure to have prepared for their reception. But through the arrogance and infatuation of Narvaez, this important interval was lost. He imputed this alarm to the cowardice of the sentinel, and treated with derision the idea of being attacked by forces so unequal to his own. The shouts of Cortes's soldiers, rushing on to the assault, convinced him at last that the danger which he despised was real. The rapidity with which they advanced was such, that only one cannon could be fired before Sandoval's party closed with the enemy, drove them from their guns, and began to force their way up the steps of the tower. Narvaez, no less brave in action than presumptuous in conduct, armed himself in haste, and by his voice and example animated his men to the combat. Olid advanced to sustain his companions; and Cortes himself, rushing to the front, conducted and added new vigour to the attack. The compact order in which this small body pressed on, and the impenetrable front which they presented with their long spears, bore down all opposition before it. They had now reached the gate, and were struggling to burst it open, when a soldier having set fire to the reeds with which the tower was covered, compelled Narvaez to sally out. In the first encounter he was wounded in the eye with a spear, and, falling to the ground, was dragged down the steps, and in a moment clapt in fetters. The cry of victory resounded among the troops of Cortes. Those who had sallied out with their leader now maintained the conflict feebly, and began to surrender. Among the remainder of his soldiers, stationed in two smaller towers of the temple, terror and confusion prevailed. The darkness was so great, that they could not distinguish between their friends and foes. Their own artillery was pointed against them. Wherever they turned their eyes, they beheld lights gleaming through the obscurity of night, which, though proceeding only from a variety of shining insects that abound in moist and sultry climates, their affrighted imaginations represented as numerous bands of musketeers advancing with kindled matches to the attack. After a short resistance, the soldiers compelled their officers to capitulate, and before morning all laid down their arms, and submitted quietly to their conquerors.

and overcomes him.

This complete victory proved more acceptable, as it was gained almost without bloodshed, only two soldiers being killed on the side of Cortes, and two officers, with fifteen private men, of the adverse faction. Cortes treated the vanquished not like enemies, but as countrymen and friends, and offered either to send them back directly to Cuba, or to take them into his service, as partners in his fortune, on equal terms with his own soldiers. This latter proposition, seconded by a seasonable distribution of some presents from Cortes, and liberal promises of more, opened prospects so agreeable to the romantic expectations which had

The effects of this victory.

x Hackluyt, vol. iii. 467. De Laet Descr. Ind. Occid. 221.

invited them to engage in this service, that all, a few partisans of Narvaez excepted, closed with it, and vied with each other in professions of fidelity and attachment to a general, whose recent success had given them such a striking proof of his abilities for command. Thus, by a series of events no less fortunate than uncommon, Cortes not only escaped from perdition which seemed inevitable, but, when he had least reason to expect it, was placed at the head of a thousand Spaniards, ready to follow wherever he should lead them. Whoever reflects upon the facility with which this victory was obtained, or considers with what sudden and unanimous transition the followers of Narvaez ranged themselves under the standard of his rival, will be apt to ascribe both events as much to the intrigues as to the arms of Cortes, and cannot but suspect that the ruin of Narvaez was occasioned, no less by the treachery of his own followers, than by the valour of the enemy.[y]

The Mexicans take arms against the Spaniards.

But, in one point, the prudent conduct and good fortune of Cortes were equally conspicuous. If, by the rapidity of his operations after he began his march, he had not brought matters to such a speedy issue, even this decisive victory would have come too late to have saved his companions whom he left in Mexico. A few days after the discomfiture of Narvaez, a courier arrived with an account that the Mexicans had taken arms, and having seized and destroyed the two brigantines which Cortes had built in order to secure the command of the lake, and attacked the Spaniards in their quarters, had killed several of them, and wounded more, had reduced to ashes their magazine of provisions, and carried on hostilities with such fury, that though Alvarado and his men defended themselves with undaunted resolution, they must either be soon cut off by famine, or sink under the multitude of their enemies. This revolt was excited by motives which rendered it still more alarming. On the departure of Cortes for Zempoalla, the Mexicans flattered themselves, that the long-expected opportunity of restoring their sovereign to liberty, and of vindicating their country from the odious dominion of strangers, was at length arrived; that while the forces of their oppressors were divided, and the arms of one party turned against the other, they might triumph with greater facility over both. Consultations were held, and schemes formed with this intention. The Spaniards in Mexico, conscious of their own feebleness, suspected and dreaded those machinations. Alvarado, though a gallant officer, possessed neither that extent of capacity, nor dignity of manners, by which Cortes had acquired such an ascendant over the minds of the Mexicans, as never allowed them to form a just estimate of his weakness or of their own strength. Alvarado knew no mode of supporting his authority but force. Instead of employing address to disconcert the plans, or to soothe the spirits of the Mexicans, he waited the return of one of their solemn festivals, when the principal persons in the empire were dancing, according to custom, in the court of the great temple; he seized all the avenues which led to it, and, allured partly by the rich ornaments which they wore in honour of their gods, and partly by the facility of cutting off at once the authors of that conspiracy which he dreaded, he fell upon them, unarmed and unsuspicious of any danger, and massacred a great number, none escaping but such as made their way over the battlements of the temple. An action so cruel and treacherous filled not only the city, but the whole empire, with indignation and rage. All called aloud for vengeance; and regardless of the safety of their monarch, whose life was at the mercy of the Spaniards, or of their own danger in assaulting an enemy who had been so long the object of their terror, they committed all those acts of violence of which Cortes received an account.

He marches back to the capital.

To him the danger appeared so imminent, as to admit neither of deliberation nor delay. He set out instantly with all his forces, and returned from Zempoalla with no less rapidity than he had advanced thither. At Tlascala he was joined by two thousand chosen warriors. On entering the Mexican territories, he found that disaffection to the Spaniards was not confined to the capital. The principal inhabitants had deserted the towns through which he passed; no person of note appearing to meet him with the usual respect; no provision was made for the subsistence of his troops; and though he was permitted to advance without opposition, the solitude and silence which reigned in every place, and the horror with which the people avoided all intercourse with him, discovered a deep-rooted antipathy, that excited the most just alarm. But implacable as the enmity of the Mexicans was, they were so unacquainted with the science of war, that they knew not how to take the proper measures, either for their own safety or the destruction of the Spaniards. Uninstructed by their former error in admitting a formidable enemy into their capital, instead of breaking down the causeways and bridges, by which they might have enclosed Alvarado and his party, and have effectually stopped the career of Cortes, they again suffered him to march into the city without molestation, and to take quiet possession of his ancient station.

June 24.

Improper conduct of Cortes.

The transports of joy with which Alvarado and his soldiers received their companions cannot be expressed. Both parties were so much elated, the one with their seasonable deliverance, and the other with the great exploits which they had achieved, that this intoxication of success seems to have reached Cortes himself; and he behaved on this occasion neither with his usual sagacity nor attention. He not only neglected to visit Montezuma, but imbittered the insult by expressions full of contempt for that unfortunate

[y] Cortes Relat. 242. D. B. Diaz, c. 110—125. Herrera. dec. 2. lib. ix. c. 18, &c. Gomara Cron. c. 97, &c

prince and his people. The forces of which he had now the command appeared to him so irresistible, that he might assume a higher tone, and lay aside the mask of moderation under which he had hitherto concealed his designs. Some Mexicans, who understood the Spanish language, heard the contemptuous words which Cortes uttered, and reporting them to their countrymen, kindled their rage anew. They were now convinced that the intentions of the general were equally bloody with those of Alvarado, and that his original purpose in visiting their country had not been, as he pretended, to court the alliance of their sovereign, but to attempt the conquest of his dominions. They resumed their arms with the additional fury which this discovery inspired, attacked a considerable body of Spaniards who were marching towards the great square in which the public market was held, and compelled them to retire with some loss. Imboldened by this success, and delighted to find that their oppressors were not invincible, they advanced next day with extraordinary martial pomp to assault the Spaniards in their quarters. Their number was formidable, and their undaunted courage still more so. Though the artillery pointed against their numerous battalions, crowded together in narrow streets, swept off multitudes at every discharge; though every blow of the Spanish weapons fell with mortal effect upon their naked bodies, the impetuosity of the assault did not abate. Fresh men rushed forward to occupy the places of the slain, and meeting with the same fate, were succeeded by others no less intrepid and eager for vengeance. The utmost efforts of Cortes's abilities and experience, seconded by the disciplined valour of his troops, were hardly sufficient to defend the fortifications that surrounded the post where the Spaniards were stationed, into which the enemy were more than once on the point of forcing their way.

The violent hostility of the Mexicans.

Distress of the Spaniards.

Cortes beheld, with wonder, the implacable ferocity of a people who seemed at first to submit tamely to the yoke, and had continued so long passive under it. The soldiers of Narvacz, who fondly imagined that they followed Cortes to share in the spoils of a conquered empire, were astonished to find that they were involved in a dangerous war, with an enemy whose vigour was still unbroken, and loudly execrated their own weakness, in giving such easy credit to the delusive promises of their new leader.[z] But surprise and complaints were of no avail. Some immediate and extraordinary effort was requisite to extricate themselves out of their present situation. As soon as the approach of evening induced the Mexicans to retire, in compliance with their national custom of ceasing from hostilities with the setting sun, Cortes began to prepare for a sally, next day, with such a considerable force, as might either drive the enemy out of the city, or compel them to listen to terms of accommodation.

z B. Diaz, c. 126.

Cortes attacks them without success.

He conducted, in person, the troops destined for this important service. Every invention known in the European art of war, as well as every precaution suggested by his long acquaintance with the Indian mode of fighting, were employed to insure success. But he found an enemy prepared and determined to oppose him. The force of the Mexicans was greatly augmented by fresh troops, which poured in continually from the country, and their animosity was in no degree abated. They were led by their nobles, inflamed by the exhortations of their priests, and fought in defence of their temples and families, under the eye of their gods, and in presence of their wives and children. Notwithstanding their numbers, and enthusiastic contempt of danger and death, wherever the Spaniards could close with them, the superiority of their discipline and arms obliged the Mexicans to give way. But in narrow streets, and where many of the bridges of communication were broken down, the Spaniards could seldom come to a fair rencounter with the enemy, and as they advanced, were exposed to showers of arrows and stones from the tops of houses. After a day of incessant exertion, though vast numbers of the Mexicans fell, and part of the city was burnt, the Spaniards, weary with the slaughter, and harassed by multitudes which successively relieved each other, were obliged at length to retire, with the mortification of having accomplished nothing so decisive as to compensate the unusual calamity of having twelve soldiers killed, and above sixty wounded. Another sally, made with greater force, was not more effectual, and in it the general himself was wounded in the hand.

Montezuma slain.

Cortes now perceived, too late, the fatal error into which he had been betrayed by his own contempt of the Mexicans, and was satisfied that he could neither maintain his present station in the centre of an hostile city, nor retire from it without the most imminent danger. One resource still remained, to try what effect the interposition of Montezuma might have to soothe or overawe his subjects. When the Mexicans approached next morning to renew the assault, that unfortunate prince, at the mercy of the Spaniards, and reduced to the sad necessity of becoming the instrument of his own disgrace, and of the slavery of his people,[a] advanced to the battlements in his royal robes, and with all the pomp in which he used to appear on solemn occasions. At sight of their sovereign, whom they had long been accustomed to honour, and almost to revere as a god, the weapons dropped from their hands, every tongue was silent, all bowed their heads, and many prostrated themselves on the ground. Montezuma addressed them with every argument that could mitigate their rage, or persuade them to cease from hostilities. When he ended his discourse, a sullen murmur of disapprobation ran through the ranks; to this succeeded

a See Note CXVII.

reproaches and threats; and the fury of the multitude rising in a moment above every restraint of decency or respect, flights of arrows and volleys of stones poured in so violently upon the ramparts, that before the Spanish soldiers appointed to cover Montezuma with their bucklers, had time to lift them in his defence, two arrows wounded the unhappy monarch, and the blow of a stone on his temple struck him to the ground. On seeing him fall, the Mexicans were so much astonished, that with a transition not uncommon in popular tumults, they passed in a moment from one extreme to the other; remorse succeeded to insult, and they fled with horror, as if the vengeance of Heaven were pursuing the crime which they had committed. The Spaniards without molestation carried Montezuma to his apartments, and Cortes hastened thither to console him under his misfortune. But the unhappy monarch now perceived how low he was sunk, and the haughty spirit which seemed to have been so long extinct, returning, he scorned to survive this last humiliation, and to protract an ignominious life, not only as the prisoner and tool of his enemies, but as the object of contempt or detestation among his subjects. In a transport of rage he tore the bandages from his wounds, and refused, with such obstinacy, to take any nourishment, that he soon ended his wretched days, rejecting with disdain all the solicitations of the Spaniards to embrace the christian faith.

New conflicts.

Upon the death of Montezuma, Cortes having lost all hope of bringing the Mexicans to an accommodation, saw no prospect of safety but in attempting a retreat, and began to prepare for it. But a sudden motion of the Mexicans engaged him in new conflicts. They took possession of a high tower in the great temple which overlooked the Spanish quarters, and placing there a garrison of their principal warriors, not a Spaniard could stir without being exposed to their missile weapons. From this post it was necessary to dislodge them at any risk; and Juan de Escobar, with a numerous detachment of chosen soldiers, was ordered to make the attack. But Escobar, though a gallant officer, and at the head of troops accustomed to conquer, and who now fought under the eyes of their countrymen, was thrice repulsed. Cortes, sensible that not only the reputation but the safety of his army depended on the success of this assault, ordered a buckler to be tied to his arm, as he could not manage it with his wounded hand, and rushed with his drawn sword into the thickest of the combatants. Encouraged by the presence of their general, the Spaniards returned to the charge with such vigour, that they gradually forced their way up the steps, and drove the Mexicans to the platform at the top of the tower. There a dreadful carnage began, when two young Mexicans of high rank, observing Cortes as he animated his soldiers by his voice and example, resolved to sacrifice their own lives in order to cut off the author of all the calamities which desolated their country. They approached him in a supplicant posture, as if they had intended to lay down their arms, and seizing him in a moment, hurried him towards the battlements, over which they threw themselves headlong, in hopes of dragging him along to be dashed in pieces by the same fall. But Cortes, by his strength and agility, broke loose from their grasp, and the gallant youths perished in this generous though unsuccessful attempt to save their country.[b] As soon as the Spaniards became masters of the tower, they set fire to it, and, without further molestation, continued the preparations for their retreat.

The Spaniards abandon the city.

This became the more necessary, as the Mexicans were so much astonished at the last effort of the Spanish valour, that they began to change their whole system of hostility, and, instead of incessant attacks, endeavoured, by barricading the streets, and breaking down the causeways, to cut off the communication of the Spaniards with the continent, and thus to starve an enemy whom they could not subdue. The first point to be determined by Cortes and his followers was, whether they should march out open in the face of day, when they could discern every danger, and see how to regulate their own motions, as well as how to resist the assaults of the enemy; or, whether they should endeavour to retire secretly in the night? The latter was preferred, partly from hopes that their national superstition would restrain the Mexicans from venturing to attack them in the night, and partly from their own fond belief in the predictions of a private soldier, who, having acquired universal credit by a smattering of learning, and his pretensions to astrology, boldly assured his countrymen of success if they made their retreat in this manner. They began to move, towards midnight, in three divisions. Sandoval led the van; Pedro Alvarado, and Velasquez de Leon, had the conduct of the rear; and Cortes commanded in the centre, where he placed the prisoners, among whom were a son and two daughters of Montezuma, together with several Mexicans of distinction, the artillery, the baggage, and a portable bridge of timber, intended to be laid over the breaches in the causeway. They marched in profound silence along the causeway which led to Tacuba, because it was shorter than any of the rest, and, lying most remote from the road towards Tlascala and the sea-coast, had been left more entire by the Mexicans. They reached the first breach in it without molestation, hoping that their retreat was undiscovered.

Attacked by the Mexicans.

But the Mexicans, unperceived, had not only watched all their motions with attention, but had made proper dispositions for a most formidable attack. While the Spaniards

b M. Clavigero has censured me with asperity for relating this gallant action of the two Mexicans, and for supposing that there were battlements round the temple of Mexico. I related the attempt to destroy Cortes on the authority of Herrera, dec. 2. lib. x. c. 9. and of Torquemado, lib. iv. c. 69. I followed them likewise in supposing the uppermost platform of the temple to be encompassed by a battlement or rail.

were intent upon placing their bridge in the breach, and occupied in conducting their horses and artillery along it, they were suddenly alarmed with a tremendous sound of warlike instruments, and a general shout from an innumerable multitude of enemies; the lake was covered with canoes; flights of arrows and showers of stones poured in upon them from every quarter; the Mexicans rushing forward to the charge with fearless impetuosity, as if they hoped in that moment to be avenged for all their wrongs. Unfortunately the wooden bridge, by the weight of the artillery, was wedged so fast into the stones and mud, that it was impossible to remove it. Dismayed at this accident, the Spaniards advanced with precipitation towards the second breach. The Mexicans hemmed them in on every side, and though they defended themselves with their usual courage, yet crowded together as they were on a narrow causeway, their discipline and military skill were of little avail, nor did the obscurity of the night permit them to derive great advantage from their fire-arms, or the superiority of their other weapons. All Mexico was now in arms, and so eager were the people on the destruction of their oppressors, that they who were not near enough to annoy them in person, impatient of the delay, pressed forward with such ardour, as drove on their countrymen in the front with irresistible violence. Fresh warriors instantly filled the place of such as fell. The Spaniards, weary with slaughter, and unable to sustain the weight of the torrent that poured in upon them, began to give way. In a moment the confusion was universal; horse and foot, officers and soldiers, friends and enemies, were mingled together; and while all fought, and many fell, they could hardly distinguish from what hand the blow came.

Their disasters,

Cortes, with about a hundred foot soldiers and a few horse, forced his way over the two remaining breaches in the causeway, the bodies of the dead serving to fill up the chasms, and reached the main land. Having formed them as soon as they arrived, he returned with such as were yet capable of service, to assist his friends in their retreat, and to encourage them, by his presence and example, to persevere in the efforts requisite to effect it. He met with part of his soldiers, who had broke through the enemy, but found many more overwhelmed by the multitude of their agressors, or perishing in the lake; and heard the piteous lamentations of others, whom the Mexicans, having taken alive, were carrying off in triumph to be sacrificed to the god of war. Before day, all who had escaped assembled at Tacuba. But when the morning dawned, and discovered to the view of Cortes his shattered battalion, reduced to less than half its number, the survivors dejected, and most of them covered with wounds, the thoughts of what they had suffered, and the remembrance of so many faithful friends and gallant followers who had fallen in that night of sorrow,[c] pierced his soul with such anguish, that while he was forming their ranks, and issuing some necessary orders, his soldiers observed the tears trickling from his eyes, and remarked, with much satisfaction, that while attentive to the duties of a general, he was not insensible to the feelings of a man.

and loss.

In this fatal retreat many officers of distinction perished,[d] and among these Velasquez de Leon, who having forsaken the party of his kinsman, the governor of Cuba, to follow the fortune of his companions, was, on that account, as well as for his superior merit, respected by them as the second person in the army. All the artillery, ammunition, and baggage, were lost; the greater part of the horses, and above two thousand Tlascalans, were killed, and only a very small portion of the treasure which they had amassed was saved. This, which had been always their chief object, proved a great cause of their calamity; for many of the soldiers having so overloaded themselves with bars of gold as rendered them unfit for action, and retarded their flight, fell, ignominiously, the victims of their own inconsiderate avarice. Amidst so many disasters, it was some consolation to find that Aguilar and Marina, whose function as interpreters was of such essential importance, had made their escape.[e]

Difficult retreat of the Spaniards.

The first care of Cortes was to find some shelter for his wearied troops; for as the Mexicans infested them on every side, and the people of Tacuba began to take arms, he could not continue in his present station. He directed his march towards the rising ground, and having fortunately discovered a temple situated on an eminence, took possession of it. There he found not only the shelter for which he wished, but, what was no less wanted, some provisions to refresh his men; and though the enemy did not intermit their attacks throughout the day, they were with less difficulty prevented from making any impression. During this time Cortes was engaged in deep consultation with his officers, concerning the route which they ought to take in their retreat. They were now on the west side of the lake. Tlascala, the only place where they could hope for a friendly reception, lay about sixty-four miles to the east of Mexico;[f] so that they were obliged to go round the north end of the lake before they could fall into the road which led thither. A Tlascalan soldier undertook to be their guide, and conducted them through a country, in some places marshy, in others mountainous, in all ill cultivated and thinly peopled. They marched for six days with little respite, and under continual alarms, numerous bodies of the Mexicans hovering around them, sometimes harassing them at a distance with their missile weapons, and sometimes attacking them closely in front, in rear, in flank, with great boldness, as they now knew that they were not in-

c *Noche Triste* is the name by which it is still distinguished in New Spain.

d See Note CXVIII.

e Cortes Relat. p. 248. B. Diaz, c. 128. Gomara Cron. c. 109. Herrera, dec. 2. lib. x. c. 11, 12.

f Villa Segnor Teatro Americanos, lib. ii. c. 11.

vincible. Nor were the fatigue and danger of those incessant conflicts the worst evils to which they were exposed. As the barren country through which they passed afforded hardly any provisions, they were reduced to feed on berries, roots, and the stalks of green maize; and at the very time that famine was depressing their spirits and wasting their strength, their situation required the most vigorous and unremitting exertions of courage and activity. Amidst those complicated distresses, one circumstance supported and animated the Spaniards. Their commander sustained this sad reverse of fortune with unshaken magnanimity. His presence of mind never forsook him; his sagacity foresaw every event, and his vigilance provided for it. He was foremost in every danger, and endured every hardship with cheerfulness. The difficulties with which he was surrounded seemed to call forth new talents; and his soldiers, though despairing themselves, continued to follow him with increasing confidence in his abilities.

Battle of Otumba.

On the sixth day they arrived near to Otumba, not far from the road between Mexico and Tlascala. Early next morning they began to advance towards it, flying parties of the enemy still hanging on the rear; and, amidst the insults with which they accompanied their hostilities, Marina remarked that they often exclaimed with exultation, "Go on, robbers; go to the place where you shall quickly meet the vengeance due to your crimes." The meaning of this threat the Spaniards did not comprehend, until they reached the summit of an eminence before them. There a spacious valley opened to their view covered with a vast army, extending as far as the eye could reach. The Mexicans, while with one body of their troops they harrassed the Spaniards in their retreat, had assembled their principal force on the other side of the lake; and marching along the road which led directly to Tlascala, posted it in the plain of Otumba, through which they knew Cortes must pass. At the sight of this incredible multitude, which they could survey at once from the rising ground, the Spaniards were astonished, and even the boldest began to despair. But Cortes, without allowing leisure for their fears to acquire strength by reflection, after warning them briefly that no alternative now remained but to conquer or to die, led them instantly to the charge. The Mexicans waited their approach with unusual fortitude. Such, however, was the superiority of the Spanish discipline and arms, that the impression of this small body was irresistible; and whichever way its force was directed, it penetrated and dispersed the most numerous battalions. But while these gave way in one quarter, new combatants advanced from another, and the Spaniards, though successful in every attack, were ready to sink under those repeated efforts, without seeing any end to their toil, or any hope of victory. At that time Cortes observed the great standard of the empire, which was carried before the Mexican general, advancing; and fortunately recollecting to have heard, that on the fate of it depended the event of every battle, he assembled a few of his bravest officers, whose horses were still capable of service, and placing himself at their head, pushed forward towards the standard with an impetuosity which bore down every thing before it. A chosen body of nobles, who guarded the standard, made some resistance, but were soon broken. Cortes, with a stroke of his lance, wounded the Mexican general, and threw him to the ground. One of the Spanish officers alighting, put an end to his life, and laid hold of the imperial standard. The moment that their leader fell, and the standard, towards which all directed their eyes, disappeared, an universal panic struck the Mexicans, and, as if the bond which held them together had been dissolved, every ensign was lowered, each soldier threw away his weapons, and all fled with precipitation to the mountains. The Spaniards, unable to pursue them far, returned to collect the spoils of the field, which were so valuable as to be some compensation for the wealth which they had lost in Mexico; for in the enemy's army were most of their principal warriors, dressed out in their richest ornaments, as if they had been marching to assured victory. Next day, to their great joy, they entered the Tlascalan territories.[g] July 8.

Reception of the Spaniards in Tlascala.

But amidst their satisfaction in having got beyond the precincts of an hostile country, they could not look forward without solicitude, as they were still uncertain what reception they might meet with from allies, to whom they returned in a condition very different from that in which they had lately set out from their dominions. Happily for them, the enmity of the Tlascalans to the Mexican name was so inveterate, their desire to avenge the death of their countrymen so vehement, and the ascendant which Cortes had acquired over the chiefs of the republic so complete, that far from entertaining a thought of taking any advantage of the distressed situation in which they beheld the Spaniards, they received them with a tenderness and cordiality which quickly dissipated all their suspicions.

New deliberations of Cortes.

Some interval of tranquillity and indulgence was now absolutely necessary; not only that the Spaniards might give attention to the cure of their wounds, which had been too long neglected, but in order to recruit their strength, exhausted by such a long succession of fatigue and hardships. During this, Cortes learned that he and his companions were not the only Spaniards who had felt the effects of the Mexican enmity. A considerable detachment which was marching from Zempoalla towards the capital had been cut off by the people of Tepeaca. A smaller party, returning from Tlascala to Vera Cruz, with the share of the Mexican gold allotted to the garri-

g Cortes Relat. p. 219. B. Diaz, c. 128. Gomara Cron. c. 110. Herr. dec. 2. lib. x. c. 12, 13.

son, had been surprised and destroyed in the mountains. At a juncture when the life of every Spaniard was of importance, such losses were deeply felt. The schemes which Cortes was meditating rendered them peculiarly afflictive to him. While his enemies, and even many of his own followers, considered the disasters which had befallen him as fatal to the progress of his arms, and imagined that nothing now remained but speedily to abandon a country which he had invaded with unequal force, his mind, as eminent for perseverance as for enterprise, was still bent on accomplishing his original purpose, of subjecting the Mexican empire to the crown of Castile. Severe and unexpected as the check was which he had received, it did not appear to him a sufficient reason for relinquishing the conquests which he had already made, or against resuming his operations with better hopes of success. The colony at Vera Cruz was not only safe, but had remained unmolested. The people of Zempoalla and the adjacent districts had discovered no symptoms of defection. The Tlascalans continued faithful to their alliance. On their martial spirit, easily roused to arms, and inflamed with implacable hatred of the Mexicans, Cortes depended for powerful aid. He had still the command of a body of Spaniards, equal in number to that with which he had opened his way into the centre of the empire, and had taken possession of the capital; so that with the benefit of greater experience, as well as more perfect knowledge of the country, he did not despair of quickly recovering all that he had been deprived of by untoward events.

The measures he takes.

Full of this idea, he courted the Tlascalan chiefs with such attention, and distributed among them so liberally the rich spoils of Otumba, that he was secure of obtaining whatever he should require of the republic. He drew a small supply of ammunition, and two or three field-pieces, from his stores at Vera Cruz. He despatched an officer of confidence with four ships of Narvaez's fleet to Hispaniola and Jamaica, to engage adventurers, and to purchase horses, gunpowder, and other military stores. As he knew that it would be vain to attempt the reduction of Mexico unless he could secure the command of the lake, he gave orders to prepare, in the mountains of Tlascala, materials for building twelve brigantines, so as they might be carried thither in pieces ready to be put together, and launched when he stood in need of their service.[h]

Mutinous spirit of his troops.

But while, with provident attention, he was taking those necessary steps towards the execution of his measures, an obstacle arose in a quarter where it was least expected, but most formidable. The spirit of discontent and mutiny broke out in his own army. Many of Narvaez's followers were planters rather than soldiers, and had accompanied him to New Spain with sanguine hopes of obtaining settlements, but with little inclination to engage in the hardships and dangers of war. As the same motives had induced them to enter into their new engagements with Cortes, they no sooner became acquainted with the nature of the service, than they bitterly repented of their choice. Such of them as had the good fortune to survive the perilous adventures in which their own imprudence had involved them, happy in having made their escape, trembled at the thoughts of being exposed a second time to similar calamities. As soon as they discovered the intention of Cortes, they began secretly to murmur and cabal, and waxing gradually more audacious, they, in a body, offered a remonstrance to their general against the imprudence of attacking a powerful empire with his shattered forces, and formally required him to lead them back directly to Cuba. Though Cortes, long practised in the arts of command, employed arguments, entreaties, and presents to convince or to soothe them; though his own soldiers, animated with the spirit of their leader, warmly seconded his endeavours; he found their fears too violent and deep-rooted to be removed, and the utmost he could effect was to prevail with them to defer their departure for some time, on a promise that he would, at a more proper juncture, dismiss such as should desire it.

Means he employs to revive their confidence.

That the malcontents might have no leisure to brood over the causes of their disaffection, he resolved instantly to call forth his troops into action. He proposed to chastise the people of Tepeaca for the outrage which they had committed, and as the detachment which they had cut off happened to be composed mostly of soldiers who had served under Narvaez, their companions, from the desire of vengeance, engaged the more willingly in this war. He took the command in person, accompanied by a numerous body of Tlascalans, and in the space of a few weeks, after various encounters, with great slaughter of the Tepeacans, reduced that province to subjection. During several months, while he waited for the supplies of men and ammunition which he expected, and was carrying on his preparations for constructing the brigantines, he kept his troops constantly employed in various expeditions against the adjacent provinces, all of which were conducted with an uniform tenor of success. By these, his men became again accustomed to victory, and resumed their wonted sense of superiority; the Mexican power was weakened; the Tlascalan warriors acquired the habit of acting in conjunction with the Spaniards; and the chiefs of the republic, delighted to see their country enriched with the spoils of all the people around them, and astonished every day with fresh discoveries of the irresistible prowess of their allies, declined no effort requisite to support them.

August.

Strengthened by several reinforcements.

All those preparatory arrangements, however, though the most prudent and efficacious which the situation of

h Cortes Relat. p. 253. E. Gomara Cron. c. 117.

Cortes allowed him to make, would have been of little avail without a reinforcement of Spanish soldiers. Of this he was so deeply sensible, that it was the chief object of his thoughts and wishes; and yet his only prospect of obtaining it, from the return of the officer whom he had sent to the isles to solicit aid, was both distant and uncertain. But what neither his own sagacity nor power could have procured, he owed to a series of fortunate and unforeseen incidents. The governor of Cuba, to whom the success of Narvaez appeared an event of infallible certainty, having sent two small ships after him with new instructions, and a supply of men and military stores, the officer whom Cortes had appointed to command on the coast, artfully decoyed them into the harbour of Vera Cruz, seized the vessels, and easily persuaded the soldiers to follow the standard of a more able leader than him whom they were destined to join.[i] Soon after, three ships of more considerable force came into the harbour separately. These belonged to an armament fitted out by Francisco de Garay, governor of Jamaica, who, being possessed with the rage of discovery and conquest which animated every Spaniard settled in America, had long aimed at intruding into some district of New Spain, and dividing with Cortes the glory and gain of annexing that empire to the crown of Castile. They unadvisedly made their attempt on the northern provinces, where the country was poor, and the people fierce and warlike; and after a cruel succession of disasters, famine compelled them to venture into Vera Cruz, and cast themselves upon the mercy of their countrymen. Their fidelity was not proof against the splendid hopes and promises which had seduced other adventurers, and, as if the spirit of revolt had been contagious in New Spain, they likewise abandoned the master whom they were bound to serve, and enlisted under Cortes.[k] Nor was it America alone that furnished such unexpected aid; a ship arrived from Spain, freighted by some private merchants with military stores, in hopes of a profitable market in a country, the fame of whose opulence began to spread over Europe. Cortes eagerly purchased a cargo which to him was invaluable, and the crew, following the general example, joined him at Tlascala.[l]

October 28.

From those various quarters, the army of Cortes was augmented with a hundred and eighty men, and twenty horses, a reinforcement too inconsiderable to produce any consequence which would entitle it to have been mentioned in the history of other parts of the globe. But in that of America, where great revolutions were brought about by causes which seemed to bear no proportion to their effects, such small events rise into importance, because they were sufficient to decide with respect to the fate of kingdoms. Nor is it the least remarkable instance of the singular felicity conspicuous in many passages of Cortes's story, that the two persons chiefly instrumental in furnishing him with those seasonable supplies, should be an avowed enemy who aimed at his destruction, and an envious rival who wished to supplant him.

Number of his forces.

The first effect of the junction with his new followers was to enable him to dismiss such of Narvaez's soldiers as remained with reluctance in his service. After their departure, he still mustered five hundred and fifty infantry, of which fourscore were armed with muskets or cross-bows, forty horsemen, and a train of nine field-pieces.[m] At the head of these, accompanied by ten thousand Tlascalans and other friendly Indians, Cortes began his march towards Mexico, on the twenty-eighth of December, six months after his disastrous retreat from that city.[n]

Preparations of the Mexicans for their defence.

Nor did he advance to attack an enemy unprepared to receive him. Upon the death of Montezuma, the Mexican chiefs, in whom the right of electing the emperor was vested, had instantly raised his brother Quetlavaca to the throne. His avowed and inveterate enmity to the Spaniards would have been sufficient to gain their suffrages, although he had been less distinguished for courage and capacity. He had an immediate opportunity of showing that he was worthy of their choice, by conducting, in person, those fierce attacks which compelled the Spaniards to abandon his capital; and as soon as their retreat afforded them any respite from action, he took measures for preventing their return to Mexico, with prudence equal to the spirit which he had displayed in driving them out of it. As, from the vicinity of Tlascala, he could not be unacquainted with the motions and intentions of Cortes, he observed the storm that was gathering, and began early to provide against it. He repaired what the Spaniards had ruined in the city, and strengthened it with such new fortifications as the skill of his subjects was capable of erecting. Besides filling his magazines with the usual weapons of war, he gave directions to make long spears headed with the swords and daggers taken from the Spaniards, in order to annoy the cavalry. He summoned the people in every province of the empire to take arms against their oppressors, and as an encouragement to exert themselves with vigour, he promised them exemption from all the taxes which his predecessors had imposed.[o] But what he laboured with the greatest earnestness was, to deprive the Spaniards of the advantages which they derived from the friendship of the Tlascalans, by endeavouring to persuade that people to renounce all connexion with men, who were not only avowed enemies of the gods whom they worshipped, but who would not fail to subject them at last to the same yoke, which they were now inconsiderately lending their aid to impose upon others. These representations, no less striking than

i B. Diaz, c. 131.
l Ibid. c. 136.
k Cortes Relat. 253. F. B. Diaz, c. 133.
m Cortes Relat. 255. E.
n Relat. 256. A. B. Diaz, c. 137.
o Cortes Relat. p. 253. E. 254. A. B. Diaz, c. 140.

well founded, were urged so forcibly by his ambassadors, that it required all the address of Cortes to prevent their making a dangerous impression.[p]

But while Quetlavaca was arranging his plan of defence, with a degree of foresight uncommon in an American, his days were cut short by the small-pox. This distemper, which raged at that time in New Spain with fatal malignity, was unknown in that quarter of the globe until it was introduced by the Europeans, and may be reckoned among the greatest calamities brought upon them by their invaders. In his stead the Mexicans raised to the throne Guatimozin, nephew and son-in-law of Montezuma, a young man of such high reputation for abilities and valour, that in this dangerous crisis his countrymen, with one voice, called him to the supreme command.[q]

1521. Cortes advances towards Mexico.

As soon as Cortes entered the enemy's territories, he discovered various preparations to obstruct his progress. But his troops forced their way with little difficulty, and took possession of Tezcuco, the second city of the empire, situated on the banks of the lake, about twenty miles from Mexico.[r] Here he determined to establish his head-quarters, as the most proper station for launching his brigantines, as well as for making his approaches to the capital. In order to render his residence there more secure, he deposed the cazique or chief who was at the head of that community, under pretext of some defect in his title, and substituted in his place a person whom a faction of the nobles pointed out as the right heir of that dignity. Attached to him by this benefit, the new cazique and his adherents served the Spaniards with inviolable fidelity.[s]

His operations slow and cautious.

As the preparations for constructing the brigantines advanced slowly under the unskilful hands of soldiers and Indians, whom Cortes was obliged to employ in assisting three or four carpenters who happened fortunately to be in his service, and as he had not yet received the reinforcement which he expected from Hispaniola, he was not in a condition to turn his arms directly against the capital. To have attacked, at this period, a city so populous, so well prepared for defence, and in a situation of such peculiar strength, must have exposed his troops to inevitable destruction. Three months elapsed before the materials for the brigantines were finished, and before he heard any thing with respect to the success of the officer whom he had sent to Hispaniola. This, however, was not a season of inaction to Cortes. He attacked successively several of the towns situated around the lake; and though all the Mexican power was exerted to obstruct his operations, he either compelled them to submit to the Spanish crown, or reduced them to ruins. The inhabitants of other towns he endeavoured to conciliate by more gentle means, and though he could not hold any intercourse with them but by the intervention of interpreters, yet, under all the disadvantage of that tedious and imperfect mode of communication, he had acquired such thorough knowledge of the state of the country, as well as of the dispositions of the people, that he conducted his negociations and intrigues with astonishing dexterity and success. Most of the cities adjacent to Mexico were originally the capitals of small independent states; and some of them, having been but lately annexed to the Mexican empire, still retained the remembrance of their ancient liberty, and bore with impatience the rigorous yoke of their new masters. Cortes, having early observed symptoms of their disaffection, availed himself of this knowledge to gain their confidence and friendship. By offering with confidence to deliver them from the odious dominion of the Mexicans, and by liberal promises of more indulgent treatment if they would unite with him against their oppressors, he prevailed on the people of several considerable districts, not only to acknowledge the king of Castile as their sovereign, but to supply the Spanish camp with provisions, and to strengthen his army with auxiliary troops. Guatimozin, on the first appearance of defection among his subjects, exerted himself with vigour to prevent or to punish their revolt; but, in spite of his efforts, the spirit continued to spread. The Spaniards gradually acquired new allies, and with deep concern he beheld Cortes arming against his empire those very hands which ought to have been active in its defence; and ready to advance against the capital at the head of a numerous body of his own subjects.[t]

While, by those various methods, Cortes was gradually circumscribing the Mexican power in such a manner that his prospect of overturning it seemed neither to be uncertain nor remote, all his schemes were well nigh defeated by a conspiracy no less unexpected than dangerous. The soldiers of Narvaez had never united perfectly with the original companions of Cortes, nor did they enter into his measures with the same cordial zeal. Upon every occasion that required any extraordinary effort of courage or of patience, their spirits were apt to sink; and now, on a near view of what they had to encounter, in attempting to reduce a city so inaccessible as Mexico, and defended by a numerous army, the resolution even of those among them who had adhered to Cortes when he was deserted by their associates, began to fail. Their fears led them to presumptuous and unsoldier-like discussions concerning the propriety of their general's measures, and the improbability of their success. From these they proceeded to censure and invectives, and at last began to deliberate how they might provide for their own safety, of which they deemed their commander to be totally negligent.

p B. Diaz, c. 129. Herrera, dec. 2. lib. x. c. 14, 19.
q B. Diaz, c. 130.
r Villa Segnor Teatro Americanos, i. 156.
s Cortes Relat. 256. &c. B. Diaz, c. 137. Gomara Cron. c. 121, Herrera, dec. 3. c. 1.
t Cortes Relat. 256—260. B. Diaz, c. 137—140. Gomara Cron. c. 122, 123. Herrera, dec. 3. lib. i. c. 1, 2.

Antonio Villefagna, a private soldier, but bold, intriguing, and strongly attached to Velasquez, artfully fomented this growing spirit of disaffection. His quarters became the rendezvous of the malcontents, where, after many consultations, they could discover no method of checking Cortes in his career, but by assassinating him and his most considerable officers, and conferring the command upon some person who would relinquish his wild plans, and adopt measures more consistent with the general security. Despair inspired them with courage. The hour for perpetrating the crime, the persons whom they destined as victims, the officers to succeed them in command, were all named; and the conspirators signed an association, by which they bound themselves with most solemn oaths to mutual fidelity. But on the evening before the appointed day, one of Cortes's ancient followers, who had been seduced into the conspiracy, touched with compunction at the imminent danger of a man whom he had long been accustomed to revere, or struck with horror at his own treachery, went privately to his general, and revealed to him all that he knew. Cortes, though deeply alarmed, discerned at once what conduct was proper in a situation so critical. He repaired instantly to Villefagna's quarters, accompanied by some of his most trusty officers. The astonishment and confusion of the man at this unexpected visit anticipated the confession of his guilt. Cortes, while his attendants seized the traitor, snatched from his bosom a paper containing the association, signed by the conspirators. Impatient to know how far the defection extended, he retired to read it, and found there names which filled him with surprise and sorrow. But aware how dangerous a strict scrutiny might prove at such a juncture, he confined his judicial inquiries to Villefagna alone. As the proofs of his guilt were manifest, he was condemned after a short trial, and next morning he was seen hanging before the door of the house in which he had lodged. Cortes called his troops together, and having explained to them the atrocious purpose of the conspirators, as well as the justice of the punishment inflicted on Villefagna, he added, with an appearance of satisfaction, that he was entirely ignorant with respect to all the circumstances of this dark transaction, as the traitor, when arrested, had suddenly torn and swallowed a paper which probably contained an account of it, and under the severest tortures possessed such constancy as to conceal the names of his accomplices. This artful declaration restored tranquillity to many a breast that was throbbing, while he spoke, with consciousness of guilt and dread of detection; and by this prudent moderation, Cortes had the advantage of having discovered, and of being able to observe, such of his followers as were disaffected; while they, flattering themselves that their past crime was unknown, endeavoured to avert any suspicion of it, by redoubling their activity and zeal in his service.[u]

His singular preparations for building brigantines.

Cortes did not allow them leisure to ruminate on what had happened; and, as the most effectual means of preventing the return of a mutinous spirit, he determined to call forth his troops immediately to action. Fortunately a proper occasion for this occurred without his seeming to court it. He received intelligence that the materials for building the brigantines were at length completely finished, and waited only for a body of Spaniards to conduct them to Tezcuco. The command of this convoy, consisting of two hundred foot soldiers, fifteen horsemen, and two field-pieces, he gave to Sandoval, who, by the vigilance, activity, and courage which he manifested on every occasion, was growing daily in his confidence, and in the estimation of his fellow-soldiers. The service was no less singular than important; the beams, the planks, the masts, the cordage, the sails, the iron-work, and all the infinite variety of articles requisite for the construction of thirteen brigantines, were to be carried sixty miles over land, through a mountainous country, by people who were unacquainted with the ministry of domestic animals, or the aid of machines to facilitate any work of labour. The Tlascalans furnished eight thousand *Tamenes*, an inferior order of men destined for servile tasks, to carry the materials on their shoulders, and appointed fifteen thousand warriors to accompany and defend them. Sandoval made the disposition for their progress with great propriety, placing the *Tamenes* in the centre, one body of warriors in the front, another in the rear, with considerable parties to cover the flanks. To each of these he joined some Spaniards, not only to assist them in danger, but to accustom them to regularity and subordination. A body so numerous, and so much encumbered, advanced leisurely, but in excellent order; and in some places, where it was confined by the woods or mountains, the line of march extended above six miles. Parties of Mexicans frequently appeared hovering around them on the high grounds; but perceiving no prospect of success in attacking an enemy continually on his guard, and prepared to receive them, they did not venture to molest him; and Sandoval had the glory of conducting safely to Tezcuco a convoy on which all the future operations of his countrymen depended.[x]

Receives a new reinforcement.

This was followed by another event of no less moment. Four ships arrived at Vera Cruz from Hispaniola, with two hundred soldiers, eighty horses, two battering cannon, and a considerable supply of ammunition and arms.[y] Elevated with observing that all his preparatory schemes, either for recruiting his own army, or impairing the force of the enemy, had now produced their full effect, Cortes, impatient to begin the siege

u Cortes Relat. 283. C. B. Diaz, c. 146. Herrera, dec. 3. lib. i. c. 1.
x Cortes Relat. 260. C. E. B. Diaz, c. 140.

y Cortes Relat. 259. F. 262. D. Gomara Cron. c. 129.

in form, hastened the launching of the brigantines. To facilitate this he had employed a vast number of Indians, for two months, in deepening the small rivulet which runs by Tezeuco into the lake, and in forming it into a canal near two miles in length;[z] and though the Mexicans, aware of his intentions, as well as of the danger which threatened them, endeavoured frequently to interrupt the labourers, or to burn the brigantines, the work was at last completed.[a] On the twenty-eighth of April all the Spanish troops, together with the auxiliary Indians, were drawn up on the banks of the canal; and with extraordinary military pomp, rendered more solemn by the celebration of the most sacred rites of religion, the brigantines were launched. As they fell down the canal in order, father Olmedo blessed them, and gave each its name. Every eye followed them with wonder and hope, until they entered the lake, when they hoisted their sails, and bore away before the wind. A general shout of joy was raised; all admiring that bold inventive genius, which, by means so extraordinary that their success almost exceeded belief, had acquired the command of a fleet, without the aid of which Mexico would have continued to set the Spanish power and arms at defiance.[b]

The brigantines launched.

Cortes determined to attack the city from three different quarters; from Tepeaca on the north side of the lake, from Tacuba on the west, and from Cuyocan towards the south. Those towns were situated on the principal causeways which led to the capital, and intended for their defence. He appointed Sandoval to command in the first, Pedro de Alvarado in the second, and Christoval de Olid in the third; allotting to each a numerous body of Indian auxiliaries, together with an equal division of Spaniards, who, by the junction of the troops from Hispaniola, amounted now to eighty-six horsemen, and eight hundred and eighteen foot soldiers; of whom one hundred and eighteen were armed with muskets or cross-bows. The train of artillery consisted of three battering cannon, and fifteen field-pieces.[c] He reserved for himself, as the station of greatest importance and danger, the conduct of the brigantines, each armed with one of his small cannon, and manned with twenty-five Spaniards.

Dispositions for the siege.

May 10. As Alvarado and Olid proceeded towards the posts assigned them, they broke down the aqueducts which the ingenuity of the Mexicans had erected for conveying water into the capital, and by the distress to which this reduced the inhabitants, gave a beginning to the calamities which they were destined to suffer.[d] Alvarado and Olid found the towns of which they were ordered to take possession deserted by their inhabitants, who had fled for safety to the capital, were Guatimozin had collected the chief force of his empire, as there alone he could hope to make a successful stand against the formidable enemies who were approaching to assault him.

The first effort of the Mexicans was to destroy the fleet of brigantines, the fatal effects of whose operations they foresaw and dreaded. Though the brigantines, after all the labour and merit of Cortes in forming them, were of inconsiderable bulk, rudely constructed, and manned chiefly with landsmen, hardly possessed of skill enough to conduct them, they must have been objects of terror to a people unacquainted with any navigation but that of their lake, and possessed of no vessel larger than a canoe. Necessity, however, urged Guatimozin to hazard the attack; and hoping to supply by numbers what he wanted in force, he assembled such a multitude of canoes as covered the face of the lake. They rowed on boldly to the charge, while the brigantines, retarded by a dead calm, could scarcely advance to meet them. But as the enemy drew near, a breeze suddenly sprung up; in a moment the sails were spread, the brigantines, with the utmost ease broke through their feeble opponents, overset many canoes, and dissipated the whole armament with such slaughter as convinced the Mexicans, that the progress of the Europeans in knowledge and arts rendered their superiority greater on this new element than they had hitherto found it by land.[e]

Mexicans attack the brigantines.

Repulsed.

From that time Cortes remained master of the lake, and the brigantines not only preserved a communication between the Spaniards in their different stations, though at considerable distance from each other, but were employed to cover the causeways on each side, and keep off the canoes, when they attempted to annoy the troops as they advanced towards the city. Cortes formed the brigantines in three divisions, appointing one to cover each of the stations from which an attack was to be carried on against the city, with orders to second the operations of the officer who commanded there. From all the three stations he pushed on the attack against the city with equal vigour; but in a manner so very different from the conduct of sieges in regular war, that he himself seems afraid it would appear no less improper than singular, to persons unacquainted with his situation.[f] Each morning his troops assaulted the barricades which the enemy had erected on the causeways, forced their way over the trenches which they had dug, and through the canals where the bridges were broken down, and endeavoured to penetrate into the heart of the city, in hopes of obtaining some decisive advantage, which might force the enemy to surrender, and terminate the war at once; but when the obstinate valour of the Mexicans rendered the efforts of the day ineffectual, the Spaniards retired in the evening to their former quarters. Thus their toil and danger were, in some measure, continually renewed; the Mexicans re-

Singular plan of conducting the siege.

z See Note CXIX.
a B. Diaz, c. 140.
b Cortes Relat. 266. C. Herr. dec. 3. lib. i. c. 5. Gomara Cron. c. 129.
c Cortes Relat. 266. C.
d Cortes Relat. 267. B. B. Diaz, c. 150. Herrera, dec. 3. lib. i. c. 13.
e Cortes Relat. 267. C. B. Diaz. c. 150. Gomara Cron. c. 131. Herr. dec. 3. lib. i. c. 17.
f Cortes Relat. 270. F.

pairing in the night what the Spaniards had destroyed through the day, and recovering the posts from which they had driven them. But necessity prescribed this slow and untoward mode of operation. The number of his troops was so small, that Cortes durst not, with a handful of men, attempt to make a lodgment in a city where he might be surrounded and annoyed by such a multitude of enemies. The remembrance of what he had already suffered by the ill-judged confidence with which he had ventured into such a dangerous situation, was still fresh in his mind. The Spaniards, exhausted with fatigue, were unable to guard the various posts which they daily gained; and though their camp was filled with Indian auxiliaries, they durst not devolve this charge upon them, because they were so little accustomed to discipline, that no confidence could be placed in their vigilance. Besides this, Cortes was extremely solicitous to preserve the city as much as possible from being destroyed, both because he destined it to be the capital of his conquests, and wished that it might remain as a monument of his glory. From all these considerations, he adhered obstinately, for a month after the siege was opened, to the system which he had adopted. The Mexicans, in their own defence, displayed valour which was hardly inferior to that with which the Spaniards attacked them. On land, on water, by night and by day, one furious conflict succeeded to another. Several Spaniards were killed, more wounded, and all were ready to sink under the toils of unintermitting service, which were rendered more intolerable by the injuries of the season, the periodical rains being now set in with their usual violence.[g]

Endeavours to take the city by storm.

Astonished and disconcerted with the length and difficulties of the siege, Cortes determined to make one great effort to get possession of the city, before he relinquished the plan which he had hitherto followed, and had recourse to any other mode of attack. With this view, he sent instructions to Alvarado and Sandoval to advance with their divisions to a general assault, and took the command in person of that posted on the causeway of Cuyocan. Animated by his presence, and the expectation of some decisive event, the Spaniards pushed forward with irresistible impetuosity. They broke through one barricade after another, forced their way over the ditches and canals, and having entered the city, gained ground incessantly, in spite of the multitude and ferocity of their opponents. Cortes, though delighted with the rapidity of his progress, did not forget that he might still find it necessary to retreat; and in order to secure it, appointed Julien de Alderete, a captain of chief note in the troops which he had received from Hispaniola, to fill up the canals and gaps in the causeway as the main body advanced. That officer, deeming it inglorious to be thus employed while his companions were in the heat of action and the career of victory, neglected the important charge committed to him, and hurried on, inconsiderately, to mingle with the combatants. The Mexicans, whose military attention and skill were daily improving, no sooner observed this, than they carried an account of it to their monarch.

July 3.

Repulsed,

Guatimozin instantly discerned the consequence of the error which the Spaniards had committed, and, with admirable presence of mind, prepared to take advantage of it. He commanded the troops posted in the front to slacken their efforts, in order to allure the Spaniards to push forward, while he despatched a large body of chosen warriors through different streets, some by land, and others by water, towards the great breach in the causeway, which had been left open. On a signal which he gave, the priests in the principal temple struck the great drum consecrated to the god of war. No sooner did the Mexicans hear its doleful solemn sound, calculated to inspire them with contempt of death and enthusiastic ardour, than they rushed upon the enemy with frantic rage. The Spaniards, unable to resist men urged on no less by religious fury than hope of success, began to retire, at first leisurely, and with a good countenance; but as the enemy pressed on, and their own impatience to escape increased, the terror and confusion became so general, that when they arrived at the gap in the causeway, Spaniards and Tlascalans, horsemen and infantry, plunged in promiscuously, while the Mexicans rushed upon them fiercely from every side, their light canoes carrying them through shoals which the brigantines could not approach. In vain did Cortes attempt to stop and rally his flying troops; fear rendered them regardless of his entreaties or commands. Finding all his endeavours to renew the combat fruitless, his next care was to save some of those who had thrown themselves into the water; but while thus employed, with more attention to their situation than to his own, six Mexican captains suddenly laid hold of him, and were hurrying him off in triumph; and though two of his officers rescued him at the expense of their own lives, he received several dangerous wounds before he could break loose. Above sixty Spaniards perished in the rout; and what rendered the disaster more afflicting, forty of these fell alive into the hands of an enemy never known to show mercy to a captive.[h]

with considerable loss.

Those who were taken sacrificed to the god of war.

The approach of night, though it delivered the dejected Spaniards from the attacks of the enemy, ushered in what was hardly less grievous, the noise of their barbarous triumph, and of the horrid festival with which they celebrated their victory. Every quarter of the city was illuminated; the great temple shone with such peculiar splendour, that the Spaniards

g B. Diaz, c. 151.

h Cortes Relat. p. 273. B. Diaz, c. 152. Gomara Cron. c. 138. Her. dec. 3. lib. i. c. 23.

could plainly see the people in motion, and the priests busy in hastening the preparations for the death of the prisoners. Through the gloom, they fancied that they discerned their companions by the whiteness of their skins, as they were stript naked, and compelled to dance before the image of the god to whom they were to be offered. They heard the shrieks of those who were sacrificed, and thought that they could distinguish each unhappy victim by the well-known sound of his voice. Imagination added to what they really saw or heard, and augmented its horror. The most unfeeling melted into tears of compassion, and the stoutest heart trembled at the dreadful spectacle which they beheld.[i]

New schemes and efforts of the Mexicans.

Cortes, who, besides all that he felt in common with his soldiers, was oppressed with the additional load of anxious reflections natural to a general on such an unexpected calamity, could not, like them, relieve his mind by giving vent to its anguish. He was obliged to assume an air of tranquillity, in order to revive the spirit and hopes of his followers. The juncture, indeed, required an extraordinary exertion of fortitude. The Mexicans, elated with their victory, sallied out next morning to attack him in his quarters. But they did not rely on the efforts of their own arms alone. They sent the heads of the Spaniards whom they had sacrificed to the leading men in the adjacent provinces, and assured them that the god of war, appeased by the blood of their invaders, which had been shed so plentifully on his altars, had declared with an audible voice, that in eight days' time those hated enemies should be finally destroyed, and peace and prosperity re-established in the empire.

Cortes deserted by many of his Indian allies.

A prediction uttered with such confidence, and in terms so void of ambiguity, gained universal credit among a people prone to superstition. The zeal of the provinces which had already declared against the Spaniards augmented; and several which had hitherto remained inactive, took arms, with enthusiastic ardour, to execute the decree of the gods. The Indian auxiliaries who had joined Cortes, accustomed to venerate the same deities with the Mexicans, and to receive the responses of their priests with the same implicit faith, abandoned the Spaniards as a race of men devoted to certain destruction. Even the fidelity of the Tlascalans was shaken, and the Spanish troops were left almost alone in their stations. Cortes, finding that he attempted in vain to dispel the superstitious fears of his confederates by argument, took advantage, from the imprudence of those who had framed the prophecy, in fixing its accomplishment so near at hand, to give a striking demonstration of its falsity. He suspended all military operations during the period marked out by the oracle. Under cover of the brigantines, which kept the enemy at a distance, his troops lay in safety, and the fatal term expired without any disaster.[k]

He regains their friendship,

Many of his allies, ashamed of their own credulity, returned to their station. Other tribes, judging that the gods who had now deceived the Mexicans, had decreed finally to withdraw their protection from them, joined his standard; and such was the levity of a simple people, moved by every slight impression, that in a short time after such a general defection of his confederates, Cortes saw himself, if we may believe his own account, at the head of a hundred and fifty thousand Indians.

and adopts a new system of attack.

Even with such a numerous army, he found it necessary to adopt a new and more wary system of operation. Instead of renewing his attempts to become master of the city at once, by such bold but dangerous efforts of valour as he had already tried, he made his advances gradually, and with every possible precaution against exposing his men to any calamity similar to that which they still bewailed. As the Spaniards pushed forward, the Indians regularly repaired the causeways behind them. As soon as they got possession of any part of the town, the houses were instantly levelled with the ground. Day by day, the Mexicans, forced to retire as their enemies gained ground, were hemmed in within more narrow limits. Guatimozin, though unable to stop the career of the enemy, continued to defend his capital with obstinate resolution, and disputed every inch of ground. The Spaniards not only varied their mode of attack, but, by orders of Cortes, changed the weapons with which they fought. They were again armed with the long Chinantlan spears, which they had employed with such success against Narvaez; and, by the firm array in which this enabled them to range themselves, they repelled, with little danger, the loose assault of the Mexicans; incredible numbers of them fell in the conflicts which they renewed every day.[l] While war wasted without, famine began to consume them within, the city. The Spanish brigantines, having the entire command of the lake, rendered it almost impossible to convey to the besieged any supply of provisions by water. The immense number of his Indian auxiliaries enabled Cortes to shut up the avenues to the city by land. The stores which Guatimozin had laid up were exhausted by the multitudes which had crowded into the capital to defend their sovereign and the temples of their gods. Not only the people, but persons of the highest rank, felt the utmost distresses of famine. What they suffered brought on infectious and mortal distempers, the last calamity that visits besieged cities, and which filled up the measure of their woes.[m]

Courage and constancy of Guatimozin.

But, under the pressure of so many and such various evils, the spirit of Guatimozin remained firm and un-

i See Note CXX.
k B. Diaz, c. 153. Gomara Cron. c. 138.

l Cortes Relat. p. 275. C. 276. F. B. Diaz, c. 153.
m Cortes Relat. 276. E. 277. F. B. Diaz, 155. Gomara Cron. c. 141.

subdued. He rejected, with scorn, every overture of peace from Cortes; and, disdaining the idea of submitting to the oppressors of his country, determined not to survive its ruin. The Spaniards continued their progress. At length all the three divisions penetrated into the great square in the centre of the city, and made a secure lodgment there. Three-fourths of the city were now reduced, and laid in ruins. The remaining quarter was so closely pressed, that it could not long withstand assailants, who attacked it from their new station with superior advantage, and more assured expectation of success. The Mexican nobles, solicitous to save the life of a monarch whom they revered, prevailed on Guatimozin to retire from a place where resistance was now vain, that he might rouse the more distant provinces of the empire to arms, and maintain there a more successful struggle with the public enemy. In order to facilitate the execution of this measure, they endeavoured to amuse Cortes with the overtures of submission, that, while his attention was employed in adjusting the articles of pacification, Guatimozin might escape unperceived. But they made this attempt upon a leader of greater sagacity and discernment than to be deceived by their arts. Cortes, suspecting their intention, and aware of what moment it was to defeat it, appointed Sandoval, the officer on whose vigilance he could most perfectly rely, to take the command of the brigantines, with strict injunctions to watch every motion of the enemy. Sandoval, attentive to the charge, observing some large canoes crowded with people rowing across the lake with extraordinary rapidity, instantly gave the signal to chase. Garcia Holguin, who commanded the swiftest sailing brigantine, soon overtook them, and was preparing to fire on the foremost canoe, which seemed to carry some person whom all the rest followed and obeyed. At once the rowers dropped their oars, and all on board, throwing down their arms, conjured him with cries and tears to forbear, as the emperor was there. Holguin eagerly seized his prize; and Guatimozin, with a dignified composure, gave himself up into his hands, requesting only that no insult might be offered to the empress or his children. When conducted to Cortes, he appeared neither with the sullen fierceness of a barbarian, nor with the dejection of a supplicant. "I have done," said he, addressing himself to the Spanish general, "what became a monarch. I have defended my people to the last extremity. Nothing now remains but to die. Take this dagger," laying his hand on one which Cortes wore, "plant it in my breast, and put an end to a life which can no longer be of use."[n]

July 27.

He is taken prisoner.

Aug. 13. The city surrenders.

As soon as the fate of their sovereign was known, the resistance of the Mexicans ceased; and Cortes took possession of that small part of the capital which yet remained undestroyed. Thus terminated the siege of Mexico, the most memorable event in the conquest of America. It continued seventy-five days, hardly one of which passed without some extraordinary effort of one party in the attack, or of the other in the defence, of a city, on the fate of which both knew that the fortune of the empire depended. As the struggle here was more obstinate, it was likewise more equal, than any between the inhabitants of the Old and New Worlds. The great abilities of Guatimozin, the number of his troops, the peculiar situation of his capital, so far counterbalanced the superiority of the Spaniards in arms and discipline, that they must have relinquished the enterprise if they had trusted for success to themselves alone. But Mexico was overturned by the jealousy of neighbours who dreaded its power, and by the revolt of subjects impatient to shake off its yoke. By their effectual aid, Cortes was enabled to accomplish what, without such support, he would hardly have ventured to attempt. How much soever this account of the reduction of Mexico may detract, on the one hand, from the marvellous relations of some Spanish writers, by ascribing that to simple and obvious causes which they attribute to the romantic valour of their countrymen, it adds, on the other, to the merit and abilities of Cortes, who, under every disadvantage, acquired such an ascendant over unknown nations, as to render them instruments towards carrying his schemes into execution.[o]

Smallness of the booty, and disappointment of the Spaniards.

The exultation of the Spaniards on accomplishing this arduous enterprise was at first excessive. But this was quickly damped by the cruel disappointment of those sanguine hopes, which had animated them amidst so many hardships and dangers. Instead of the inexhaustible wealth which they expected from becoming masters of Montezuma's treasures, and the ornaments of so many temples, their rapaciousness could only collect an inconsiderable booty amidst ruins and desolation.[p] Guatimozin, aware of his impending fate, had ordered what remained of the riches amassed by his ancestors to be thrown into the lake. The Indian auxiliaries, while the Spaniards were engaged in conflict with the enemy, had carried off the most valuable part of the spoil. The sum to be divided among the conquerors was so small, that many of them disdained to accept of the pittance which fell to their share, and all murmured and exclaimed; some against Cortes and his confidants, whom they suspected of having secretly appropriated to their own use a large portion of the riches which should have been brought into the common stock; others against Guatimozin, whom they accused of obstinacy, in refusing to discover the place where he had hidden his treasure.

Guatimozin tortured.

Arguments, entreaties, and promises were employed in order to soothe them,

n Cortes Relat. 279. B. Diaz, c. 156. Gomara Cron. c. 142. Herrera, dec. 3. lib. ii. 7.

o See Note CXXI.

p The gold and silver, according to Cortes, amounted only to 120,000 pesos, Relat. 280. A. a sum much inferior to that which the Spaniards had formerly divided in Mexico.

but with so little effect, that Cortes, from solicitude to check this growing spirit of discontent, gave way to a deed which stains the glory of all his great actions. Without regarding the former dignity of Guatimozin, or feeling any reverence for those virtues which he had displayed, he subjected the unhappy monarch, together with his chief favourite, to torture, in order to force from them a discovery of the royal treasures, which it was supposed they had concealed. Guatimozin bore whatever the refined cruelty of his tormentors could inflict, with the invincible fortitude of an American warrior. His fellow-sufferer, overcome by the violence of the anguish, turned a dejected eye towards his master, which seemed to implore his permission to reveal all that he knew. But the high-spirited prince, darting on him a look of authority mingled with scorn, checked his weakness by asking, "Am I now reposing on a bed of flowers?" Overawed by the reproach, the favourite persevered in his dutiful silence, and expired. Cortes, ashamed of a scene so horrid, rescued the royal victim from the hands of his torturers, and prolonged a life reserved for new indignities and sufferings.[q]

All the provinces of the empire submit.

The fate of the capital, as both parties had foreseen, decided that of the empire. The provinces submitted one after another to the conquerors. Small detachments of Spaniards marching through them without interruption, penetrated in different quarters to the great Southern ocean, which, according to the ideas of Columbus, they imagined would open a short as well as easy passage to the East Indies, and secure to the crown of Castile all the envied wealth of those fertile regions;[r] and the active mind of Cortes began already to form schemes for attempting this important discovery.[s]

Cortes forms schemes of new discoveries.

which are completed by Magellan.

He did not know, that during the progress of his victorious arms in Mexico, the very scheme of which he began to form some idea had been undertaken and accomplished. As this is one of the most splendid events in the history of the Spanish discoveries, and has been productive of effects peculiarly interesting to those extensive provinces which Cortes had now subjected to the crown of Castile, the account of its rise and progress merits a particular detail.

Ferdinand Magalhaens, or Magellan, a Portuguese gentleman of honourable birth, having served several years in the East Indies, with distinguished valour, under the famous Albuquerque, demanded the recompence which he thought due to his services, with the boldness natural to a high-spirited soldier. But as his general would not grant his suit, and he expected greater justice from his sovereign, whom he knew to be a good judge and a generous rewarder of merit, he quitted India abruptly, and returned to Lisbon. In order to induce Emanuel to listen more favourably to his claim, he not only stated his past services, but offered to add to them by conducting his countrymen to the Molucca or Spice Islands, by holding a westerly course; which he contended would be both shorter and less hazardous than that which the Portuguese now followed by the Cape of Good Hope, through the immense extent of the Eastern Ocean. This was the original and favourite project of Columbus, and Magellan founded his hopes of success on the ideas of that great navigator, confirmed by many observations, the result of his own naval experience, as well as that of his countrymen, in their intercourse with the East. But though the Portuguese monarchs had the merit of having first awakened and encouraged the spirit of discovery in that age, it was their destiny, in the course of a few years, to reject two grand schemes for this purpose, the execution of which would have been attended with a great accession of glory to themselves, and of power to their kingdom. In consequence of some ill-founded prejudice against Magellan, or of some dark intrigue which contemporary historians have not explained, Emanuel would neither bestow the recompence which he claimed, nor approve of the scheme which he proposed; and dismissed him with a disdainful coldness, intolerable to a man conscious of what he deserved, and animated with the sanguine hopes of success peculiar to those who are capable of forming or of conducting new and great undertakings. In a transport of resentment, Magellan formally renounced his allegiance to an ungrateful master, and fled to the court of Castile, where he expected that his talents would be most justly estimated. He endeavoured to recommend himself by offering to execute, under the patronage of Spain, that scheme which he had laid before the court of Portugal, the accomplishment of which, he knew, would wound the monarch against whom he was exasperated in the most tender part. In order to establish the justness of his theory, he produced the same arguments which he had employed at Lisbon; acknowledging, at the same time, that the undertaking was both arduous and expensive, as it could not be attempted but with a squadron of considerable force, and victualled for at least two years. Fortunately, he applied to a minister who was not apt to be deterred, either by the boldness of a design, or the expense of carrying it into execution. Cardinal Ximenes, who at that time directed the affairs of Spain, discerning at once what an increase of wealth and glory would accrue to his country by the success of Magellan's proposal, listened to it with a most favourable ear. Charles V. on his arrival in his Spanish dominions, entered into the measure with no less ardour, and orders were issued for equipping a proper squadron at the public charge, of which the command was given to Magellan,

1517.

q B. Diaz, c. 157. Gomara Cron. c. 146. Herrera, dec. 3. lib. ii. c. 8. Torquem. Mon. Ind. i. 574.

r Cortes Relat. 280. D. &c. B. Diaz, c. 157.

s Herrera, dec. 3 lib. ii. c. 17. Gomara Cron. c. 149.

whom the king honoured with the habit of St. Jago and the title of captain-general.[t]

His voyage. On the tenth of August one thousand five hundred and nineteen, Magellan sailed from Seville with five ships, which, according to the ideas of the age, were deemed to be of considerable force, though the burden of the largest did not exceed one hundred and twenty tons. The crews of the whole amounted to two hundred and thirty-four men, among whom were some of the most skilful pilots in Spain, and several Portuguese sailors, in whose experience, as more extensive, Magellan placed still greater confidence. After touching at the Canaries, he stood directly south towards the equinoctial line along the coast of America, but was so long retarded by tedious calms, and spent so much time in searching every bay and inlet for that communication with the Southern Ocean which he wished to discover, that he did not reach the river De la Plata till the twelfth of January. That spacious opening through which its vast body of water pours into the Atlantic allured him to enter; but after sailing up it for some days, he concluded, from the shallowness of the stream and the freshness of the water, that the wished-for strait was not situated there, and continued his course towards the south. On the thirty-first of March he arrived in the port of St. Julian, about forty-eight degrees south of the line, where he resolved to winter. In this uncomfortable station he lost one of his squadron, and the Spaniards suffered so much from the excessive rigour of the climate, that the crews of three of his ships, headed by their officers, rose in open mutiny, and insisted on relinquishing the visionary project of a desperate adventurer, and returning directly to Spain. This dangerous insurrection Magellan suppressed by an effort of courage no less prompt than intrepid, and inflicted exemplary punishment on the ringleaders. With the remainder of his followers, overawed but not reconciled to his scheme, he continued his voyage towards the south, and at length discovered, near the fifty-third degree of latitude, the mouth of a strait, into which he entered, notwithstanding the murmurs and remonstrances of the people under his command. After sailing twenty days in that winding dangerous channel, to which he gave his own name, and where one of his ships deserted him, the great Southern ocean opened to his view, and with tears of joy he returned thanks to Heaven for having thus far crowned his endeavours with success.[u]

1520.

But he was still at a greater distance than he imagined from the object of his wishes. He sailed during three months and twenty days in an uniform direction towards the north-west, without discovering land. In this voyage, the longest that had ever been made in the unbounded ocean, he suffered incredible distress. His stock of provisions was almost exhausted, the water became putrid, the men were reduced to the shortest allowance with which it was possible to sustain life, and the scurvy, the most dreadful of all the maladies with which seafaring people are afflicted, began to spread among the crew. One circumstance alone afforded them some consolation; they enjoyed an uninterrupted course of fair weather, with such favourable winds, that Magellan bestowed on that ocean the name of *Pacific*, which it still retains. When reduced to such extremity that they must have sunk under their sufferings, they fell in with a cluster of small but fertile islands, which afforded them refreshments in such abundance, that their health was soon re-established. From these isles, which he called *De los Ladrones*, he proceeded on his voyage, and soon made a more important discovery of the islands now known by the name of the *Philippines*. In one of these he got into an unfortunate quarrel with the natives, who attacked him with a numerous body of troops well armed; and while he fought at the head of his men with his usual valour, he fell by the hands of those barbarians, together with several of his principal officers.

March 6.

April 26.

The expedition was prosecuted under other commanders. After visiting many of the smaller isles scattered in the eastern part of the Indian Ocean, they touched at the great island of Borneo, and at length landed in Tidore, one of the Moluccas, to the astonishment of the Portuguese, who could not comprehend how the Spaniards, by holding a westerly course, had arrived at that sequestered seat of their most valuable commerce, which they themselves had discovered by sailing in an opposite direction. There, and in the adjacent isles, the Spaniards found a people acquainted with the benefits of extensive trade, and willing to open an intercourse with a new nation. They took in a cargo of the precious spices, which are the distinguished production of these islands; and with that, as well as with specimens of the rich commodities yielded by the other countries which they had visited, the *Victory*, which, of the two ships that remained of the squadron, was most fit for a long voyage, set sail for Europe, under the command of Juan Sebastian del Cano. He followed the course of the Portuguese, by the Cape of Good Hope, and after many disasters and sufferings he arrived at St. Lucar on the seventh of September one thousand five hundred and twenty-two, having sailed round the globe in the space of three years and twenty-eight days.[x]

Nov. 8.

1522. January.

Though an untimely fate deprived Magellan of the satisfaction of accomplishing this great undertaking, his contemporaries, just to his memory and talents, ascribed to him not only the honour of hav-

t Herrera, dec. 2. lib. ii. c. 19. lib. iv. c. 9. Gomara, Hist. c. 91. Dalrymple's Collect. of Voyages to the South Pacific Ocean, vol. i. p. 1, &c.

u Herrera, dec. 2. lib. iv. c. 10. lib. ix. c. 10, &c. Gomara, Hist. c. 92. Pigafetta Viaggio ap. Ramus. ii. p. 352, &c.

x Herrera, dec. 3. lib. i. c. iii. 9. lib. iv. c. 1. Gomara Cron. c. 93, &c. Pigafetta ap. Ramus. ii. p. 361, &c.

ing formed the plan, but of having surmounted almost every obstacle to the completion of it; and in the present age his name is still ranked among the highest in the roll of eminent and successful navigators. The naval glory of Spain now eclipsed that of every other nation; and by a singular felicity she had the merit, in the course of a few years, of discovering a new continent almost as large as that part of the earth which was formerly known, and of ascertaining by experience the form and extent of the whole of the terraqueous globe.

The Spaniards were not satisfied with the glory of having first encompassed the earth; they expected to derive great commercial advantages from this new and boldest effort of their maritime skill. The men of science among them contended, that the Spice Islands, and several of the richest countries in the east, were so situated as to belong of right to the crown of Castile, in consequence of the partitions made by Alexander VI. The merchants, without attending to this discussion, engaged eagerly in that lucrative and alluring commerce which was now opened to them. The Portuguese, alarmed at the intrusion of such formidable rivals, remonstrated and negociated in Europe, while in Asia they obstructed the trade of the Spaniards by force of arms. Charles V. not sufficiently instructed with respect to the importance of this valuable branch of commerce, or distracted by the multiplicity of his schemes and operations, did not afford his subjects proper protection. At last, the low state of his finances, exhausted by the efforts of his arms in every part of Europe, together with the dread of adding a new war with Portugal to those in which he was already engaged, induced him to make over his claim of the Moluccas to the Portuguese for three hundred and fifty thousand ducats. He reserved, however, to the crown of Castile the right of reviving its pretensions on repayment of that sum; but other objects engrossed his attention and that of his successors; and Spain was finally excluded from a branch of commerce in which it was engaging with sanguine expectations of profit.[y]

Though the trade with the Moluccas was relinquished, the voyage of Magellan was followed by commercial effects of great moment to Spain. Philip II., in the year one thousand five hundred and sixty-four, reduced those islands which he discovered in the Eastern ocean to subjection, and established settlements there; between which and the kingdom of New Spain a regular intercourse, the nature of which shall be explained in its proper place, is still carried on. I return now to the transactions in new Spain.

An order to supersede Cortes,

At the time that Cortes was acquiring such extensive territories for his native country, and preparing the way for future conquests, it was his singular fate not only to be destitute of any commission or authority from the sovereign whom he was serving with such successful zeal, but to be regarded as an undutiful and seditious subject. By the influence of Fonseca, bishop of Burgos, his conduct in assuming the government of New Spain was declared to be an irregular usurpation, in contempt of the royal authority; and Christoval de Tapia received a commission, empowering him to supersede Cortes, to seize his person, to confiscate his effects, to make a strict scrutiny into his proceedings, and to transmit the result of all the inquiries carried on in New Spain to the council of the Indies, of which the bishop of Burgos was president. A few weeks after the reduction of Mexico, Tapia landed at Vera Cruz, with the royal mandate to strip its conqueror of his power, and treat him as a criminal. But Fonseca had chosen a very improper instrument to wreak his vengeance on Cortes. Tapia had neither the reputation nor the talents that suited the high command to which he was appointed. Cortes, while he publicly expressed the most respectful veneration for the emperor's authority, secretly took measures to defeat the effect of his commission; and having involved Tapia and his followers in a multiplicity of negociations and conferences, in which he sometimes had recourse to threats, but more frequently employed bribes and promises, he at length prevailed upon that weak man to abandon a province which he was unworthy of governing.[z]

which he eludes.

Applies again to the court. May 15.

But notwithstanding the fortunate dexterity with which he had eluded this danger, Cortes was so sensible of the precarious tenure by which he held his power, that he despatched deputies to Spain, with a pompous account of the success of his arms, with further specimens of the productions of the country, and with rich presents to the emperor, as the earnest of future contributions from his new conquests; requesting, in recompence for all his services, the approbation of his proceedings, and that he might be intrusted with the government of those dominions, which his conduct and the valour of his followers had added to the crown of Castile. The juncture in which his deputies reached the court was favourable. The internal commotions in Spain, which had disquieted the beginning of Charles's reign, were just appeased.[a] The ministers had leisure to turn their attention towards foreign affairs. The account of Cortes's victories filled his countrymen with admiration. The extent and value of his conquests became the object of vast and interesting hopes. Whatever stain he might have contracted, by the irregularity of the steps which he took in order to attain power, was so fully effaced by the splendour and merit of the great actions which this had enabled him to perform, that every heart revolted at the thought of inflicting any censure on a man whose services entitled him to the highest marks of

y Herrera, dec. 3. lib. vi. c. 5, &c. dec. 4. lib. v. c. 7, &c.

z Herrera. dec. 3. lib. iii. c. 16. dec. 3. iv. c. 1. Cortes Relat. 281. E. B. Diaz, c. 158.

a Hist. of Charles V. b. iii.

distinction. The public voice declared warmly in favour of his pretensions; and Charles, arriving in Spain about this time, adopted the sentiments of his subjects with a youthful ardour. Notwithstanding the claims of Velasquez, and the partial representations of the bishop of Burgos, the emperor appointed Cortes captain-general and governor of New Spain, judging that no person was so capable of maintaining the royal authority, or of establishing good order both among his Spanish and Indian subjects, as the victorious leader whom the former had long been accustomed to obey, and the latter had been taught to fear and to respect.[b]

and is appointed captain-general and governor of New Spain.

His schemes and arrangements.

Even before his jurisdiction received this legal sanction, Cortes ventured to exercise all the powers of a governor, and, by various arrangements, endeavoured to render his conquest a secure and beneficial acquisition to his country. He determined to establish the seat of government in its ancient station, and to raise Mexico again from its ruins; and having conceived high ideas concerning the future grandeur of the state of which he was laying the foundation, he began to re-build its capital on a plan which hath gradually formed the most magnificent city in the New World. At the same time, he employed skilful persons to search for mines in different parts of the country, and opened some which were found to be richer than any which the Spaniards had hitherto discovered in America. He detached his principal officers into the remote provinces, and encouraged them to settle there, not only by bestowing upon them large tracts of land, but by granting them the same dominion over the Indians, and the same right to their service, which the Spaniards had assumed in the islands.

Insurrections of the Mexicans and cruelty of the Spaniards.

It was not, however, without difficulty, that the Mexican empire could be entirely reduced into the form of a Spanish colony. Enraged and rendered desperate by oppression, the natives often forgot the superiority of their enemies, and ran to arms in defence of their liberties. In every contest, however, the European valour and discipline prevailed. But fatally for the honour of their country, the Spaniards sullied the glory redounding from these repeated victories by their mode of treating the vanquished people. After taking Guatimozin, and becoming masters of his capital, they supposed that the king of Castile entered on possession of all the rights of the captive monarch, and affected to consider every effort of the Mexicans to assert their own independence, as the rebellion of vassals against their sovereign, or the mutiny of slaves against their master. Under the sanction of those ill-founded maxims, they violated every right that should be held sacred between hostile nations. After each insurrection, they reduced the common people, in the provinces which they subdued, to the most humiliating of all conditions, that of personal servitude. Their chiefs, supposed to be more criminal, were punished with greater severity, and put to death in the most ignominious or the most excruciating mode that the insolence or the cruelty of their conquerors could devise. In almost every district of the Mexican empire, the progress of the Spanish arms is marked with blood, and with deeds so atrocious, as disgrace the enterprising valour that conducted them to success. In the country of Panuco sixty caziques or leaders, and four hundred nobles, were burnt at one time. Nor was this shocking barbarity perpetrated in any sudden sally of rage, or by a commander of inferior note. It was the act of Sandoval, an officer whose name is entitled to the second rank in the annals of New Spain, and executed after a solemn consultation with Cortes; and to complete the horror of the scene, the children and relations of the wretched victims were assembled, and compelled to be spectators of their dying agonies.[c] It seems hardly possible to exceed in horror this dreadful example of severity; but it was followed by another, which affected the Mexicans still more sensibly, as it gave them a most feeling proof of their own degradation, and of the small regard which their haughty masters retained for the ancient dignity and splendour of their state. On a slight suspicion, confirmed by very imperfect evidence, that Guatimozin had formed a scheme to shake off the yoke, and to excite his former subjects to take arms, Cortes, without the formality of a trial, ordered the unhappy monarch, together with the caziques of Tezeuco and Tacuba, the two persons of greatest eminence in the empire, to be hanged; and the Mexicans, with astonishment and horror, beheld this disgraceful punishment inflicted upon persons, to whom they were accustomed to look up with reverence hardly inferior to that which they paid to the gods themselves.[d] The example of Cortes and his principal officers encouraged and justified persons of subordinate rank to venture upon committing greater excesses. Nuno de Guzman, in particular, stained an illustrious name by deeds of peculiar enormity and rigour, in various expeditions which he conducted.[e]

First object of industry among the conquerors.

One circumstance, however, saved the Mexicans from further consumption, perhaps from one as complete as that which had depopulated the islands. The first conquerors did not attempt to search for the precious metals in the bowels of the earth. They were neither sufficiently wealthy to carry on the expensive works, which are requisite for opening those deep recesses where nature has concealed the veins of gold and silver, nor sufficiently skilful to perform the ingenious operations by which those precious metals are separated from their respective ores. They were satisfied with the more simple method, practised by the Indians, of washing the earth carried

b Herrera, dec. 3. lib. iv. c. 3. Gomara Cron. c. 164, 165. B. Diaz, 167, 168.
c Cortes Relat. 291. C. Gomara Cron. c. 155.
d Gomara Cron. c. 170. B. Diaz, c. 177. Herrera, dec. 3. lib. viii. c. 9. See Note CXXII.
e Herrera, dec. 4 and 5. passim.

down rivers and torrents from the mountains, and collecting the grains of native metal deposited there. The rich mines of New Spain, which have poured forth their treasures with such profusion on every quarter of the globe, were not discovered for several years after the conquest.[f] By that time a more orderly government and police were introduced into the colony; experience, derived from former errors, had suggested many useful and humane regulations for the protection and preservation of the Indians; and though it then became necessary to increase the number of those employed in the mines, and they were engaged in a species of labour more pernicious to the human constitution, they suffered less hardship or diminution than from the ill-judged but less extensive schemes of the first conquerors.

1552, &c.

Their poverty.

While it was the lot of the Indians to suffer, their new masters seemed not to have derived any considerable wealth from their ill-conducted researches. According to the usual fate of first settlers in new colonies, it was their lot to encounter danger, and to struggle with difficulties; the fruits of their victories and toils were reserved for times of tranquillity, and reaped by successors of greater industry, but of inferior merit. The early historians of America abound with accounts of the sufferings and of the poverty of its conquerors.[g] In New Spain, their condition was rendered more grievous by a peculiar arrangement. When Charles V. advanced Cortes to the government of that country, he at the same time appointed certain commissioners to receive and administer the royal revenue there with independent jurisdiction.[h] These men, chosen from inferior stations in various departments of public business at Madrid, were so much elevated with their promotion, that they thought they were called to act a part of the first consequence. But being accustomed to the minute formalities of office, and having contracted the narrow ideas suited to the sphere in which they had hitherto moved, they were astonished, on arriving in Mexico, at the high authority which Cortes exercised, and could not conceive that the mode of administration, in a country recently subdued and settled, must be different from what took place in one where tranquillity and regular government had been long established. In their letters they represented Cortes as an ambitious tyrant, who, having usurped a jurisdiction superior to law, aspired at independence, and by his exorbitant wealth and extensive influence might accomplish those disloyal schemes which he apparently meditated.[i] These insinuations made such deep impression upon the Spanish ministers, most of whom had been formed to business under the jealous and rigid administration of Ferdinand, that, unmindful of all Cortes's past services, and regardless of what he was then suffering in conducting that extraordinary expedition, in which he advanced from the lake of Mexico to the western extremities of Honduras,[k] they infused the same suspicions into the mind of their master, and prevailed on him to order a solemn inquest to be made into his conduct, with powers to the licentiate Ponce de Leon, intrusted with that commission, to seize his person, if he should find that expedient, and send him prisoner to Spain.[l]

1524.

1525.

The sudden death of Ponce de Leon, a few days after his arrival in New Spain, prevented the execution of this commission. But as the object of his appointment was known, the mind of Cortes was deeply wounded with this unexpected return for services which far exceeded whatever any subject of Spain had rendered to his sovereign. He endeavoured, however, to maintain his station, and to recover the confidence of the court. But every person in office who had arrived from Spain since the conquest was a spy upon his conduct, and with malicious ingenuity gave an unfavourable representation of all his actions. The apprehensions of Charles and his ministers increased. A new commission of inquiry was issued, with more extensive powers, and various precautions were taken in order to prevent or to punish him, if he should be so presumptuous as to attempt what was inconsistent with the fidelity of a subject.[m] Cortes beheld the approaching crisis of his fortune with all the violent emotions natural to a haughty mind, conscious of high desert, and receiving unworthy treatment. But though some of his desperate followers urged him to assert his own rights against his ungrateful country, and with a bold hand to seize that power which the courtiers meanly accused him of coveting,[n] he retained such self-command, or was actuated with such sentiments of loyalty, as to reject their dangerous counsels, and to choose the only course in which he could secure his own dignity, without departing from his duty. He resolved not to expose himself to the ignominy of a trial, in that country which had been the scene of his triumphs; but, without waiting for the arrival of his judges, to repair directly to Castile, and commit himself and his cause to the justice and generosity of his sovereign.[o]

Cortes returns to Spain.

1528.

Cortes appeared in his native country with the splendour that suited the conqueror of a mighty kingdom. He brought with him a great part of his wealth, many jewels and ornaments of great value, several curious productions of the country,[p] and was attended by some Mexicans of the first rank, as well as by the most considerable of his own officers. His arrival in Spain removed at once every suspicion and fear that had been entertained with respect to his intentions.

His reception there.

f Herrera, dec. 8. lib. x. c. 21.
g Cortes Relat. 283. F. B. Diaz, c. 209.
h Herrera, dec. 3. lib. iv. c. 3.
i Ibid. lib. v. c. 14.
k See Note CXXIII.
l Herrera, dec. 3. lib. viii. c. 14, 15.
m Herrera, dec. 3. lib. viii. c. 15. dec. 4. lib. ii. c. 1. lib. iv. c. 9, 10. B. Diaz, c. 172. 196. Gomara Cron. c. 166.
n B. Diaz, c. 194.
o Herrera, dec. 3. lib. iv. c. 8.
p See Note CXXIV.

The emperor, having now nothing to apprehend from the designs of Cortes, received him like a person whom consciousness of his own innocence had brought into the presence of his master, and who was entitled, by the eminence of his services, to the highest marks of distinction and respect. The order of St. Jago, the title of Marquis del Valle de Guaxaca, the grant of an ample territory in New Spain, were successively bestowed upon him; and as his manners were correct and elegant, although he had passed the greater part of his life among rough adventurers, the emperor admitted him to the same familiar intercourse with himself, that was enjoyed by noblemen of the first rank.[q]

Settlement of the government in New Spain.

But, amidst those external proofs of regard, symptoms of remaining distrust appeared. Though Cortes earnestly solicited to be reinstated in the government of New Spain, Charles, too sagacious to commit such an important charge to a man whom he had once suspected, peremptorily refused to invest him again with powers which he might find it impossible to control. Cortes, though dignified with new titles, returned to Mexico with diminished authority. The military department, with powers to attempt new discoveries, was left in his hands; but the supreme direction of civil affairs was placed in a board called *The Audience of New Spain*. At a subsequent period, when, upon the increase of the colony, the exertion of authority more united and extensive became necessary, Antonio de Mendoza, a nobleman of high rank, was sent thither as *Viceroy*, to take the government into his hands.

1530.

New schemes of Cortes.

This division of power in New Spain proved, as was unavoidable, the source of perpetual dissension, which imbittered the life of Cortes, and thwarted all his schemes. As he had now no opportunity to display his active talents but in attempting new discoveries, he formed various schemes for that purpose, all of which bear impressions of a genius that delighted in what was bold and splendid. He early entertained an idea, that, either by steering through the gulf of Florida along the east coast of North America, some strait would be found that communicated with the Western ocean; or that by examining the isthmus of Darien, some passage would be discovered between the North and South seas.[r] But having been disappointed in his expectations with respect to both, he now confined his views to such voyages of discovery as he could make from the ports of New Spain in the South Sea. There he fitted out successively several small squadrons, which either perished in the attempt, or returned without making any discovery of moment. Cortes, weary of intrusting the conduct of his operations to others, took the command of a new armament in person, and after enduring incredible hardships, and encountering dangers of every species, he discovered the large peninsula of California, and surveyed the greater part of the gulf which separates it from New Spain. The discovery of a country of such extent would have reflected credit on a common adventurer; but it could add little new honour to the name of Cortes, and was far from satisfying the sanguine expectations which he had formed.[s] Disgusted with ill success, to which he had not been accustomed, and weary of contesting with adversaries to whom he considered it as a disgrace to be opposed, he once more sought for redress in his native country.

1536.

1540.

But his reception there was very different from that which gratitude, and even decency, ought to have secured for him. The merit of his ancient exploits was already, in a great measure, forgotten, or eclipsed by the fame of recent and more valuable conquests in another quarter of America. No service of moment was now expected from a man of declining years, and who began to be unfortunate. The emperor behaved to him with cold civility; his ministers treated him sometimes with neglect, sometimes with insolence. His grievances received no redress; his claims were urged without effect; and after several years spent in fruitless application to ministers and judges, an occupation the most irksome and mortifying to a man of high spirit, who had moved in a sphere where he was more accustomed to command than to solicit, Cortes ended his days on the second of December one thousand five hundred and forty-seven, in the sixty-second year of his age. His fate was the same with that of all the persons who distinguished themselves in the discovery or conquest of the New World. Envied by his contemporarics, and ill requited by the court which he served, he has been admired and celebrated by succeeding ages. Which has formed the most just estimate of his character, an impartial consideration of his actions must determine.

His death.

BOOK VI.

1523. Schemes for discovering Peru.

From the time that Nugnez de Balboa discovered the great Southern ocean, and received the first obscure hints concerning the opulent countries with which it might open a communication, the wishes and schemes of every enterprising person in the colonies of Darien and Panama were turned towards the wealth of those unknown regions. In an age when the spirit of adventure was so ardent and vigorous, that large fortunes were wasted, and the most alarming dangers braved, in pursuit of discoveries merely possible, the faintest ray of hope was followed with

q Herrera, dec. 3. lib. iv. c. 1. lib. vi. c. 4. B. Diaz, c. 196. Gomara Cron. c. 192.

r Cortes, Relat. Ram. iii. 294. B.

s Herrera, dec 5. lib. viii. c. 9, 10. dec. 8. lib. vi. c. 14. Venegas Hist. of California, i. 125. Lorenziana Hist. p. 322, &c.

an eager expectation, and the slightest information was sufficient to inspire such perfect confidence, as conducted men to the most arduous undertakings.[a]

unsuccessful for some time.

Accordingly, several armaments were fitted out in order to explore and take possession of the countries to the east of Panama, but under the conduct of leaders whose talents and resources were unequal to the attempt.[b] As the excursions of those adventurers did not extend beyond the limits of the province to which the Spaniards had given the name of Tierra Firme, a mountainous region covered with woods, thinly inhabited, and extremely unhealthy, they returned with dismal accounts concerning the distresses to which they had been exposed, and the unpromising aspect of the places which they had visited. Damped by these tidings, the rage for discovery in that direction abated; and it became the general opinion, that Balboa had founded visionary hopes, on the tale of an ignorant Indian, ill understood, or calculated to deceive.

1524. Undertaken by Pizarro, Almagro, and Luque.

But there were three persons settled in Panama, on whom the circumstances which deterred others made so little impression, that at the very moment when all considered Balboa's expectations of discovering a rich country, by steering towards the east, as chimerical, they resolved to attempt the execution of his scheme. The names of those extraordinary men were Francisco Pizarro, Diego de Almagro, and Hernando Luque. Pizarro was the natural son of a gentleman of an honourable family by a very low woman, and, according to the cruel fate which often attends the offspring of unlawful love, had been so totally neglected in his youth by the author of his birth, that he seems to have destined him never to rise beyond the condition of his mother. In consequence of this ungenerous idea, he set him, when bordering on manhood, to keep hogs. But the aspiring mind of young Pizarro disdaining that ignoble occupation, he abruptly abandoned his charge, enlisted as a soldier, and, after serving some years in Italy, embarked for America, which, by opening such a boundless range to active talents, allured every adventurer whose fortune was not equal to his ambitious thoughts. There Pizarro early distinguished himself. With a temper of mind no less daring than the constitution of his body was robust, he was foremost in every danger, patient under the greatest hardships, and unsubdued by any fatigue. Though so illiterate that he could not even read, he was soon considered as a man formed to command. Every operation committed to his conduct proved successful, as, by a happy but rare conjunction, he united perseverance with ardour, and was as cautious in executing, as he was bold in forming, his plans. By engaging early in active life, without any resource but his own talents and industry, and by depending on himself alone in his struggles to emerge from obscurity, he acquired such a thorough knowledge of affairs, and of men, that he was fitted to assume a superior part in conducting the former, and in governing the latter.[c]

Almagro had as little to boast of his descent as Pizarro. The one was a bastard, the other a foundling. Bred, like his companion, in the camp, he yielded not to him in any of the soldierly qualities of intrepid valour, indefatigable activity, or insurmountable constancy, in enduring the hardships inseparable from military service in the New World. But in Almagro these virtues were accompanied with the openness, generosity, and candour, natural to men whose profession is arms; in Pizarro, they were united with the address, the craft, and the dissimulation of a politician, with the art of concealing his own purposes, and with sagacity to penetrate into those of other men.

Fernando de Luque was an ecclesiastic, who acted both as priest and schoolmaster at Panama, and, by means which the contemporary writers have not described, had amassed riches that inspired him with thoughts of rising to greater eminence.

Terms of their association.

Such were the men destined to overturn one of the most extensive empires on the face of the earth. Their confederacy for this purpose was authorized by Pedrarias, the governor of Panama. Each engaged to employ his whole fortune in the adventure. Pizarro, the least wealthy of the three, as he could not throw so large a sum as his associates into the common stock, engaged to take the department of greatest fatigue and danger, and to command in person the armament which was to go first upon discovery. Almagro offered to conduct the supplies of provisions and reinforcements of troops, of which Pizarro might stand in need. Luque was to remain at Panama to negociate with the governor, and superintend whatever was carrying on for the general interest. As the spirit of enthusiasm uniformly accompanied that of adventure in the New World, and by that strange union both acquired an increase of force, this confederacy, formed by ambition and avarice, was confirmed by the most solemn act of religion. Luque celebrated mass, divided a consecrated host into three, and reserving one part to himself, gave the other two to his associates, of which they partook; and thus, in the name of the Prince of peace, ratified a contract of which plunder and bloodshed were the objects.[d]

Their first attempt,

The attempt was begun with a force more suited to the humble condition of the three associates, than to the greatness of the enterprise in which they were engaged.

Nov. 14.

Pizarro set sail from Panama with a single vessel, of small burthen, and a hundred and twelve men. But in that age, so little were the

a See Note CXXV.
b Calancha Coronica, p. 100.

c Herrera, dec. 1 and 2. passim. dec. 4. lib. vi. c. 107. Gomara Hist. c. 144. Zarate, lib. iv. c. 9.
d Herrera, dec. 3. lib. vi. c. 13. Zarate, lib. i. c. 1.

Spaniards acquainted with the peculiarities of climate in America, that the time which Pizarro chose for his departure was the most improper in the whole year; the periodical winds which were then set in, being directly adverse to the course which he proposed to steer.[e] After beating about for seventy days, with much danger and incessant fatiguc, Pizarro's progress towards the south-cast was not greater than what a skilful navigator will now make in as many hours. He touched at several places on the coast of Tierra Firme, but found every where the same uninviting country which former adventurers had described; the low grounds converted into swamps by an overflowing of rivers; the higher covered with impervious woods; few inhabitants, and those fierce and hostile. Famine, fatigue, or frequent encounters with the natives, and, above all, the distempers of a moist, sultry climate, combined in wasting his slender band of followers. The undaunted resolution of their leader continued, however, for some time, to sustain their spirits, although no sign had yet appeared of discovering those golden regions to which he had promised to conduct them. At length he was obliged to abandon that inhospitable coast, and retire to Chuchama, opposite to the pearl islands, where he hoped to receive a supply of provisions and troops from Panama.

1525.

attended with little success.

But Almagro having sailed from that port with seventy men, stood directly towards that part of the continent where he hoped to meet with his associate. Not finding him there, he landed his soldiers, who, in searching for their companions, underwent the same distresses, and were exposed to the same dangers, which had driven them out of the country. Repulsed at length by the Indians in a sharp conflict, in which their leader lost one of his eyes by the wound of an arrow, they likewise were compelled to reimbark. Chance led them to the place of Pizarro's retreat, where they found some consolation in recounting to each other their adventures, and comparing their sufferings. As Almagro had advanced as far as the river St. Juan, in the province of Popayan, where both the country and inhabitants appeared with a more promising aspect, that dawn of better fortune was sufficient to determine such sanguine projectors not to abandon their scheme, notwithstanding all that they had suffered in prosecuting it.[f]

June 24.

1526.

They resume the undertaking.

Almagro repaired to Panama, in hopes of recruiting their shattered troops. But what he and Pizarro had suffered gave his countrymen such an unfavourable idea of the service, that it was with difficulty he could levy fourscore men.[g] Feeble as this reinforcement was, Almagro took the command of it, and having joined Pizarro, they did not hesitate about resuming their operations. After a long series of disasters and disappointments, not inferior to those which they had alrcady experienced, part of the armament reached the Bay of St. Matthew, on the coast of Quito, and landing at Tacamez, to the south of the river of Emeralds, they beheld a country more champaign and fertile than any they had yet discovered in the Southern ocean, the natives clad in garments of woollen or cotton stuff, and adorned with several trinkets of gold and silver.

But, notwithstanding those favourable appearances, magnified beyond the truth, both by the vanity of the persons who brought the report from Tacamez, and by the fond imagination of those who listened to them, Pizarro and Almagro durst not venture to invade a country so populous with a handful of men enfeebled by fatigue and diseases. They retired to the small island of Gallo, where Pizarro remained with part of the troops, and his associate returned to Panama, in hopes of bringing such a reinforcement as might enable them to take possession of the opulent territories, whose existence seemed to be no longer doubtful.[h]

Pizarro recalled by the governor of Panama.

But some of the adventurers, less enterprising or less hardy than their leaders, having secretly conveyed lamentable accounts of their sufferings and losses to their friends at Panama, Almagro met with an unfavourable reception from Pedro de los Rios, who had succeeded Pedrarias in the government of that settlement. After weighing the matter with that cold economical prudence, which appears the first of all virtues to persons whose limited faculties are incapable of conceiving or executing great designs, he concluded an expedition, attended with such certain waste of men, to be so detrimental to an infant and feeble colony, that he not only prohibited the raising of new levies, but despatched a vessel to bring home Pizarro and his companions from the island of Gallo. Almagro and Luque, though deeply affected with those measures, which they could not prevent, and durst not oppose, found means of communicating their sentiments privately to Pizarro, and exhorted him not to relinquish an enterprise that was the foundation of all their hopes, and the only means of re-establishing their reputation and fortune, which were both on the decline. Pizarro's mind, bent with inflexible obstinacy on all its purposes, needed no incentive to persist in the scheme. He peremptorily refused to obey the governor of Panama's orders, and employed all his address and eloquence in persuading his men not to abandon him. But the incredible calamities to which they had been exposed were still so recent in their memories, and the thoughts of revisiting their families and friends after a long absence, rushed with such joy into their minds, that when Pizarro drew a line upon the sand with his sword, permitting such as wished to return home to pass over it, only thirteen of all

Persists in his designs.

e Herrera, dec. 4. lib. ii. c. 8. Xerez, p. 179.
f Herrera, dec. 3. lib. viii. c. 11, 12. See Note CXXVI.
g Zarate, lib. i. c. 1.
h Xerez, 181. Herrera, dec. 3. lib. viii. c. 13.

the daring veterans in his service had resolution to remain with their commander.[i]

This small but determined band, whose names the Spanish historians record with deserved praise, as the persons to whose persevering fortitude their country is indebted for the most valuable of all its American possessions, fixed their residence in the island of Gorgona. This, as it was further removed from the coast than Gallo, and uninhabited, they considered as a more secure retreat, where, unmolested, they might wait for supplies from Panama, which they trusted that the activity of their associates would be able to procure. Almagro and Luque were not inattentive or cold solicitors, and their incessant importunity was seconded by the general voice of the colony, which exclaimed loudly against the infamy of exposing brave men, engaged in the public service, and chargeable with no errror but what flowed from an excess of zeal and courage, to perish like the most odious criminals in a desert island. Overcome by those entreaties and expostulations, the governor at last consented to send a small vessel to their relief. But that he might not seem to encourage Pizarro to any new enterprise, he would not permit one landman to embark on board of it.

Hardships he endured.

By this time Pizarro and his companions had remained five months in an island, infamous for the most unhealthy climate in that region of America.[k] During all this period their eyes were turned towards Panama, in hopes of succour from their countrymen; but worn out at length with fruitless expectations, and dispirited with suffering hardships of which they saw no end, they, in despair, came to a resolution of committing themselves to the ocean on a float, rather than continue in that detestable abode. But, on the arrival of the vessel from Panama, they were transported with such joy, that all their sufferings were forgotten. Their hopes revived, and, with a rapid transition, not unnatural among men accustomed by their mode of life to sudden vicissitudes of fortune, high confidence succeeding to extreme dejection, Pizarro easily induced not only his own followers, but the crew of the vessel from Panama, to resume his former scheme with fresh ardour. Instead of returning to Panama, they stood towards the south-east, and more fortunate in this than in any of their past efforts, they, on the twentieth day after their departure from Gorgona, discovered the coast of Peru. After touching at several villages near the shore, which they found to be no wise inviting, they landed at Tumbez, a place of some note, about three degrees south of the line, distinguished for its stately temple, and a palace of the *Incas* or sovereigns of the country.[l] There the Spaniards feasted their eyes with the first view of the opulence and civilization of the Peruvian empire. They beheld a country fully peopled, and cultivated with an appearance of regular industry; the natives decently clothed, and possessed of ingenuity so far surpassing the other inhabitants of the New World, as to have the use of tame domestic animals. But what chiefly attracted their notice, was such a show of gold and silver, not only in the ornaments of their persons and temples, but in several vessels and utensils for common use, formed of those precious metals, as left no room to doubt that they abounded with profusion in the country. Pizarro and his companions seemed now to have attained to the completion of their most sanguine hopes, and fancied that all their wishes and dreams of rich domains, and inexhaustible treasures, would soon be realized.

Discovers Peru.

But with the slender force then under his command, Pizarro could only view the rich country of which he hoped hereafter to obtain possession. He ranged, however, for some time along the coast, maintaining every where a peaceable intercourse with the natives, no less astonished at their new visitants, than the Spaniards were with the uniform appearance of opulence and cultivation which they beheld. Having explored the country as far as was requisite to ascertain the importance of the discovery, Pizarro procured from the inhabitants some of their *Llamas* or tame cattle, to which the Spaniards gave the name of sheep, some vessels of gold and silver, as well as some specimens of their other works of ingenuity, and two young men, whom he proposed to instruct in the Castilian language, that they might serve as interpreters in the expedition which he meditated. With these he arrived at Panama, towards the close of the third year from the time of his departure thence.[m] No adventurer of the age suffered hardships or encountered dangers which equal those to which he was exposed during this long period. The patience with which he endured the one, and the fortitude with which he surmounted the other, exceed whatever is recorded in the history of the New World, where so many romantic displays of those virtues occur.

Returns to Panama.

1527.

Neither the splendid relation that Pizarro gave of the incredible opulence of the country which he had discovered, nor his bitter complaints on account of that unseasonable recall of his forces, which had put it out of his power to attempt making any settlement there, could move the governor of Panama to swerve from his former plan of conduct. He still contended, that the colony was not in a condition to invade such a mighty empire, and refused to authorize an expedition which he foresaw would be so alluring that it might ruin the province in which he presided, by an effort beyond its strength. His coldness, however, did not in any degree abate the ardour of the three associates; but they perceived that they could not carry their scheme into execu-

1528.
New schemes of the associates.

i Herrera, dec. 3. lib. x. c. 2, 3. Zarate, lib. i. c. 2. Xerex, 181. Gomara, Hist. c. 109.

k See Note CXXVII.

l Calancha, p. 103.

m Herrera, dec. 3. lib. x. c. 3—6. dec. 4. lib. ii. c. 7, 8. Vega, 2. lib. i. c. 10—14. Zarate, lib. i. c. 2. Benzo Hist. Novi Orbis, lib. iii. c. 1.

tion without the countenance of superior authority, and must solicit their sovereign to grant that permission which they could not extort from his delegate. With this view, after adjusting among themselves, that Pizarro should claim the station of governor, Almagro that of lieutenant-governor, and Luque the dignity of bishop, in the country which they purposed to conquer, they sent Pizarro as their agent to Spain, though their fortunes were now so much exhausted by the repeated efforts which they had made, that they found some difficulty in borrowing the small sum requisite towards equipping him for the voyage.[n]

Pizarro sent to Spain to negociate.

Pizarro lost no time in repairing to court, and new as the scene might be to him, he appeared before the emperor with the unembarrassed dignity of a man conscious of what his services merited; and he conducted his negociations with an insinuating dexterity of address, which could not have been expected either from his education or former habits of life. His feeling description of his own sufferings, and his pompous account of the country which he had discovered, confirmed by the specimens of its productions which he exhibited, made such an impression both on Charles and his ministers, that they not only approved of the intended expedition, but seemed to be interested in the success of its leader.

Neglects his associates,

Presuming on those dispositions in his favour, Pizarro paid little attention to the interest of his associates. As the pretensions of Luque did not interfere with his own, he obtained for him the ecclesiastical dignity to which he aspired. For Almagro he claimed only the command of the fortress which should be erected at Tumbez. To himself he secured whatever his boundless ambition could desire. He was appointed governor, captain-general, and adelantado of all the country which he had discovered, and hoped to conquer, with supreme authority, civil as well as military; and with full right to all the privileges and emoluments usually granted to adventurers in the New World. His jurisdiction was declared to extend two hundred leagues along the coast to the south of the river St. Jago; to be independent of the governor of Panama; and he had power to nominate all the officers who were to serve under him. In return for those concessions, which cost the court of Spain nothing, as the enjoyment of them depended upon the success of Pizarro's own efforts, he engaged to raise two hundred and fifty men, and to provide the ships, arms, and warlike stores requisite towards subjecting to the crown of Castile the country of which the government was allotted him.

July 26. and procures the supreme command to himself.

Slender force he was able to raise. 1529.

Inconsiderable as the body of men was which Pizarro had undertaken to raise, his funds and credit were so low that he could hardly complete half the number; and after obtaining his patents from the crown, he was obliged to steal privately out of the port of Seville, in order to elude the scrutiny of the officers who had it in charge to examine whether he had fulfilled the stipulations in his contract.[o] Before his departure, however, he received some supply of money from Cortes, who having returned to Spain about this time, was willing to contribute his aid towards enabling an ancient companion, with whose talents and courage he was well acquainted, to begin a career of glory similar to that which he himself had finished.[p]

He landed at Nombre de Dios, and marched across the isthmus to Panama, accompanied by his three brothers, Ferdinand, Juan, and Gonzalo, of whom the first was born in lawful wedlock, the two latter, like himself, were of illegitimate birth, and by Francisco de Alcantara, his mother's brother. They were all in the prime of life, and of such abilities and courage as fitted them to take a distinguished part in his subsequent transactions.

1530. His reconciliation with Almagro.

On his arrival at Panama, Pizarro found Almagro so much exasperated at the manner in which he had conducted his negociation, that he not only refused to act any longer in concert with a man by whose perfidy he had been excluded from the power and honours to which he had a just claim, but laboured to form a new association, in order to thwart or to rival his former confederate in his discoveries. Pizarro, however, had more wisdom and address than to suffer a rupture so fatal to all his schemes to become irreparable. By offering voluntarily to relinquish the office of adelantado, and promising to concur in soliciting that title, with an independent government, for Almagro, he gradually mitigated the rage of an open-hearted soldier, which had been violent, but was not implacable. Luque, highly satisfied with having been successful in all his own pretensions, cordially seconded Pizarro's endeavours. A reconciliation was effected, and the confederacy renewed on its original terms, that the enterprise should be carried on at the common expense of the associates, and the profits accruing from it should be equally divided among them.[q]

Their armament.

Even after their reunion, and the utmost efforts of their interest, three small vessels, with a hundred and eighty soldiers, thirty-six of whom were horsemen, composed the armament which they were able to fit out. But the astonishing progress of the Spaniards in America had inspired them with such ideas of their own superiority, that Pizarro did not hesitate to sail with this contemptible force to invade a great empire. Almagro was left at Panama, as formerly, to follow him with what reinforcement of men he should be able to muster. As the season for embarking was properly chosen, and the course of navigation between Panama and

1531. February.

n Herrera, dec. 4. lib. iii. c. 1. Vega, 2. lib. i. c. 14.
o Herrera, dec. 4. lib. vii. c. 9.
p Ibid. lib. vii. c. 10.
q Herrera, dec. 4. lib. vii. c. 9. Zarate, lib. i. c. 3 Vega, 2. lib. i. c. 14.

Peru was now better known, Pizarro completed the voyage in thirteen days; though, by the force of the winds and currents, he was carried above a hundred leagues to the north of Tumbez, the place of his destination, and obliged to land his troops in the bay of St. Matthew. Without losing a moment he began to advance towards the south, taking care, however, not to depart far from the sea-shore, both that he might easily effect a junction with the supplies which he expected from Panama, and secure a retreat in case of any disaster, by keeping as near as possible to his ships. But as the country in several parts on the coast of Peru is barren, unhealthful, and thinly peopled; as the Spaniards had to pass all the rivers near their mouth, where the body of water is greatest; and as the imprudence of Pizarro, in attacking the natives when he should have studied to gain their confidence, had forced them to abandon their habitations; famine, fatigue, and diseases of various kinds, brought upon him and his followers calamities hardly inferior to those which they had endured in their former expedition. What they now experienced corresponded so ill with the alluring description of the country given by Pizarro, that many began to reproach him, and every soldier must have become cold to the service, if, even in this unfertile region of Peru, they had not met with some appearances of wealth and cultivation, which seemed to justify the report of their leader. At length they reached the province of Coaque; and, having surprised the principal settlement of the natives, they seized their vessels and ornaments of gold and silver, to the amount of thirty thousand pesos, with other booty of such value, as dispelled all their doubts, and inspired the most desponding with sanguine hopes.[r]

Lands in Peru.

April 14.

His measures for obtaining a reinforcement.

Pizarro himself was so much delighted with this rich spoil, which he considered as the first fruits of a land abounding with treasure, that he instantly despatched one of his ships to Panama with a large remittance to Almagro; and another to Nicaragua with a considerable sum to several persons of influence in that province, in hopes of alluring adventurers by this early display of the wealth which he had acquired. Meanwhile he continued his march along the coast, and disdaining to employ any means of reducing the natives but force, he attacked them with such violence in their scattered habitations, as compelled them either to retire into the interior country, or to submit to his yoke. This sudden appearance of invaders, whose aspect and manners were so strange, and whose power seemed to be so irresistible, made the same dreadful impression as in other parts of America. Pizarro hardly met with resistance until he attacked the island of Puna in the bay of Guayaquil. As that was better peopled than the country through which he had passed, and its inhabitants fiercer and less civilized than those of the continent, they defended themselves with such obstinate valour that Pizarro spent six months in reducing them to subjection. From Puna he proceeded to Tumbez, where the distempers which raged among his men compelled him to remain for three months.[s]

Receives some, and continues to advance.

While he was thus employed, he began to reap advantage from his attention to spread the fame of his first success to Coaque. Two different detachments arrived from Nicaragua, which, though neither exceeded thirty men, he considered as a reinforcement of great consequence to his feeble band, especially as the one was under the command of Sebastian Benalcazar, and the other of Hernando Soto, officers not inferior in merit and reputation to any who had served in America. From Tumbez he proceeded to the river Piura, and in an advantageous station near the mouth of it, he established the first Spanish colony in Peru, to which he gave the name of St. Michael.

1532.

May 16.

As Pizarro continued to advance towards the centre of the Peruvian empire, he gradually received more full information concerning its extent and policy, as well as the situation of its affairs at that juncture. Without some knowledge of these, he could not have conducted his operations with propriety; and without a suitable attention to them, it is impossible to account for the progress which the Spaniards had already made, or to unfold the causes of their subsequent success.

State of the Peruvian empire.

At the time when the Spaniards invaded Peru, the dominions of its sovereigns extended in length, from north to south, above fifteen hundred miles along the Pacific ocean. Its breadth, from east to west, was much less considerable, being uniformly bounded by the vast ridge of the Andes, stretching from its one extremity to the other. Peru, like the rest of the New World, was originally possessed by small independent tribes, differing from each other in manners, and in their forms of rude policy. All, however, were so little civilized, that if the traditions concerning their mode of life, preserved among their descendants, deserve credit, they must be classed among the most unimproved savages of America. Strangers to every species of cultivation or regular industry, without any fixed residence, and unacquainted with those sentiments and obligations which form the first bonds of social union, they are said to have roamed about naked in the forests, with which the country was then covered, more like wild beasts than like men. After they had struggled for several ages with the hardships and calamities which are inevitable in such a state, and when no circumstance seemed to indicate the approach of any uncommon effort towards improvement, we are

r Herrera, dec. 4. lib. vii. c. 9. lib. ii. c. 1. Xerez, 182.

s P. Sancho ap. Ramus. iii. p. 371. F. Herrera, dec. 4. lib. vii. c. 18. lib. ix. c. 1. Zarate, lib. ii. c. 2, 3. Xerez p. 182, &c.

told that there appeared, on the banks of the lake Titiaca, a man and woman of majestic form, clothed in decent garments. They declared themselves to be children of the sun, sent by their beneficent parent, who beheld with pity the miseries of the human race, to instruct and to reclaim them. At their persuasion, enforced by reverence for the divinity in whose name they were supposed to speak, several of the dispersed savages united together, and receiving their commands as heavenly injunctions, followed them to Cuzco, where they settled and began to lay the foundations of a city.

Manco Capac and Mama Ocollo, for such were the names of those extraordinary personages, having thus collected some wandering tribes, formed that social union, which, by multiplying the desires and uniting the efforts of the human species, excites industry, and leads to improvement. Manco Capac instructed the men in agriculture and other useful arts: Mama Ocollo taught the women to spin and to weave. By the labour of the one sex, subsistence became less precarious; by that of the other, life was rendered more comfortable. After securing the objects of first necessity in an infant state, by providing food, raiment, and habitations for the rude people of whom he took charge, Manco Capac turned his attention towards introducing such laws and policy as might perpetuate their happiness. By his institutions, which shall be more particularly explained hereafter, the various relations in private life were established, and the duties resulting from them prescribed with such propriety, as gradually formed a barbarous people to decency of manners. In public administration, the functions of persons in authority were so precisely defined, and the subordination of those under their jurisdiction maintained with such a steady hand, that the society in which he presided soon assumed the aspect of a regular and well-governed state.

Thus, according to the Indian tradition, was founded the empire of the *Incas* or *Lords* of Peru. At first its extent was small. The territory of Manco Capac did not reach above eight leagues from Cuzco. But within its narrow precincts he exercised absolute and uncontrolled authority. His successors, as their dominions extended, arrogated a similar jurisdiction over the new subjects which they acquired; the despotism of Asia was not more complete. The incas were not only obeyed as monarchs, but revered as divinities. Their blood was held to be sacred, and by prohibiting intermarriages with the people, was never contaminated by mixing with that of any other race. The family, thus separated from the rest of the nation, was distinguished by peculiarities in dress and ornaments, which it was unlawful for others to assume. The monarch himself appeared with ensigns of royalty reserved for him alone; and received from his subjects marks of obsequious homage and respect, which approached almost to adoration.

But, among the Peruvians, this unbounded power of their monarchs seems to have been uniformly accompanied with attention to the good of their subjects. It was not the rage of conquest, if we may believe the accounts of their countrymen, that prompted the incas to extend their dominions, but the desire of diffusing the blessings of civilization, and the knowledge of the arts which they possessed, among the barbarous people whom they reduced. During a succession of twelve monarchs, it is said that not one deviated from this beneficent character.[t]

When the Spaniards first visited the coast of Peru, in the year one thousand five hundred and twenty-six, Huana Capac, the twelfth monarch from the founder of the state, was seated on the throne. He is represented as a prince distinguished not only for the pacific virtues peculiar to the race, but eminent for his martial talents. By his victorious arms the kingdom of Quito was subjected, a conquest of such extent and importance as almost doubled the power of the Peruvian empire. He was fond of residing in the capital of that valuable province which he had added to his dominions; and, notwithstanding the ancient and fundamental law of the monarchy against polluting the royal blood by any foreign alliance, he married the daughter of the vanquished monarch of Quito. She bore him a son named Atahualpa, whom, on his death at Quito, which seems to have happened about the year one thousand five hundred and twenty-nine, he appointed his successor in that kingdom, leaving the rest of his dominions to Huascar, his eldest son, by a mother of the royal race. Greatly as the Peruvians revered the memory of a monarch who had reigned with greater reputation and splendour than any of his predecessors, the destination of Huana Capac concerning the succession appeared so repugnant to a maxim coeval with the empire, and founded on authority deemed sacred, that it was no sooner known at Cuzco than it excited general disgust. Encouraged by those sentiments of his subjects, Huascar required his brother to renounce the government of Quito, and to acknowledge him as his lawful superior. But it had been the first care of Atahualpa to gain a large body of troops which had accompanied his father to Quito. These were the flower of the Peruvian warriors, to whose valour Huana Capac had been indebted for all his victories. Relying on their support, Atahualpa first eluded his brother's demand, and then marched against him in hostile array.

Thus the ambition of two young men, the title of the one founded on ancient usage, and that of the other asserted by the veteran troops, involved Peru in civil war, a calamity to which, under a succession of virtuous princes, it had hitherto been a stranger. In such a contest the issue was obvious. The force of arms triumphed over the authority of laws. Atahualpa remained victorious, and made a

t Cieca de Leon, Chron. c. 44. Herrera dec. 3. lib. x. c. 4. dec. 5. lib. iii. c. 17.

cruel use of his victory. Conscious of the defect in his own title to the crown, he attempted to exterminate the royal race, by putting to death all the children of the sun descended from Manco Capac, whom he could seize either by force or stratagem. From a political motive, the life of his unfortunate rival Huascar, who had been taken prisoner in a battle which decided the fate of the empire, was prolonged for some time, that by issuing orders in his name the usurper might more easily establish his own authority.[u]

Favourable to the progress of Pizarro.

When Pizarro landed in the bay of St. Matthew, this civil war raged between the two brothers in its greatest fury. Had he made any hostile attempt in his former visit to Peru in the year one thousand five hundred and twenty-seven, he must then have encountered the force of a powerful state, united under a monarch possessed of capacity as well as courage, and unembarrassed with any care that could divert him from opposing his progress. But at this time the two competitors, though they received early accounts of the arrival and violent proceedings of the Spaniards, were so intent upon the operations of a war which they deemed more interesting, that they paid no attention to the motions of an enemy, too inconsiderable in number to excite any great alarm, and to whom it would be easy, as they imagined, to give a check when more at leisure.

He avails himself of it, and advances.

By this fortunate coincidence of events, whereof Pizarro could have no foresight, and of which, from his defective mode of intercourse with the people of the country, he remained long ignorant, he was permitted to carry on his operations unmolested, and advance to the centre of a great empire before one effort of its power was exerted to stop his career. During their progress, the Spaniards had acquired some imperfect knowledge of this struggle between the two contending factions. The first complete information with respect to it they received from messengers whom Huascar sent to Pizarro, in order to solicit his aid against Atahualpa, whom he represented as a rebel and an usurper.[x] Pizarro perceived at once the importance of this intelligence, and foresaw so clearly all the advantages which might be derived from this divided state of the kingdom which he had invaded, that without waiting for the reinforcement which he expected from Panama, he determined to push forward, while intestine discord put it out of the power of the Peruvians to attack him with their whole force, and while, by taking part, as circumstances should incline him, with one of the competitors, he might be enabled with greater ease to crush both. Enterprising as the Spaniards of that age were in all their operations against Americans, and distinguished as Pizarro was among his countrymen for daring courage, we can hardly suppose, that, after having proceeded hitherto slowly and with much caution, he would have changed at once his system of operation, and have ventured upon a measure so hazardous, without some new motive or prospect to justify it.

State of his forces.

As he was obliged to divide his troops, in order to leave a garrison in St. Michael, sufficient to defend a station of equal importance as a place of retreat in case of any disaster, and as a port for receiving any supplies which should come from Panama, he began his march with a very slender and ill-accoutred train of followers. They consisted of sixty-two horsemen,[y] and a hundred and two foot-soldiers, of whom twenty were armed with cross-bows, and three with muskets. He directed his course towards Caxamalca, a small town at the distance of twelve days' march from St. Michael, where Atahualpa was encamped with a considerable body of troops. Before he had proceeded far, an officer despatched by the inca met him with a valuable present from that prince, accompanied with a proffer of his alliance, and assurances of a friendly reception at Caxamalca. Pizarro, according to the usual artifice of his countrymen in America, pretended to come as the ambassador of a very powerful monarch, and declared that he was now advancing with an intention to offer Atahualpa his aid against those enemies who disputed his title to the throne.[z]

Ideas of the Peruvians concerning their designs.

As the object of the Spaniards in entering their country was altogether incomprehensible to the Peruvians, they had formed various conjectures concerning it, without being able to decide whether they should consider their new guests as beings of a superior nature, who had visited them from some beneficent motive, or as formidable avengers of their crimes, and enemies to their repose and liberty. The continual professions of the Spaniards, that they came to enlighten them with the knowledge of truth, and lead them in the way of happiness, favoured the former opinion; the outrages which they committed, their rapaciousness and cruelty, were awful confirmations of the latter. While in this state of uncertainty, Pizarro's declaration of his pacific intentions so far removed all the inca's fears, that he determined to give him a friendly reception. In consequence of this resolution, the Spaniards were allowed to march in tranquillity across the sandy desert between St. Michael and Motupè, where the most feeble effort of an enemy, added to the unavoidable distresses which they suffered in passing through that comfortless region, must have proved fatal to them.[a] From Motupè they advanced towards the mountains which encompassed the low country of Peru, and passed through a defile so narrow and inaccessible, that a few men might have defended it against a numerous army. But here likewise, from the same inconsiderate credulity of the inca, the Spaniards met with no opposition,

u Zarate, lib. i. c. 15. Vega, 1. lib. ix. c. 12. and 32- 40. Herrera, dec. 5. lib. i. c. 2. lib. iii. 17.

x Zarate, lib. ii. c. 3.

y See Note CXXVIII.

z Herrera, dec. 5. lib. i. c. 3. Xerez, p. 189.

a See Note CXXIX

and took quiet possession of a fort erected for the security of that important station. As they now approached near to Caxamalca, Atahualpa renewed his professions of friendship; and as an evidence of their sincerity, sent them presents of greater value than the former.

Arrive at Caxamalca.

On entering Caxamalca, Pizarro took possession of a large court, on one side of which was a house which the Spanish historians call a palace of the inca, and on the other a temple of the sun, the whole surrounded with a strong rampart or wall of earth. When he had posted his troops in this advantageous station, he despatched his brother Ferdinand and Hernando Soto to the camp of Atahualpa, which was at about a league distant from the town. He instructed them to confirm the declaration which he had formerly made of his pacific disposition, and to desire an interview with the inca, that he might explain more fully the intention of the Spaniards in visiting his country. They were treated with all the respectful hospitality usual among the Peruvians in the reception of their most cordial friends, and Atahualpa promised to visit the Spanish commander next day in his quarters. The decent deportment of the Peruvian monarch, the order of his court, and the reverence with which his subjects approached his person and obeyed his commands, astonished those Spaniards who had never met in America with any thing more dignified than the petty cazique of a barbarous tribe. But their eyes were still more powerfully attracted by the vast profusion of wealth which they observed in the inca's camp. The rich ornaments worn by him and his attendants, the vessels of gold and silver in which the repast offered to them was served up, the multitude of utensils of every kind formed of those precious metals, opened prospects far exceeding any idea of opulence that an European of the sixteenth century could form.

Perfidious scheme of Pizarro.

On their return to Caxamalca, while their minds were yet warm with admiration and desire of the wealth which they had beheld, they gave such a description of it to their countrymen as confirmed Pizarro in a resolution which he had already taken. From his own observation of American manners during his long service in the New World, as well as from the advantages which Cortes had derived from seizing Montezuma, he knew of what consequence it was to have the inca in his power. For this purpose, he formed a plan as daring as it was perfidious. Notwithstanding the character that he had assumed, of an ambassador from a powerful monarch who courted an alliance with the inca, and in violation of the repeated offers which he had made to him of his own friendship and assistance, he determined to avail himself of the unsuspicious simplicity with which Atahualpa relied on his professions, and to seize the person of the inca during the interview to which he had invited him. He prepared for the execution of his scheme with the same deliberate arrangement, and with as little compunction, as if it had reflected no disgrace on himself or his country. He divided his cavalry into three small squadrons, under the command of his brother Ferdinand, Soto, and Benalcazar; his infantry were formed in one body, except twenty of most tried courage, whom he kept near his own person to support him in the dangerous service which he reserved for himself; the artillery, consisting of two field-pieces,[b] and the cross-bowmen, were placed opposite to the avenue by which Atahualpa was to approach. All were commanded to keep within the square, and not to move until the signal for action was given.

Nov. 16. Visited by the inca.

Early in the morning the Peruvian camp was all in motion, But as Atahualpa was solicitous to appear with the greatest splendour and magnificence in his first interview with the strangers, the preparations for this were so tedious, that the day was far advanced before he began his march. Even then, lest the order of the procession should be deranged, he moved so slowly, that the Spaniards became impatient, and apprehensive that some suspicion of their intention might be the cause of this delay. In order to remove this, Pizarro despatched one of his officers with fresh assurances of his friendly disposition. At length the inca approached. First of all appeared four hundred men, in an uniform dress, as harbingers to clear the way before him. He himself, sitting on a throne or couch adorned with plumes of various colours, and almost covered with plates of gold and silver enriched with precious stones, was carried on the shoulders of his principal attendants. Behind him came some chief officers of his court, carried in the same manner. Several bands of singers and dancers accompanied this cavalcade; and the whole plain was covered with troops, amounting to more than thirty thousand men.

Strange harangue of father Valverde.

As the inca drew near the Spanish quarters, father Vincent Valverde, chaplain to the expedition, advanced with a crucifix in one hand, and a breviary in the other, and in a long discourse explained to him the doctrine of the creation, the fall of Adam, the incarnation, the sufferings and resurrection of Jesus Christ, the appointment of St. Peter as God's vicegerent on earth, the transmission of his apostolic power by succession to the popes, the donation made to the king of Castile, by pope Alexander, of all the regions of the New World. In consequence of all this, he required Atahualpa to embrace the christian faith, to acknowledge the supreme jurisdiction of the pope, and to submit to the king of Castile as his lawful sovereign; promising if he complied instantly with this requisition, that the Castilian monarch would protect his dominions, and permit him to continue in the exercise of his royal authority; but if he should impiously refuse to obey this summons, he denounced war against

b Xerez, p. 194.

him in his master's name, and threatened him with the most dreadful effects of his vengeance.

Reply of the inca.

This strange harangue, unfolding deep mysteries, and alluding to unknown facts, of which no power of eloquence could have conveyed at once a distinct idea to an American, was so lamely translated by an unskilful interpreter, little acquainted with the idiom of the Spanish tongue, and incapable of expressing himself with propriety in the language of the inca, that its general tenor was altogether incomprehensible to Atahualpa. Some parts in it, of more obvious meaning, filled him with astonishment and indignation. His reply, however, was temperate. He began with observing, that he was lord of the dominions over which he reigned by hereditary succession; and added, that he could not conceive how a foreign priest should pretend to dispose of territories which did not belong to him; that if such a preposterous grant had been made, he, who was the rightful possessor, refused to confirm it; that he had no inclination to renounce the religious institutions established by his ancestors; nor would he forsake the service of the sun, the immortal divinity whom he and his people revered, in order to worship the god of the Spaniards, who was subject to death; that with respect to other matters contained in his discourse, as he had never heard of them before, and did not now understand their meaning, he desired to know where the priest had learned things so extraordinary. "In this book," answered Valverde, reaching out to him his breviary. The inca opened it eagerly, and turning over the leaves, lifted it to his ear: "This," says he, "is silent; it tells me nothing;" and threw it with disdain to the ground. The enraged monk, running towards his countrymen, cried out, "To arms, christians, to arms; the word of God is insulted; avenge this profanation on those impious dogs."[c]

Pizarro attacks the Peruvians;

Pizarro, who, during this long conference, had with difficulty restrained his soldiers, eager to seize the rich spoils of which they had now so near a view, immediately gave the signal of assault. At once the martial music struck up, the cannon and muskets began to fire, the horse sallied out fiercely to the charge, the infantry rushed on sword in hand. The Peruvians, astonished at the suddenness of an attack which they did not expect, and dismayed with the destructive effect of the fire-arms, and the irresistible impression of the cavalry, fled with universal consternation on every side, without attempting either to annoy the enemy, or to defend themselves. Pizarro, at the head of his chosen band, advanced directly towards the inca; and though his nobles crowded around him with officious zeal, and fell in numbers at his feet, while they vied one with another in sacrificing their own lives, that they might cover the sacred person of their sovereign, the Spaniards soon penetrated to the royal seat; and Pizarro, seizing the inca by the arm, dragged him to the ground, and carried him as a prisoner to his quarters. The fate of the monarch increased the precipitate flight of his followers. The Spaniards pursued them towards every quarter, and with deliberate and unrelenting barbarity continued to slaughter wretched fugitives, who never once offered to resist. The carnage did not cease until the close of the day. Above four thousand Peruvians were killed. Not a single Spaniard fell, nor was one wounded but Pizarro himself, whose hand was slightly hurt by one of his own soldiers, while struggling eagerly to lay hold on the Inca.[d]

and seizes the inca.

The plunder of the field was rich beyond any idea which the Spaniards had yet formed concerning the wealth of Peru, and they were so transported with the value of the acquisition, as well as the greatnesss of their success, that they passed the night in the extravagant exultation natural to indigent adventurers on such an extraordinary change of fortune.

Dejection of the inca.

As first the captive monarch could hardly believe a calamity, which he so little expected, to be real. But he soon felt all the misery of his fate, and the dejection into which he sunk was in proportion to the height of grandeur from which he had fallen. Pizarro, afraid of losing all the advantages which he hoped to derive from the possession of such a prisoner, laboured to console him with professions of kindness and respect, that corresponded ill with his actions. By residing among the Spaniards, the inca quickly discovered their ruling passion, which indeed they were nowise solicitous to conceal, and, by applying to that, made an attempt to recover his liberty. He offered as a ransom what astonished the Spaniards, even after all they now knew concerning the opulence of his kingdom. The apartment in which he was confined was twenty-two feet in length and sixteen in breadth; he undertook to fill it with vessels of gold as high as he could reach. Pizarro closed eagerly with this tempting proposal, and a line was drawn upon the walls of the chamber, to mark the stipulated height to which the treasure was to rise.

His offer of a ransom.

Atahualpa, transported with having obtained some prospect of liberty, took measures instantly for fulfilling his part of the agreement, by sending messengers to Cuzco, Quito, and other places, where gold had been amassed in largest quantities, either for adorning the temples of the gods, or the houses of the inca, to bring what was neeessary for completing his ransom directly to Caxamalca. Though Atahualpa was now in the custody of his enemies, yet so much were the Peruvians accustomed to respect every mandate issued by their sovereign, that his orders were executed with the greatest alacrity. Soothed with hopes of recovering his liberty by this means, the subjects of the inca were afraid of endangering his life by forming any other

c See Note CXXX.

d See Note CXXXI.

scheme for his relief; and though the force of the empire was still entire, no preparations were made and no army assembled to avenge their own wrongs or those of their monarch.[e] The Spaniards remained in Caxamalca tranquil and unmolested.

The Spaniards visit different provinces.

Small detachments of their number marched into remote provinces of the empire, and, instead of meeting with any opposition, were every where received with marks of the most submissive respect.[f]

Almagro arrives with a reinforcement.

Inconsiderable as those parties were, and desirous as Pizarro might be to obtain some knowledge of the interior state of the country, he could not have ventured upon any diminution of his main body, if he had not about this time received an account of Almagro's having landed at St. Michael with such a reinforcement as would almost double the number of his followers.[g] The arrival of this long-expected succour was not more agreeable to the Spaniards than alarming to the inca. He saw the power of his enemies increase; and as he knew neither the source whence they derived their supplies, nor the means by which they were conveyed to Peru, he could not foresee to what a height the inundation that poured in upon his dominions might rise. While disquieted with such apprehensions, he learned that some Spaniards, in their way to Cuzco, had visited his brother Huascar in the place where he kept him confined, and that the captive prince had represented to them the justice of his own cause, and as an inducement to espouse it, had promised them a quantity of treasure greatly beyond that which Atahualpa had engaged to pay for his ransom. If the Spaniards should listen to this proposal, Atahualpa perceived his own destruction to be inevitable; and suspecting that their insatiable thirst for gold would tempt them to lend a favourable ear to it, he determined to sacrifice his brother's life, that he might save his own; and his orders for this purpose were executed, like all his other commands, with scrupulous punctuality.[h]

December.

1533. Huascar put to death.

The Spaniards make a division of the spoil.

Meanwhile Indians daily arrived at Caxamalca from different parts of the kingdom, loaded with treasure. A great part of the stipulated quantity was now amassed, and Atahualpa assured the Spaniards, that the only thing which prevented the whole from being brought in, was the remoteness of the provinces where it was deposited. But such vast piles of gold presented continually to the view of needy soldiers, had so inflamed their avarice, that it was impossible any longer to restrain their impatience to obtain possession of this rich booty. Orders were given for melting down the whole, except some pieces of curious fabric, reserved as a present for the emperor. After setting apart the fifth due to the crown, and a hundred thousand pesos as a donative to the soldiers which arrived with Almagro, there remained one million five hundred and twenty-eight thousand five hundred pesos to Pizarro and his followers. The festival of St. James, the patron saint of Spain, was the day chosen for the partition of this enormous sum, and the manner of conducting it strongly marks the strange alliance of fanaticism with avarice, which I have more than once had occasion to point out as a striking feature in the character of the conquerors of the New World. Though assembled to divide the spoils of an innocent people, procured by deceit, extortion, and cruelty, the transaction began with a solemn invocation of the name of God,[i] as if they could have expected the guidance of Heaven in distributing those wages of iniquity. In this division above eight thousand pesos, at that time not inferior in effective value to as many pounds sterling in the present century, fell to the share of each horseman, and half that sum to each foot soldier. Pizarro himself, and his officers, received dividends in proportion to the dignity of their rank.

July 25.

The effect of it.

There is no example in history of such a sudden acquisition of wealth by military service, nor was ever a sum so great divided among so small a number of soldiers. Many of them having received a recompence for their services far beyond their most sanguine hopes, were so impatient to retire from fatigue and danger, in order to spend the remainder of their days in their native country in ease and opulence, that they demanded their discharge with clamorous importunity. Pizarro, sensible that from such men he could expect neither enterprise in action nor fortitude in suffering, and persuaded that wherever they went the display of their riches would allure adventurers, less opulent but more hardy, to his standard, granted their suit without reluctance, and permitted above sixty of them to accompany his brother Ferdinand, whom he sent to Spain with an account of his success, and the present destined for the emperor.[k]

The inca demands his liberty in vain.

The Spaniards having divided among them the treasure amassed for the inca's ransom, he insisted with them to fulfil their promise of setting him at liberty. But nothing was further from Pizarro's thoughts. During his long service in the New World, he had imbibed those ideas and maxims of his fellow-soldiers, which led them to consider its inhabitants as an inferior race, neither worthy of the name, nor entitled to the rights, of men. In his compact with Atahualpa, he had no other object than to amuse his captive with such a prospect of recovering his liberty, as might induce him to lend all the aid of his authority towards collecting the wealth of his kingdom. Having now accomplished this, he no longer regarded his plighted faith; and at the very time when the credulous prince hoped to be replaced on his throne, he had secretly resolved to bereave

e Xerez, 205. f See Note CXXXII.
g Xerez, 204. Herrera, dec. 5. lib. iii. c. 1, 2.
h Zarate, lib. ii. c. 6. Gomara, Hist. c. 115. Herrera, dec. 5. lib. iii. c. 2.
i Herrera, dec. 5. lib. iii. c. 3.
k Herrera, dec. 5. lib. iii. c. 4. Vega, p. 2. lib. i. c. 38.

him of life. Many circumstances seem to have concurred in prompting him to this action, the most criminal and atrocious that stains the Spanish name, amidst all the deeds of violence committed in carrying on the conquests of the New World.

He and the Spaniards mutually jealous.

Though Pizarro had seized the inca, in imitation of Cortes's conduct towards the Mexican monarch, he did not possess talents for carrying on the same artful plan of policy. Destitute of the temper and address requisite for gaining the confidence of his prisoner, he never reaped all the advantages which might have been derived from being master of his person and authority. Atahualpa was, indeed, a prince of greater abilities and discernment than Montezuma, and seems to have penetrated more thoroughly into the character and intentions of the Spaniards. Mutual suspicion and distrust accordingly took place between them. The strict attention with which it was necessary to guard a captive of such importance, greatly increased the fatigue of military duty. The utility of keeping him appeared inconsiderable; and Pizarro felt him as an encumbrance, from which he wished to be delivered.[l]

Almagro and his followers demand his life.

Almagro and his followers had made a demand of an equal share in the inca's ransom; and though Pizarro had bestowed upon the private men the large gratuity which I have mentioned, and endeavoured to soothe their leader by presents of great value, they still continued dissatisfied. They were apprehensive, that as long as Atahualpa remained a prisoner, Pizarro's soldiers would apply whatever treasure should be acquired, to make up what was wanting of the quantity stipulated for his ransom, and under that pretext exclude them from any part of it. They insisted eagerly on putting the inca to death, that all the adventurers in Peru might thereafter be on an equal footing.[m]

Motives which induced Pizarro to consent.

Pizarro himself began to be alarmed with accounts of forces assembling in the remote provinces of the empire, and suspected Atahualpa of having issued orders for that purpose. These fears and suspicions were artfully increased by Philippillo, one of the Indians whom Pizarro had carried off from Tumbez in the year one thousand five hundred and twenty-seven, and whom he employed as an interpreter. The function which he performed admitting this man to familiar intercourse with the captive monarch, he presumed, notwithstanding the meanness of his birth, to raise his affections to a *Coya*, or descendant of the sun, one of Atahualpa's wives; and seeing no prospect of gratifying that passion during the life of the monarch, he endeavoured to fill the ears of the Spaniards with such accounts of the inca's secret designs and preparations, as might awaken their jealousy, and incite them to cut him off.

While Almagro and his followers openly demanded the life of the inca, and Philippillo laboured to ruin him by private machinations, that unhappy prince inadvertently contributed to hasten his own fate. During his confinement he had attached himself with peculiar affection to Ferdinand Pizarro and Hernando Soto; who, as they were persons of birth and education superior to the rough adventurers with whom they served, were accustomed to behave with more decency and attention to the captive monarch. Soothed with this respect from persons of such high rank, he delighted in their society. But in the presence of the governor he was always uneasy and overawed. This dread soon came to be mingled with contempt. Among all the European arts, what he admired most was that of reading and writing; and he long deliberated with himself, whether he should regard it as a natural or acquired talent. In order to determine this, he desired one of the soldiers, who guarded him, to write the name of God on the nail of his thumb. This he showed successively to several Spaniards, asking its meaning; and to his amazement, they all, without hesitation, returned the same answer. At length Pizarro entered; and, on presenting it to him, he blushed, and with some confusion was obliged to acknowledge his ignorance. From that moment Atahualpa considered him as a mean person, less instructed than his own soldiers; and he had not address enough to conceal the sentiments with which this discovery inspired him. To be the object of a barbarian's scorn, not only mortified the pride of Pizarro, but excited such resentment in his breast, as added force to all the other considerations which prompted him to put the inca to death.[n]

His trial.

But in order to give some colour of justice to this violent action, and that he himself might be exempted from standing singly responsible for the commission of it, Pizarro resolved to try the inca with all the formalities observed in the criminal courts of Spain. Pizarro himself, and Almagro, with two assistants, were appointed judges, with full power to acquit or to condemn; an attorney-general was named to carry on the prosecution in the king's name; counsellors were chosen to assist the prisoner in his defence; and clerks were ordained to record the proceedings of court. Before this strange tribunal, a charge was exhibited still more amazing. It consisted of various articles; that Atahualpa, though a bastard, had dispossessed the rightful owner of the throne, and usurped the regal power; that he had put his brother and lawful sovereign to death; that he was an idolater, and had not only permitted, but commanded, the offering of human sacrifices; that he had a great number of concubines; that since his imprisonment he had wasted and embezzled the royal treasures, which now belonged of right to the conquerors; that he had incited his subjects to take arms against the Spaniards. On these heads of ac-

l Herrera, dec. 5. lib. iii. c. 4.
m Zarate, lib. ii. c. 7. Vega, p. 2. lib. i. c. 7. Herr. dec. 5. lib. iii. c. 4.
n Herrera, dec. 5. lib. iii. c. 4. Vega, p. 11. lib. i. c. 38.

cusation, some of which are so ludierous, others so absurd, that the effrontery of Pizarro, in making them the foundation of a serious procedure, is not less surprising than his injustiee, did this strange court go on to try the sovereign of a great empire, over whom it had no jurisdiction. With respect to each of the articles, witnesses were examined; but as they delivered their evidence in their native tongue, Philippillo had it in his power to give their words whatever turn best suited his malevolent intentions. To judges predetermined in their opinion, this evidenee appeared sufficient.

He is condemned, They pronounced Atahualpa guilty, and condemned him to be burnt alive. Friar Valverde prostituted the authority of his sacred funetion to confirm this sentence, and by his signature warranted it to be just. Astonished at his fate, Atahualpa endeavoured to avert it by tcars, by promises, and by entreaties that he might be sent to Spain, where a monarch would be the arbiter of his lot. But pity never touched the unfeeling heart of Pizarro. He ordered him to be led instantly to execution; and, what added to the bitterness of his last moments, the same monk who had just ratificd his doom, offered to console, and attempted to convert him. The most powerful argument Valverde employed to prevail with him to embrace the ehristian faith, was a promise of mitigation in his punishment. The dread of a cruel death extorted from the trembling victim a desire of receiving baptism. The eeremony was performed; and Atahualpa, instead of being burnt, was strangled at the stake.[o]

and executed.

Several Spaniards protest against it. Happily for the credit of the Spanish nation, even among the profligate adventurers which it sent forth to conquer and desolate the New World, there were persons who retained some tincture of the Castilian generosity and honour. Though, before the trial of Atahualpa, Ferdinand Pizarro had set out for Spain, and Soto was sent on a separate command at a distance from Caxamalca, this odious transaction was not carried on without censure and opposition. Several officers, and among those some of the greatest reputation and most respectable families in the service, not only remonstrated, but protested against this measure of their general, as disgraecful to their country, as repugnant to every maxim of equity, as a violation of public faith, and an usurpation of jurisdiction over an independent monarch, to which they had no title. But their laudable endeavours were vain. Numbers, and the opinion of such as held every thing to be lawful which they deemed advantageous, prevailed. History, however, records even the unsuccessful exertions of virtue with applause; and the Spanish writers, in rclating events where the valour of their nation is more conspicuous than its humanity, have not failed to preserve the names of those who made this laudable effort to save their country from the infamy of having perpetrated such a crime.[p]

Dissolution of government and order in Peru. On the death of Atahualpa, Pizarro invested one of his sons with the ensigns of royalty, hoping that a young man without experience might prove a more passive instrument in his hands, than an ambitious monarch, who had been accustomed to independent eommand. The people of Cuzeo, and the adjaeent country, acknowledged Manco Capae, a brother of Huascar, as inea.[q] But neither possessed the authority which belonged to a sovereign of Peru. The violent convulsions into which the empire had been thrown, first by the civil war between the two brothers, and then by the invasion of the Spaniards, had not only deranged the order of the Peruvian government, but almost dissolved its frame. When they beheld their monarch a captive in the power of strangers, and at last suffering an ignominious death, the people in several provinces, as if they had been set free from every restraint of law and deceney, broke out into the most licentious excesses.[r] So many descendants of the sun, after being treated with the utmost indignity, had been cut off by Atahualpa, that not only their influence in the state diminished with their number, but the aecustomed reverence for that sacred race sensibly decreased. In consequence of this state of things, ambitious men in different parts of the empire aspired to independent authority, and usurped jurisdiction to which they had no title. The general who commanded for Atahualpa in Quito, seized the brother and children of his master, put them to a cruel death, and disclaiming any connexion with either inca, endeavoured to establish a separate kingdom for himself.[s]

Pizarro advances to Cuzco. The Spaniards, with pleasure, beheld the spirit of diseord diffusing itself, and the vigour of government relaxing among the Peruvians. They considered those disorders as symptoms of a state hastening towards its dissolution. Pizarro no longer hesitated to advance towards Cuzeo, and he had reeeived sueh eonsiderable reinforcements, that he eould venture with little danger to penetrate so far into the interior part of the country. The account of the wealth acquired at Caxamalca operated as he had foreseen. No sooner did his brother Ferdinand, with the officers and soldiers to whom he had given their diseharge after the partition of the inea's ransom, arrive at Panama, and display their riches in the view of their astonished countrymen, than fame spread the aceount with such exaggeration through all the Spanish settlements on the South Sea, that the governors of Guatimala, Panama, and Niearagua, eould hardly restrain the people under their jurisdiction from abandoning their possessions, and crowding to that inexhaustible souree of wealth which seemed to be opened in Peru.[t] In spite of

o Zarate, lib. ii. c. 7. Xerez, p. 233. Vega, p. 11. lib. i. c. 36, 37. Gomara Hist. c. 117. Herrera, dec. 3. lib. iii. c. 4.
p Vega, p. 11. lib. i. c. 37. Xerez, i. 235. Herrera, dec. 5. lib. iii. c. 5.
q Vega, p. 11. lib. ii. c. 7.
r Herrera, dec. 5. lib. ii. c. 12. lib. iii. c. 5.
s Zarate, lib. ii. c. 8. Vega, p. 11. lib. ii. c. 3, 4.
t Gomara Hist. c. 125. Vega, p. 11. lib. ii. c. 1. Herrera, dec. 5. lib iii. c. 5.

every check and regulation, such numbers resorted thither, that Pizarro began his march at the head of five hundred men, after leaving a considerable garrison in St. Michael, under the command of Benalcazar. The Peruvians had assembled some large bodies of troops to oppose his progress. Several fierce encounters happened. But they terminated like all the actions in America: a few Spaniards were killed or wounded; the natives were put to flight with incredible slaughter. At length Pizarro forced his way to Cuzco, and took quiet possession of that capital. The riches found there, even after all that the natives had carried off and concealed, either from a superstitious veneration for the ornaments of their temples, or out of hatred to their rapacious conquerors, exceeded in value what had been received as Atahualpa's ransom. But as the Spaniards were now accustomed to the wealth of the country, and it came to be parcelled out among a great number of adventurers, this dividend did not excite the same surprise, either from novelty, or the largeness of the sum that fell to the share of each individual.[u]

During the march to Cuzco, that son of Atahualpa, whom Pizarro treated as inca, died; and as the Spaniards substituted no person in his place, the title of Manco Capac seems to have been universally recognised.[x]

Quito conquered by Benalcazar.

While his fellow-soldiers were thus employed, Benalcazar, governor of St. Michael, an able and enterprising officer, was ashamed of remaining inactive, and impatient to have his name distinguished among the discoverers and conquerors of the New World. The seasonable arrival of a fresh body of recruits from Panama and Nicaragua, put it in his power to gratify this passion. Leaving a sufficient force to protect the infant settlement intrusted to his care, he placed himself at the head of the rest, and set out to attempt the reduction of Quito, where, according to the report of the natives, Atahualpa had left the greatest part of his treasure. Notwithstanding the distance of that city from St. Michael, the difficulty of marching through a mountainous country covered with woods, and the frequent and fierce attacks of the best troops in Peru, commanded by a skilful leader, the valour, good conduct, and perseverance of Benalcazar surmounted every obstacle, and he entered Quito with his victorious troops. But they met with a cruel mortification there. The natives, now acquainted to their sorrow with the predominant passion of their invaders, and knowing how to disappoint it, had carried off all those treasures, the prospect of which had prompted them to undertake this arduous expedition, and had supported them under all the dangers and hardships wherewith they had to struggle in carrying it on.[y]

Alvarado's expedition.

Benalcazar was not the only Spanish leader who attacked the kingdom of Quito. The fame of its riches attracted a more powerful enemy. Pedro de Alvarado, who had distinguished himself so eminently in the conquest of Mexico, having obtained the government of Guatimala as a recompence for his valour, soon became disgusted with a life of uniform tranquillity, and longed to be again engaged in the bustle of military service. The glory and wealth acquired by the conquerors of Peru heightened this passion, and gave it a determined direction. Believing, or pretending to believe, that the kingdom of Quito did not lie within the limits of the province allotted to Pizarro, he resolved to invade it. The high reputation of the commander allured volunteers from every quarter. He embarked with five hundred men, of whom above two hundred were of such distinction as to serve on horseback. He landed at Puerto Viejo, and without sufficient knowledge of the country, or proper guides to conduct him, attempted to march directly to Quito, by following the course of the river Guayaquil, and crossing the ridge of the Andes towards its head. But in this route, one of the most impracticable in all America, his troops endured such fatigue in forcing their way through forests and marshes on the low grounds, and suffered so much from excessive cold when they began to ascend the mountains, that before they reached the plain of Quito, a fifth part of the men and half their horses died, and the rest were so much dispirited and worn out, as to be almost unfit for service.[z] There they met with a body, not of Indians but of Spaniards, drawn up in hostile array against them. Pizarro having received an account of Alvarado's armament, had detached Almagro with some troops to oppose this formidable invader of his jurisdiction; and these were joined by Benalcazar and his victorious party. Alvarado, though surprised at the sight of enemies whom he did not expect, advanced boldly to the charge. But, by the interposition of some moderate men in each party, an amicable accommodation took place; and the fatal period, when Spaniards suspended their conquests to imbrue their hands in the blood of their countrymen, was postponed a few years. Alvarado engaged to return to his government, upon Almagro's paying him a hundred thousand pesos to defray the expense of his armament. Most of his followers remained in the country; and an expedition, which threatened Pizarro and his colony with ruin, contributed to augment its strength.[a]

1534. Honours conferred on Pizarro and Almagro.

By this time Ferdinand Pizarro had landed in Spain. The immense quantities of gold and silver which he imported,[b] filled the kingdom with no less astonishment than they had excited in Panama and the adjacent provinces. Pizarro was received by the emperor with the attention due to the bearer of a present so rich as to exceed any idea which the Spaniards had formed concerning the value of their

u See Note CXXXIII. x Herrera, dec. 5. lib. v. c. 2.
y Zarate, lib. ii. c. 9. Vega, p. 11. lib. ii. c. 9. Herrera, dec. 5. lib. iv. c. 11, 12. lib. v. c. 2, 3. lib. vi. c. 3. z See Note CXXXIV.

a Zarate, lib. ii. c. 10—13. Vega, p. 11. lib. ii. c. 1, 2, 9, &c. Gomara Hist. c. 126, &c. Remesal, Hist. Guatimal. lib. iii. c. 6. Herrera, dec. 5. lib. vi. c. 1, 2, 7, 8. b See Note CXXXV.

acquisitions in America, even after they had been ten years masters of Mexico. In recompence of his brother's services, his authority was confirmed with new powers and privileges, and the addition of seventy leagues, extending along the coast, to the southward of the territory granted in his former patent. Almagro received the honours which he had so long desired. The title of adelantado, or governor, was conferred upon him, with jurisdiction over two hundred leagues of country, stretching beyond the southern limits of the province allotted to Pizarro. Ferdinand himself did not go unrewarded. He was admitted into the military order of St. Jago, a distinction always acceptable to a Spanish gentleman, and soon set out on his return to Peru, accompanied by many persons of higher rank than had yet served in that country.[c]

Beginning of dissensions between Pizarro and Almagro.

Some account of his negociations reached Peru before he arrived there himself. Almagro no sooner learned that he had obtained the royal grant of an independent government, than pretending that Cuzco, the imperial residence of the incas, lay within its boundaries, he attempted to render himself master of that important station. Juan and Gonzalez Pizarro prepared to oppose him. Each of the contending parties was supported by powerful adherents, and the dispute was on the point of being terminated by the sword, when Francis Pizarro arrived in the capital. The reconciliation between him and Almagro had never been cordial. The treachery of Pizarro in engrossing to himself all the honours and emoluments, which ought to have been divided with his associate, was always present in both their thoughts. The former, conscious of his own perfidy, did not expect forgiveness; the latter, feeling that he had been deceived, was impatient to be avenged; and though avarice and ambition had induced them not only to dissemble their sentiments, but even to act in concert while in pursuit of wealth and power, no sooner did they obtain possession of these, than the same passions which had formed this temporary union gave rise to jealousy and discord. To each of them was attached a small band of interested dependants, who, with the malicious art peculiar to such men, heightened their suspicions, and magnified every appearance of offence. But with all those seeds of enmity in their minds, and thus assiduously cherished, each was so thoroughly acquainted with the abilities and courage of his rival, that they equally dreaded the consequences of an open rupture. The fortunate arrival of Pizarro at Cuzco, and the address mingled with firmness which he manifested in his expostulations with Almagro and his partisans, averted that evil for the present. A new reconciliation took place; the chief article of which was, that Almagro should attempt the conquest of Chili; and if he did not find in that province an establishment adequate to his merit and expectations, Pizarro, by way of indemnification, should yield up to him a part of Peru. This new agreement, June 12. though confirmed with the same sacred solemnities as their first contract, was observed with as little fidelity.[d]

Regulations of Pizarro.

Soon after he concluded this important transaction, Pizarro marched back to the countries on the sea-coast, and as he now enjoyed an interval of tranquillity undisturbed by any enemy, either Spanish or Indian, he applied himself with that persevering ardour which distinguishes his character, to introduce a form of regular government into the extensive provinces subject to his authority. Though ill qualified by his education to enter into any disquisition concerning the principles of civil policy, and little accustomed by his former habits of life to attend to its arrangements, his natural sagacity supplied the want both of science and experience. He distributed the country into various districts; he appointed proper magistrates to preside in each; and established regulations concerning the administration of justice, the collection of the royal revenue, the working of the mines, and the treatment of the Indians, extremely simple, but well calculated to promote the public prosperity. But though, for the present, he adapted his plan to the infant state of his colony, his aspiring mind looked forward to its future grandeur. He considered himself as laying the foundation of a great empire, and deliberated long, and with much solicitude, in what place he should fix the seat of government. Cuzco, the imperial city of the incas, was situated in a corner of the empire, above four hundred miles from the sea, and much further from Quito, a province of whose value he had formed a high idea. No other settlement of the Peruvians was so considerable as to merit the name of a town, or to allure the Spaniards to fix their residence in it. But in marching through the country, Pizarro had been struck with the beauty and fertility of the valley of Rimac, one of the most extensive and best cultivated in Peru. There, on the banks of a small river, of the same name with the vale which it waters and enriches, at the distance of six miles from Callao, the most commodious harbour in the Pacific ocean, he founded a city which he destined to be the capital of his government. 1535. January 18. He gave it the name of Ciudad de los Reyes, either from the circumstance of having laid the first stone at that season when the church celebrates the festival of the three kings, or, as is more probable, in honour of Juana and Charles, the joint sovereigns of Castile. This name it still retains among the Spaniards in all legal and formal deeds; but it is better known to foreigners by that of *Lima*, a corruption of the ancient appellation of the valley in which it is situated. Under his inspection, the buildings advanced with such rapidity, that it soon

Foundation of Lima.

c Zarate, lib. iii. c. 3. Vega, p. 11. lib. ii. c. 19. Herrera, dec. 5. lib. vi. c. 13.

d Zarate, lib. ii. c. 13. Vega, p. 11. lib. ii. c. 19. Benzo, lib. iii. c. 6. Herrera, dec. 5. lib. vii. c. 8.

assumed the form of a city, which, by a magnificent palace that he erected for himself, and by the stately houses built by several of his officers, gave, even in its infancy, some indication of its subsequent grandeur.[e]

Almagro invades Chili.

In consequence of what had been agreed with Pizarro, Almagro began his march towards Chili; and as he possessed in an eminent degree the virtues most admired by soldiers, boundless liberality and fearless courage, his standard was followed by five hundred and seventy men, the greatest body of Europeans that had hitherto been assembled in Peru. From impatience to finish the expedition, or from that contempt of hardship and danger acquired by all the Spaniards who had served long in America, Almagro, instead of advancing along the level country on the coast, chose to march across the mountains by a route that was shorter indeed, but almost impracticable. In this attempt his troops were exposed to every calamity which men can suffer, from fatigue, from famine, and from the rigour of the climate in those elevated regions of the torrid zone, where the degree of cold is hardly inferior to what is felt within the polar circle. Many of them perished; and the survivors, when they descended into the fertile plains of Chili, had new difficulties to encounter. They found there a race of men very different from the people of Peru, intrepid, hardy, independent, and in their bodily constitution, as well as vigour of spirit, nearly resembling the warlike tribes in North America. Though filled with wonder at the first appearance of the Spaniards, and still more astonished at the operations of their cavalry and the effects of their fire-arms, the Chilese soon recovered so far from their surprise, as not only to defend themselves with obstinacy, but to attack their new enemies with more determined fierceness than any American nation had hitherto discovered. The Spaniards, however, continued to penetrate into the country, and collected some considerable quantities of gold; but were so far from thinking of making any settlement amidst such formidable neighbours, that, in spite of all the experience and valour of their leader, the final issue of the expedition still remained extremely dubious, when they were recalled from it by an unexpected revolution in Peru.[f] The causes of this important event I shall endeavour to trace to their source.

An insurrection of the Peruvians.

So many adventurers had flocked to Peru from every Spanish colony in America, and all with such high expectations of accumulating independent fortunes at once, that, to men possessed with notions so extravagant, any mention of acquiring wealth gradually, and by schemes of patient industry, would have been not only a disappointment, but an insult. In order to find occupation for men who could not with safety be allowed to remain inactive, Pizarro encouraged some of the most distinguished officers who had lately joined him, to invade different provinces of the empire, which the Spaniards had not hitherto visited. Several large bodies were formed for this purpose; and about the time that Almagro set out for Chili, they marched into remote districts of the country. No sooner did Manco Capac, the inca, observe the inconsiderate security of the Spaniards in thus dispersing their troops, and that only a handful of soldiers remained in Cuzco, under Juan and Gonzalez Pizarro, than he thought that the happy period was at length come for vindicating his own rights, for avenging the wrongs of his country, and extirpating its oppressors. Though strictly watched by the Spaniards, who allowed him to reside in the palace of his ancestors at Cuzco, he found means of communicating his scheme to the persons who were to be intrusted with the execution of it. Among people accustomed to revere their sovereign as a divinity, every hint of his will carries the authority of a command; and they themselves were now convinced, by the daily increase in the number of their invaders, that the fond hopes which they had long entertained of their voluntary departure were altogether vain. All perceived that a vigorous effort of the whole nation was requisite to expel them, and the preparations for it were carried on with the secrecy and silence peculiar to Americans.

Its rise, and progress.

After some unsuccessful attempts of the inca to make his escape, Ferdinand Pizarro happening to arrive at 1536. that time in Cuzco, he obtained permission from him to attend a great festival which was to be celebrated a few leagues from the capital. Under pretext of that solemnity, the great men of the empire were assembled. As soon as the inca joined them, the standard of war was erected; and in a short time all the fighting men, from the confines of Quito to the frontier of Chili, were in arms. Many Spaniards, living securely on the settlements allotted them, were massacred. Several detachments, as they marched carelessly through a country which seemed to be tamely submissive to their dominion, were cut off to a man. An army amounting (if we may believe the Spanish writers) to two hundred thousand men, attacked Cuzco, which the three brothers endeavoured to defend with only one hundred and seventy Spaniards. Another formidable body invested Lima, and kept the governor closely shut up. There was no longer any communication between the two cities; the numerous forces of the Peruvians spreading over the country, intercepted every messenger; and as the parties in Cuzco and Lima were equally unacquainted with the fate of their countrymen, each boded the worst concerning the other, and imagined that they themselves were the only persons who had survived the general extinction of the Spanish name in Peru.[g]

e Herrera, dec. 5. lib. vi. c. 12. lib. vii. c. 13. Calancho Coronica, lib. i. c. 37. Barneuvo, Lima fundata, ii. 294.
f Zarate, lib. iii. c. 1. Gomara Hist. c. 131. Vega, p. 2. lib. ii. c. 20. Ovale Hist. de Chile, lib. iv. c. 15, &c. Herrera, dec. 5. lib. vi. c. 9. lib. x. c. 1, &c.
g Vega, p. 11. lib. ii. c. 28. Zarate, lib. iii. c. 3. Cieca de Leon, c. 82. Gomara Hist. c. 135. Herrera, dec. 5. lib. viii. c. 5.

Siege of Cuzco.

It was at Cuzco, where the inca commanded in person, that the Peruvians made their chief effort. During nine months they carried on the siege with incessant ardour, and in various forms; and though they displayed not the same undaunted ferocity as the Mexican warriors, they conducted some of their operations in a manner which discovered greater sagacity, and a genius more susceptible of improvement in the military art. They not only observed the advantages which the Spaniards derived from their discipline and their weapons, but they endeavoured to imitate the former, and turned the latter against them. They armed a considerable body of their bravest warriors with the swords, the spears, and bucklers, which they had taken from the Spanish soldiers whom they had cut off in different parts of the country. These they endeavoured to marshal in that regular compact order, to which experience had taught them that the Spaniards were indebted for their irresistible force in action. Some appeared in the field with Spanish muskets, and had acquired skill and resolution enough to use them. A few of the boldest, among whom was the inca himself, were mounted on the horses which they had taken, and advanced briskly to the charge like Spanish cavaliers, with their lances in the rest. It was more by their numbers, however, than by those imperfect essays to imitate European arts and to employ European arms, that the Peruvians annoyed the Spaniards.[h] In spite of the valour, heightened by despair, with which the three brothers defended Cuzco, Manco Capac recovered possession of one half of his capital; and in their various efforts to drive him out of it, the Spaniards lost Juan Pizarro, the best beloved of all the brothers, together with some other persons of note. Worn out with the fatigue of incessant duty, distressed with want of provisions, and despairing of being able any longer to resist an enemy whose numbers daily increased, the soldiers became impatient to abandon Cuzco, in hopes either of joining their countrymen, if any of them yet survived, or of forcing their way to the sea, and finding some means of escaping from a country which had been so fatal to the Spanish name.[i] While they were brooding over those desponding thoughts, which their officers laboured in vain to dispel, Almagro appeared suddenly in the neighbourhood of Cuzco.

Arrival of Almagro, and motives of his conduct.

The accounts transmitted to Almagro concerning the general insurrection of the Peruvians, were such as would have induced him, without hesitation, to relinquish the conquest of Chili, and hasten to the aid of his countrymen. But in this resolution he was confirmed by a motive less generous, but more interesting. By the same messenger who brought him intelligence of the inca's revolt, he received the royal patent creating him governor of Chili, and defining the limits of his jurisdiction. Upon considering the tenor of it, he deemed it manifest beyond contradiction, that Cuzco lay within the boundaries of his government, and he was equally solicitous to prevent the Peruvians from recovering possession of their capital, and to wrest it out of the hands of the Pizarros. From impatience to accomplish both, he ventured to return by a new route; and in marching through the sandy plains on the coast, he suffered from heat and drought, calamities of a new species, hardly inferior to those in which he had been involved by cold and famine on the summits of the Andes.

1537. His operations.

His arrival at Cuzco was in a critical moment. The Spaniards and Peruvians fixed their eyes upon him with equal solicitude. The former, as he did not study to conceal his pretensions, were at a loss whether to welcome him as a deliverer, or to take precautions against him as an enemy. The latter, knowing the points in contest between him and his countrymen, flattered themselves that they had more to hope than to dread from his operations. Almagro himself, unacquainted with the detail of the events which had happened in his absence, and solicitous to learn the precise posture of affairs, advanced towards the capital slowly, and with great circumspection. Various negociations with both parties were set on foot. The inca conducted them on his part with much address. At first he endeavoured to gain the friendship of Almagro; and after many fruitless overtures, despairing of any cordial union with a Spaniard, he attacked him by surprise with a numerous body of chosen troops. But the Spanish discipline and valour maintained their wonted superiority. The Peruvians were repulsed with such slaughter, that a great part of their army dispersed, and Almagro proceeded to the gates of Cuzco without interruption.

Takes possession of Cuzco.

The Pizarros, as they had no longer to make head against the Peruvians, directed all their attention towards their new enemy, and took measures to obstruct his entry into the capital. Prudence, however, restrained both parties for some time from turning their arms against one another, while surrounded by common enemies, who would rejoice in the mutual slaughter. Different schemes of accommodation were proposed. Each endeavoured to deceive the other, or to corrupt his followers. The generous, open, affable temper of Almagro gained many adherents of the Pizarros, who were disgusted with their harsh domineering manners. Encouraged by this defection, he advanced towards the city by night, surprised the sentinels, or was admitted by them, and investing the house where the two brothers resided, compelled them, after an obstinate defence, to surrender at discretion. Almagro's claim of jurisdiction over Cuzco was universally acknowledged, and a form of administration established in his name.[k]

h See Note CXXXVI.
i Herrera, dec. 5. lib. viii. c. 4.

k Zarate, lib. iii. c. 4. Vega, p. 11. lib. ii. c. 29, 31. Gomara Hist. c. 134. Herrera, dec. 6. lib. ii. c. 1—5.

Civil war, and first success of Almagro:

Two or three persons only were killed in this first act of civil hostility; but it was soon followed by scenes more bloody. Francis Pizarro having dispersed the Peruvians who had invested Lima, and received some considerable reinforcements from Hispaniola and Nicaragua, ordered five hundred men, under the command of Alonso de Alvarado, to march to Cuzco, in hopes of relieving his brothers, if they and their garrison were not already cut off by the Peruvians. This body, which at that period of the Spanish power in America, must be deemed a considerable force, advanced near to the capital before they knew that they had any enemy more formidable than Indians to encounter. It was with astonishment that they beheld their countrymen posted on the banks of the river Abancay to oppose their progress. Almagro, however, wished rather to gain than to conquer them, and by bribes and promises endeavoured to seduce their leader. The fidelity of Alvarado remained unshaken; but his talents for war were not equal to his virtue. Almagro amused him with various movements, of which he did not comprehend the meaning, while a large detachment of chosen soldiers passed the river by night, fell upon his camp by surprise, broke his troops before they had time to form, and took him prisoner, together with his principal officers.[l]

July 12.

but he does not improve his advantages.

By the sudden rout of this body, the contest between the two rivals must have been decided, if Almagro had known as well how to improve as how to gain a victory. Rodrigo Orgognez, an officer of great abilities, who having served under the constable Bourbon, when he led the imperial army to Rome, had been accustomed to bold and decisive measures, advised him instantly to issue orders for putting to death Ferdinand and Gonzalo Pizarro, Alvarado, and a few other persons whom he could not hope to gain, and to march directly with his victorious troops to Lima, before the governor had time to prepare for his defence. But Almagro, though he discerned at once the utility of the counsel, and though he had courage to have carried it into execution, suffered himself to be influenced by sentiments unlike those of a soldier of fortune grown old in service, and by scruples which suited not the chief of a party who had drawn his sword in civil war. Feelings of humanity restrained him from shedding the blood of his opponents; and the dread of being deemed a rebel, deterred him from entering a province which the king had allotted to another. Though he knew that arms must terminate the dispute between him and Pizarro, and resolved not to shun that mode of decision, yet, with a timid delicacy preposterous at such a juncture, he was so solicitous that his rival should be considered as the aggressor, that he marched quietly back to Cuzco to wait his approach.[m]

Distress of Pizarro.

Pizarro was still unacquainted with all the interesting events which had happened near Cuzco. Accounts of Almagro's return, of the loss of the capital, of the death of one brother, of the imprisonment of the other two, and of the defeat of Alvarado, were brought to him at once. Such a tide of misfortunes almost overwhelmed a spirit which had continued firm and erect under the rudest shocks of adversity. But the necessity of attending to his own safety, as well as the desire of revenge, preserved him from sinking under it. He took measures for both with his wonted sagacity. As he had the command of the sea-coast, and expected considerable supplies both of men and military stores, it was no less his interest to gain time, and to avoid action, than it was that of Almagro to precipitate operations, and bring the contest to a speedy issue. He had recourse to arts which he had formerly practised with success; and Almagro was again weak enough to suffer himself to be amused with a prospect of terminating their differences by some amicable accommodation. By varying his overtures, and shifting his ground as often as it suited his purpose, sometimes seeming to yield to every thing which his rival could desire, and then retracting all that he had granted, Pizarro dexterously protracted the negociation to such a length, that, though every day was precious to Almagro, several months elapsed without coming to any final agreement. While the attention of Almagro, and of the officers with whom he consulted, was occupied in detecting and eluding the fraudulent intentions of the governor, Gonzalo Pizarro and Alvarado found means to corrupt the soldiers to whose custody they were committed, and not only made their escape themselves, but persuaded sixty of the men who formerly guarded them to accompany their flight.[n] Fortune having thus delivered one of his brothers, the governor scrupled not at one act of perfidy more to procure the release of the other. He proposed, that every point in controversy between Almagro and himself should be submitted to the decision of their sovereign; that until his award was known, each should retain undisturbed possession of whatever part of the country he now occupied; that Ferdinand Pizarro should be set at liberty, and return instantly to Spain, together with the officers whom Almagro purposed to send thither to represent the justice of his claims. Obvious as the design of Pizarro was in those propositions, and familiar as his artifices might now have been to his opponent, Almagro, with a credulity approaching to infatuation, relied on his sincerity, and concluded an agreement on these terms.[o]

His artful conduct.

His preparations for war.

The moment that Ferdinand Pizarro recovered his liberty, the governor, no longer fettered in his operations by anxiety about his brother's life, threw off every disguise which his

l Zarate, lib. iii. c. 6. Gomara Hist. c. 138. Vega, p. 11. lib. ii. c. 32, 34. Herrera, dec. 6. lib. ii. c. 9.
m Herrera, dec. 6. lib. ii. c. 10, 11.
n Zarate, lib. iii. c. 8. Herrera, dec. 6. lib. ii. c. 14.
o Herrera, dec. 6. lib. iii. c. 9. Zarate, lib. iii. c. 9. Gomara Hist. c. 140. Vega, p. 11. lib. ii. c. 35.

concern for it had obliged him to assume. The treaty was forgotten; pacific and conciliating measures were no more mentioned; it was in the field, he openly declared, and not in the cabinet, by arms, and not by negociation, that it must now be determined who should be master of Peru. The rapidity of his preparations suited such a decisive resolution. Seven hundred men were soon ready to march towards Cuzco. The command of these was given to his two brothers, in whom he could perfectly confide for the execution of his most violent schemes, as they were urged on, not only by the enmity flowing from the rivalship between their family and Almagro, but animated with the desire of vengeance, excited by recollection of their own recent disgrace and sufferings. After an unsuccessful attempt to cross the mountains in the direct road between Lima and Cuzco, they marched towards the south along the coast as far as Nasca, and then turning to the left, penetrated through the defiles in that branch of the Andes which lay between them and the capital. Almagro, instead of hearkening to some of his officers, who advised him to attempt the defence of those difficult passes, waited the approach of the enemy in the plain of Cuzco. Two reasons seem to have induced him to take this resolution. His followers amounted hardly to five hundred, and he was afraid of weakening such a feeble body by sending any detachment towards the mountains. His cavalry far exceeded that of the adverse party, both in number and discipline, and it was only in an open country that he could avail himself of that advantage.

1538.

His army marches to Cuzco.

The Pizarros advanced without any obstruction, but what arose from the nature of the desert and horrid regions through which they marched. As soon as they reached the plain, both factions were equally impatient to bring this long protracted contest to an issue. Though countrymen and friends, the subjects of the same sovereign, and each with the royal standard displayed; and though they beheld the mountains that surrounded the plain in which they were drawn up, covered with a vast multitude of Indians, assembled to enjoy the spectacle of their mutual carnage, and prepared to attack whatever party remained master of the field; so fell and implacable was the rancour which had taken possession of every breast, that not one pacific counsel, not a single overture towards accommodation, proceeded from either side. Unfortunately for Almagro, he was so worn out with the fatigues of service, to which his advanced age was unequal, that at this crisis of his fate he could not exert his wonted activity; and he was obliged to commit the leading of his troops to Orgognez, who, though an officer of great merit, did not possess the same ascendant either over the spirit or affections of the soldiers, as the chief whom they had long been accustomed to follow and revere.

The conflict was fierce, and maintained by each party with equal courage. On the side of Almagro were more veteran soldiers, and a large proportion of cavalry; but these were counterbalanced by Pizarro's superiority in numbers, and by two companies of well disciplined musketeers, which, on receiving an account of the insurrection of the Indians, the emperor had sent from Spain.[p] As the use of fire-arms was not frequent among the adventurers in America,[q] hastily equipped for service at their own expense, this small band of soldiers regularly trained and armed was a novelty in Peru, and decided the fate of the day. Wherever it advanced, the weight of a heavy and well-sustained fire bore down horse and foot before it; and Orgognez, while he endeavoured to rally and animate his troops, having received a dangerous wound, the rout became general. The barbarity of the conquerors stained the glory which they acquired by this complete victory. The violence of civil rage hurried on some to slaughter their countrymen with indiscriminate cruelty; the meanness of private revenge instigated others to single out individuals as the objects of their vengeance. Orgognez, and several officers of distinction, were massacred in cold blood; above a hundred and forty soldiers fell in the field; a large proportion, where the number of combatants was few, and the heat of the contest soon over. Almagro, though so feeble that he could not bear the motion of a horse, had insisted on being carried in a litter to an eminence which overlooked the field of battle. From thence, in the utmost agitation of mind, he viewed the various movements of both parties, and at last beheld the total defeat of his own troops, with all the passionate indignation of a veteran leader long accustomed to victory. He endeavoured to save himself by flight but was taken prisoner, and guarded with the strictest vigilance.[r]

April 26. Almagro defeated, and taken.

The Indians, instead of executing the resolution which they had formed, retired quietly after the battle was over; and in the history of the New World, there is not a more striking instance of the wonderful ascendant which the Spaniards had acquired over its inhabitants, than that, after seeing one of the contending parties ruined and dispersed, and the other weakened and fatigued, they had not courage to fall upon their enemies, when fortune presented an opportunity of attacking them with such advantage.[s]

Cuzco was pillaged by the victorious troops, who found there a considerable booty, consisting partly of the gleanings of the Indian treasures, and partly of the wealth amassed by their antagonists from the spoils of Peru and Chili. But so far did this, and whatever the

New expeditions.

p Herrera, dec. 6. lib. iii. c. 8.
q Zarate, lib. iii. c. 8.

r Zarate, lib. iii. c. 11, 12. Vega, p. 11. lib. ii. c. 36—38. Herrera, dec. 6. lib. iii. c. 10—12. lib. iv. c. 1—6.
s Zarate, lib. iii. c. 11. Vega, p. 11. lib. ii. c. 38.

bounty of their leader could add to it, fall below the high ideas of the recompence which they conceived to be due to their merit, that Ferdinand Pizarro, unable to gratify such extravagant expectations, had recourse to the same expedient which his brother had employed on a similar occasion, and endeavoured to find occupation for this turbulent assuming spirit, in order to prevent it from breaking out into open mutiny. With this view, he encouraged his most active officers to attempt the discovery and reduction of various provinces which had not hitherto submitted to the Spaniards. To every standard erected by the leaders who undertook any of those new expeditions, volunteers resorted with the ardour and hope peculiar to the age. Several of Almagro's soldiers joined them, and thus Pizarro had the satisfaction of being delivered both from the importunity of his discontented friends, and the dread of his ancient enemies.[t]

Almagro tried,

Almagro himself remained for several months in custody, under all the anguish of suspense. For although his doom was determined by the Pizarros from the moment that he fell into their hands, prudence constrained them to defer gratifying their vengeance, until the soldiers who had served under him, as well as several of their own followers in whom they could not perfectly confide, had left Cuzco. As soon as they set out upon their different expeditions, Almagro was

condemned,

impeached of treason, formally tried, and condemned to die. The sentence astonished him; and though he had often braved death with undaunted spirit in the field, its approach under this ignominious form appalled him so much, that he had recourse to abject supplications, unworthy of his former fame. He besought the Pizarros to remember the ancient friendship between their brother and him, and how much he had contributed to the prosperity of their family; he reminded them of the humanity with which, in opposition to the repeated remonstrances of his own most attached friends, he had spared their lives when he had them in his power; he conjured them to pity his age and infirmities, and to suffer him to pass the wretched remainder of his days in bewailing his crimes, and in making his peace with Heaven. The entreaties, says a Spanish historian, of a man so much beloved, touched many an unfeeling heart, and drew tears from many a stern eye. But the brothers remained inflexible. As soon as Almagro knew his fate to be inevitable, he met it with the dignity and fortitude

and put to death.

of a veteran. He was strangled in prison, and afterwards publicly beheaded. He suffered in the seventy-fifth year of his age, and left one son by an Indian woman of Panama, whom, though at that time a prisoner in Lima, he named as successor to his government, pursuant to a power which the emperor had granted him.[u]

1539. Deliberations of the court of Spain concerning the state of Peru.

As, during the civil dissensions in Peru, all intercourse with Spain was suspended, the detail of the extraordinary transactions there did not soon reach the court. Unfortunately for the victorious faction, the first intelligence was brought thither by some of Almagro's officers, who left the country upon the ruin of their cause; and they related what had happened with every circumstance unfavourable to Pizarro and his brothers. Their ambition, their breach of the most solemn engagements, their violence and cruelty, were painted with all the malignity and exaggeration of party hatred. Ferdinand Pizarro, who arrived soon after, and appeared in court with extraordinary splendour, endeavoured to efface the impression which their accusations had made, and to justify his brother and himself by representing Almagro as the aggressor. The emperor and his ministers, though they could not pronounce which of the contending factions was most criminal, clearly discerned the fatal tendency of their dissensions. It was obvious, that while the leaders, intrusted with the conduct of two infant colonies, employed the arms which should have been turned against the common enemy in destroying one another, all attention to the public good must cease, and there was reason to dread that the Indians might improve the advantage which the disunion of the Spaniards presented to them, and extirpate both the victors and vanquished. But the evil was more apparent than the remedy. Where the information which had been received was so defective and suspicious, and the scene of action so remote, it was almost impossible to chalk out the line of conduct that ought to be followed, and before any plan that should be approved of in Spain could be carried into execution, the situation of the parties, and the circumstances of affairs, might alter so entirely as to render its effects extremely pernicious.

Vaca de Castro sent thither with ample powers.

Nothing therefore remained but to send a person to Peru, vested with extensive and discretionary power, who, after viewing deliberately the posture of affairs with his own eyes, and inquiring upon the spot into the conduct of the different leaders, should be authorized to establish the government in that form which he deemed most conducive to the interest of the parent state, and the welfare of the colony. The man selected for this important charge was Christoval Vaca de Castro, a judge in the court of royal audience at Valladolid; and his abilities, integrity, and firmness, justified the choice. His instructions, though ample, were not such as to fetter him in his operations. According to the different aspect of affairs, he had power to take upon him different characters. If he found the governor still alive, he was to assume only the title of judge, to maintain the appearance of acting in concert with him, and to guard against giving any just

t Zarate, lib. iii. c. 12. Gomara Hist. c. 141. Herrera, dec. 6. lib. iv. c. 7.

u Zarate, lib. iii. c. 12. Gomara Hist. c. 141. Vega, p. 11. lib. ii. c. 39. Herrera, dec. 6. lib. iv. c. 9. lib. v. c. 1.

cause of offence to a man who had merited so highly of his country. But if Pizarro were dead, he was intrusted with a commission that he might then produce, by which he was appointed his successor in the government of Peru. This attention to Pizarro, however, seems to have flowed rather from dread of his power, than from any approbation of his measures; for at the very time that the court seemed so solicitous not to irritate him, his brother Ferdinand was arrested at Madrid, and confined to a prison, where he remained above twenty years.[x]

1540. Pizarro divides Peru among his followers.

While Vaca de Castro was preparing for his voyage, events of great moment happened in Peru. The governor considering himself, upon the death of Almagro, as the unrivalled possessor of that vast empire, proceeded to parcel out its territories among the conquerors; and had this division been made with any degree of impartiality, the extent of country which he had to bestow was sufficient to have gratified his friends, and to have gained his enemies. But Pizarro conducted this transaction, not with the equity and candour of a judge attentive to discover and to reward merit, but with the illiberal spirit of a party leader. Large districts, in parts of the country most cultivated and populous, were set apart as his own property, or granted to his brothers, his adherents, and favourites. To others lots less valuable and inviting were assigned. The followers of Almagro, amongst whom were many of the original adventurers to whose valour and perseverance Pizarro was indebted for his success, were totally excluded from any portion in those lands, towards the acquisition of which they had contributed so largely. As the vanity of every individual set an immoderate value upon his own services, and the idea of each concerning the recompence due to them rose gradually to a more exorbitant height in proportion as their conquests extended, all who were disappointed in their expectations exclaimed loudly against the rapaciousness and partiality of the governor. The partisans of Almagro murmured in secret, and meditated revenge.[y]

Progress of the Spanish arms.

Rapid as the progress of the Spaniards in South America had been since Pizarro landed in Peru, their avidity of dominion was not yet satisfied. The officers to whom Ferdinand Pizarro gave the command of different detachments, penetrated into several new provinces, and though some of them were exposed to great hardships in the cold and barren regions of the Andes, and others suffered distress not inferior amidst the woods and marshes of the plains, they made discoveries and conquests which not only extended their knowledge of the country, but added considerably to the territories of Spain in the New World. Pedro de Valdivia reassumed Almagro's scheme of invading Chili, and notwithstanding the fortitude of the natives in defending their possessions, made such progress in the conquest of the country, that he founded the city of St. Jago, and gave a beginning to the establishment of the Spanish dominion in that province.[z] But of all the enterprises undertaken about this period, that of Gonzalo Pizarro was the most remarkable. The governor, who seems to have resolved that no person in Peru should possess any station of distinguished eminence or authority but those of his own family, had deprived Benalcazar, the conqueror of Quito, of his command in that kingdom, and appointed his brother Gonzalo to take the government of it. He instructed him to attempt the discovery and conquest of the country to the east of the Andes, which, according to the information of the Indians, abounded with cinnamon and other valuable spices. Gonzalo, not inferior to any of his brothers in courage, and no less ambitious of acquiring distinction, eagerly engaged in this difficult service. He set out from Quito at the head of three hundred and forty soldiers, near one half of whom were horsemen; with four thousand Indians to carry their provisions. In forcing their way through the defiles, or over the ridges, of the Andes, excess of cold and fatigue, to neither of which they were accustomed, proved fatal to the greater part of their wretched attendants. The Spaniards, though more robust, and inured to a variety of climates, suffered considerably, and lost some men; but when they descended into the low country their distress increased. During two months it rained incessantly, without any interval of fair weather long enough to dry their clothes.[a] The immense plains upon which they were now entering, either altogether without inhabitants, or occupied by the rudest and least industrious tribes in the New World, yielded little subsistence. They could not advance a step but as they cut a road through woods, or made it through marshes. Such incessant toil, and continual scarcity of food, seem more than sufficient to have exhausted and dispirited any troops. But the fortitude and perseverance of the Spaniards in the sixteenth century were insuperable. Allured by frequent but false accounts of rich countries before them, they persisted in struggling on, until they reached the banks of the Coca or Napo, one of the large rivers whose waters pour into the Maragnon, and contribute to its grandeur. There, with infinite labour, they built a bark, which they expected would prove of great utility, in conveying them over rivers, in procuring provisions, and in exploring the country. This was manned with fifty soldiers, under the command of Francis Orellana, the officer next in rank to Pizarro. The stream carried them down with such rapidity, that they were soon far a-head of their countrymen, who followed slowly and with difficulty by land.

Remarkable expedition of Gonzalo Pizarro.

Hardships they endure.

x Gomara Hist. c. 142. Vega, p. 11. lib. ii. c. 40. Herrera, dec. 6. lib. viii. c. 10, 11. lib. x. c. 1.
y Vega, p. 11. lib. iii. c. 2. Herrera, dec. 6. lib. viii. c. 5.
z Zarate, lib. iii. c. 13. Ovalle, lib. ii. c. 1, &c.
a Zarate, lib. iv. c. 2.

Deserted by Orellana.

At this distance from his commander, Orellana, a young man of an aspiring mind, began to fancy himself independent, and transported with the predominant passion of the age, he formed the scheme of distinguishing himself as a discoverer, by following the course of the Maragnon, until it joined the ocean, and by surveying the vast regions through which it flows. This scheme of Orellana's was as bold as it was treacherous. For, if he be chargeable with the guilt of having violated his duty to his commander, and with having abandoned his fellow-soldiers in a pathless desert, where they had hardly any hopes of success, or even of safety, but what were founded on the service which they expected from the bark; his crime is, in some measure, balanced by the glory of having ventured upon a navigation of near two thousand leagues, through unknown nations, in a vessel hastily constructed, with green timber, and by very unskilful hands, without provisions, without a compass, or a pilot. But his courage and alacrity supplied every defect. Committing himself fearlessly to the guidance of the stream, the Napo bore him along to the south, until he reached the great channel of the Maragnon. Turning with it towards the coast, he held on his course in that direction. He made frequent descents on both sides of the river, sometimes seizing by force of arms the provisions of the fierce savages seated on its banks, and sometimes procuring a supply of food by a friendly intercourse with more gentle tribes. After a long series of dangers, which he encountered with amazing fortitude, and of distresses which he supported with no less magnanimity, he reached the ocean,[b] where new perils awaited him. These he likewise surmounted, and got safe to the Spanish settlement in the island Cubagua; from thence he sailed to Spain. The vanity natural to travellers who visit regions unknown to the rest of mankind, and the art of an adventurer solicitous to magnify his own merit, concurred in prompting him to mingle an extraordinary proportion of the marvellous in the narrative of his voyage. He pretended to have discovered nations so rich, that the roofs of their temples were covered with plates of gold; and described a republic of women so warlike and powerful, as to have extended their dominion over a considerable tract of the fertile plains which he had visited. Extravagant as those tales were, they gave rise to an opinion, that a region abounding with gold, distinguished by the name of *El Dorado*, and a community of Amazons, were to be found in this part of the New World; and such is the propensity of mankind to believe what is wonderful, that it has been slowly and with difficulty that reason and observation have exploded those fables. The voyage, however, even when stripped of every romantic embellishment, deserves to be recorded, not only as one of the most memorable occurrences in that adventurous age, but as the first event which led to any certain knowledge of the extensive countries that stretch eastward from the Andes to the ocean.[c]

Sails down the Maragnon.

No words can describe the consternation of Pizarro, when he did not find the bark at the confluence of the Napo and Maragnon, where he had ordered Orellana to wait for him. He would not allow himself to suspect that a man whom he had intrusted with such an important command, could be so base and so unfeeling as to desert him at such a juncture. But imputing his absence from the place of rendezvous to some unknown accident, he advanced above fifty leagues along the banks of the Maragnon, expecting every moment to see the bark appear with a supply of provisions. At length he came up with an officer whom Orellana had left to perish in the desert, because he had the courage to remonstrate against his perfidy. From him he learned the extent of Orellana's crime, and his followers perceived at once their own desperate situation, when deprived of their only resource. The spirit of the stoutest-hearted veteran sunk within him, and all demanded to be led back instantly. Pizarro, though he assumed an appearance of tranquillity, did not oppose their inclination. But he was now twelve hundred miles from Quito; and in that long march the Spaniards encountered hardships greater than those which they had endured in their progress outward, without the alluring hopes which then soothed and animated them under their sufferings. Hunger compelled them to feed on roots and berries, to eat all their dogs and horses, to devour the most loathsome reptiles, and even to gnaw the leather of their saddles and sword-belts. Four thousand Indians, and two hundred and ten Spaniards, perished in this wild disastrous expedition, which continued near two years; and as fifty men were aboard the bark with Orellana, only fourscore got back to Quito. These were naked like savages, and so emaciated with famine, or worn out with fatigue, that they had more the appearance of spectres than of men.[d]

Distress of Pizarro.

1541.

But, instead of returning to enjoy the repose which his condition required, Pizarro, on entering Quito, received accounts of a fatal event that threatened calamities more dreadful to him than those through which he had passed. From the time that his brother made that partial division of his conquests which has been mentioned, the adherents of Almagro, considering themselves as prescribed by the party in power, no longer entertained any hope of bettering their condition. Great numbers in despair resorted to Lima, where the house of young Almagro was always open to them, and the slender portion

Number of malcontents in Peru.

b See Note CXXXVII.

c Zarate, lib. iv. c. 4, Gomara Hist. c. 86. Vega, p. 11. lib. iii. c. 4. Herrera, dec. 6. lib. xi. c. 2—5. Rodriguez El Maragnon y Amazonas, lib. i. c. 3.

d Zarate, lib. iv. c. 2—5. Vega, p. 11. lib. iii. c. 3, 4, 5, 14. Herrera, dec. 6. lib. viii. c. 7, 8. lib. ix. c. 2—5. dec. 7. lib. iii. c. 14. Pizar. Varones, Illustr. 349, &c.

of his father's fortune which the governor allowed him to enjoy, was spent in affording them subsistence. The warm attachment with which every person who had served under the elder Almagro devoted himself to his interests, was quickly transferred to his son, who was now grown up to the age of manhood, and possessed all the qualities which captivate the affections of soldiers. Of a graceful appearance, dexterous at all martial exercises, bold, open, generous, he seemed to be formed for command; and as his father, conscious of his own inferiority, from the total want of education, had been extremely attentive to have him instructed in every science becoming a gentleman, the accomplishments which he had acquired heightened the respect of his followers, as they gave him distinction and eminence among illiterate adventurers. In this young man the Almagrians found a point of union which they wanted, and looking up to him as their head, were ready to undertake any thing for his advancement. Nor was affection for Almagro their only incitement; they were urged on by their own distresses. Many of them, destitute of common necessaries,[e] and weary of loitering away life, a burden to their chief, or to such of their associates as had saved some remnant of their fortune from pillage and confiscation, longed impatiently for an occasion to exert their activity and courage, and began to deliberate how they might be avenged on the author of all their misery. Their frequent cabals did not pass unobserved; and the governor was warned to be on his guard against men who meditated some desperate deed, and had resolution to execute it. But either from the native intrepidity of his mind, or from contempt of persons whose poverty seemed to render their machinations of little consequence, he disregarded the admonitions of his friends. "Be in no pain," said he carelessly, "about my life; it is perfectly safe, as long as every man in Peru knows that I can in a moment cut off any head which dares to harbour a thought against it." This security gave the Almagrians full leisure to digest and ripen every part of their scheme; and Juan de Herrada, an officer of great abilities, who had the charge of Almagro's education, took the direction of their consultations, with all the zeal which this connexion inspired, and with all the authority which the ascendant that he was known to have over the mind of his pupil gave him.

Consider young Almagro as their leader.

Conspire against the life of Pizarro.

On Sunday the twenty-sixth of June, at mid-day, the season of tranquillity and repose in all sultry climates, Herrada, at the head of eighteen of the most determined conspirators, sallied out of Almagro's house in complete armour; and, drawing their swords, as they advanced hastily towards the governor's palace, cried out, "Long live the king, but let the tyrant die!" Their associates, warned of their motions by a signal, were in arms at different stations ready to support them. Though Pizarro was usually surrounded by such a numerous train of attendants as suited the magnificence of the most opulent subject of the age in which he lived, yet as he was just risen from table, and most of his domestics had retired to their own apartments, the conspirators passed through the two outer courts of the palace unobserved. They were at the bottom of a staircase before a page in waiting could give the alarm to his master, who was conversing with a few friends in a large hall. The governor, whose steady mind no form of danger could appal, starting up, called for arms, and commanded Francisco de Chaves to make fast the door. But that officer, who did not retain so much presence of mind as to obey this prudent order, running to the top of the stair-case, wildly asked the conspirators what they meant, and whither they were going? Instead of answering, they stabbed him to the heart, and burst into the hall. Some of the persons who were there threw themselves from the windows; others attempted to fly; and a few drawing their swords followed their leader into an inner apartment. The conspirators, animated with having the object of their vengeance now in view, rushed forward after them. Pizarro, with no other arms than his sword and buckler, defended the entry; and supported by his half-brother Alcantara, and his little knot of friends, he maintained the unequal contest with intrepidity worthy of his past exploits, and with the vigour of a youthful combatant. "Courage," cried he, "companions! we are yet enow to make those traitors repent of their audacity." But the armour of the conspirators protected them, while every thrust they made took effect. Alcantara fell dead at his brother's feet; his other defenders were mortally wounded. The governor, so weary that he could hardly wield his sword, and no longer able to parry the many weapons furiously aimed at him, received a deadly thrust full in his throat, sunk to the ground, and expired.

As soon as he was slain, the assassins ran out into the streets, and waving their bloody swords, proclaimed the death of the tyrant. Above two hundred of their associates having joined them, they conducted young Almagro in solemn procession through the city, and assembling the magistrates and principal citizens, compelled them to acknowledge him as lawful successor to his father in his government. The palace of Pizarro, together with the houses of several of his adherents, were pillaged by the soldiers, who had the satisfaction at once of being avenged on their enemies, and of enriching themselves by the spoils of those through whose hands all the wealth of Peru had passed.[f]

Almagro acknowledged as his successor.

The boldness and success of the conspiracy, as well as the name and

New appearances of discord.

e See Note CXXXVIII.

f Zarate, lib. 4. c. 6—8. Gomara Hist. c. 144, 145. Vega, p. 11. lib. iii. c. 5—7. Herrera, dec. 6. lib. x. c. 4—7. Pizarro Var Illust. p. 183.

popular qualities of Almagro, drew many soldiers to his standard. Every adventurer of desperate fortune, all who were dissatisfied with Pizarro, and from the rapaciousness of his government in the latter years of his life the number of malcontents was considerable, declared without hesitation in favour of Almagro, and he was soon at the head of eight hundred of the most gallant veterans in Peru. As his youth and inexperience disqualified him from taking the command of them himself, he appointed Herrada to act as general. But though Almagro speedily collected such a respectable force, the acquiescence in his government was far from being general. Pizarro had left many friends to whom his memory was dear; the barbarous assassination of a man to whom his country was so highly indebted, filled every impartial person with horror. The ignominious birth of Almagro, as well as the doubtful title on which he founded his pretensions, led others to consider him as an usurper. The officers who commanded in some provinces refused to recognise his authority, until it was confirmed by the emperor. In others, particularly at Cuzco, the royal standard was erected, and preparations were begun in order to revenge the murder of their ancient leader.

Arrival of Vaca de Castro,

Those seeds of discord, which could not have lain long dormant, acquired great vigour and activity when the arrival of Vaca de Castro was known. After a long and disastrous voyage, he was driven by stress of weather into a small harbour in the province of Popayan; and proceeding from thence by land, after a journey no less tedious than difficult, he reached Quito. In his way he received accounts of Pizarro's death, and of the events which followed upon it.

who assumes the title of governor.

He immediately produced the royal commission, appointing him governor of Peru, with the same privileges and authority; and his jurisdiction was acknowledged without hesitation by Benalcazar, adelantado or lieutenant-general for the emperor in Popayan, and by Pedro de Puelles, who, in the absence of Gonzalo Pizarro, had the command of the troops left in Quito. Vaca de Castro not only assumed the supreme authority, but showed that he possessed the talents which the exercise of it at that juncture required. By his influence and address he soon assembled such a body of troops, as not only to set him above all fear of being exposed to any insult from the adverse party, but enabled him to advance from Quito with the dignity that became his character. By despatching persons of confidence to the different settlements in Peru, with a formal notification of his arrival and of his commission, he communicated to his countrymen the royal pleasure with respect to the government of the country. By private emissaries, he excited such officers as had discovered their disapprobation of Almagro's proceedings, to manifest their duty to their sovereign by supporting the person honoured with his commission. Those measures were productive of great effects. Encouraged by the approach of the new governor, or prepared by his machinations, the loyal were confirmed in their principles, and avowed them with greater boldness; the timid ventured to declare their sentiments; the neutral and wavering, finding it necessary to choose a side, began to lean to that which now appeared to be the safest, as well as the most just.g

Conduct of Almagro.

Almagro observed the rapid progress of this spirit of disaffection to his cause, and in order to give an effectual check to it before the arrival of Vaca de Castro, he set out at the head of his troops for Cuzco, where the most considerable body of opponents had erected the royal standard, under the command of Pedro Alvarez Holguin. During his march thither, Herrada, the skilful guide of his youth and of his counsels, died; and from that time his measures were conspicuous for their violence, but concerted with little sagacity, and executed with no address. Holguin, who, with forces far inferior to those of the opposite party, was descending towards the coast at the very time that Almagro was on his way to Cuzco, deceived his inexperienced adversary by a very simple stratagem, avoided an engagement, and effected a junction with Alvarado, an officer of note, who had been the first to declare against Almagro as an usurper.

1542.

Progress of Vaca de Castro.

Soon after, Vaca de Castro entered their camp with the troops which he brought from Quito, and erecting the royal standard before his own tent, he declared that, as governor, he would discharge in person all the functions of general of their combined forces. Though formed by the tenor of his past life to the habits of a sedentary and pacific profession, he at once assumed the activity, and discovered the decision, of an officer long accustomed to command. Knowing his strength to be now far superior to that of the enemy, he was impatient to terminate the contest by a battle. Nor did the followers of Almagro, who had no hopes of obtaining a pardon for a crime so atrocious as the murder of the governor, decline that mode of decision. They met at Chupaz, about two hundred miles from Cuzco, and fought with all the fierce animosity inspired by the violence of civil rage, the rancour of private enmity, the eagerness of revenge, and the last efforts of despair. Victory, after remaining long doubtful, declared at last for Vaca de Castro. The superior number of his troops, his own intrepidity, and the martial talents of Francisco de Carvajal, a veteran officer formed under the great captain in the wars of Italy, and who on that day laid the foundation of his future fame in Peru, triumphed over the bravery of his opponents, though led on by young Almagro with a gallant spirit, worthy of a better cause, and

Sept. 16.

Defeats Almagro.

g Benzon, lib. iii. c. 9. Zarate, lib. iv. c. 11. Gomara, c. 146. 147. Herrera, dec. 6. lib. x. c. 1, 2, 3, 7, &c.

deserving another fate. The carnage was great in proportion to the number of the combatants. Many of the vanquished, especially such as were conscious that they might be charged with being accessary to the assassination of Pizarro, rushing on the swords of the enemy, chose to fall like soldiers, rather than wait an ignominious doom. Of fourteen hundred men, the total amount of combatants on both sides, five hundred lay dead on the field, and the number of the wounded was still greater.[h]

Severity of his proceedings.

If the military talents displayed by Vaca de Castro, both in the council and in the field, surprised the adventurers in Peru, they were still more astonished at his conduct after the victory. As he was by nature a rigid dispenser of justice, and persuaded that it required examples of extraordinary severity to restrain the licentious spirit of soldiers so far removed from the seat of government, he proceeded directly to try his prisoners as rebels. Forty were condemned to suffer the death of traitors, others were banished from Peru. Their leader, who made his escape from the battle, being betrayed by some of his officers, was publicly beheaded in Cuzco; and in him the name of Almagro, and the spirit of the party, was extinct.[i]

Consultations of the emperor concerning his dominions in America.

During those violent convulsions in Peru, the emperor and his ministers were intently employed in preparing regulations, by which they hoped, not only to re-establish tranquillity there, but to introduce a more perfect system of internal policy into all their settlements in the New World. It is manifest from all the events recorded in the history of America, that, rapid and extensive as the Spanish conquests there had been, they were not carried on by any regular exertion of the national force, but by the occasional efforts of private adventurers. After fitting out a few of the first armaments for discovering new regions, the court of Spain, during the busy reigns of Ferdinand and of Charles V., the former the most intriguing prince of the age, and the latter the most ambitious, was encumbered with such a multiplicity of schemes, and involved in war with so many nations of Europe, that he had not leisure to attend to distant and less interesting objects. The care of prosecuting discovery, or of attempting conquest, was abandoned to individuals; and with such ardour did men push forward in this new career, on which novelty, the spirit of adventure, avarice, ambition, and the hope of meriting heaven, prompted them with combined influence to enter, that in less than half a century almost the whole of that extensive empire which Spain now possesses in the New World, was subjected to its dominion. As the Spanish court contributed nothing towards the various expeditions undertaken in America, it was not entitled to claim much from their success. The sovereignty of the conquered provinces, with the fifth of the gold and silver, was reserved for the crown; every thing else was seized by the associates in each expedition as their own right. The plunder of the countries which they invaded served to indemnify them for what they had expended in equipping themselves for the service, and the conquered territory was divided among them, according to rules which custom had introduced, as permanent establishments which their successful valour merited. In the infancy of those settlements, when their extent as well as their value were unknown, many irregularities escaped observation, and it was found necessary to connive at many excesses. The conquered people were frequently pillaged with destructive rapacity, and their country parcelled out among its new masters in exorbitant shares, far exceeding the highest recompence due to their services. The rude conquerors of America, incapable of forming their establishments upon any general or extensive plan of policy, attentive only to private interest, unwilling to forego present gain from the prospect of remote or public benefit, seem to have had no object but to amass sudden wealth, without regarding what might be the consequences of the means by which they acquired it. But when time at length discovered to the Spanish court the importance of its American possessions, the necessity of new-modelling their whole frame became obvious, and in place of the maxims and practices prevalent among military adventurers, it was found requisite to substitute the institutions of regular government.

One evil in particular called for an immediate remedy. The conquerors of Mexico and Peru imitated the fatal example of their countrymen settled in the islands, and employed themselves in searching for gold and silver with the same inconsiderate eagerness. Similar effects followed. The natives employed in this labour by masters, who in imposing tasks had no regard either to what they felt or to what they were able to perform, pined away and perished so fast, that there was reason to apprehend that Spain, instead of possessing countries peopled to such a degree as to be susceptible of progressive improvement, would soon remain proprietor only of a vast uninhabited desert.

The emperor and his ministers were so sensible of this, and so solicitous to prevent the extinction of the Indian race, which threatened to render their acquisitions of no value, that from time to time various laws, which I have mentioned, had been made for securing to that unhappy people more gentle and equitable treatment. But the distance of America from the seat of empire, the feebleness of government in the new colonies, the avarice and audacity of soldiers unaccustomed to restraint, prevented these salutary regulations from operating with any considerable influence. The evil continued to grow, and at this time the emperor found an interval of leisure from the affairs of Europe to take it into attentive consideration. He consulted not

h Zarate, lib. iv. c. 12—19. Gomara, c. 148. Vega, p. 11. lib. iii. c. 11—18. Herrera, dec. 7. lib. i. c. 1, 2, 3. lib. iii. c. 1—11.

i Zarate, lib. iv. c. 21. Gomara, c. 150. Herrera, dec. 7. lib. iii. c. 12. lib. vi. c. 1.

only with his ministers and the members of the council of the Indies, but called upon several persons who had resided long in the New World, to aid them with the result of their experience and observation. Fortunately for the people of America, among these was Bartholomew de las Casas, who happened to be then at Madrid on a mission from a chapter of his order at Chiapa.[k] Though since the miscarriage of his former schemes for the relief of the Indians, he had continued shut up in his cloister, or occupied in religious functions, his zeal in behalf of the former objects of his pity was so far from abating, that, from an increased knowledge of their sufferings, its ardour had augmented. He seized eagerly this opportunity of reviving his favourite maxims concerning the treatment of the Indians. With the moving eloquence natural to a man on whose mind the scenes which he had beheld had made a deep impression, he described the irreparable waste of the human species in the New World, the Indian race almost totally swept away in the islands in less than fifty years, and hastening to extinction on the continent with the same rapid decay. With the decisive tone of one strongly prepossessed with the truth of his own system, he imputed all this to a single cause, to the exactions and cruelty of his countrymen, and contended that nothing could prevent the depopulation of America, but the declaring of its natives to be freemen, and treating them as subjects, not as slaves. Nor did he confide for the success of this proposal in the powers of his oratory alone. In order to enforce them, he composed his famous treatise concerning the destruction of America,[l] in which he relates, with many horrid circumstances, but with apparent marks of exaggerated description, the devastation of every province which had been visited by the Spaniards.

The persons with whom he advises.

His solicitude to introduce a general reformation of government.

The emperor was deeply afflicted with the recital of so many actions shocking to humanity. But as his views extended far beyond those of Las Casas, he perceived that relieving the Indians from oppression was but one step towards rendering his possessions in the New World a valuable acquisition, and would be of little avail, unless he could circumscribe the power and usurpations of his own subjects there. The conquerors of America, however great their merit had been towards their country, were mostly persons of such mean birth, and of such an abject rank in society, as gave no distinction in the eye of a monarch. The exorbitant wealth with which some of them returned, gave umbrage to an age not accustomed to see men in inferior condition elevated above their level, and rising to emulate or to surpass the ancient nobility in splendour. The territories which their leaders had appropriated to themselves were of such enormous extent,[m] that if the country should ever be improved in proportion to the fertility of the soil, they must grow too wealthy and too powerful for subjects. It appeared to Charles that this abuse required a remedy no less than the other, and that the regulations concerning both must be enforced by a mode of government more vigorous than had yet been introduced into America.

New regulations for this purpose.

With this view he framed a body of laws, containing many salutary appointments with respect to the constitution and powers of the supreme council of the Indies; concerning the station and jurisdiction of the royal audiences in different parts of America; the administration of justice; the order of government, both ecclesiastical and civil. These were approved of by all ranks of men. But together with them were issued the following regulations, which excited universal alarm, and occasioned the most violent convulsions: "That as the *repartimientos* or shares of land seized by several persons appeared to be excessive, the royal audiences are empowered to reduce them to a moderate extent: That upon the death of any conqueror or planter, the lands and Indians granted to him shall not descend to his widow or children, but return to the crown: That the Indians shall henceforth be exempt from personal service, and shall not be compelled to carry the baggage of travellers, to labour in the mines, or to dive in the pearl fisheries: That the stated tribute due by them to their superior shall be ascertained, and they shall be paid as servants for any work they voluntarily perform: That all persons who are or have been in public offices, all ecclesiastics of every denomination, all hospitals and monasteries, shall be deprived of the lands and Indians allotted to them, and these be annexed to the crown: That every person in Peru, who had any criminal concern in the contests between Pizarro and Almagro, should forfeit his lands and Indians."

His ministers remonstrate against them.

All the Spanish ministers who had hitherto been intrusted with the direction of American affairs, and who were best acquainted with the state of the country, remonstrated against those regulations as ruinous to their infant colonies. They represented that the number of Spaniards who had hitherto emigrated to the New World was so extremely small, that nothing could be expected from any effort of theirs towards improving the vast regions over which they were scattered; that the success of every scheme for this purpose must depend upon the ministry and service of the Indians, whose native indolence and aversion to labour, no prospect of benefit or promise of reward could surmount; that the moment the right of imposing a task, and exacting the performance of it, was taken from their masters, every work of industry must cease, and all the sources from which wealth began to pour in upon Spain must be stopped for ever. But Charles, tenacious at all times of

k Remesal, Hist. de Chiapa, p. 146.
l Remesal, p. 192, 199.

m See Note CXXXIX.
n Herrera, dec. 7. lib. vi. c. 5. Fernandez, Hist. lib. i. c. 1, 2.

his own opinions, and so much impressed at present with the view of the disorders which reigned in America, that he was willing to hazard the application even of a dangerous remedy, persisted in his resolution of publishing the laws. That they might be carried into execution with greater vigour and authority, he authorized Francisco Tello de Sandoval to repair to Mexico as *visitador* or superintendant of that country, and to co-operate with Antonio de Mendoza, the viceroy, in enforcing them. He appointed Blasco Nugnez Vela to be governor of Peru with the title of viceroy; and in order to strengthen his administration, he established a court of royal audience in Lima, in which four lawyers of eminence were to preside as judges.[o]

A viceroy appointed for Peru.

The viceroy and superintendant sailed at the same time; and an account of the laws which they were to enforce reached America before them. The entry of Sandoval into Mexico was viewed as the prelude of general ruin. The unlimited grant of liberty to the Indians affected every Spaniard in America without distinction; and there was hardly one who might not on some pretext be included under the other regulations, and suffer by them. But the colony in New Spain had now been so long accustomed to the restraints of law and authority under the steady and prudent administration of Mendoza, that how much soever the spirit of the new statutes was detested and dreaded, no attempt was made to obstruct the publication of them by any act of violence unbecoming subjects. The magistrates and principal inhabitants, however, presented dutiful addresses to the viceroy and superintendant, representing the fatal consequences of enforcing them. Happily for them, Mendoza, by long residence in the country, was so thoroughly acquainted with its state, that he knew what was for its interest as well as what it could bear; and Sandoval, though new in office, displayed a degree of moderation seldom possessed by persons just entering upon the exercise of power. They engaged to suspend, for some time, the execution of what was offensive in the new laws, and not only consented that a deputation of citizens should be sent to Europe to lay before the emperor the apprehensions of his subjects in New Spain with respect to their tendency and effects, but they concurred with them in supporting their sentiments. Charles, moved by the opinion of men whose abilities and integrity entitled them to decide concerning what fell immediately under their own view, granted such a relaxation of the rigour of the laws as re-established the colony in its former tranquillity.[p]

Effects of the regulations in New Spain,

1543. In Peru the storm gathered with an aspect still more fierce and threatening, and was not so soon dispelled. The conquerors of Peru, of a rank much inferior to those who had subjected Mexico to the Spanish crown, further removed from the inspection of the parent state, and intoxicated with the sudden acquisition of wealth, carried on all their operations with greater license and irregularity than any body of adventurers in the New World. Amidst the general subversion of law and order, occasioned by two successive civil wars, when each individual was at liberty to decide for himself, without any guide but his own interest or passions, this turbulent spirit rose above all sense of subordination. To men thus corrupted by anarchy, the introduction of regular government, the power of a viceroy, and the authority of a respectable court of judicature, would of themselves have appeared formidable restraints, to which they would have submitted with reluctance. But they revolted with indignation against the idea of complying with laws, by which they were to be stripped at once of all they had earned so hardly during many years of service and suffering. As the account of the new laws spread successively through the different settlements, the inhabitants ran together, the women in tears, and the men exclaiming against the injustice and ingratitude of their sovereign in depriving them, unheard and unconvicted, of their possessions. "Is this," cried they, "the recompence due to persons, who, without public aid, at their own expense, and by their own valour, have subjected to the crown of Castile territories of such immense extent and opulence? Are these the rewards bestowed for having endured unparalleled distress, for having encountered every species of danger in the service of their country? Whose merit is so great, whose conduct has been so irreproachable, that he may not be condemned by some penal clause in regulations, conceived in terms as loose and comprehensive as if it had been intended that all should be entangled in their snare? Every Spaniard of note in Peru has held some public office, and all, without distinction, have been constrained to take an active part in the contest between the two rival chiefs. Were the former to be robbed of their property because they had done their duty? Were the latter to be punished on account of what they could not avoid? Shall the conquerors of this great empire, instead of receiving marks of distinction, be deprived of the natural consolation of providing for their widows and children, and leave them to depend for subsistence on the scanty supply they can extort from unfeeling courtiers?[q] We are not able now, continued they, to explore unknown regions in quest of more secure settlements; our constitutions debilitated with age, and our bodies covered with wounds, are no longer fit for active service; but still we possess vigour sufficient to assert our just rights, and we will not tamely suffer them to be wrested from us."[r]

in Peru.

By discourses of this sort, uttered with vehe-

o Zarate, lib. iii. c. 24. Gomara, c. 151. Vega, p. 2. lib. iii. c. 20.
p Fernandez, Hist. lib. i. c. 3, 4, 5. Vega, p. 11. lib. iii. c. 21, 22. Herrera, dec. 7. lib. v. c. 7 lib vii. c. 14, 15. Torquem. Mon. Ind. lib. v. c. 13.

q Herrera, dec. 7. lib. vii. c. 14, 15.
r Gomara, c. 152. Herrera, dec. 7. lib. vi. c. 10, 11. Vega, p. 11. lib iii. c. 20, 22. lib. iv. c. 3, 4.

An insurrection prevented by the moderation of Castro.

mence, and listened to with universal approbation, their passions were inflamed to such a pitch, that they were prepared for the most violent measures, and began to hold consultations in different places, how they might oppose the entrance of the viceroy and judges, and prevent not only the execution but the promulgation of the new laws. From this, however, they were diverted by the address of Vaca de Castro, who flattered them with hopes, that as soon as the viceroy and judges should arrive, and had leisure to examine their petitions and remonstrances, they would concur with them in endeavouring to procure some mitigation in the rigour of laws, which had been framed without due attention either to the state of the country or to the sentiments of the people. A greater degree of accommodation to these, and even some concessions on the part of government, were now become requisite to compose the present ferment, and to soothe the colonists into submission, by inspiring them with confidence in their superiors. But without profound discernment, conciliating manners, and flexibility of temper, such a plan could not be carried on. The viceroy possessed none of these. Of all the qualities that fit men for high command, he was endowed only with integrity and courage; the former harsh and uncomplying, the latter bordering so frequently on rashness or obstinacy, that in his situation they were defects rather than virtues. From the moment that he landed at Tumbez, Nugnez Vela seems to have considered himself merely as an executive officer, without any discretionary power; and, regardless of whatever he observed or heard concerning the state of the country, he adhered to the letter of the regulations with unrelenting rigour. In all the towns through which he passed, the natives were declared to be free, every person in public office was deprived of his lands and servants; and as an example of obedience to others, he would not suffer a single Indian to be employed in carrying his own baggage in his march towards Lima. Amazement and consternation went before him as he approached; and so little solicitous was he to prevent these from augmenting, that on entering the capital he openly avowed, that he came to obey the orders of his sovereign, not to dispense with his laws. This harsh declaration was accompanied with what rendered it still more intolerable, haughtiness in deportment, a tone of arrogance and decision in discourse, and an insolence of office grievous to men little accustomed to hold civil authority in high respect. Every attempt to procure a suspension or mitigation of the new laws, the viceroy considered as flowing from a spirit of disaffection that tended to rebellion. Several persons of rank were confined, and some put to death, without any form of trial. Vaca de Castro was arrested, and notwithstanding the dignity of his former rank, and his merit in having prevented a general insurrection in the colony, he was loaded with chains, and shut up in the common gaol.[s]

The spirit of disaffection increased by the viceroy.

March 4.

But however general the indignation was against such proceedings, it is probable the hand of authority would have been strong enough to suppress it, or to prevent it bursting out with open violence, if the malcontents had not been provided with a leader of credit and eminence to unite and to direct their efforts. From the time that the purport of the new regulations was known in Peru, every Spaniard there turned his eyes towards Gonzalo Pizarro, as the only person able to avert the ruin with which they threatened the colony. From all quarters, letters and addresses were sent to him, conjuring him to stand forth as their common protector, and offering to support him in the attempt with their lives and fortunes. Gonzalo, though inferior in talents to his other brothers, was equally ambitious, and of courage no less daring. The behaviour of an ungrateful court towards his brothers and himself dwelt continually on his mind. Ferdinand a state prisoner in Europe, the children of the governor in custody of the viceroy, and sent aboard his fleet, himself reduced to the condition of a private citizen in a country, for the discovery and conquest of which Spain was indebted to his family;—these thoughts prompted him to seek for vengeance, and to assert the rights of his family, of which he now considered himself as the guardian and the heir. But as no Spaniard can easily surmount that veneration for his sovereign which seems to be interwoven in his frame, the idea of marching in arms against the royal standard filled him with horror. He hesitated long, and was still unresolved, when the violence of the viceroy, the universal call of his countrymen, and the certainty of becoming soon a victim himself to the severity of the new laws, moved him to quit his residence at Chuquisaca de la Plata, and repair to Cuzco. All the inhabitants went out to meet him, and received him with transports of joy as the deliverer of the colony. In the fervour of their zeal, they elected him procurator-general of the Spanish nation in Peru, to solicit the repeal of the late regulations. They empowered him to lay their remonstrances before the royal audience in Lima, and upon pretext of danger from the Indians, authorized him to march thither in arms. Under sanction of this nomination, Pizarro took possession of the royal treasure, appointed officers, levied soldiers, seized a large train of artillery which Vaca de Castro had deposited in Gumanga, and set out for Lima, as if he had been advancing against a public enemy. Disaffection having now assumed a regular form, and being united under a chief of such distinguished name, many persons of note resorted to his standard; and a considerable part of the

The malcontents choose Gonzalo Pizarro to be their leader.

1544.

s Zarate, lib. iv. c. 23, 24, 25. Gomara, c. 153—155. Vega, p. 11. lib. iv. c. 4, 5. Fernandez, lib. i. c. 6—10.

troops, raised by the viceroy to oppose his progress, deserted to him in a body.[t]

Dissensions of the viceroy and court of audience.

Before Pizarro reached Lima, a revolution had happened there, which encouraged him to proceed with almost certainty of success. The violence of the viceroy's administration was not more formidable to the Spaniards of Peru, than his overbearing haughtiness was odious to his associates, the judges of the royal audience. During their voyage from Spain some symptoms of coldness between the viceroy and them began to appear.[u] But as soon as they entered upon the exercise of their respective offices, both parties were so much exasperated by frequent contests, arising from interference of jurisdiction and contrariety of opinion, that their mutual disgust soon grew into open enmity. The judges thwarted the viceroy in every measure, set at liberty prisoners whom he had confined, justified the malcontents, and applauded their remonstrances. At a time when both departments of government should have united against the approaching enemy, they were contending with each other for superiority. The judges at length prevailed. The viceroy, universally odious, and abandoned even by his own guards, was seized in his palace, and carried to a desert island on the coast, to be kept there until he could be sent home to Spain.

The viceroy imprisoned. Sept. 18.

Views of Pizarro.

The judges, in consequence of this, having assumed the supreme direction of affairs into their own hands, issued a proclamation suspending the execution of the obnoxious laws, and sent a message to Pizarro, requiring him, as they had already granted whatever he could request, to dismiss his troops, and to repair to Lima with fifteen or twenty attendants. They could hardly expect that a man so daring and ambitious would tamely comply with this requisition. It was made probably with no such intention, but only to throw a decent veil over their own conduct; for Cepeda, the president of the court of audience, a pragmatical and aspiring lawyer, seems to have held a secret correspondence with Pizarro, and had already formed the plan which he afterwards executed, of devoting himself to his service. The imprisonment of the viceroy, the usurpation of the judges, together with the universal confusion and anarchy consequent upon events so singular and unexpected, opened new and vast prospects to Pizarro. He now beheld the supreme power within his reach. Nor did he want courage to push on towards the object which fortune presented to his view. Carvajal, the prompter of his resolutions and guide of all his actions, had long fixed his eye upon it as the only end at which Pizarro ought to aim. Instead of the inferior function of procurator for the Spanish settlements in Peru, he openly demanded to be governor and captain-general of the whole province, and required the court of audience to grant him a commission to that effect. At the head of twelve hundred men, within a mile of Lima, where there was neither leader nor army to oppose him, such a request carried with it the authority of a command. But the judges, either from unwillingness to relinquish power, or from a desire of preserving some attention to appearances, hesitated, or seemed to hesitate, about complying with what he demanded. Carvajal, impatient of delay, and impetuous in all his operations, marched into the city by night, seized several officers of distinction obnoxious to Pizarro, and hanged them without the formality of a trial. Next morning the court of audience issued a commission in the emperor's name, appointing Pizarro governor of Peru, with full powers, civil as well as military, and he entered the town that day with extraordinary pomp, to take possession of his new dignity.[x]

He assumes the government.

But amidst the disorder and turbulence which accompanied this total dissolution of the frame of government, the minds of men, set loose from the ordinary restraints of law and authority, acted with such capricious irregularity, that events no less extraordinary than unexpected followed in a rapid succession. Pizarro had scarcely begun to exercise the new powers with which he was invested, when he beheld formidable enemies rise up to oppose him. The viceroy having been put on board a vessel by the judges of the audience, in order that he might be carried to Spain under custody of Juan Alvarez, one of their own number; as soon as they were out at sea, Alvarez, either touched with remorse, or moved by fear, kneeled down to his prisoner, declaring him from that moment to be free, and that he himself, and every person in the ship, would obey him as the legal representative of their sovereign. Nugnez Vela ordered the pilot of the vessel to shape his course towards Tumbez, and as soon as he landed there, erected the royal standard, and resumed his functions of viceroy. Several persons of note, to whom the contagion of the seditious spirit which reigned at Cuzco and Lima had not reached, instantly avowed their resolution to support his authority.[y] The violence of Pizarro's government, who observed every individual with the jealousy natural to usurpers, and who punished every appearance of disaffection with unforgiving severity, soon augmented the number of the viceroy's adherents, as it forced some leading men in the colony to fly to him for refuge While he was gathering such strength at Tumbez, that his forces began to assume the appearance of what was considered as an army in America, Diego Centeno, a bold and active officer, exasperated by the cruelty and oppression of Pizarro's lieutenant-governor in the province of Charcas, formed a conspiracy

Oct. 28. The viceroy recovers his liberty.

t Zarate, lib. v. c. 1. Gomara, c. 156, 157. Vega, p. 11. lib. iv. c. 4—12. Fernandez, lib. i. c. 12—17. Herrera, dec. 7. lib. vii. c. 18, &c. lib. viii. c. 1—5.

u Gomara, c. 171.

x Zarate, lib. v. c. 8—10. Vega, p. 11. lib. iv. c. 13—19. Gomara, c. 159—163. Fernan. lib. i. c. 18—25. Herrera, dec. 7. lib. viii. c. 10—20.

y Zarate, lib. v. c. 9. Gomara, c. 165. Fernandez, lib. i. c. 23. Her. dec. 7. lib. viii. c. 15.

against his life, cut him off, and declared for the viceroy.[z]

1545. Pizarro marches against him.

Pizarro, though alarmed with those appearances of hostility in the opposite extremes of the empire, was not disconcerted. He prepared to assert the authority to which he had attained, with the spirit and conduct of an officer accustomed to command, and marched directly against the viceroy as the enemy who was nearest as well as most formidable. As he was master of the public revenues in Peru, and most of the military men were attached to his family, his troops were so numerous, that the viceroy, unable to face them, retreated towards Quito. Pizarro followed him; and in that long march, through a wild mountainous country, suffered hardships and encountered difficulties, which no troops but those accustomed to serve in America could have endured or surmounted.[a] The viceroy had scarcely reached Quito, when the vanguard of Pizarro's forces appeared, led by Carvajal, who, though near fourscore, was as hardy and active as any young soldier under his command. Nugnez Vela instantly abandoned a town incapable of defence, and with a rapidity more resembling a flight than a retreat, marched into the province of Popayan. Pizarro continued to pursue; but finding it impossible to overtake him, returned to Quito. From thence he despatched Carvajal to oppose Centeno, who was growing formidable in the southern provinces of the empire, and he himself remained there to make head against the viceroy.[b]

The viceroy defeated,

By his own activity, and the assistance of Benalcazar, Nugnez Vela soon assembled four hundred men in Popayan. As he retained, amidst all his disasters, the same elevation of mind, and the same high sense of his own dignity, he rejected with disdain the advice of some of his followers, who urged him to make overtures of accommodation to Pizarro, declaring that it was only by the sword that a contest with rebels could be decided. With this intention he

1546.

marched back to Quito. Pizarro, relying on the superior number, and still more on the discipline and valour, of his troops, advanced resolutely to meet him. The battle

Jan. 18.

was fierce and bloody, both parties fighting like men who knew that the possession of a great empire, the fate of their leaders, and their own future fortune, depended upon the issue of that day. But Pizarro's veterans pushed forward with such regular and well-directed force, that they soon began to make an impression on their enemies. The viceroy, by extraordinary exertions, in which the abilities of a commander and the courage of a soldier were equally displayed, held victory for some time in suspense. At length he fell, pierced with many wounds; and the rout of his followers became general. They were hotly pursued. His head was cut off, and placed on the public gibbet in Quito, which Pizarro entered in triumph. The troops assembled by Centeno were dispersed soon after by Carvajal, and he himself compelled to fly to the mountains, where he remained for several months concealed in a cave. Every person in Peru, from the frontiers of Popayan to those of Chili, submitted to Pizarro; and by his fleet, under Pedro de Hinojosa, he had not only the unrivalled command of the South sea, but had taken possession of Panama, and placed a garrison in Nombre de Dios, on the opposite side of the isthmus, which rendered him master of the only avenue of communication between Spain and Peru that was used at that period.[c]

and slain.

Pizarro advised to resume the sovereignty of Peru;

After this decisive victory, Pizarro and his followers remained for some time at Quito, and during the first transports of their exultation, they ran into every excess of licentious indulgence, with the riotous spirit usual among low adventurers upon extraordinary success. But amidst this dissipation, their chief and his confidants were obliged to turn their thoughts sometimes to what was serious, and deliberated with much solicitude concerning the part that he ought now to take. Carvajal, no less bold and decisive in council than in the field, had from the beginning warned Pizarro, that in the career on which he was entering it was vain to think of holding a middle course; that he must either boldly aim at all, or attempt nothing. From the time that Pizarro obtained possession of the government of Peru, he inculcated the same maxim with greater earnestness. Upon receiving an account of the victory at Quito, he remonstrated with him in a tone still more peremptory. "You have usurped," said he, in a letter written to Pizarro on that occasion, "the supreme power in this country, in contempt of the emperor's commission to the viceroy. You have marched in hostile array against the royal standard; you have attacked the representative of your sovereign in the field, have defeated him, and cut off his head. Think not that ever a monarch will forgive such insults on his dignity, or that any reconciliation with him can be cordial or sincere. Depend no longer on the precarious favour of another. Assume yourself the sovereignty over a country, to the dominion of which your family has a title founded on the rights both of discovery and conquest. It is in your power to attach every Spaniard in Peru of any consequence inviolably to your interest, by liberal grants of lands and of Indians, or by instituting ranks of nobility, and creating titles of honour similar to those which are courted with so much eagerness in Europe. By establishing orders of knighthood, with privileges and distinctions resembling those in Spain, you may bestow a gratification upon the officers in your service, suited to the ideas

z Zarate, lib. v. c. 18. Gomara, c. 169. Herrera, dec. 7. lib. ix. c. 27.
a See Note CXL.
b Zarate, l. v. c. 15, 16—24. Gomara, c. 167. Vega, p. 11. l. iv. c. 25—28. Fernandez, lib. i. c. 34, 40. Herrera, dec. 7. lib. viii. c. 16, 20—27.
c Zarate, lib. v. c. 31, 32. Gomara, c. 170. Vega, p. 11. lib. iv. c. 33, 34. Fernandez, lib. i. c. 51—54. Herrera, dec. 7. lib. x. c. 12, 19—22. dec. 8. lib. i. c. 1—3. Benzo, lib. iii. 12.

of military men. Nor is it to your countrymen only that you ought to attend; endeavour to gain the natives. By marrying the Coya, or daughter of the Sun next in succession to the crown, you will induce the Indians, out of veneration for the blood of their ancient princes, to unite with the Spaniards in support of your authority. Thus, at the head of the ancient inhabitants of Peru, as well as of the new settlers there, you may set at defiance the power of Spain, and repel with ease any feeble force which it can send at such a distance." Cepeda, the lawyer, who was now Pizarro's confidential counsellor, warmly seconded Carvajal's exhortations, and employed whatever learning he possessed in demonstrating, that all the founders of great monarchies had been raised to pre-eminence, not by the antiquity of their lineage, or the validity of their rights, but by their own aspiring valour and personal merit.[d]

but chooses to negociate with the court of Spain.

Pizarro listened attentively to both, and could not conceal the satisfaction with which he contemplated the object that they presented to his view. But happily for the tranquillity of the world, few men possess that superior strength of mind, and extent of abilities, which are capable of forming and executing such daring schemes, as cannot be accomplished without overturning the established order of society, and violating those maxims of duty which men are accustomed to hold sacred. The mediocrity of Pizarro's talents circumscribed his ambition within more narrow limits. Instead of aspiring at independent power, he confined his views to the obtaining from the court of Spain a confirmation of the authority which he now possessed; and for that purpose he sent an officer of distinction thither, to give such a representation of his conduct, and of the state of the country, as might induce the emperor and his ministers, either from inclination or from necessity, to continue him in his present station.

Consultations of the Spanish ministers.

While Pizarro was deliberating with respect to the part which he should take, consultations were held in Spain, with no less solicitude, concerning the measures which ought to be pursued in order to re-establish the emperor's authority in Peru. Though unacquainted with the last excesses of outrage to which the malcontents had proceeded in that country, the court had received an account of the insurrection against the viceroy, of his imprisonment, and the usurpation of the government by Pizarro. A revolution so alarming called for an immediate interposition of the emperor's abilities and authority. But as he was fully occupied at that time in Germany, in conducting the war against the famous league of Smalkalde, one of the most interesting and arduous enterprises in his reign, the care of providing a remedy for the disorders in Peru devolved upon his son Philip, and the counsellors whom Charles had appointed to assist him in the government of Spain during his absence. At first

[d] Vega, p. 11. lib. iv. c. 40. Fernandez, lib. i. c. 34. lib. ii. c. 1, 49.

view, the actions of Pizarro and his adherents appeared so repugnant to the duty of subjects towards their sovereign, that the greater part of the ministers insisted on declaring them instantly to be guilty of rebellion, and on proceeding to punish them with exemplary rigour. But when the fervour of their zeal and indignation began to abate, innumerable obstacles to the execution of this measure presented themselves. The veteran bands of infantry, the strength and glory of the Spanish armies, were then employed in Germany. Spain, exhausted of men and money by a long series of wars, in which she had been involved by the restless ambition of two successive monarchs, could not easily equip an armament of sufficient force to reduce Pizarro. To transport any respectable body of troops to a country so remote as Peru, appeared almost impossible. While Pizarro continued master of the South sea, the direct route by Nombre de Dios and Panama was impracticable. An attempt to march to Quito by land through the new kingdom of Granada, and the province of Popayan, across regions of prodigious extent, desolate, unhealthy, or inhabited by fierce and hostile tribes, would be attended with insurmountable danger and hardships. The passage to the South sea by the straits of Magellan was so tedious, so uncertain, and so little known in that age, that no confidence could be placed in any effort carried on in a course of navigation so remote and precarious. Nothing then remained but to relinquish the system which the ardour of their loyalty had first suggested, and to attempt by lenient measures what could not be effected by force. It was manifest from Pizarro's solicitude to represent his conduct in a favourable light to the emperor, that notwithstanding the excesses of which he had been guilty, he still retained sentiments of veneration for his sovereign. By a proper application to these, together with some such concessions as should discover a spirit of moderation and forbearance in government, there was still room to hope that he might be yet reclaimed, or the ideas of loyalty natural to Spaniards might so far revive among his followers, that they would no longer lend their aid to uphold his usurped authority.

Gasca appointed to repair to Peru as president.

The success, however, of this negociation, no less delicate than it was important, depended entirely on the abilities and address of the person to whom it should be committed. After weighing with much attention the comparative merit of various persons, the Spanish ministers fixed with unanimity of choice upon Pedro de la Gasca, a priest in no higher station than that of counsellor to the inquisition. Though in no public office, he had been occasionally employed by government in affairs of trust and consequence, and had conducted them with no less skill than success; displaying a gentle and insinuating temper, accompanied with much firmness; probity, superior to any feeling of private interest;

Herrera, dec. 8. lib. ii. c. 10.

and a cautious circumspection in concerting measures, followed by such vigour in executing them, as is rarely found in alliance with the other. These qualities marked him out for the function to which he was destined. The emperor, to whom Gasca was not unknown, warmly approved of the choice, and communicated it to him in a letter containing expressions of good-will and confidence, no less honourable to the prince who wrote than to the subject who received it. Gasca, notwithstanding his advanced age and feeble constitution, and though, from the apprehensions natural to a man, who, during the course of his life, had never been out of his own country, he dreaded the effects of a long voyage, and of an unhealthy climate,[e] did not hesitate a moment about complying with the will of his sovereign. But as a proof that it was from this principle alone he acted, he refused a bishopric which was offered to him, in order that he might appear in Peru with a more dignified character; he would accept of no higher title than that of president of the court of audience in Lima; and declared that he would receive no salary on account of his discharging the duties of that office. All he required was, that the expense of supporting his family should be defrayed by the public, and as he was to go like a minister of peace with his gown and breviary, and without any retinue but a few domestics, this would not load the revenue with any enormous burthen.[f]

His moderation.

The powers committed to him.

But while he discovered such disinterested moderation with respect to whatever related personally to himself, he demanded his official powers in a very different tone. He insisted, as he was to be employed in a country so remote from the seat of government, where he could not have recourse to his sovereign for new instructions on every emergence, and as the whole success of his negociations must depend upon the confidence which the people with whom he had to treat could place in the extent of his powers, that he ought to be invested with unlimited authority; that his jurisdiction must reach to all persons and to all causes; that he must be empowered to pardon, to punish, or to reward, as circumstances and the behaviour of different men might require; that in case of resistance from the malcontents, he might be authorized to reduce them to obedience by force of arms, to levy troops for that purpose, and to call for assistance from the governors of all the Spanish settlements in America. These powers, though manifestly conducive to the great objects of his mission, appeared to the Spanish ministers to be inalienable prerogatives of royalty, which ought not to be delegated to a subject, and they refused to grant them. But the emperor's views were more enlarged. As, from the nature of his employment, Gasca must be intrusted with discretionary power in several points, and all his efforts might prove ineffectual if he was circumscribed in any one particular, Charles scrupled not to invest him with authority to the full extent that he demanded. Highly satisfied with this fresh proof of his master's confidence, Gasca hastened his departure, and, without either money or troops, set out to quell a formidable rebellion.[g]

July 27. His arrival at Panama.

On his arrival at Nombre de Dios he found Herman Mexia, an officer of note, posted there, by order of Pizarro, with a considerable body of men, to oppose the landing of any hostile forces. But Gasca appeared in such pacific guise, with a train so little formidable, and with a title of no such dignity as to excite terror, that he was received with much respect. From Nombre de Dios he advanced to Panama, and met with a similar reception from Hinojosa, whom Pizarro had intrusted with the government of that town, and the command of his fleet stationed there. In both places he held the same language, declaring that he was sent by their sovereign as a messenger of peace, not as a minister of vengeance; that he came to redress all their grievances, to revoke the laws which had excited alarm, to pardon past offences, and to re-establish order and justice in the government of Peru. His mild deportment, the simplicity of his manners, the sanctity of his profession, and a winning appearance of candour, gained credit to his declarations. The veneration due to a person clothed with legal authority, and acting in virtue of a royal commission, began to revive among men accustomed for some time to nothing more respectable than an usurped jurisdiction. Hinojosa, Mexia, and several other officers of distinction, to each of whom Gasca applied separately, were gained over to his interest, and waited only for some decent occasion of declaring openly in his favour.[h]

Violent proceedings of Pizarro.

This the violence of Pizarro soon afforded them. As soon as he heard of Gasca's arrival at Panama, though he received, at the same time, an account of the nature of his commission, and was informed of his offers, not only to render every Spaniard in Peru easy concerning what was past, by an act of general oblivion, but secure with respect to the future by repealing the obnoxious laws; instead of accepting with gratitude his sovereign's gracious concessions, he was so much exasperated on finding that he was not to be continued in his station as governor of the country, that he instantly resolved to oppose the president's entry into Peru, and to prevent his exercising any jurisdiction there. To this desperate resolution he added another highly preposterous. He sent a new deputation to Spain to justify this conduct, and to insist, in name of all the communities in Peru, for a confirmation of the government to himself during life, as the only means of preserving tranquillity there. The persons intrusted

e Fernandez, lib. ii. c. 17.
f Zarate, lib. vi. c. 6. Gomara, c. 174. Fernandez, lib. ii. c. 14—16. Vega, p. 11. lib. v. c. 1. Herrera, dec. 8. lib. i. c. 4, &c.

g Fernandez, lib. ii. c. 16—18.
h Fernandez, lib. ii. c. 21, &c. Zarate, lib. vi. c. 6, 7. Gomara, c 175. Vega, p. 11. lib. v. c. 3.

with this strange commission intimated the intention of Pizarro to the president, and required him, in his name, to depart from Panama and return to Spain. They carried likewise secret instructions to Hinojosa, directing him to offer Gasca a present of fifty thousand pesos, if he would comply voluntarily with what was demanded of him; and if he should continue obstinate, to cut him off, either by assassination or poison.[i]

Gasca gains his fleet.

Many circumstances concurred in pushing on Pizarro to those wild measures. Having been once accustomed to supreme command, he could not bear the thoughts of descending to a private station. Conscious of his own demerit, he suspected that the emperor studied only to deceive him, and would never pardon the outrages which he had committed. His chief confidants, no less guilty, entertained the same apprehensions. The approach of Gasca without any military force excited no terror. There were now above six thousand Spaniards settled in Peru;[k] and at the head of these he doubted not to maintain his own independence, if the court of Spain should refuse to grant what he required. But he knew not that a spirit of defection had already begun to spread among those whom he trusted most. Hinojosa, amazed at Pizarro's precipitate resolution of setting himself in opposition to the emperor's commission, and disdaining to be his instrument in perpetrating the odious crimes pointed out in his secret instructions, publicly recognised the title of the president to the supreme authority in Peru. The officers under his command did the same. Such was the contagious influence of the example, that it reached even the deputies who had been sent from Peru; and at the time when Pizarro expected to hear either of Gasca's return to Spain, or of his death, he received an account of his being master of the fleet, of Panama, and of the troops stationed there.

1547. Pizarro resolves on war.

Irritated almost to madness by events so unexpected, he openly prepared for war; and in order to give some colour of justice to his arms, he appointed the court of audience in Lima to proceed to the trial of Gasca, for the crimes of having seized his ships, seduced his officers, and prevented his deputies from proceeding in their voyage to Spain. Cepeda, though acting as a judge in virtue of the royal commission, did not scruple to prostitute the dignity of his function by finding Gasca guilty of treason, and condemning him to death on that account.[l] Wild, and even ridiculous, as this proceeding was, it imposed on the low illiterate adventurers with whom Peru was filled, by the semblance of legal sanction warranting Pizarro to carry on hostilities against a convicted traitor. Soldiers accordingly resorted from every quarter to his standard, and he was soon at the head of a thousand men, the best equipped that had ever taken the field in Peru.

Preparations of Gasca.

Gasca, on his part, perceiving that force must be employed in order to accomplish the purpose of his mission, was no less assiduous in collecting troops from Nicaragua, Carthagena, and other settlements on the continent; and with such success, that he was soon in a condition to detach a squadron of his fleet, with a considerable body of soldiers, to the coast of Peru. Their appearance excited a dreadful alarm; and though they did not attempt for some time to make any descent, they did more effectual service, by setting ashore in different places persons who dispersed copies of the act of general indemnity, and the revocation of the late edicts; and who made known everywhere the pacific intentions, as well as mild temper, of the president. The effect of spreading this information was wonderful. All who were dissatisfied with Pizarro's violent administration, all who retained any sentiments of fidelity to their sovereign, began to meditate revolt. Some openly deserted a cause which they now deemed to be unjust. Centeno, leaving the cave in which he lay concealed, assembled about fifty of his former adherents, and with this feeble half-armed band advanced boldly to Cuzco. By a sudden attack in the night-time, in which he displayed no less military skill than valour, he rendered himself master of that capital, though defended by a garrison of five hundred men. Most of these having ranged themselves under his banners, he had soon the command of a respectable body of troops.[m]

April.

Insurrection of Centeno,

against whom Pizarro marches,

Pizarro, though astonished at beholding one enemy approaching by sea, and another by land, at a time when he trusted to the union of all Peru in his favour, was of a spirit more undaunted, and more accustomed to the vicissitudes of fortune, than to be disconcerted or appalled. As the danger from Centeno's operations was the most urgent, he instantly set out to oppose him. Having provided horses for all his soldiers, he marched with amazing rapidity. But every morning he found his force diminished, by numbers who had left him during the night; and though he became suspicious to excess, and punished without mercy all whom he suspected, the rage of desertion was too violent to be checked. Before he got within sight of the enemy at Huarina, near the lake Titiaca, he could not muster more than four hundred soldiers. But these he justly considered as men of tried attachment, on whom he might depend. They were indeed the boldest and most desperate of his followers, conscious, like himself, of crimes for which they could hardly expect forgiveness, and without any hope but in the success of their arms.

i Zarata. lib. vi. c. 8. Fernandez, lib. ii. c. 33, 34. Herrera, dec. 8. lib. ii. c. 9, 10.
k Herrera, dec. 8. lib. iii. c. 1.

l Fernandez, lib. ii. c. 55. Vega, p. 11. lib. v. c. 7. Herrera, dec. 8. lib. iii. c. 6.
m Zarate, lib. vi. c. 13—16. Gomara, c. 180, 181. Fernandez, lib. ii c. 28. 61, &c.

October 20. With these he did not hesitate to attack Centeno's troops, though double to his own in number. The royalists did not decline the combat. It was the most obstinate and bloody that had hitherto been fought in Peru. At length the intrepid valour of Pizarro, and the superiority of Carvajal's military talents, triumphed over numbers, and obtained a complete victory. The booty was immense,[n] and the treatment of the vanquished cruel. By this signal success the reputation of Pizarro was re-established, and being now deemed invincible in the field, his army increased daily in number.[o]

and defeats him.

But events happened in other parts of Peru, which more than counterbalanced the splendid victory at Huarina. Pizarro had scarcely left Lima, when the citizens, weary of his oppressive dominion, erected the royal standard, and Aldana, with a detachment of soldiers from the fleet, took possession of the town. About the same time,[p] Gasca landed at Tumbez with five hundred men. Encouraged by his presence, every settlement in the low country declared for the king. The situation of the two parties was now perfectly reversed: Cuzco and the adjacent provinces were possessed by Pizarro; all the rest of the empire, from Quito southward, acknowledged the jurisdiction of the president. As his numbers augmented fast, Gasca advanced into the interior part of the country. His behaviour still continued to be gentle and unassuming; he expressed, on every occasion, his ardent wish of terminating the contest without bloodshed. More solicitous to reclaim than to punish, he upbraided no man for past offences, but received them as a father receives penitent children returning to a sense of their duty. Though desirous of peace, he did not slacken his preparations for war. He appointed the general rendezvous of his troops in the fertile valley of Xauxa, on the road to Cuzco.[q] There he remained for some months, not only that he might have time to make another attempt towards an accommodation with Pizarro, but that he might train his new soldiers to the use of arms, and accustom them to the discipline of a camp, before he led them against a body of victorious veterans. Pizarro, intoxicated with the success which had hitherto accompanied his arms, and elated with having again near a thousand men under his command, refused to listen to any terms, although Cepeda, together with several of his officers, and even Carvajal himself,[r] gave it as their advice to close with the president's offer of a general indemnity, and the revocation of the obnoxious laws.[s]

Gasca lands at Peru.

Advances towards Cuzco.

Dec. 29. Gasca having tried in vain every expedient to avoid imbruing his hands in the blood of his countrymen, began to move towards Cuzco, at the head of sixteen hundred men.

Pizarro, confident of victory, suffered the royalists to pass all the rivers which lie between Guamanga and Cuzco without opposition, and to advance within four leagues of that capital, flattering himself that a defeat in such a situation as rendered escape impracticable would at once terminate the war. He then marched out to meet the enemy, and Carvajal chose his ground, and made the disposition of the troops with the discerning eye, and profound knowledge in the art of war, conspicuous in all his operations. As the two armies moved forwards slowly to the charge, the appearance of each was singular. In that of Pizarro, composed of men enriched with the spoils of the most opulent country in America, every officer, and almost all the private men, were clothed in stuffs of silk, or brocade, embroidered with gold and silver; and their horses, their arms, their standards, were adorned with all the pride of military pomp.[t] That of Gasca, though not so splendid, exhibited what was no less striking. He himself, accompanied by the archbishop of Lima, the bishops of Quito and Cuzco, and a great number of ecclesiastics, marching along the lines, blessing the men, and encouraging them to a resolute discharge of their duty.

Both parties prepare for battle. 1548.

April 9.

When both armies were just ready to engage, Cepeda set spurs to his horse, galloped off, and surrendered himself to the president. Garcilasso de la Vega, and other officers of note, followed his example. The revolt of persons in such high rank struck all with amazement. The mutual confidence on which the union and strength of armies depend, ceased at once. Distrust and consternation spread from rank to rank. Some silently slipped away, others threw down their arms, the greatest number went over to the royalists. Pizarro, Carvajal, and some leaders, employed authority, threats, and entreaties, to stop them, but in vain. In less than half an hour, a body of men, which might have decided the fate of the Peruvian empire, was totally dispersed. Pizarro, seeing all irretrievably lost, cried out in amazement to a few officers who still faithfully adhered to him, "What remains for us to do?"—"Let us rush," replied one of them, "upon the enemy's firmest battalion, and die like Romans." Dejected with such a reverse of fortune, he had not spirit to follow this soldierly counsel, and with a tameness disgraceful to his former fame, he surrendered to one of Gasca's officers. Carvajal, endeavouring to escape, was overtaken and seized.

Pizarro deserted by his troops,

taken,

Gasca, happy in this bloodless victory, did not stain it with cruelty. Pizarro, Carvajal, and a small number of the most distinguished or notorious offenders, were punished capitally. Pizarro was beheaded on the day after he surrendered. He submitted to his fate with a

and put to death.

n See Note CXLI.
o Zarate, lib. vii. c. 2, 3. Gomara, c. 181. Vega, p. 11. lib. v. c. 18, &c. Fernandez, lib. ii. c. 79. Herrera, dec. 8. lib. iv. c. 1, 2.
p Zarate, lib. vi. c. 17.
q Zarate, lib. vii. c. 9. Fernandez, lib. ii. c. 77, 82.
r See Note CXLII.
s Zarate, lib. vii. c. 6. Vega, p. 11. lib. v. c. 27.
t Zarate, lib. vi. c. 11.

composed dignity, and seemed desirous to atone by repentance for the crimes which he had committed. The end of Carvajal was suitable to his life. On his trial he offered no defence. When the sentence adjudging him to be hanged was pronounced, he carelessly replied, "One can die but once." During the interval between the sentence and execution, he discovered no sign either of remorse for the past, or of solicitude about the future; scoffing at all who visited him, in his usual sarcastic vein of mirth, with the same quickness of repartee and gross pleasantry as at any other period of his life. Cepeda, more criminal than either, ought to have shared the same fate; but the merit of having deserted his associates at such a critical moment, and with such decisive effect, saved him from immediate punishment. He was sent, however, as a prisoner to Spain, and died in confinement.[u]

In the minute detail which the contemporary historians have given of the civil dissensions that raged in Peru, with little interruption, during ten years, many circumstances occur so striking, and which indicate such an uncommon state of manners, as to merit particular attention.

No mercenary soldiers in the civil wars of Peru.

Though the Spaniards who first invaded Peru were of the lowest order in society, and the greater part of those who afterwards joined them were persons of desperate fortune, yet in all the bodies of troops brought into the field by the different leaders who contended for superiority, not one man acted as a hired soldier, that follows his standard for pay. Every adventurer in Peru considered himself as a conqueror, entitled, by his services, to an establishment in that country which had been acquired by his valour. In the contests between the rival chiefs, each chose his side as he was directed by his own judgment or affections. He joined his commander as a companion of his fortune, and disdained to degrade himself by receiving the wages of a mercenary. It was to their sword, not to pre-eminence in office, or nobility of birth, that most of the leaders whom they followed were indebted for their elevation; and each of their adherents hoped, by the same means, to open a way for himself to the possession of power and wealth.[x]

Armies immensely expensive;

But though the troops in Peru served without any regular pay, they were raised at immense expense. Among men accustomed to divide the spoils of an opulent country, the desire of obtaining wealth acquired incredible force. The ardour of pursuit augmented in proportion to the hope of success. Where all were intent on the same object, and under the dominion of the same passion, there was but one mode of gaining men, or of securing their attachment. Officers of name and influence, besides the promise of future establishments, received in hand large gratuities from the chief with whom they engaged. Gonzalo Pizarro, in order to raise a thousand men, advanced five hundred thousand pesos.[y] Gasca expended, in levying the troops which he led against Pizarro, nine hundred thousand pesos.[z] The distribution of property, bestowed as the reward of services, was still more exorbitant. Cepeda, as the recompence of his perfidy and address, in persuading the court of royal audience to give the sanction of its authority to the usurped jurisdiction of Pizarro, received a grant of lands which yielded an annual income of a hundred and fifty thousand pesos.[a] Hinojosa, who, by his early defection from Pizarro, and surrender of the fleet to Gasca, decided the fate of Peru, obtained a district of country affording two hundred thousand pesos of yearly value.[b] While such rewards were dealt out to the principal officers, with more than royal munificence, proportional shares were conferred upon those of inferior rank.

and immense rewards to individuals.

Their profusion and luxury.

Such a rapid change of fortune produced its natural effects. It gave birth to new wants, and new desires. Veterans, long accustomed to hardship and toil, acquired of a sudden a taste for profuse and inconsiderate dissipation, and indulged in all the excesses of military licentiousness. The riot of low debauchery occupied some; a relish for expensive luxuries spread among others.[c] The meanest soldier in Peru would have thought himself degraded by marching on foot; and at a time when the prices of horses in that country were exorbitant, each insisted on being furnished with one before he would take the field. But though less patient under the fatigue and hardships of service, they were ready to face danger and death with as much intrepidity as ever; and animated by the hope of new rewards, they never failed, on the day of battle, to display all their ancient valour.

Ferocity with which their contests were carried on.

Together with their courage, they retained all the ferocity by which they were originally distinguished. Civil discord never raged with a more fell spirit than among the Spaniards in Peru. To all the passions which usually envenom contests among countrymen avarice was added, and rendered their enmity more rancorous. Eagerness to seize the valuable forfeitures expected upon the death of every opponent, shut the door against mercy. To be wealthy, was of itself sufficient to expose a man to accusation, or to subject him to punishment. On the slightest suspicions, Pizarro condemned many of the most opulent inhabitants in Peru to death. Carvajal, without searching for any pretext to justify his cruelty, cut off many more. The number of those who suffered by the hands of the executioner, was not much inferior to what fell in the field;[d] and the greater part was condemned without the formality of any legal trial.

u Zarate, lib. vii. c. 6, 7, 8. Gomara, c. 185, 186. Vega, p. 11. lib. v. c. 30, &c. Fernandez, lib. ii. c. 86, &c. Herrera, dec. 8. lib. iv. c. 14, &c.
x Vega, p. 11. lib. iv. c. 38, 41.
y Fernandez, lib. ii. c. 54.
z Zarate, lib. vii. c. 10. Herrera, dec. 8. lib. v. c. 7.
a Gomara, c. 164. b Vega, p. 11. lib. vi. c. 3.
c Herrera, dec. 5. lib. ii. c. 3. dec. 8. lib. viii. c. 10.
d See Note CXLIII.

and want of faith.

The violence with which the contending parties treated their opponents was not accompanied with its usual attendants, attachment and fidelity to those with whom they acted. The ties of honour, which ought to be held sacred among soldiers, and the principle of integrity, interwoven as thoroughly in the Spanish character as in that of any nation, seem to have been equally forgotten. Even regard for decency, and the sense of shame, were totally lost. During their dissensions, there was hardly a Spaniard in Peru who did not abandon the party which he had originally espoused, betray the associates with whom he had united, and violate the engagements under which he had come. The viceroy Nugnez Vela was ruined by the treachery of Cepeda and the other judges of the royal audience, who were bound by the duties of their function to have supported his authority. The chief advisers and companions of Gonzalo Pizarro's revolt were the first to forsake him, and submit to his enemies. His fleet was given up to Gasca, by the man whom he had singled out among his officers to intrust with that important command. On the day that was to decide his fate, an army of veterans, in sight of the enemy, threw down their arms without striking a blow, and deserted a leader who had often conducted them to victory. Instances of such general and avowed contempt of the principles and obligations which attach man to man, and bind them together in social union, rarely occur in history. It is only where men are far removed from the seat of government, where the restraints of law and order are little felt, where the prospect of gain is unbounded, and where immense wealth may cover the crimes by which it is acquired, that we can find any parallel to the levity, the rapaciousness, the perfidy and corruption prevalent among the Spaniards in Peru.

Gasca devises employment for his soldiers.

On the death of Pizarro, the malcontents in every corner of Peru laid down their arms, and tranquillity seemed to be perfectly re-established. But two very interesting objects still remained to occupy the president's attention. The one was to find immediately such employment for a multitude of turbulent and daring adventurers with which the country was filled, as might prevent them from exciting new commotions. The other, to bestow proper gratifications upon those to whose loyalty and valour he had been indebted for his success. The former of these was in some measure accomplished, by appointing Pedro de Valdivia to prosecute the conquest of Chili; and by empowering Diego Centeno to undertake the discovery of the vast regions bordering on the river De la Plata. The reputation of those leaders, together with the hopes of acquiring wealth, and of rising to consequence in some unexplored country, alluring many of the most indigent and desperate soldiers to follow their standards, drained off no inconsiderable portion of that mutinous spirit which Gasca dreaded.

His division of the country among his followers.

The latter was an affair of greater difficulty, and to be adjusted with a more attentive and delicate hand. The *repartimientos*, or allotments of lands and Indians, which fell to be distributed in consequence of the death or forfeiture of the former possessors, exceeded two millions of pesos of yearly rent.[e] Gasca, when now absolute master of this immense property, retained the same disinterested sentiments which he had originally professed, and refused to reserve the smallest portion of it for himself. But the number of claimants was great; and whilst the vanity or avarice of every individual fixed the value of his own services, and estimated the recompence which he thought due to him, the pretensions of each were so extravagant, that it was impossible to satisfy all. Gasca listened to them one by one, with the most patient attention; and that he might have leisure to weigh the comparative merit of their several claims with accuracy, he retired with the archbishop of Lima and a single secretary, to a village twelve leagues from Cuzco. There he spent several days in allotting to each a district of lands and number of Indians, in proportion to his idea of their past services and future importance. But that he might get beyond the reach of the fierce storm of clamour and rage which he foresaw would burst out on the publication of his decree, notwithstanding the impartial equity with which he had framed it, he set out for Lima, leaving the instrument of partition sealed up, with orders not to open it for some days after his departure.

Aug. 24. The discontent it occasions.

The indignation excited by publishing the decree of partition was not less than Gasca had expected. Vanity, avarice, emulation, envy, shame, rage, and all the other passions which most vehemently agitate the minds of men when both their honour and their interest are deeply affected, conspired in adding to its violence. It broke out with all the fury of military insolence. Calumny, threats, and curses, were poured out openly upon the president. He was accused of ingratitude, of partiality, and of injustice. Among soldiers prompt to action, such seditious discourse would have been soon followed by deeds no less violent, and they already began to turn their eyes towards some discontented leaders, expecting them to stand forth in redress of their wrongs. By some vigorous interpositions of government, a timely check was given to this mutinous spirit, and the danger of another civil war averted for the present.[f]

1549. Re-establishes order and government;

Gasca, however, perceiving that the flame was suppressed rather than extinguished, laboured with the utmost assiduity to soothe the malcontents, by bestowing large gratuities on some, by promising *repartimien-*

e Vega, p. 11. lib. vi. c. 4.

f Zarate, lib. vii. c. 9. Gomara, c. 187. Vega, p. 11. lib. vii. c. 1, &c. Fernandez, p. 11. lib. i. c. 1, &c. Herrera, dec. 8. lib. iv. c. 17, &c.

tos, when they fell vacant, to others, and by caressing and flattering all. But that the public security might rest on a foundation more stable than their good affection, he endeavoured to strengthen the hands of his successors in office, by re-establishing the regular administration of justice in every part of the empire. He introduced order and simplicity into the mode of collecting the royal revenue. He issued regulations concerning the treatment of the Indians, well calculated to protect them from oppression, and to provide for their instruction in the principles of religion, without depriving the Spaniards of the benefit accruing from their labour.

1550. Having now accomplished every object of his mission, Gasca, longing to return again to a private station, committed the government of Peru to the court of audience, and set out for Spain. As, during the anarchy and turbulence of the four last years, there had been no remittance made of the royal revenue, he carried with him thirteen hundred thousand pesos of public money, which the economy and order of his administration enabled him to save, after paying all the expenses of the war.

Feb. 1. and sets out for Spain.

His reception there. He was received in his native country with universal admiration of his abilities and of his virtue. Both were, indeed, highly conspicuous. Without army, or fleet, or public funds; with a train so simple, that only three thousand ducats were expended in equipping him,[g] he set out to oppose a formidable rebellion. By his address and talents he supplied all those defects, and seemed to create instruments for executing his designs. He acquired such a naval force, as gave him the command of the sea. He raised a body of men able to cope with the veteran bands which gave law to Peru. He vanquished their leader, on whose arms victory had hitherto attended; and in place of anarchy and usurpation, he established the government of laws, and the authority of the rightful sovereign. But the praise bestowed on his abilities was exceeded by that which his virtue merited. After residing in a country where wealth presented allurements which had seduced every person who had hitherto possessed power there, he returned from that trying station with integrity not only untainted but unsuspected. After distributing among his countrymen possessions of greater extent and value than had ever been in the disposal of a subject in any age or nation, he himself remained in his original state of poverty; and at the very time when he brought such a large recruit to the royal treasury, he was obliged to apply by petition for a small sum to discharge some petty debts which he had contracted during the course of his service.[h] Charles was not insensible to such disinterested merit. Gasca was received by him with the most distinguishing marks of esteem, and being promoted to the bishopric of Palencia, he passed the remainder of his days in the tranquillity of retirement, respected by his country, honoured by his sovereign, and beloved by all.

Notwithstanding all Gasca's wise regulations, the tranquillity of Peru was not of long continuance. In a country where the authority of government had been almost forgotten during the long prevalence of anarchy and misrule, where there were disappointed leaders ripe for revolt, and seditious soldiers ready to follow them, it was not difficult to raise combustion. Several successive insurrections desolated the country for some years. But as those, though fierce, were only transient storms, excited rather by the ambition and turbulence of particular men, than by general or public motives, the detail of them is not the object of this history. These commotions in Peru, like every thing of extreme violence either in the natural or political body, were not of long duration, and by carrying off the corrupted humours which had given rise to the disorders, they contributed in the end to strengthen the society which at first they threatened to destroy. During their fierce contests, several of the first invaders of Peru, and many of those licentious adventurers whom the fame of their success had allured thither, fell by each other's hands. Each of the parties, as they alternately prevailed in the struggle, gradually cleared the country of a number of turbulent spirits, by executing, proscribing, or banishing their opponents. Men less enterprising, less desperate, and more accustomed to move in the path of sober and peaceable industry, settled in Peru; and the royal authority was gradually established as firmly there as in other Spanish colonies.

BOOK VII.

As the conquest of the two great empires of Mexico and Peru forms the most splendid and interesting period in the history of America, a view of their political institutions, and a description of their national manners, will exhibit the human species to the contemplation of intelligent observers in a very singular stage of its progress.[a]

Mexico and Peru more polished than other parts of America. When compared with other parts of the New World, Mexico and Peru may be considered as polished states. Instead of small, independent, hostile tribes, struggling for subsistence amidst woods and marshes, strangers to industry and arts, unacquainted with subordination, and almost without the appearance of regular government, we find countries of great extent subjected to the dominion of one sovereign; the inhabitants collected together in cities; the wisdom and foresight of rulers employed in providing for the maintenance and security of the people; the empire of laws in some measure established;

g Fernandez, lib. ii. c. 18. h MS. penes me.

a See Note CXLIV.

the authority of religion recognised; many of the arts essential to life brought to some degree of maturity, and the dawn of such as are ornamental beginning to appear.

The inferiority to the nations of the ancient continent.

But if the comparison be made with the people of the ancient continent, the inferiority of America in improvement will be conspicuous, and neither the Mexicans nor Peruvians will be entitled to rank with those nations which merit the name of civilized. The people of both the great empires in America, like the rude tribes around them, were totally unacquainted with the useful metals, and the progress which they had made in extending their dominion over the animal creation was inconsiderable. The Mexicans had gone no further than to tame and rear turkeys, ducks, a species of small dogs, and rabbits.[b] By this feeble essay of ingenuity, the means of subsistence were rendered somewhat more plentiful and secure, than when men depend solely on hunting; but they had no idea of attempting to subdue the more robust animals, or of deriving any aid from their ministry in carrying on works of labour. The Peruvians seem to have neglected the inferior animals, and not rendered any of them domestic except the duck; but they were more fortunate in taming the Llama, an animal peculiar to their country, of a form which bears some resemblance to a deer, and some to a camel, and is of a size somewhat larger than a sheep. Under the protection of man, this species multiplied greatly. Its wool furnished the Peruvians with clothing, its flesh with food. It was even employed as a beast of burden, and carried a moderate load with much patience and docility.[c] It was never used for draught; and the breed being confined to the mountainous country, its service, if we may judge by incidents which occur in the early Spanish writers, was not very extensive among the Peruvians in their original state.

In tracing the line by which nations proceed towards civilization, the discovery of the useful metals, and the acquisition of dominion over the animal creation, have been marked as steps of capital importance in their progress. In our continent, long after men had attained both, society continued in that state which is denominated barbarous. Even with all that command over nature which these confer, many ages elapse, before industry becomes so regular as to render subsistence secure, before the arts which supply the wants and furnish the accommodations of life are brought to any considerable degree of perfection, and before any idea is conceived of various institutions requisite in a well-ordered society. The Mexicans and Peruvians, without knowledge of the useful metals, or the aid of domestic animals, laboured under disadvantages which must have greatly retarded their progress, and in their highest state of improvement their power was so limited, and their operations so feeble, that they can hardly be considered as having advanced beyond the infancy of civil life.

View of the institutions and manners of each.

After this general observation concerning the most singular and distinguishing circumstance in the state of both the great empires in America, I shall endeavour to give such a view of the constitution and interior police of each, as may enable us to ascertain their place in the political scale, to allot them their proper station between the rude tribes in the New World, and the polished states of the ancient, and to determine how far they had risen above the former, as well as how much they fell below the latter.

Imperfect information concerning those of Mexico.

Mexico was first subjected to the Spanish crown. But our acquaintance with its laws and manners is not, from that circumstance, more complete. What I have remarked concerning the defective and inaccurate information on which we must rely with respect to the condition and customs of the savage tribes in America, may be applied likewise to our knowledge of the Mexican empire. Cortes, and the rapacious adventurers who accompanied him, had not leisure or capacity to enrich either civil or natural history with new observations. They undertook their expedition in quest of one object, and seemed hardly to have turned their eyes towards any other. Or if, during some short interval of tranquillity, when the occupations of war ceased, and the ardour of plunder was suspended, the institutions and manners of the people whom they had invaded drew their attention, the inquiries of illiterate soldiers were conducted with so little sagacity and precision, that the accounts given by them of the policy and order established in the Mexican monarchy are superficial, confused, and inexplicable. It is rather from incidents which they relate occasionally, than from their own deductions and remarks, that we are enabled to form some idea of the genius and manners of that people. The obscurity in which the ignorance of its conquerors involved the annals of Mexico, was augmented by the superstition of those who succeeded them. As the memory of past events was preserved among the Mexicans by figures painted on skins, on cotton cloth, on a kind of pasteboard, or on the bark of trees, the early missionaries, unable to comprehend their meaning, and struck with their uncouth forms, conceived them to be monuments of idolatry which ought to be destroyed, in order to facilitate the conversion of the Indians. In obedience to an edict issued by Juan de Zummaraga, a Franciscan monk, the first bishop of Mexico, as many records of the ancient Mexican story as could be collected were committed to the flames. In consequence of this fanatical zeal of the monks who first visited New Spain, (which their successors soon began to lament,) whatever knowledge of remote events such rude monuments contained was

b Herrera, dec. 11. lib. vii. c. 12.

c Vega, p. 1. lib. viii. c. 16. Zarate, lib. i. c. 14.

almost entirely lost; and no information remained concerning the ancient revolutions and policy of the empire, but what was derived from tradition, or from some fragments of their historical paintings that escaped the barbarous researches of Zummaraga.[d] From the experience of all nations it is manifest, that the memory of past transactions can neither be long preserved, nor be transmitted with any fidelity, by tradition. The Mexican paintings, which are supposed to have served as annals of their empire, are few in number, and of ambiguous meaning. Thus, amidst the uncertainty of the former, and the obscurity of the latter, we must glean what intelligence can be collected from the scanty materials scattered in the Spanish writers.[e]

Origin of the Mexican monarchy;

According to the account of the Mexicans themselves, their empire was not of long duration. Their country, as they relate, was originally possessed, rather than peopled, by small independent tribes, whose mode of life and manners resembled those of the rudest savages which we have described. But about a period corresponding to the beginning of the tenth century in the christian æra, several tribes moved in successive migrations from unknown regions towards the north and north west, and settled in different provinces of *Anahuac*, the ancient name of New Spain. These, more civilized than the original inhabitants, began to form them to the arts of social life. At length, towards the commencement of the thirteenth century, the Mexicans, a people more polished than any of the former, advanced from the border of the Californian gulf, and took possession of the plains adjacent to the great lake near the centre of the country. After residing there about fifty years they founded a town, since distinguished by the name of *Mexico*, which, from humble beginnings, soon grew to be the most considerable city in the New World. The Mexicans, long after they were established in their new possessions, continued, like other martial tribes in America, unacquainted with regal dominion, and were governed in peace, and conducted in war, by such as were entitled to pre-eminence by their wisdom or their valour. But among them, as in other states whose power and territories become extensive, the supreme authority centred at last in a single person; and when the Spaniards under Cortes invaded the country, Montezuma was the ninth monarch in order who had swayed the Mexican sceptre, not by hereditary right, but by election.

very recent.

Such is the traditional tale of the Mexicans concerning the progress of their own empire. According to this, its duration was very short. From the first migration of their parent tribe, they can reckon little more than three hundred years. From the establishment of monarchical government, not above a hundred and thirty years according to one account,[f] or a hundred and ninety seven, according to another computation,[g] had elapsed. If, on one hand, we suppose the Mexican state to have been of higher antiquity, and to have subsisted during such a length of time as the Spanish accounts of its civilization would naturally lead us to conclude, it is difficult to conceive how, among a people who possessed the art of recording events by pictures, and who considered it as an essential part of their national education to teach their children to repeat the historical songs which celebrated the exploits of their ancestors,[h] the knowledge of past transactions should be so slender and limited. If, on the other hand, we adopt their own system with respect to the antiquities of their nation, it is no less difficult to account either for that improved state of society, or for the extensive dominion to which their empire had attained, when first visited by the Spaniards. The infancy of nations is so long, and, even when every circumstance is favourable to their progress, they advance so slowly towards any maturity of strength or policy, that the recent origin of the Mexicans seems to be a strong presumption of some exaggeration in the splendid descriptions which have been given of their government and manners.

Facts which prove their progress in civilization.

But it is not by theory or conjectures that history decides with regard to the state or character of nations. It produces facts as the foundation of every judgment which it ventures to pronounce. In collecting those which must regulate our opinion in the present inquiry, some occur that suggest an idea of considerable progress in civilization in the Mexican empire, and others which seem to indicate that it had advanced but little beyond the savage tribes around it. Both shall be exhibited to the view of the reader,

d Acosta, lib. vi. c. 7. Torquem. Proem. lib. ii. lib. iii. c. 6. lib. xiv. c. 6.

e In the first edition I observed, that in consequence of the destruction of the ancient Mexican paintings, occasioned by the zeal of Zummaraga, whatever knowledge they might have conveyed was *entirely* lost. Every candid reader must have perceived that the expression was inaccurate; as in a few lines afterwards I mention some ancient paintings to be still extant. M. Clavigero, not satisfied with laying hold of this inaccuracy, which I corrected in the subsequent editions, labours to render it more glaring, by the manner in which he quotes the remaining part of the sentence. He reprehends with great asperity the account which I gave of the scanty materials for writing the ancient history of Mexico. Vol. I. Account of Writers, p. xxvi. Vol. II. 380. My words, however, are almost the same with those of Torquemada, who seems to have been better acquainted with the ancient monuments of the Mexicans than any Spanish author whose works I have seen. Lib. xiv. c. 6. M. Clavigero himself gives a description of the destruction of ancient paintings in almost the same terms I have used; and mentions, as an additional reason of there being so small a number of ancient paintings known to the Spaniards, that the natives have become so solicitous to preserve and conceal them, that it is "difficult, if not impossible, to make them part with one of them." Vol. I. 407. II. 194. No point can be more ascertained than that few of the Mexican historical paintings have been preserved. Though several Spaniards have carried on inquiries into the antiquities of the Mexican empire, no engravings from Mexican paintings have been communicated to the public, except those by Purchas, Gemelli Carreri, and Lorenzana. It affords me some satisfaction, that in the course of my researches I have discovered two collections of Mexican paintings which were unknown to former inquirers. The cut which I published is an exact copy of the original, and gives no high idea of the progress which the Mexicans had made in the art of painting. I cannot conjecture what could induce M. Clavigero to express some dissatisfaction with me for having published it without the same colours it has in the original painting, p. xxix. He might have recollected, that neither Purchas, nor Gemelli Carreri, nor Lorenzana, thought it necessary to colour the prints which they have published, and they have never been censured on that account. He may rest assured, that though the colours in the paintings in the imperial library are remarkably bright, they are laid on without art, and without "any of that regard to light and shade, or the rules of perspective," which M. Clavigero requires. Vol. II. 378. If the public express any desire to have the seven paintings still in my possession engraved, I am ready to communicate them. The print published by Gemelli Carreri, of the route of the ancient Mexicans when they travelled towards the lake on which they built the capital of their empire, (Churchill, Vol. IV. p. 481.) is the most finished monument of art brought from the New World, and yet a very slight inspection of it will satisfy every one, that the annals of a nation conveyed in this manner must be very meagre and imperfect.

f Acost. Hist. lib. vii. c. 8, &c. g Purchas, Pilgr. iii. p. 1068, &c.

h Herrera, dec. 3. lib. ii. c. 18.

that, from comparing them, he may determine on which side the evidence preponderates.

The right of property fully established.

In the Mexican empire, the right of private property was perfectly understood, and established in its full extent. Among several savage tribes, we have seen, that the idea of a title to the separate and exclusive possession of any object was hardly known; and that among all it was extremely limited and ill defined. But in Mexico, where agriculture and industry had made some progress, the distinction between property in land and property in goods had taken place. Both might be transferred from one person to another by sale or barter; both might descend by inheritance. Every person who could be denominated a freeman had property in land. This, however, they held by various tenures. Some possessed it in full right, and it descended to their heirs. The title of others to their lands was derived from the office or dignity which they enjoyed; and when deprived of the latter, they lost possession of the former. Both these modes of occupying land were deemed noble, and peculiar to citizens of the highest class. The tenure by which the great body of the people held their property, was very different. In every district a certain quantity of land was measured out in proportion to the number of families. This was cultivated by the joint labour of the whole; its produce was deposited in a common storehouse, and divided among them according to their respective exigencies. The members of the *Calpullee*, or associations, could not alienate their share of the common estate; it was an indivisible permanent property, destined for the support of their families.[i] In consequence of this distribution of the territory of the state, every man had an interest in its welfare, and the happiness of the individual was connected with the public security.

The number and greatness of their cities.

Another striking circumstance, which distinguishes the Mexican empire from those nations in America we have already described, is the number and greatness of its cities. While society continues in a rude state, the wants of men are so few, and they stand so little in need of mutual assistance, that their inducements to crowd together are extremely feeble. Their industry at the same time is so imperfect, that it cannot secure subsistence for any considerable number of families settled in one spot. They live dispersed, at this period, from choice as well as from necessity, or, at the utmost, assemble in small hamlets on the banks of the river which supplies them with food, or on the border of some plain left open by nature, or cleared by their own labour. The Spaniards, accustomed to this mode of habitation among all the savage tribes with which they were hitherto acquainted, were astonished, on entering New Spain, to find the natives residing in towns of such extent as resembled those of Europe. In the first fervour of their admiration, they compared Zempoalla, though a town only of the second or third size, to the cities of greatest note in their own country. When, afterwards, they visited in succession Tlascala, Cholula, Tacuba, Tezeuco, and Mexico itself, their amazement increased so much, that it led them to convey ideas of their magnitude and populousness bordering on what is incredible. Even when there is leisure for observation, and no interest that leads to deceive, conjectural estimates of the number of people in cities are extremely loose, and usually much exaggerated. It is not surprising, then, that Cortes and his companions, little accustomed to such computations, and powerfully tempted to magnify, in order to exalt the merit of their own discoveries and conquests, should have been betrayed into this common error, and have raised their descriptions considerably above truth. For this reason, some considerable abatement ought to be made from their calculations of the number of inhabitants in the Mexican cities, and we may fix the standard of their population much lower than they have done; but still they will appear to be cities of such consequence, as are not to be found but among people who have made some considerable progress in the arts of social life.[k] From their accounts, we can hardly suppose Mexico, the capital of the empire, to have contained fewer than sixty thousand inhabitants.

The separation of professions.

The separation of professions among the Mexicans is a symptom of improvement no less remarkable. Arts, in the early ages of society, are so few and so simple, that each man is sufficiently master of them all, to gratify every demand of his own limited desires. The savage can form his bow, point his arrows, rear his hut, and hollow his canoe, without calling in the aid of any hand more skilful than his own. Time must have augmented the wants of men, and ripened their ingenuity, before the productions of art became so complicated in their structure, or so curious in their fabric, that a particular course of education was requisite towards forming the artificer to expertness in contrivance and workmanship. In proportion as refinement spreads, the distinction of professions increases, and they branch out into more numerous and minute subdivisions. Among the Mexicans this separation of the arts necessary in life had taken place to a considerable extent. The functions of the mason, the weaver, the goldsmith, the painter, and of several other crafts, were carried on by different persons. Each was regularly instructed in his calling. To it alone his industry was confined; and, by assiduous application to one object, together with the persevering patience peculiar to Americans, their artisans attained to a degree of neatness and perfection in work, far beyond what could have been expected from the rude tools which they employed. Their various productions were brought into commerce;

i Herrera, dec. 3. lib. iv. c. 15. Torquem. Mon. Ind. lib. xiv. c. 7. Corita, MS.

k See Note CXLV.

and by the exchange of them in the stated markets held in the cities, not only were their mutual wants supplied,[l] in such orderly intercourse as characterizes an improved state of society, but their industry was daily rendered persevering and inventive.

The distinction of ranks.

The distinction of ranks established in the Mexican empire is the next circumstance that merits attention. In surveying the savage tribes of America, we observed, that consciousness of equality, and impatience of subordination, are sentiments natural to man in the infancy of civil life. During peace, the authority of a superior is hardly felt among them, and even in war it is but little acknowledged. Strangers to the idea of property, the difference in condition resulting from the inequality of it is unknown. Birth or titles confer no pre-eminence; it is only by personal merit and accomplishments that distinction can be acquired. The form of society was very different among the Mexicans. The great body of the people was in a most humiliating state. A considerable number, known by the name of *Mayeques*, nearly resembled in condition those peasants who, under various denominations, were considered, during the prevalence of the feudal system, as instruments of labour attached to the soil. The *Mayeques* could not change their place of residence without permission of the superior on whom they depended. They were conveyed, together with the lands on which they were settled, from one proprietor to another; and were bound to cultivate the ground, and to perform several kinds of servile work.[m] Others were reduced to the lowest form of subjection, that of domestic servitude, and felt the utmost rigour of that wretched state. Their condition was held to be so vile, and their lives deemed to be of so little value, that a person who killed one of these slaves was not subjected to any punishment.[n] Even those considered as freemen were treated by their haughty lords as beings of an inferior species. The nobles, possessed of ample territories, were divided into various classes, to each of which peculiar titles of honour belonged. Some of these titles, like their lands, descended from father to son in perpetual succession. Others were annexed to particular offices, or conferred during life as marks of personal distinction.[o] The monarch, exalted above all, enjoyed extensive power, and supreme dignity. Thus, the distinction of ranks was completely established, in a line of regular subordination, reaching from the highest to the lowest member of the community. Each of these knew what he could claim, and what he owed. The people, who were not allowed to wear a dress of the same fashion, or to dwell in houses of a form similar to those of the nobles, accosted them with the most submissive reverence. In the presence of their sovereign, they durst not lift their eyes from the ground, or look him in the face.[p] The nobles themselves, when admitted to an audience of their sovereign, entered barefooted, in mean garments, and, as his slaves, paid him homage approaching to adoration. This respect, due from inferiors to those above them in rank, was prescribed with such ceremonious accuracy, that it incorporated with the language, and influenced its genius and idiom. The Mexican tongue abounded in expressions of reverence and courtesy. The style and appellations used in the intercourse between equals, would have been so unbecoming in the mouth of one in a lower sphere, when he accosted a person in higher rank, as to be deemed an insult.[q] It is only in societies, which time and the institution of regular government have moulded into form, that we find such an orderly arrangement of men into different ranks, and such nice attention paid to their various rights.

Their political constitution.

The spirit of the Mexicans, thus familiarized and bended to subordination, was prepared for submitting to monarchical government. But the descriptions of their policy and laws by the Spaniards who overturned them, are so inaccurate and contradictory, that it is difficult to delineate the form of their constitution with any precision. Sometimes they represent the monarchs of Mexico as absolute, deciding according to their pleasure with respect to every operation of the state. On other occasions, we discover the traces of established customs and laws, framed in order to circumscribe the power of the crown, and we meet with rights and privileges of the nobles which seemed to be opposed as barriers against its encroachments. This appearance of inconsistency has arisen from inattention to the innovations of Montezuma upon the Mexican policy. His aspiring ambition subverted the original system of government, and introduced a pure despotism. He disregarded the ancient laws, violated the privileges held most sacred, and reduced his subjects of every order to the level of slaves.[r] The chiefs, or nobles of the first rank, submitted to the yoke with such reluctance, that, from impatience to shake it off, and hope of recovering their rights, many of them courted the protection of Cortes, and joined a foreign power against their domestic oppressor.[s] It is not then under the dominion of Montezuma, but under the government of his predecessors, that we can discover what was the original form and genius of Mexican policy. From the foundation of the monarchy to the election of Montezuma, it seems to have subsisted with little variation. That body of citizens which may be distinguished by the name of nobility, formed the chief and most respectable order in the state. They were of various ranks, as has been already observed, and their honours were acquired and transmitted in different manners. Their number seems to have been great. According

l Cortes Relat. ap. Ramus. iii. 239, &c. Gom. Cron. c. 79. Torquem. lib. xiii. c. 34. Herrera, dec. 2. lib. vii. c. 15, &c.
m Herrera, dec. 3. lib. iv. c. 17. Corita MS.
n Herrera, dec. 3. lib. iv. c. 7.
o Herrera, dec. 3. lib. iv. c. 15. Corita, MS.
p Herrera, dec. 3. lib. ii. c. 14.
q See Note CXLVI.
r Herrera, dec. 3. lib. ii. c. 14. Torquem. lib. ii. c. 69.
s Herrera, dec. 2. lib. v. c. 10, 11. Torquem. lib. iv. c. 49.

to an author accustomed to examine with attention what he relates, there were in the Mexican empire thirty of this order, each of whom had in his territories about an hundred thousand people, and subordinate to these, there were about three thousand nobles of a lower class.[t] The territories belonging to the chiefs of Tezeuco and Tacuba were hardly inferior in extent to those of the Mexican monarch.[u] Each of these possessed complete territorial jurisdiction, and levied taxes from their own vassals. But all followed the standard of Mexico in war, serving with a number of men in proportion to their domain, and most of them paid tribute to its monarch as their superior lord.

In tracing those great lines of the Mexican constitution, an image of feudal policy, in its most rigid form, rises to view, and we discern its three distinguishing characteristics, a nobility possessing almost independent authority, a people depressed into the lowest state of subjection, and a king intrusted with the executive power of the state. Its spirit and principles seem to have operated in the New World in the same manner as in the ancient. The jurisdiction of the crown was extremely limited. All real and effective authority was retained by the Mexican nobles in their own hands, and the shadow of it only left to the king. Jealous to excess of their own rights, they guarded with the most vigilant anxiety against the encroachments of their sovereigns. By a fundamental law of the empire it was provided, that the king should not determine concerning any point of general importance, without the approbation of a council composed of the prime nobility.[x] Unless he obtained their consent, he could not engage the nation in war, nor could he dispose of the most considerable branch of the public revenue at pleasure; it was appropriated to certain purposes, from which it could not be diverted by the regal authority alone.[y] In order to secure full effect to those constitutional restraints, the Mexican nobles did not permit their crown to descend by inheritance, but disposed of it by election. The right of election seems to have been originally vested in the whole body of nobility, but was afterwards committed to six electors, of whom the chiefs of Tezeuco and Tacuba were always two. From respect for the family of their monarchs, the choice fell generally upon some person sprung from it. But as the activity and valour of their prince were of greater moment to a people perpetually engaged in war, than a strict adherence to the order of birth, collaterals of mature age, or of distinguished merit, were often preferred to those who were nearer the throne in direct descent.[z] To this maxim in their policy, the Mexicans appear to be indebted for such a succession of able and warlike princes, as raised their empire in a short period to that extraordinary height of power which it had attained when Cortes landed in New Spain.

t Herrera, dec. 2. lib. viii. c. 12.
u Torquem. lib. ii. c. 57. Corita MS.
x Herrera, dec. 3. lib. ii. c. 19. lib. iv. c. 16. Corita MS.

Power and splendour of their monarchs.

While the jurisdiction of the Mexican monarchs continued to be limited, it is probable that it was exercised with little ostentation. But as their authority became more extensive, the splendour of their government augmented. It was in this last state that the Spaniards beheld it; and struck with the appearance of Montezuma's court, they describe its pomp at great length, and with much admiration. The number of his attendants, the order, the silence, and the reverence with which they served him; the extent of his royal mansion, the variety of its apartments allotted to different officers, and the ostentation with which his grandeur was displayed, whenever he permitted his subjects to behold him, seem to resemble the magnificence of the ancient monarchies in Asia, rather than the simplicity of the infant states in the New World.

Order of their government.

But it was not in the mere parade of royalty that the Mexican potentates exhibited their power; they manifested it more beneficially in the order and regularity with which they conducted the internal administration and police of their dominions. Complete jurisdiction, civil as well as criminal, over its own immediate vassals, was vested in the crown. Judges were appointed for each department, and if we may rely on the account which the Spanish writers give of the maxims and laws upon which they founded their decisions with respect to the distribution of property and the punishment of crimes, justice was administered in the Mexican empire with a degree of order and equity resembling what takes place in societies highly civilized.

Provision for the support of it.

Their intention in providing for the support of government was not less sagacious. Taxes were laid upon land, upon the acquisitions of industry, and upon commodities of every kind exposed to sale in the public markets. These duties were considerable, but not arbitrary or unequal. They were imposed according to established rules, and each knew what share of the common burden he had to bear. As the use of money was unknown, all the taxes were paid in kind, and thus not only the natural productions of all the different provinces in the empire, but every species of manufacture, and every work of ingenuity and art, were collected in the public storehouses. From those the emperor supplied his numerous train of attendants in peace, and his armies during war, with food, with clothes, and ornaments. People of inferior condition, neither possessing land nor engaged in commerce, were bound to the performance of various services. By their stated labour the crown lands were cultivated, public works were carried on, and the various houses belonging to the emperor were built and kept in repair.[a]

Their police.

The improved state of government among the Mexicans is conspicuous,

y Herrera, dec. 3. lib. iv. c. 17.
z Acosta, lib. vi. c. 24. Herrera, dec. 3. lib. ii. c. 13. Corita MS.
a Herr. dec. ii. lib. vii. c. 13. dec. 3. lib. iv. c. 16, 17. See Note CXLVII.

not only in points essential to the being of a well ordered society, but in several regulations of inferior consequence with respect to police. The institution which I have already mentioned, of public couriers, stationed at proper intervals, to convey intelligence from one part of the empire to the other, was a refinement in police not introduced into any kingdom of Europe at that period. The structure of the capital city in a lake, with artificial dykes, and causeways of great length, which served as avenues to it from different quarters, erected in the water with no less ingenuity than labour, seems to be an idea that could not have occurred to any but a civilized people. The same observation may be applied to the structure of the aqueducts, or conduits, by which they conveyed a stream of fresh water, from a considerable distance, into the city, along one of the causeways.[b] The appointment of a number of persons to clean the streets, to light them by fires kindled in different places, and to patrole as watchmen during the night,[c] discovers a degree of attention which even polished nations are late in acquiring.

Their arts.

The progress of the Mexicans in various arts, is considered as the most decisive proof of their superior refinement. Cortes, and the early Spanish authors, describe this with rapture, and maintain, that the most celebrated European artists could not surpass or even equal them in ingenuity and neatness of workmanship. They represented men, animals, and other objects, by such a disposition of various coloured feathers, as is said to have produced all the effects of light and shade, and to have imitated nature with truth and delicacy. Their ornaments of gold and silver have been described to be of a fabric no less curious. But in forming any idea, from general descriptions, concerning the state of arts among nations imperfectly polished, we are extremely ready to err. In examining the works of people whose advances in improvement are nearly the same with our own, we view them with a critical and often with a jealous eye. Whereas, when conscious of our own superiority, we survey the arts of nations comparatively rude, we are astonished at works executed by them under such manifest disadvantages, and, in the warmth of our admiration, are apt to represent them as productions more finished than they really are. To the influence of this illusion, without supposing any intention to deceive, we may impute the exaggeration of some Spanish authors, in their accounts of the Mexican arts.

It is not from those descriptions, but from considering such specimens of their arts as are still preserved, that we must decide concerning their degree of merit. As the ship in which Cortes sent to Charles V. the most curious productions of the Mexican artisans, which were collected by the Spaniards when they first pillaged the empire, was taken by a French corsair,[d] the remains of their ingenuity are less numerous than those of the Peruvians. Whether any of their works with feathers, in imitation of painting, be still extant in Spain, I have not learned; but many of their ornaments in gold and silver, as well as various utensils employed in common life, are deposited in the magnificent cabinet of natural and artificial productions, lately opened by the king of Spain; and I am informed by persons on whose judgment and taste I can rely, that these boasted efforts of their art are uncouth representations of common objects, or very coarse images of the human and some other forms, destitute of grace and propriety.[e] The justness of these observations is confirmed by inspecting the wooden prints and copper-plates of their paintings, which have been published by various authors. In them, every figure of men, of quadrupeds, or birds, as well as every representation of inanimated nature, is extremely rude and awkward.[f] The hardest Egyptian style, stiff and imperfect as it was, is more elegant. The scrawls of children delineate objects almost as accurately.

But however low the Mexican paintings may be ranked, when viewed merely as works of art, a very different station belongs to them, when considered as the records of their country, as historical monuments of its policy and transactions; and they become curious as well as interesting objects of attention. The noblest and most beneficial invention of which human ingenuity can boast, is that of writing. But the first essays of this art, which hath contributed more than all others to the improvement of the species, were very rude, and it advanced towards perfection slowly, and by a gradual progression. When the warrior, eager for fame, wished to transmit some knowledge of his exploits to succeeding ages; when the gratitude of a people to their sovereign prompted them to hand down an account of his beneficent deeds to posterity; the

b See Note CXLVIII. c Herrera, dec. 2. lib. viii. c. 4. Torribio, MS.
d Relac. de Cort. Ramus. iii. 294. F. e See Note CXLIX.
f As a specimen of the spirit and style in which M. Clavigero makes his strictures upon my History of America, I shall publish his remarks upon this passage. "Thus far Robertson: to whom we answer, first, That there is no reason to believe that those rude works were really Mexican; secondly, That neither do we know whether those persons in whose judgments he confides, may be persons fit to merit our faith, because we have observed that Robertson trusts frequently to the testimony of Gage, Correal, Ibagnez, and other such authors, who are entirely undeserving of credit; thirdly, It is more probable that the arms of copper, believed by those intelligent judges to be certainly Oriental, are really Mexican." Vol. II. 391.—When an author not entirely destitute of integrity or discernment, and who has some solicitude about his own character, asserts that he received his information concerning any particular point from persons "on whose judgment and taste he can rely;" a very slender degree of candour, one should think, might induce the reader to believe that he does not endeavour to impose upon the public by an appeal to testimony altogether unworthy of credit. My information concerning the Mexican works of art deposited in the king of Spain's cabinet, was received from the late lord Grantham, ambassador extraordinary from the court of London to that of Madrid, and from Mr. Archdeacon Waddilove, chaplain to the embassy; and it was upon their authority that I pronounced the coat of armour, mentioned in the note, to be of Oriental fabric. As they were both at Madrid in their public character when the first edition of the History of America was published, I thought it improper at that time to mention their names. Did their decision concerning a matter of taste, or their testimony concerning a point of fact, stand in need of confirmation, I might produce the evidence of an intelligent traveller, who, in describing the royal cabinet of Madrid, takes notice that it contains "specimens of Mexican and Peruvian utensils, vases, &c. in earthen-ware, wretched both in taste and execution." Dillon's Travels through Spain, p. 77. As Gage composed his survey of New Spain with all the zeal and acrimony of a new convert, I have paid little regard to his testimony with respect to points relating to religion. But as he resided in several provinces in New Spain which travellers seldom visit, and as he seems to have observed their manners and laws with an intelligent eye, I have availed myself of his information with respect to matters where religious opinion could have little influence. Correal I have seldom quoted, and never rested upon his evidence alone. The station in which Ibagnez was employed in America, as well as the credit given to his veracity by printing his Regno Jesuitico among the large collection of documents published (as I believe by authority) at Madrid, A. D. 1767, justifies me for appealing to his authority.

first method of accomplishing this which seems to have occurred to them, was to delineate, in the best manner they could, figures representing the action of which they were solicitous to preserve the memory. Of this, which has very properly been called *picture-writing*,[g] we find traces among some of the most savage tribes of America. When a leader returns from the field, he strips a tree of its bark, and with red paint scratches upon it some uncouth figures, which represent the order of his march. the number of his followers, the enemy whom he attacked, the scalps and captives which he brought home. To those simple annals he trusts for renown, and soothes himself with hope that by their means he shall receive praise from the warriors of future times.[h]

Compared with those awkward essays of their savage countrymen, the paintings of the Mexicans may be considered as works of composition and design. They were not acquainted, it is true, with any other method of recording transactions, than that of delineating the objects which they wished to represent. But they could exhibit a more complex series of events in progressive order, and describe, by a proper disposition of figures, the occurrences of a king's reign from his accession to his death; the progress of an infant's education from its birth until it attain to the years of maturity; the different recompences and marks of distinction conferred upon warriors, in proportion to the exploits which they had performed. Some singular specimens of this picture-writing have been preserved, which are justly considered as the most curious monuments of art brought from the New World. The most valuable of these was published by Purchas in sixty-six plates. It is divided into three parts. The first contains the history of the Mexican empire under its ten monarchs. The second is a tribute-roll, representing what each conquered town paid into the royal treasury. The third is a code of their institutions, domestic, political, and military. Another specimen of Mexican painting has been published in thirty-two plates, by the present archbishop of Toledo. To both is annexed a full explanation of what the figures were intended to represent, which was obtained by the Spaniards from Indians well acquainted with their own arts. The style of painting in all these is the same. They represent *things* not *words*. They exhibit images to the eye, not ideas to the understanding. They may, therefore, be considered as the earliest and most imperfect essay of men in their progress towards discovering the art of writing. The defects in this mode of recording transactions must have been early felt. To paint every occurrence was, from its nature, a very tedious operation; and as affairs became more complicated, and events multiplied in society, its annals must have swelled to an enormous bulk. Besides this, no objects could be delineated but those of sense; the conceptions of the mind had no corporeal form, and as long as picture-writing could not convey an idea of these, it must have been a very imperfect art. The necessity of improving it must have roused and sharpened invention, and the human mind holding the same course in the New World as in the Old, might have advanced by the same successive steps, first from an actual picture to the plain hieroglyphic; next to the allegorical symbol; then to the arbitrary character; until, at length, an alphabet of letters was discovered, capable of expressing all the various combinations of sound employed in speech. In the paintings of the Mexicans we accordingly perceive, that this progress was begun among them. Upon an attentive inspection of the plates which I have mentioned, we may observe some approach to the plain or simple hieroglyphic, where some principal part or circumstance in the subject is made to stand for the whole. In the annals of their kings, published by Purchas, the towns conquered by each are uniformly represented in the same manner by a rude delineation of a house; but in order to point out the particular towns which submitted to their victorious arms, peculiar emblems, sometimes natural objects, and sometimes artificial figures, are employed. In the tribute-roll published by the archbishop of Toledo, the house, which was properly the picture of the town, is omitted, and the emblem alone is employed to represent it. The Mexicans seem even to have made some advances beyond this, towards the use of the more figurative and fanciful hieroglyphic. In order to describe a monarch who had enlarged his dominions by force of arms, they painted a target ornamented with darts, and placed it between him and those towns which he subdued. But it is only in one instance, the notation of numbers, that we discern any attempt to exhibit ideas which had no corporeal form. The Mexican painters had invented artificial marks, or *signs of convention*, for this purpose. By means of these, they computed the years of their kings' reigns, as well as the amount of tribute to be paid into the royal treasury. The figure of a circle represented unit, and in small numbers the computation was made by repeating it. Larger numbers were expressed by a peculiar mark, and they had such as denoted all integral numbers, from twenty to eight thousand. The short duration of their empire prevented the Mexicans from advancing further in that long course which conducts men from the labour of delineating real objects, to the simplicity and ease of alphabetic writing. Their records, notwithstanding some dawn of such ideas as might have led to a more perfect style, can be considered as little more than a species of picture-writing, so far improved as to mark their superiority over the savage tribes of America; but still so defective, as to prove that they had not proceeded far beyond the first stage in that progress which must be

g Divine Legat. of Moses, iii. 73.

h Sir W. Johnson, Philos. Transact. vol. lxiii. p. 143. Mem. de la Hontan, ii. 191. Lafitau, Mœurs de Sauv. ii. 43.

completed before any people can be ranked among polished nations.[i]

Their mode of computing time.

Their mode of computing time may be considered as a more decisive evidence of their progress in improvement. They divided their year into eighteen months, each consisting of twenty days, amounting in all to three hundred and sixty. But as they observed that the course of the sun was not completed in that time, they added five days to the year. These, which were properly intercalary days, they termed *supernumerary* or *waste*; and as they did not belong to any month, no work was done, and no sacred rite performed on them; they were devoted wholly to festivity and pastime.[k] This near approach to philosophical accuracy is a remarkable proof that the Mexicans had bestowed some attention upon inquiries and speculations, to which men in a very rude state never turn their thoughts.[l]

Facts indicating a small progress in civilization.

Such are the most striking particulars in the manners and policy of the Mexicans, which exhibit them to view as a people considerably refined. But from other circumstances, one is apt to suspect that their character, and many of their institutions, did not differ greatly from those of the other inhabitants of America.

Their wars continual and ferocious.

Like the rude tribes around them, the Mexicans were incessantly engaged in war, and the motives which prompted them to hostility seem to have been the same. They fought in order to gratify their vengeance, by shedding the blood of their enemies. In battle they were chiefly intent on taking prisoners, and it was by the number of these that they estimated the glory of victory. No captive was ever ransomed or spared. All were sacrificed without mercy, and their flesh devoured with the same barbarous joy as among the fiercest savages. On some occasions it rose to even wilder excesses. Their principal warriors covered themselves with the skins of the unhappy victims, and danced about the streets, boasting of their own valour, and exulting over their enemies.[m] Even in their civil institutions we discover traces of that barbarous disposition which their system of war inspired. The four chief counsellors of the empire were distinguished by titles, which could have been assumed only by a people who delighted in blood.[n] This ferocity of character prevailed among all the nations of New Spain. The Tlascalans, the people of Mechoacan, and other states at enmity with the Mexicans, delighted equally in war, and treated their prisoners with the same cruelty. In proportion as mankind combine in social union, and live under the influence of equal laws and regular policy, their manners soften, sentiments of humanity arise, and the rights of the species come to be understood. The fierceness of war abates, and even while engaged in hostility, men remember what they owe one to another. The savage fights to destroy, the citizen to conquer. The former neither pities nor spares, the latter has acquired sensibility which tempers his rage. To this sensibility the Mexicans seem to have been perfect strangers, and among them war was carried on with so much of its original barbarity, that we cannot but suspect their degree of civilization to have been very imperfect.

Their funeral rites.

Their funeral rites were not less bloody than those of the most savage tribes. On the death of any distinguished personage, especially of the emperor, a certain number of his attendants were chosen to accompany him to the other world; and those unfortunate victims were put to death without mercy, and buried in the same tomb.[o]

Their agriculture imperfect.

Though their agriculture was more extensive than that of the roving tribes who trusted chiefly to their bow for food, it seems not to have supplied them with such subsistence as men require when engaged in efforts of active industry. The Spaniards appear not to have been struck with any superiority of the Mexicans over the other people of America in bodily vigour. Both, according to their observation, were of such a feeble frame as to be unable to endure fatigue, and the strength of one Spaniard exceeded that of several Indians. This they imputed to their scanty diet, on poor fare, sufficient to preserve life, but not to give firmness to their constitution. Such a remark could hardly have been made with respect to any people furnished plentifully with the necessaries of life. The difficulty which Cortes found in procuring subsistence for his small body of soldiers, who were often constrained to live on the spontaneous productions of the earth, seems to confirm the remark of the Spanish writers, and gives no high idea of the state of cultivation in the Mexican empire.[p]

A further proof of this.

A practice that was universal in New Spain appears to favour this opinion. The Mexican women gave suck to their children for several years, and during that time they did not cohabit with their husbands.[q] This precaution against a burdensome increase of progeny, though necessary, as I have already observed, among savages, who from the hardships of their condition, and the precariousness of their subsistence, find it impossible to rear a numerous family, can hardly be supposed to have continued among a people who lived at ease and in abundance.

Doubts concerning the extent of the empire.

The vast extent of the Mexican empire, which has been considered, and with justice, as the most decisive

i See Note CL.

l The Mexican mode of computing time, and every other particular relating to their chronology, have been considerably elucidated by M. Clavigero, vol. i. 288. vol. ii. 225. &c. The observations and theories of the Mexicans concerning those subjects, discover a greater progress in speculative science than we find among any people in the New World.

k Acosta, lib. vi. c. 2.

m Herrera, dec. 3. lib. ii. c. 15. Gomara Cron. c. 217.

n See Note CLI.

o Herrera, dec. lib. ii. c. 18. Gomara Cron. c. 202.

p Relat. ap. Ramus. iii. 306. A. Herrera, dec. 3. lib. iv. c. 17. dec. 2. lib. vi. c. 16.

q Gomara Cron. c. 208. Herrera, dec. 3. lib. iv. c. 16.

proof of a considerable progress in regular government and police, is one of those facts in the history of the New World which seems to have been admitted without due examination or sufficient evidence. The Spanish historians, in order to magnify the valour of their countrymen, are accustomed to represent the dominion of Montezuma as stretching over all the provinces of New Spain from the Northern to the Southern ocean. But a great part of the mountainous country was possessed by the *Otomies*, a fierce uncivilized people, who seem to have been the residue of the original inhabitants. The provinces towards the north and west of Mexico were occupied by the *Chichemecas*, and other tribes of hunters. None of these recognised the Mexican monarch as their superior. Even in the interior and more level country, there were several cities and provinces which had never submitted to the Mexican yoke. Tlascala, though only twenty-one leagues from the capital of the empire, was an independent and hostile republic. Cholula, though still nearer, had been subjected only a short time before the arrival of the Spaniards. Tepeaca, at the distance of thirty leagues from Mexico, seems to have been a separate state, governed by its own laws.[r] Mechoacan, the frontier of which extended within forty leagues of Mexico, was a powerful kingdom, remarkable for its implacable enmity to the Mexican name.[s] By these hostile powers the Mexican empire was circumscribed on every quarter, and the high ideas which we are apt to form of it from the description of the Spanish historians, should be considerably moderated.

Little intercourse among its several provinces.

In consequence of this independence of several states in New Spain upon the Mexican empire, there was not any considerable intercourse between its various provinces. Even in the interior country, not far distant from the capital, there seem to have been no roads to facilitate the communication of one district with another; and when the Spaniards first attempted to penetrate into its several provinces, they had to open their way through forests and marshes.[t] Cortes, in his adventurous march from Mexico to Honduras in 1525, met with obstructions, and endured hardships, little inferior to those with which he must have struggled in the most uncivilized regions of America. In some places he could hardly force a passage through impervious woods, and plains overflowed with water. In others he found so little cultivation, that his troops were frequently in danger of perishing by famine. Such facts correspond ill with the pompous description which the Spanish writers give of Mexican police and industry, and convey an idea of a country nearly similar to that possessed by the Indian tribes in North America. Here and there a treading or a war-path, as they are called in North America, led from one settlement to another,[u] but generally there appeared no sign of any established communication, few marks of industry, and fewer monuments of art.

Further proof of this.

A proof of this imperfection in their commercial intercourse, no less striking, is their want of money, or some universal standard by which to estimate the value of commodities. The discovery of this is among the steps of greatest consequence in the progress of nations. Until it has been made, all their transactions must be so awkward, so operose, and so limited, that we may boldly pronounce that they have advanced but a little way in their career. The invention of such a commercial standard is of such high antiquity in our hemisphere, and rises so far beyond the æra of authentic history, as to appear almost coeval with the existence of society. The precious metals seem to have been early employed for this purpose, and from their permanent value, their divisibility, and many other qualities, they are better adapted to serve as a common standard than any other substance of which nature has given us the command. But in the New World, where these metals abound most, this use of them was not known. The exigencies of rude tribes, or of monarchies imperfectly civilized, did not call for it. All their commercial intercourse was carried on by barter, and their ignorance of any common standard by which to facilitate that exchange of commodities which contributes so much towards the comfort of life, may be justly mentioned as an evidence of the infant state of their policy. But even in the New World the inconvenience of wanting some general instrument of commerce began to be felt, and some efforts were making towards supplying that defect. The Mexicans, among whom the number and greatness of their cities gave rise to a more extended commerce than in any other part of America, had begun to employ a common standard of value, which rendered smaller transactions much more easy. As chocolate was the favourite drink of persons in every rank of life, the nuts or almonds of cacao, of which it is composed, were of such universal consumption, that, in their stated markets, these were willingly received in return for commodities of small price. Thus they came to be considered as the instrument of commerce, and the value of what one wished to dispose of was estimated by the number of nuts of the cacao which he might expect in exchange for it. This seems to be the utmost length which the Americans had advanced towards the discovery of any expedient for supplying the use of money. And if the want of it is to be held, on one hand, as a proof of their barbarity, this expedient for supplying that want should be admitted, on the other, as an evidence no less satisfying, of some progress which the Mexicans had made in refinement and civilization, beyond the savage tribes around them.

In such a rude state were many of the Mexican

r Herrera, dec. 3. lib. x. c. 15. 21. B. Diaz, c. 130.
s Herrera, dec. 3. lib. ii. c. 10.
t B. Diaz, c. 166. 176.
u Herrera, dec. 3. lib. vii. c. 8.

Doubts concerning the state of their cities,

provinces when first visited by their conquerors. Even their cities, extensive and populous as they were, seem more fit to be the habitation of men just emerging from barbarity, than the residence of a polished people. The description of Tlascala nearly resembles that of an Indian village. A number of low struggling huts, scattered about irregularly, according to the caprice of each proprietor, built with turf and stone and thatched with reeds, without any light but what they received by a door, so low that it could not be entered upright.[x] In Mexico, though, from the peculiarity of its situation, the disposition of the houses was more orderly, the structure of the greater part was equally mean.

temples,

Nor does the fabric of their temples, and other public edifices, appear to have been such as entitled them to the high praise bestowed upon them by many Spanish authors. As far as one can gather from their obscure and inaccurate descriptions, the great temple of Mexico, the most famous in New Spain, which has been represented as a magnificent building, raised to such a height that the ascent to it was by a flight of a hundred and fourteen steps, was a solid mass of earth of a square form, faced partly with stone. Its base on each side extended ninety feet, and decreasing gradually as it advanced in height, it terminated in a quadrangle of about thirty feet, where were placed a shrine of the deity, and two altars on which the victims were sacrificed.[y] All the other celebrated temples of New Spain exactly resembled that of Mexico.[z] Such structures convey no high idea of progress in art and ingenuity; and one can hardly conceive that a form more rude and simple could have occurred to a nation in its first efforts towards erecting any great work.

and other public buildings.

Greater skill and ingenuity were displayed, if we may believe the Spanish historians, in the houses of the emperor, and in those of the principal nobility. There, some elegance of design was visible, and a commodious arrangement of the apartments was attended to. But if buildings corresponding to such descriptions had ever existed in the Mexican cities, it is probable that some remains of them would still be visible. From the manner in which Cortes conducted the siege of Mexico, we can indeed easily account for the total destruction of whatever had any appearance of splendour in that capital. But as only two centuries and a half have elapsed since the conquest of New Spain, it seems altogether incredible that in a period so short every vestige of this boasted elegance and grandeur should have disappeared; and that in the other cities, particularly in those which did not suffer by the destructive hand of the conquerors, there are not any ruins which can be considered as monuments of their ancient magnificence.

Even in a village of the rudest Indians, there are buildings of greater extent and elevation than common dwelling-houses. Such as are destined for holding the council of the tribe, and in which all assemble on occasions of public festivity, may be called stately edifices, when compared with the rest. As among the Mexicans the distinction of ranks was established, and property was unequally divided, the number of distinguished structures in their towns would of course be greater than in other parts of America. But these seem not to have been either so solid or magnificent as to merit the pompous epithets which some Spanish authors employ in describing them. It is probable, that, though more ornamented, and built on a larger scale, they were erected with the same slight materials which the Indians employed in their common buildings,[a] and time, in a space much less than two hundred and fifty years, may have swept away all remains of them.[b]

From this enumeration of facts, it seems upon the whole to be evident, that the state of society in Mexico was considerably advanced beyond that of the savage tribes which we have delineated. But it is no less manifest, that with respect to many particulars, the Spanish accounts of their progress appear to be highly embellished. There is not a more frequent or a more fertile source of deception in describing the manners and arts of savage nations, or of such as are imperfectly civilized, than that of applying to them the names and phrases appropriated to the institutions and refinements of polished life. When the leader of a small tribe, or the head of a rude community, is dignified with the name of king or emperor, the place of his residence can receive no other name but that of his palace; and whatever his attendants may be, they must be called his court. Under such appellations they acquire, in our estimation, an importance and dignity which does not belong to them. The illusion spreads, and giving a false colour to every part of the narrative, the imagination is so much carried away with the resemblance, that it becomes difficult to discern objects as they really are. The Spaniards, when they first touched on the Mexican coast, were so much struck with the appearance of attainments in policy and in the arts of life, far superior to those of the rude tribes with which they were hitherto acquainted, that they fancied they had at length discovered a civilized people in the New World. This comparison between the people of Mexico and their uncultivated neighbours, they appear to have kept constantly in view, and observing with admiration many things which marked the pre-eminence of the former, they employ, in describing their imperfect policy and infant arts, such terms as are applicable to the institutions of men far beyond them in improvement. Both these circumstances concur in detracting from the credit

x Herrera, dec. 2. lib. vi. c. 12.
y Ibid. lib. vii. c. 17.
z See Note CLII.
a See Note CLIII.
b See Note CLIV.

due to the descriptions of Mexican manners by the early Spanish writers. By drawing a parallel between them and those of people so much less civilized, they raised their own ideas too high. By their mode of describing them, they conveyed ideas to others no less exalted above truth. Later writers have adopted the style of the original historians, and improved upon it. The colours with which De Solis delineates the character and describes the actions of Montezuma, the splendour of his court, the laws and policy of his empire, are the same that he must have employed in exhibiting to view the monarch and institutions of a highly polished people.

But though we may admit, that the warm imagination of the Spanish writers has added some embellishment to their descriptions, this will not justify the decisive and peremptory tone with which several authors pronounce all their accounts of the Mexican power, policy, and laws, to be the fictions of men who wished to deceive, or who delighted in the marvellous. There are few historical facts that can be ascertained by evidence more unexceptionable than may be produced in support of the material articles in the description of the Mexican constitution and manners. Eye-witnesses relate what they beheld. Men who had resided among the Mexicans, both before and after the conquest, describe institutions and customs which were familiar to them. Persons of professions so different that objects must have presented themselves to their view under every various aspect; soldiers, priests, and lawyers, all concur in their testimony. Had Cortes ventured to impose upon his sovereign, by exhibiting to him a picture of imaginary manners, there wanted not enemies and rivals who were qualified to detect his deceit, and who would have rejoiced in exposing it. But according to the just remark of an author, whose ingenuity has illustrated, and whose eloquence has adorned, the history of America,[c] this supposition is in itself as improbable as the attempt would have been audacious. Who among the destroyers of this great empire was so enlightened by science, or so attentive to the progress and operations of men in social life, as to frame a fictitious system of policy, so well combined and so consistent, as that which they delineate in their accounts of the Mexican government? Where could they have borrowed the idea of many institutions in legislation and police, to which, at that period, there was nothing parallel in the nations with which they were acquainted? There was not, at the beginning of the sixteenth century, a regular establishment of posts for conveying intelligence to the sovereign of any kingdom in Europe. The same observation will apply to what the Spaniards relate with respect to the structure of the city of Mexico, the regulations concerning its police, and various laws established for the administration of justice, or securing the happiness of the community. Whoever is accustomed to contemplate the progress of nations, will often, at very early stages of it, discover a premature and unexpected dawn of those ideas, which gave rise to institutions that are the pride and ornament of its most advanced period. Even in a state as imperfectly polished as the Mexican empire, the happy genius of some sagacious observer, excited or aided by circumstances unknown to us, may have introduced institutions which are seldom found but in societies highly refined. But it is almost impossible that the illiterate conquerors of the New World should have formed, in any one instance, a conception of customs and laws beyond the standard of improvement in their own age and country. Or if Cortes had been capable of this, what inducement had those by whom he was superseded to continue the deception? Why should Corita, or Motolinea, or Acosta, have amused their sovereign or their fellow-citizens with a tale purely fabulous?

Religion of the Mexicans

In one particular, however, the guides whom we must follow have represented the Mexicans to be more barbarous, perhaps, than they really were. Their religious tenets, and the rites of their worship, are described by them as wild and cruel in an extreme degree. Religion, which occupies no considerable place in the thoughts of a savage, whose conceptions of any superior power are obscure, and his sacred rites few as well as simple, was formed among the Mexicans into a regular system, with its complete train of priests, temples, victims, and festivals. This, of itself, is a clear proof that the state of the Mexicans was very different from that of the ruder American tribes. But from the extravagance of their religious notions, or the barbarity of their rites, no conclusion can be drawn with certainty concerning the degree of their civilization. For nations, long after their ideas begin to enlarge, and their manners to refine, adhere to systems of superstition founded on the crude conceptions of early ages. From the genius of the Mexican religion we may, however, form a most just conclusion with respect to its influence upon the character of the people. The aspect of superstition in Mexico was gloomy and atrocious. Its divinities were clothed with terror, and delighted in vengeance. They were exhibited to the people under detestable forms, which created horror. The figures of serpents, of tigers, and of other destructive animals, decorated their temples. Fear was the only principle that inspired their votaries. Fasts, mortifications, and penances, all rigid, and many of them excruciating to an extreme degree, were the means employed to appease the wrath of their gods; and the Mexicans never approached their altars without sprinkling them with blood drawn from their own bodies. But, of all offerings, human sacrifices were deemed the most acceptable. This religious belief, mingling with the implacable spirit of vengeance, and adding new force to it, every captive taken in war

c M. l'Abbé Raynal, Hist. philos. et polit. &c. iii. 127.

was brought to the temple, was devoted as a victim to the deity, and sacrificed with rites no less solemn than cruel.[d] The heart and head were the portion consecrated to the gods; the warrior by whose prowess the prisoner had been seized, carried off the body to feast upon it with his friends. Under the impression of ideas so dreary and terrible, and accustomed daily to scenes of bloodshed rendered awful by religion, the heart of man must harden and be steeled to every sentiment of humanity. The spirit of the Mexicans was accordingly unfeeling, and the genius of their religion so far counterbalanced the influence of policy and arts, that notwithstanding their progress in both, their manners, instead of softening, became more fierce. To what circumstances it was owing that superstition assumed such a dreadful form among the Mexicans, we have not sufficient knowledge of their history to determine. But its influence is visible, and produced an effect that is singular in the history of the human species. The manners of the people in the New World who had made the greatest progress in the arts of policy, were, in several respects, the most ferocious, and the barbarity of some of their customs exceeded even those of the savage state.

Pretensions of Peru to a high antiquity

The empire of Peru boasts of a higher antiquity than that of Mexico. According to the traditionary accounts collected by the Spaniards, it had subsisted four hundred years, under twelve successive monarchs. But the knowledge of their ancient story, which the Peruvians could communicate to their conquerors, must have been both imperfect and uncertain.[e] Like the other American nations, they were totally unacquainted with the art of writing, and destitute of the only means by which the memory of past transactions can be preserved with any degree of accuracy. Even among people to whom the use of letters is known, the æra where the authenticity of history commences is much posterior to the introduction of writing. That noble invention continued, every where, to be long subservient to the common business and wants of life, before it was employed in recording events, with a view of conveying information from one age to another. But in no country did ever tradition alone carry down historical knowledge, in any full continued stream, during a period of half the length that the monarchy of Peru is said to have subsisted.

uncertain.

Defects in their records by *Quipos*.

The *Quipos*, or knots on cords of different colours, which are celebrated by authors fond of the marvellous, as if they had been regular annals of the empire, imperfectly supplied the place of writing. According to the obscure description of them by Acosta,[f] which Garcilasso de la Vega has adopted with little variation and no improvement, the quipos seem to have been a device for rendering calculation more expeditious and accurate. By the various colours different objects were denoted, and by each knot a distinct number. Thus an account was taken, and a kind of register kept, of the inhabitants in each province, or of the general productions collected there for public use. But as by these knots, however varied or combined, no moral or abstract idea, no operation or quality of the mind, could be represented, they contributed little towards preserving the memory of ancient events and institutions. By the Mexican paintings and symbols, rude as they were, more knowledge of remote transactions seems to have been conveyed than the Peruvians could derive from their boasted quipos. Had the latter been even of more extensive use, and better adapted to supply the place of written records, they perished so generally, together with other monuments of Peruvian ingenuity, in the wreck occasioned by the Spanish conquest, and the civil wars subsequent to it, that no accession of light or knowledge comes from them. All the zeal of Garcilasso de la Vega for the honour of that race of monarchs from whom he descended, all the industry of his researches, and the superior advantages with which he carried them on, opened no source of information unknown to the Spanish authors who wrote before him. In his *Royal Commentaries*, he confines himself to illustrate what they had related concerning the antiquities and institutions of Peru;[g] and his illustrations, like their accounts, are derived entirely from the traditionary tales current among his countrymen.

Very little credit then is due to the minute details which have been given of the exploits, the battles, the conquests, and private character of the early Peruvian monarchs. We can rest upon nothing in their story, as authentic, but a few facts so interwoven in the system of religion and policy, as preserved the memory of them from being lost; and upon the description of such customs and institutions as continued in force at the time of the conquest, and fell under the immediate observation of the Spaniards. By attending carefully to these, and endeavouring to separate them from what appears to be fabulous, or of doubtful authority, I have laboured to form an idea of the Peruvian government and manners.

Origin of their civil policy.

The people of Peru, as I have already observed,[h] had not advanced beyond the rudest form of savage life, when Manco Capac, and his consort Mama Ocollo, appeared to instruct and civilize them. Who these extraordinary personages were, whether they imported their system of legislation and knowledge of arts from some country more improved, or, if natives of Peru, how they acquired ideas so far superior to those of the people whom they addressed, are circumstances with respect to which the Peruvian tradition conveys no information. Manco Capac and his consort, taking advantage of the propensity in the

d Cort. Relat. ap. Ramus. iii. 240, &c. B. Diaz, c. 82. Acosta, lib. v. c. 13, &c. Herrera, dec. 3. lib. ii. c. 15, &c. Gomara Cron. c, 80. &c. See Note CLV.

e See Note CLVI.

f Hist. lib. vi. c. 8.

g Lib. i. c. 10.

h Book vi. p. 900, &c.

Peruvians to superstition, and particularly of their veneration for the sun, pretended to be children of that glorious luminary, and to deliver their instructions in his name, and by authority from him. The multitude listened and believed. What reformation in policy and manners the Peruvians ascribe to those founders of their empire, and how, from the precepts of the inca and his consort, their ancestors gradually acquired some knowledge of those arts, and some relish for that industry, which render subsistence secure and life comfortable, hath been formerly related. Those blessings were originally confined within narrow precincts; but in process of time, the successors of Manco Capac extended their dominion over all the regions that stretch to the west of the Andes from Chili to Quito, establishing in every province their peculiar policy and religious institutions.

Founded in religion.

The most singular and striking circumstance in the Peruvian government, is the influence of religion upon its genius and laws. Religious ideas make such a feeble impression on the mind of a savage, that their effect upon his sentiments and manners is hardly perceptible. Among the Mexicans, religion, reduced into a regular system, and holding a considerable place in their public institutions, operated with conspicuous efficacy in forming the peculiar character of that people. But in Peru, the whole system of policy was founded on religion. The inca appeared not only as a legislator, but as the messenger of Heaven. His precepts were received not merely as the injunctions of a superior, but as the mandates of the Deity. His race was to be held sacred; and in order to preserve it distinct, without being polluted by any mixture of less noble blood, the sons of Manco Capac married their own sisters, and no person was ever admitted to the throne who could not claim it by such a pure descent. To those *Children of the Sun*, for that was the appellation bestowed upon the offspring of the first inca, the people looked up with the reverence due to beings of a superior order. They were deemed to be under the immediate protection of the deity from whom they issued, and by him every order of the reigning inca was supposed to be dictated.

Two remarkable effects of this.

From those ideas two consequences resulted. The authority of the inca was unlimited and absolute, in the most extensive meaning of the words. Whenever the decrees of a prince are considered as the commands of the Divinity, it is not only an act of rebellion, but of impiety, to dispute or oppose his will. Obedience becomes a duty of religion; and as it would be profane to control a monarch who is believed to be under the guidance of Heaven, and presumptuous to advise him, nothing remains but to submit with implicit respect. This must necessarily be the effect of every government established on pretensions of intercourse with superior powers.

The absolute power of the inca.

Such accordingly was the blind submission which the Peruvians yielded to their sovereigns. The persons of highest rank and greatest power in their dominions acknowledged them to be of a more exalted nature; and in testimony of this, when admitted into their presence, they entered with a burden upon their shoulders, as an emblem of their servitude, and willingness to bear whatever the inca was pleased to impose. Among their subjects, force was not requisite to second their commands. Every officer intrusted with the execution of them was revered, and, according to the account[i] of an intelligent observer of Peruvian manners, he might proceed alone from one extremity of the empire to another without meeting opposition; for, on producing a fringe from the royal *borla*, an ornament of the head peculiar to the reigning inca, the lives and fortunes of the people were at his disposal.

All crimes punished capitally.

Another consequence of establishing government in Peru on the foundation of religion was, that all crimes were punished capitally. They were not considered as transgressions of human laws, but as insults offered to the Deity. Each, without any distinction between such as were slight and such as were atrocious, called for vengeance, and could be expiated only by the blood of the offender. Consonantly to the same ideas, punishment followed the trespass with inevitable certainty, because an offence against Heaven was deemed such a high enormity as could not be pardoned.[k] Among a people of corrupted morals, maxims of jurisprudence so severe and unrelenting, by rendering men ferocious and desperate, would be more apt to multiply crimes than to restrain them. But the Peruvians, of simple manners and unsuspicious faith, were held in such awe by this rigid discipline, that the number of offenders was extremely small. Veneration for monarchs, enlightened and directed, as they believed, by the divinity whom they adored, prompted them to their duty: the dread of punishment which they were taught to consider as unavoidable vengeance inflicted by offended Heaven, withheld them from evil.

Mild genius of their religion.

The system of superstition on which the incas ingrafted their pretensions to such high authority, was of a genius very different from that established among the Mexicans. Manco Capac turned the veneration of his followers entirely towards natural objects. The Sun, as the great source of light, of joy, and fertility in the creation, attracted their principal homage. The Moon and Stars, as co-operating with him, were entitled to secondary honours. Wherever the propensity in the human mind to acknowledge and to adore some superior power takes this direction, and is employed in contemplating the order and beneficence that really exist in nature, the spirit of superstition is mild. Wherever imaginary beings, created by the fancy and the fears of men, are supposed to preside

i Zarate, lib. i. c. 13.

k Vega, lib. ii. c. 6.

in nature, and become the objects of worship, superstition always assumes a more severe and atrocious form. Of the latter we have an example among the Mexicans, of the former among the people of Peru. The Peruvians had not, indeed, made such progress in observation or inquiry, as to have attained just conceptions of the Deity; nor was there in their language any proper name or appellation of the Supreme Power, which intimated that they had formed any idea of him as the Creator and Governor of the world.[l] But by directing their veneration to that glorious luminary, which, by its universal and vivifying energy, is the best emblem of divine beneficence, the rites and observances which they deemed acceptable to him were innocent and humane. They offered to the sun a part of those productions which his genial warmth had called forth from the bosom of the earth, and reared to maturity. They sacrificed, as an oblation of gratitude, some of the animals which were indebted to his influence for nourishment. They presented to him choice specimens of those works of ingenuity which his light had guided the hand of man in forming. But the incas never stained his altars with human blood, nor could they conceive that their beneficent father, the sun, would be delighted with such horrid victims.[m] Thus the Peruvians, unacquainted with those barbarous rites which extinguish sensibility, and suppress the feelings of nature at the sight of human sufferings, were formed by the spirit of the superstition which they had adopted, to a national character more gentle than that of any people in America.

Its influence on civil policy,

The influence of this superstition operated in the same manner upon their civil institutions, and tended to correct in them whatever was adverse to gentleness of character. The dominion of the incas, though the most absolute of all despotisms, was mitigated by its alliance with religion. The mind was not humbled and depressed by the idea of a forced subjection to the will of a superior: obedience, paid to one who was believed to be clothed with divine authority, was willingly yielded, and implied no degradation. The sovereign, conscious that the submissive reverence of his people flowed from their belief of his heavenly descent, was continually reminded of a distinction which prompted him to imitate that beneficent power which he was supposed to represent. In consequence of those impressions, there hardly occurs in the traditional history of Peru, any instance of rebellion against the reigning prince, and, among twelve successive monarchs, there was not one tyrant.

and on their military system.

Even the wars in which the incas engaged were carried on with a spirit very different from that of other American nations. They fought not, like savages, to destroy and to exterminate; or, like the Mexicans, to glut bloodthirsty divinities with human sacrifices. They conquered, in order to reclaim and civilize the vanquished, and to diffuse the knowledge of their own institutions and arts. Prisoners seem not to have been exposed to the insults and tortures which were their lot in every other part of the New World. The incas took the people whom they subdued under their protection, and admitted them to a participation of all the advantages enjoyed by their original subjects. This practice, so repugnant to American ferocity, and resembling the humanity of the most polished nations, must be ascribed, like other peculiarities which we have observed in the Peruvian manners, to the genius of their religion. The incas, considering the homage paid to any other object than to the heavenly powers which they adored as impious, were fond of gaining proselytes to their favourite system. The idols of every conquered province were carried in triumph to the great temple at Cuzco,[n] and placed there as trophies of the superior power of the divinity who was the protector of the empire. The people were treated with lenity, and instructed in the religious tenets of their new masters,[o] that the conqueror might have the glory of having added to the number of the votaries of his father the sun.

Peculiar state of property.

The state of property in Peru was no less singular than that of religion, and contributed, likewise, towards giving a mild turn of character to the people. All the lands capable of cultivation were divided into three shares. One was consecrated to the sun, and the product of it was applied to the erection of temples, and furnishing what was requisite towards celebrating the public rites of religion. The second belonged to the inca, and was set apart as the provision made by the community for the support of government. The third and largest share was reserved for the maintenance of the people, among whom it was parcelled out. Neither individuals, however, nor communities, had a right of exclusive property in the portion set apart for their use. They possessed it only for a year, at the expiration of which a new division was made, in proportion to the rank, the number, and exigencies of each family. All those lands were cultivated by the joint industry of the community. The people, summoned by a proper officer, repaired in a body to the fields, and performed their common task, while songs and musical instruments cheered them to their labour.[p] By this singular distribution of territory, as well as by the mode of cultivating it, the idea of a common interest, and of mutual subserviency, was continually inculcated. Each individual felt his connexion with those around him, and knew that he depended on their friendly aid for what increase he was to reap. A state thus constituted may be considered as one great family, in which the union of the members was so complete, and the exchange

Effects of this.

l Acosta, lib. v. c. 3.
m See Note CLVII.
n Herrera, dec. 7. lib. iv. c. 4. Vega, lib. v. c. 12.
o Herrera, dec. 5. lib. iv. c. 8.
p Ibid. c. 2. Vega, lib. v. c. 5.

of good offices so perceptible, as to create stronger attachment, and to bind man to man in closer intercourse, than subsisted under any form of society established in America. From this resulted gentle manners, and mild virtues unknown in the savage state, and with which the Mexicans were little acquainted.

inequality of ranks.

But, though the institutions of the incas were so framed as to strengthen the bonds of affection among their subjects, there was great inequality in their condition. The distinction of ranks was fully established in Peru. A great body of the inhabitants, under the denomination of *Yanaconas*, were held in a state of servitude. Their garb and houses were of a form different from those of freemen. Like the *Tamenes* of Mexico, they were employed in carrying burdens, and in performing every other work of drudgery.[q] Next to them in rank, were such of the people as were free, but distinguished by no official or hereditary honours. Above them were raised, those whom the Spaniards call *Orejones*, from the ornaments worn in their ears. They formed what may be denominated the order of nobles, and in peace as well as war held every office of power or trust.[r] At the head of all were the children of the sun, who, by their high descent and peculiar privileges, were as much exalted above the orejones, as these were elevated above the people.

State of arts.

Such a form of society, from the union of its members, as well as from the distinction in their ranks, was favourable to progress in the arts. But the Spaniards, having been acquainted with the improved state of various arts in Mexico, several years before they discovered Peru, were not so much struck with what they observed in the latter country, and describe the appearances of ingenuity there with less warmth of admiration. The Peruvians, nevertheless, had advanced far beyond the Mexicans, both in the necessary arts of life, and in such as have some title to the name of elegant.

Improved state of agriculture.

In Peru, agriculture, the art of primary necessity in social life, was more extensive, and carried on with greater skill, than in any part of America. The Spaniards, in their progress through the country, were so fully supplied with provisions of every kind, that in the relation of their adventures we meet with few of those dismal scenes of distress occasioned by famine, in which the conquerors of Mexico were so often involved. The quantity of soil under cultivation was not left to the discretion of individuals, but regulated by public authority, in proportion to the exigencies of the community. Even the calamity of an unfruitful season was but little felt, for the product of the lands consecrated to the sun, as well as those set apart for the incas, being deposited in the *Tambos*, or public storehouses, it remained there as a stated provision for times of scarcity.[s] As the extent of cultivation was determined with such provident attention to the demands of the state, the invention and industry of the Peruvians were called forth to extraordinary exertions, by certain defects peculiar to their climate and soil. All the vast rivers that flow from the Andes take their course eastward to the Atlantic Ocean. Peru is watered only by some streams which rush down from the mountains like torrents. A great part of the low country is sandy and barren, and never refreshed with rain. In order to render such an unpromising region fertile, the ingenuity of the Peruvians had recourse to various expedients. By means of artificial canals, conducted with much patience and considerable art, from the torrents that poured across their country, they conveyed a regular supply of moisture to their fields.[t] They enriched the soil by manuring it with the dung of sea-fowls, of which they found an inexhaustible store on all the islands scattered along the coasts.[u] In describing the customs of any nation thoroughly civilized, such practices would hardly draw attention, or be mentioned as in any degree remarkable; but in the history of the improvident race of men in the New World, they are entitled to notice as singular proofs of industry and of art. The use of the plough, indeed, was unknown to the Peruvians. They turned up the earth with a kind of mattock of hard wood.[x] Nor was this labour deemed so degrading as to be devolved wholly upon the women. Both sexes joined in performing this necessary work. Even the children of the sun set an example of industry, by cultivating a field near Cuzco with their own hands, and they dignified this function by denominating it their triumph over the earth.[y]

Their buildings.

The superior ingenuity of the Peruvians is obvious, likewise, in the construction of their houses and public buildings. In the extensive plains which stretch along the Pacific Ocean, where the sky is perpetually serene, and the climate mild, their houses were very properly of a fabric extremely slight. But in the higher regions, where rain falls, where the vicissitude of seasons is known, and their rigour felt, houses were constructed with greater solidity. They were generally of a square form, the walls about eight feet high, built with bricks hardened in the sun, without any windows, and the door low and strait. Simple as these structures were, and rude as the materials may seem to be of which they were formed, they were so durable, that many of them still subsist in different parts of Peru, long after every monument that might have conveyed to us any idea of the domestic state of the other American nations has vanished from the face of the earth. But it was in the temples consecrated to the sun, and in the buildings destined for the residence of their monarchs, that the Peruvians displayed the utmost extent of their

q Herrera, dec. 5. lib. iii. c. 4. lib. x. c. 8.
r Ibid. lib. iv. c. 1.
s Zarate, lib. i. c. 14. Vega, lib. i. c. 8.
t Zarate, lib. i. c. 4. Vega, lib. v. c. 1 and 24.
u Acosta, lib. iv. c. 37. Vega, lib. v. c. 3. See Note CLVIII.
x Zarate, lib. i. c. 8.
y Vega, lib. v. c. 2.

art and contrivance. The descriptions of them by such of the Spanish writers as had an opportunity of contemplating them, while in some measure entire, might have appeared highly exaggerated, if the ruins which still remain did not vouch the truth of their relations. These ruins of sacred or royal buildings are found in every province of the empire, and by their frequency demonstrate that they are monuments of a powerful people, who must have subsisted, during a period of some extent, in a state of no inconsiderable improvement. They appear to have been edifices various in their dimensions. Some of a moderate size, many of immense extent, all remarkable for solidity, and resembling each other in the style of architecture. The temple of Pachacamac, together with a palace of the inca, and a fortress, were so connected together as to form one great structure, above half a league in circuit. In this prodigious pile, the same singular taste in building is conspicuous as in other works of the Peruvians. As they were unacquainted with the use of the pulley, and other mechanical powers, and could not elevate the large stones and bricks which they employed in building to any considerable height, the walls of this edifice, in which they seem to have made their greatest effort towards magnificence, did not rise above twelve feet from the ground. Though they had not discovered the use of mortar, or of any other cement in building, the bricks or stones were joined with so much nicety, that the seams can hardly be discerned.[z] The apartments, as far as the distribution of them can be traced in the ruins, were ill disposed, and afforded little accommodation. There was not a single window in any part of the building; and as no light could enter but by the door, all the apartments of largest dimensions must either have been perfectly dark, or illuminated by some other means. But with all these, and many other imperfections that might be mentioned in their art of building, the works of the Peruvians which still remain, must be considered as stupendous efforts of a people unacquainted with the use of iron, and convey to us a high idea of the power possessed by their ancient monarchs.

Their public roads,

These, however, were not the noblest or most useful works of the incas. The two great roads from Cusco to Quito, extending in an uninterrupted stretch above fifteen hundred miles, are entitled to still higher praise. The one was conducted through the interior and mountainous country, the other through the plains on the sea-coast. From the language of admiration in which some of the early writers express their astonishment when they first viewed those roads, and from the more pompous description of later writers, who labour to support some favourite theory concerning America, one might be led to compare this work of the incas to the famous military ways which remain as monuments of the Roman power; but in a country where there was no tame animal except the llama, which was never used for draught, and but little as a beast of burden, where the high-roads were seldom trod by any but a human foot, no great degree of labour or art was requisite in forming them. The Peruvian roads were only fifteen feet in breadth,[a] and in many places so slightly formed, that time has effaced every vestige of the course in which they ran. In the low country, little more seems to have been done than to plant trees, or to fix posts at certain intervals, in order to mark the proper route to travellers. To open a path through the mountainous country was a more arduous task. Eminences were levelled, and hollows filled up, and for the preservation of the road it was fenced with a bank of turf. At proper distances, tambos, or storehouses, were erected for the accommodation of the inca and his attendants, in their progress through his dominions. From the manner in which the road was originally formed in this higher and more impervious region, it has proved more durable; and though, from the inattention of the Spaniards to every object but that of working their mines, nothing has been done towards keeping it in repair, its course may still be traced.[b] Such was the celebrated road of the incas; and even from this description, divested of every circumstance of manifest exaggeration, or of suspicious aspect, it must be considered as a striking proof of an extraordinary progress in improvement and policy. To the savage tribes of America, the idea of facilitating communication with places at a distance had never occurred. To the Mexicans it was hardly known. Even in the most civilized countries in Europe, men had advanced far in refinement, before it became a regular object of national police to form such roads as render intercourse commodious. It was a capital object of Roman policy to open a communication with all the provinces of their extensive empire, by means of those roads which are justly considered as one of the noblest monuments both of their wisdom and their power. But during the long reign of barbarism, the Roman roads were neglected or destroyed; and at the time when the Spaniards entered Peru, no kingdom in Europe could boast of any work of public utility that could be compared with the great roads formed by the incas.

and bridges.

The formation of those roads introduced another improvement in Peru equally unknown over all the rest of America. In its course from south to north, the road of the incas was intersected by all the torrents which roll from the Andes towards the Western ocean. From the rapidity of their course, as well as from the frequency and violence of their inundation, these were not fordable. Some expedient, however, was to be found for passing them. The Peruvians, from their unacquaintance with the use of arches, and their

z See Note CLIX.
a Cieca, c. 60.

b Xerez, p. 189. 191. Zarate, lib. i. c. 13, 14. Vega, lib. ix. c. 13. Bourguer Voyage, p. 105. Ulloa Entretenemientos, p. 365.

inability to work in wood, could not construct bridges either of stone or timber. But necessity, the parent of invention, suggested a device which supplied that defect. They formed cables of great strength, by twisting together some of the pliable withes or osiers, with which their country abounds; six of these cables they stretched across the stream parallel to one another, and made them fast on each side. These they bound firmly together, by interweaving smaller ropes so close, as to form a compact piece of net-work, which being covered with branches of trees and earth, they passed along it with tolerable security.[c] Proper persons were appointed to attend at each bridge, to keep it in repair, and to assist passengers.[d] In the level country, where the rivers became deep and broad and still, they are passed in *Balzas*, or floats; in the construction as well as navigation of which, the ingenuity of the Peruvians appears to be far superior to that of any people in America. These had advanced no further in naval skill than the use of the paddle, or oar; the Peruvians ventured to raise a mast, and spread a sail, by means of which their balzas not only went nimbly before the wind, but could veer and tack with great celerity.[e]

Mode of refining silver ore.

Nor were the ingenuity and art of the Peruvians confined solely to objects of essential utility. They had made some progress in arts, which may be called elegant. They possessed the precious metals in greater abundance than any people of America. They obtained gold in the same manner with the Mexicans, by searching in the channels of rivers, or washing the earth in which particles of it were contained. But in order to procure silver, they exerted no inconsiderable degree of skill and invention. They had not, indeed, attained the art of sinking a shaft into the bowels of the earth, and penetrating to the riches concealed there; but they hollowed deep caverns on the banks of rivers and the sides of mountains, and emptied such veins as did not dip suddenly beyond their reach. In other places, where the vein lay near the surface, they dug pits to such a depth, that the person who worked below could throw out the ore, or hand it up in baskets.[f] They had discovered the art of smelting and refining this, either by the simple application of fire, or where the ore was more stubborn, and impregnated with foreign substances, by placing it in small ovens or furnaces, on high grounds, so artificially constructed, that the draught of air performed the function of a bellows, an engine with which they were totally unacquainted. By this simple device, the purer ores were smelted with facility, and the quantity of silver in Peru was so considerable, that many of the utensils employed in the functions of common life were made of it.[g] Several of those vessels and trinkets are said to have merited no small degree of estimation, on account of the neatness of the workmanship, as well as the intrinsic value of the materials. But as the conquerors of America were well acquainted with the latter, but had scarcely any conception of the former, most of the silver vessels and trinkets were melted down, and rated according to the weight and fineness of the metal in the division of the spoil.

Works of elegance.

In other works of mere curiosity or ornament, their ingenuity has been highly celebrated. Many specimens of those have been dug out of the *Guacas*, or mounds of earth, with which the Peruvians covered the bodies of the dead. Among these are mirrors of various dimensions, of hard shining stones highly polished; vessels of earthenware of different forms; hatchets, and other instruments, some destined for war, and others for labour; some were of flint, some of copper, hardened to such a degree by an unknown process, as to supply the place of iron on several occasions. Had the use of those tools formed of copper been general, the progress of the Peruvians in the arts might have been such as to emulate that of more cultivated nations. But either the metal was so rare, or the operation by which it was hardened so tedious, that their instruments of copper were few, and so extremely small, that they seem to have been employed only in slighter works. But even to such a circumscribed use of this imperfect metal, the Peruvians were indebted for their superiority to the other people of America in various arts.[h] The same observation, however, may be applied to them, which I formerly made with respect to the arts of the Mexicans. From several specimens of Peruvian utensils and ornaments, which are deposited in the royal cabinet of Madrid, and from some preserved in different collections in other parts of Europe, I have reason to believe that the workmanship is more to be admired on account of the rude tools with which it was executed, than on account of its intrinsic neatness and elegance; and that the Peruvians, though the most improved of all the Americans, were not advanced beyond the infancy of arts.

An imperfect civilization.

But notwithstanding so many particulars which seem to indicate a high degree of improvement in Peru, other circumstances occur that suggest the idea of a society still in the first stages of its transition from barbarism to civilization. In all the dominions of the incas, Cuzco was the only place that had the appearance, or was entitled to the name, of a city. Every where else the people lived mostly in detached habitations, dispersed over the country, or, at the utmost, settled together in small villages.[i] But until men are brought to assemble in numerous bodies, and incorporated in such close union, as to enjoy frequent intercourse, and to feel mutual dependence, they never imbibe perfectly the spirit, or assume the manners, of social life. In a country of

No cities but Cuzco.

c See Note CLX.
d Sancho ap. Ram. iii. 376. B. Zarate, lib. i. c. 14. Vega, lib. iii. c. 7, 8. Herrera, dec. 5. lib. iv. c. 3, 4.
e Ulloa Voy. i. 167, &c.
f Ramusio, iii. 414. A.
g Acosta, lib. iv. c. 4, 5. Vega, p. 1. lib. viii. c. 25. Ulloa Entretenemientos, 258.
h Ulloa Voy. tom. i. 381, &c. Id. Entreten. p. 369, &c.
i Zarate, lib. i. c. 9. Herrera, dec. 5. lib. vi. c. 4.

immense extent, with only one city, the progress of manners, and the improvement either of the necessary or more refined arts, must have been so slow, and carried on under such disadvantages, that it is more surprising the Peruvians should have advanced so far in refinement, than that they did not proceed further.

No perfect separation of professions.

In consequence of this state of imperfect union, the separation of professions in Peru was not so complete as among the Mexicans. The less closely men associate, the more simple are their manners, and the fewer their wants. The crafts of common and most necessary use in life do not, in such a state, become so complex or difficult, as to render it requisite that men should be trained to them by any particular course of education. All the arts, accordingly, which were of daily and indispensable utility, were exercised by every Peruvian indiscriminately. None but the artists employed in works of mere curiosity, or ornament, constituted a separate order of men, or were distinguished from other citizens.[k]

Little commercial intercourse.

From the want of cities in Peru, another consequence followed. There was little commercial intercourse among the inhabitants of that great empire. The activity of commerce is coeval with the foundation of cities; and from the moment that the members of any community settle in considerable numbers in one place, its operations become vigorous. The citizen must depend for subsistence on the labour of those who cultivate the ground. They, in return, must receive some equivalent. Thus mutual intercourse is established, and the productions of art are regularly exchanged for the fruits of agriculture. In the towns of the Mexican empire, stated markets were held, and whatever could supply any want or desire of man was an object of commerce. But in Peru, from the singular mode of dividing property, and the manner in which the people were settled, there was hardly any species of commerce carried on between different provinces,[l] and the community was less acquainted with that active intercourse, which is at once a bond of union, and an incentive to improvement.

Unwarlike spirit of the Peruvians.

But the unwarlike spirit of the Peruvians was the most remarkable, as well as the most fatal, defect in their character.[m] The greater part of the rude nations of America opposed their invaders with undaunted ferocity, though with little conduct or success. The Mexicans maintained the struggle in defence of their liberties with such persevering fortitude, that it was with difficulty the Spaniards triumphed over them. Peru was subdued at once, and almost without resistance; and the most favourable opportunities of regaining their freedom, and of crushing their oppressors, were lost through the timidity of the people. Though the traditional history of the Peruvians represents all the incas as warlike princes, frequently at the head of armies, which they led to victory and conquest; few symptoms of such a martial spirit appear in any of their operations subsequent to the invasion of the Spaniards. The influence, perhaps, of those institutions which rendered their manners gentle, gave their minds this unmanly softness; perhaps the constant serenity and mildness of the climate may have enervated the vigour of their frame; perhaps some principle in their government, unknown to us, was the occasion of this political debility. Whatever may have been the cause, the fact is certain, and there is not an instance in history of any people so little advanced in refinement, so totally destitute of military enterprise. This character hath descended to their posterity. The Indians of Peru are now more tame and depressed than any people of America. Their feeble spirits, relaxed in lifeless inaction, seem hardly capable of any bold or manly exertion.

But, besides those capital defects in the political state of Peru, some detached circumstances and facts occur in the Spanish writers, which discover a considerable remainder of barbarity in their manners. A cruel custom, that prevailed in some of the most savage tribes, subsisted among the Peruvians. On the death of the incas, and of other eminent persons, a considerable number of their attendants were put to death, and interred around their guacas, that they might appear in the next world with their former dignity, and be served with the same respect. On the death of Huona-Capac, the most powerful of their monarchs, above a thousand victims were doomed to accompany him to the tomb.[n] In one particular their manners appear to have been more barbarous than those of most rude tribes. Though acquainted with the use of fire in preparing maize, and other vegetables, for food, they devoured both flesh and fish perfectly raw, and astonished the Spaniards with a practice repugnant to the ideas of all civilized people.[o]

Other dominions of Spain in America.

But though Mexico and Peru are the possessions of Spain in the New World, which, on account both of their ancient and present state, have attracted the greatest attention, her other dominions there are far from being inconsiderable, either in extent or value. The greater part of them was reduced to subjection during the first part of the sixteenth century, by private adventurers, who fitted out their small armaments either in Hispaniola or in Old Spain; and were we to follow each leader in his progress, we should discover the same daring courage, the same persevering ardour, the same rapacious desire for wealth, and the same capacity for enduring and surmounting every thing in order to attain it, which distinguished the operations of the Spaniards in their greater American conquests. But instead of entering into a detail, which, from the similarity of

k Acosta, lib. vi. c. 15. Vega, lib. v. c. 9. Herrera, dec. 5. lib. iv. c. 4.
l Vega, lib. vi. c. 8.
m Xerez, 199. Sancho ap. Ram. iii. 372. Herrera, dec. 5. lib. i. c. 3.
n Acosta, lib. v. c. 7.
o Xerez, p. 190. Sancho, Ram. iii. 372. C. Herrera, dec. 5. lib. i. c. 3.

the transactions would appear almost a repetition of what has been already related, I shall satisfy myself with such a view of those provinces of the Spanish empire in America, which have not hitherto been mentioned, as may convey to my readers an adequate idea of its greatness, fertility, and opulence.

A brief survey of them.

I begin with the countries contiguous to the two great monarchies, of whose history and institutions I have given some account, and shall then briefly describe the other districts of Spanish America. The jurisdiction of the viceroy of New Spain extends over several provinces, which were not subject to the dominion of the Mexicans. The countries of Cinaloa and Sonora, that stretch along the east side of the Vermilion sea, or gulf of California, as well as the immense kingdoms of New Navarre and New Mexico, which bend towards the west and north, did not acknowledge the sovereignty of Montezuma, or his predecessors. These regions, not inferior in magnitude to all the Mexican empire, are reduced, some to a greater, others to a less, degree of subjection to the Spanish yoke. They extend through the most delightful part of the temperate zone; their soil is, in general, remarkably fertile, and all their productions, whether animal or vegetable, are most perfect in their kind. They have all a communication either with the Pacific ocean, or with the gulf of Mexico, and are watered by rivers which not only enrich them, but may become subservient to commerce. The number of Spaniards settled in those vast countries is indeed extremely small. They may be said to have subdued rather than to have occupied them. But if the population in their ancient establishments in America shall continue to increase, they may gradually spread over those provinces, of which, however inviting, they have not hitherto been able to take full possession.

Such as are adjacent to the empire of Mexico.

Cinaloa and Sonora, &c.

One circumstance may contribute to the speedy population of some districts. Very rich mines, both of gold and silver, have been discovered in many of the regions which I have mentioned. Wherever these are opened, and worked with success, a multitude of people resort. In order to supply them with the necessaries of life, cultivation must be increased, artisans of various kinds must assemble, and industry as well as wealth will be gradually diffused. Many examples of this have occurred in different parts of America since they fell under the dominion of the Spaniards. Populous villages and large towns have suddenly arisen amidst uninhabited wilds and mountains; and the working of mines, though far from being the most proper object towards which the attention of an infant society should be turned, may become the means both of promoting useful activity, and of augmenting the number of people. A recent and singular instance of this has happened, which, as it is but little known in Europe, and may be productive of great effects, merits attention. The Spaniards settled in the provinces of Cinaloa and Sonora had been long disturbed by the depredations of some fierce tribes of Indians. In the year 1765, the incursions of those savages became so frequent, and so destructive, that the Spanish inhabitants, in despair, applied to the marquis de Croix, viceroy of Mexico, for such a body of troops as might enable them to drive those formidable invaders from their places of retreat in the mountains. But the treasury of Mexico was so much exhausted by the large sums drawn from it, in order to support the late war against Great Britain, that the viceroy could afford them no aid. The respect due to his virtues accomplished what his official power could not effect. He prevailed with the merchants of New Spain to advance about two hundred thousand pesos for defraying the expense of the expedition. The war was conducted by an officer of abilities; and after being protracted for three years, chiefly by the difficulty of pursuing the fugitives over mountains and through defiles which were almost impassable, it terminated, in the year 1771, in the final submission of the tribes which had been so long the object of terror to the two provinces. In the course of this service, the Spaniards marched through countries into which they seem not to have penetrated before that time, and discovered mines of such value, as was astonishing even to men acquainted with the riches contained in the mountains of the New World. At Cineguilla, in the province of Sonora, they entered a plain of fourteen leagues in extent, in which, at the depth of only sixteen inches, they found gold in grains of such a size, that some of them weighed nine marks, and in such quantities, that in a short time, with a few labourers, they collected a thousand marks of gold in grains, even without taking time to wash the earth that had been dug, which appeared to be so rich, that persons of skill computed that it might yield what would be equal in value to a million of pesos. Before the end of the year 1771, above two thousand persons were settled in Cineguilla, under the government of proper magistrates, and the inspection of several ecclesiastics. As several other mines, not inferior in richness to that of Cineguilla, have been discovered, both in Sonora and Cinaloa,[p] it is probable that these neglected and thinly inhabited provinces may soon become as populous and valuable as any part of the Spanish empire of America.

Rich mines.

A recent and remarkable discovery.

Probable effects of this.

The peninsula of California, on the other side of the Vermilion sea, seems to have been less known to the ancient Mexicans than the provinces which I have mentioned. It was discovered by Cortes in the year 1536.[q] During a long period it continued to be so little frequented, that even its form was unknown, and in most charts

California: its state,

p See Note CLXI.

q Book v. p. 895.

it was represented as an island, not as a peninsula.[r] Though the climate of this country, if we may judge from its situation, must be very desirable, the Spaniards have made small progress in peopling it. Towards the close of the last century, the Jesuits, who had great merit in exploring this neglected province, and in civilizing its rude inhabitants, imperceptibly acquired a dominion over it as complete as that which they possessed in their missions in Paraguay, and they laboured to introduce into it the same policy, and to govern the natives by the same maxims. In order to prevent the court of Spain from conceiving any jealousy of their designs and operations, they seem studiously to have depreciated the country, by representing the climate as so disagreeable and unwholesome, and the soil as so barren, that nothing but a zealous desire of converting the natives could have induced them to settle there.[s] Several public-spirited citizens endeavoured to undeceive their sovereigns, and to give them a better view of California; but in vain.

and probability of its improving.

At length, on the expulsion of the Jesuits from the Spanish dominions, the court of Madrid, as prone at that juncture to suspect the purity of the order's intentions, as formerly to confide in them with implicit trust, appointed Don Joseph Galvez, whose abilities have since raised him to the high rank of minister for the Indies, to visit that peninsula. His account of the country was favourable; he found the pearl-fishery on its coasts to be valuable, and he discovered mines of gold of a very promising appearance.[t] From its vicinity to Cinaloa and Sonora, it is probable, that if the population of these provinces shall increase in the manner which I have supposed, California may, by degrees, receive from them such a recruit of inhabitants, as to be no longer reckoned among the desolate and useless districts of the Spanish empire.

Yucatan and Honduras.

On the east of Mexico, Yucatan and Honduras are comprehended in the government of New Spain, though anciently they can hardly be said to have formed a part of the Mexican empire. These large provinces, stretching from the bay of Campeachy beyond Cape Gracias a Dios, do not, like the other territories of Spain in the New World, derive their value either from the fertility of their soil, or the richness of their mines; but they produce, in greater abundance than any part of America, the logwood-tree, which, in dying some colours, is so far preferable to any other material, that the consumption of it in Europe is considerable, and it has become an article in commerce of great value. During a long period, no European nation intruded upon the Spaniards in those provinces, or attempted to obtain any share in this branch of trade. But after the conquest of Jamaica by the English, it soon appeared that a formidable rival was now seated in the neighbourhood of the Spanish territories. One of the first objects which tempted the English settled in that island, was the great profit arising from the logwood trade, and the facility of wresting some portion of it from the Spaniards. Some adventurers from Jamaica made the first attempt at Cape Catoche, the south-east promontory of Yucatan, and by cutting logwood there, carried on a gainful traffic. When most of the trees near the coast in that place were felled, they removed to the island of Trist, in the bay of Campeachy, and in later times, their principal station has been in the bay of Honduras. The Spaniards, alarmed at this encroachment, endeavoured by negociation, remonstrances, and open force, to prevent the English from obtaining any footing on that part of the American continent. But after struggling against it for more than a century, the disasters of last war extorted from the court of Madrid a reluctant consent to tolerate this settlement of foreigners in the heart of its territories.[u] The pain which this humbling concession occasioned, seems to have prompted the Spaniards to devise a method of rendering it of little consequence, more effectual than all the efforts of negociation or violence. The logwood produced on the west coast of Yucatan, where the soil is drier, is in quality far superior to that which grows on the marshy grounds where the English are settled. By encouraging the cutting of this, and permitting the importation of it into Spain without paying any duty,[x] such vigour has been given to this branch of commerce, and the logwood which the English bring to market has sunk so much in value, that their trade to the bay of Honduras has gradually declined[y] since it obtained a legal sanction; and, it is probable, will soon be finally abandoned. In that event, Yucatan and Honduras will become possessions of considerable importance to Spain.

Their decline, and revival.

Costa Rica and Veragua.

Still further east than Honduras lie the two provinces of Costa Rica and Veragua, which likewise belong to the viceroyalty of New Spain; but both have been so much neglected by the Spaniards, and are apparently of such small value, that they merit no particular attention.

Chili.

The most important province depending on the viceroyalty of Peru is Chili. The incas had established their dominion in some of its northern districts; but in the greater part of the country, its gallant and high-spirited inhabitants maintained their independence. The Spaniards, allured by the fame of its opulence, early attempted the conquest of it under Diego Almagro; and after his death, Pedro de Valdivia resumed the design. Both met with fierce opposition. The former relinquished the enterprise in the manner which I have mentioned.[z] The latter, after having given many displays, both of courage

r See Note CLXII. s Venegas, Hist. of California, i. 26.
t Lorenzano, 349, 350. u Treaty of Paris, Art. xviii.
x Real Cedula, Campomanes, iii. 145.
y See Note CLXIII. z Book vi. p. 910.

and military skill, was cut off, together with a considerable body of troops under his command. Francisco de Villagra, Valdivia's lieutenant, by his spirited conduct, checked the natives in their career, and saved the remainder of the Spaniards from destruction. By degrees, all the champaign country along the coast was subjected to the Spanish dominion. The mountainous country is still possessed by the Puelches, Araucos, and other tribes of its original inhabitants, formidable neighbours to the Spaniards; with whom, during the course of two centuries, they have been obliged to maintain almost perpetual hostility, suspended only by a few intervals of insecure peace.

Excellence of its climate and soil.

That part of Chili, then, which may properly be deemed a Spanish province, is a narrow district, extended along the coast from the desert of Atacamas to the island of Chiloe, above nine hundred miles. Its climate is the most delicious in the New World, and is hardly equalled by that of any region on the face of the earth. Though bordering on the torrid zone, it never feels the extremity of heat, being screened on the east by the Andes, and refreshed from the west by cooling sea-breezes. The temperature of the air is so mild and equable, that the Spaniards give it the preference to that of the southern provinces in their native country. The fertility of the soil corresponds with the benignity of the climate, and is wonderfully accommodated to European productions. The most valuable of these, corn, wine, and oil, abound in Chili, as if they had been native to the country. All the fruits imported from Europe attain to full maturity there. The animals of our hemisphere not only multiply, but improve, in this delightful region. The horned cattle are of larger size than those of Spain. Its breed of horses surpasses, both in beauty and spirit, the famous Andalusian race from which they sprung. Nor has nature exhausted her bounty on the surface of the earth; she has stored its bowels with riches. Valuable mines of gold, of silver, of copper, and of lead, have been discovered in various parts of it.

Cause of its being neglected by the Spaniards.

A country distinguished by so many blessings, we may be apt to conclude, would early become a favourite station of the Spaniards, and must have been cultivated with peculiar predilection and care. Instead of this, a great part of it remains unoccupied. In all this extent of country, there are not above eighty thousand white inhabitants, and about three times that number of negroes and people of a mixed race. The most fertile soil in America lies uncultivated, and some of its most promising mines remain unwrought. Strange as this neglect of the Spaniards to avail themselves of advantages which seemed to court their acceptance may appear, the causes of it can be traced. The only intercourse of Spain with its colonies in the South sea, was carried on during two centuries by the annual fleet to Porto-Bello. All the produce of these colonies was shipped in the ports of Callao or Africa in Peru, for Panama, and carried from thence across the isthmus. All the commodities which they received from the mother-country were conveyed from Panama to the same harbours. Thus both the exports and imports of Chili passed through the hands of merchants settled in Peru. These had of course a profit on each; and in both transactions the Chilese felt their own subordination; and having no direct intercourse with the parent state, they depended upon another province for the disposal of their productions, as well as for the supply of their wants. Under such discouragements, population could not increase, and industry was destitute of one chief incitement. But now that Spain, from motives which I shall mention hereafter, has adopted a new system, and carries on her commerce with the colonies in the South sea, by ships which go round Cape Horn, a direct intercourse is opened between Chili and the mother-country. The gold, the silver, and the other commodities of the province, will be exchanged in its own harbours for the manufactures of Europe. Chili may speedily rise into that importance among the Spanish settlements to which it is entitled by its natural advantages. It may become the granary of Peru, and the other provinces along the Pacific ocean. It may supply them with wine, with cattle, with horses, with hemp, and many other articles for which they now depend upon Europe. Though the new system has been established only a few years, those effects of it begin already to be observed.[a] If it shall be adhered to with any steadiness for half a century, one may venture to foretell, that population, industry, and opulence, will advance in this province with rapid progress.

Prospect of its improvement.

To the east of the Andes, the provinces of Tucuman and Rio de la Plata border on Chili, and like it were dependent on the viceroyalty of Peru. These regions of immense extent stretch in length from north to south above thirteen hundred miles, and in breadth more than a thousand. This country, which is larger than most European kingdoms, naturally forms itself into two great divisions, one on the north and the other on the south of Rio de la Plata. The former comprehends Paraguay, the famous missions of the Jesuits, and several other districts. But as disputes have long subsisted between the courts of Spain and Portugal concerning its boundaries, which, it is probable, will be soon finally ascertained, either amicably, or by the decision of the sword, I choose to reserve my account of this northern division, until I enter upon the history of Portuguese America, with which it is intimately connected; and, in relating it, I shall be able, from authentic materials, supplied both by Spain and Portugal, to give a full

Provinces of Tucuman and Rio de la Plata.

Northern and southern division.

a Campomanes, ii. 157.

and accurate description of the operations and views of the Jesuits, in rearing that singular fabric of policy in America, which has drawn so much attention, and has been so imperfectly understood. The latter division of the province contains the governments of Tucuman and Buenos Ayres, and to these I shall at present confine my observations.

View of the latter.

The Spaniards entered this part of America by the river De la Plata; and though a succession of cruel disasters befell them in their early attempts to establish their dominion in it, they were encouraged to persist in the design, at first by the hopes of discovering mines in the interior country, and afterwards by the necessity of occupying it, in order to prevent any other nation from settling there, and penetrating by this route into their rich possessions in Peru. But except at Buenos-Ayres, they have made no settlement of any consequence in all the vast space which I have mentioned. There are indeed, scattered over it, a few places on which they have bestowed the name of towns, and to which they have endeavoured to add some dignity, by erecting them into bishoprics; but they are no better than paltry villages, each with two or three hundred inhabitants. One circumstance, however, which was not originally foreseen, has contributed to render this district, though thinly peopled, of considerable importance. The province of Tucuman, together with the country to the south of the Plata, instead of being covered with wood like other parts of America, forms one extensive open plain, almost without a tree. The soil is a deep fertile mould, watered by many streams descending from the Andes, and clothed in perpetual verdure. In this rich pasturage, the horses and cattle imported by the Spaniards from Europe have multiplied to a degree which almost exceeds belief. This has enabled the inhabitants, not only to open a lucrative trade with Peru, by supplying it with cattle, horses, and mules, but to carry on a commerce no less beneficial, by the exportation of hides to Europe. From both the colony has derived great advantages. But its commodious situation for carrying on contraband trade, has been the chief source of its prosperity. While the court of Madrid adhered to its ancient system, with respect to its communication with America, the river De la Plata lay so much out of the course of Spanish navigation, that interlopers, almost without any risk of being either observed or obstructed, could pour in European manufactures in such quantities, that they not only supplied the wants of the colony, but were conveyed into all the eastern districts of Peru. When the Portuguese in Brazil extended their settlements to the banks of Rio de la Plata, a new channel was opened, by which prohibited commodities flowed into the Spanish territories, with still more facility, and in greater abundance. This illegal traffic, however detrimental to the parent state, contributed to the increase of the settlement which had the immediate benefit of it, and Buenos-Ayres became gradually a populous and opulent town. What may be the effect of the alteration lately made in the government of this colony, the nature of which shall be described in the subsequent Book, cannot hitherto be known.

Other territories of Spain.

All the other territories of Spain in the New World, the islands excepted, of whose discovery and reduction I have formerly given an account, are comprehended under two great divisions; the former denominated the kingdom of Tierra Firme, the provinces of which stretch along the Atlantic, from the eastern frontier of New Spain to the mouth of the Orinoco; the latter, the new kingdom of Granada, situated in the interior country. With a short view of these I shall close this part of my work.

Darien.

To the east of Veragua, the last province subject to the viceroy of Mexico, lies the isthmus of Darien. Though it was in this part of the continent that the Spaniards first began to plant colonies, they have made no considerable progress in peopling it. As the country is extremely mountainous, deluged with rain during a good part of the year, remarkably unhealthful, and contains no mines of great value, the Spaniards would probably have abandoned it altogether, if they had not been allured to continue by the excellence of the harbour of Porto-Bello on the one sea, and that of Panama on the other. These have been called the keys to the communication between the North and South sea, between Spain and her most valuable colonies. In consequence of this advantage, Panama has become a considerable and thriving town. The peculiar noxiousness of its climate has prevented Porto-Bello from increasing in the same proportion. As the intercourse with the settlements in the Pacific ocean is now carried on by another channel, it is probable that both Porto-Bello and Panama will decline, when no longer nourished and enriched by that commerce to which they were indebted for their prosperity, and even their existence.

Carthagena and Santa Martha.

The provinces of Carthagena and Santa Martha stretch to the eastward of the isthmus of Darien. The country still continues mountainous, but its valleys begin to expand, are well watered, and extremely fertile. Pedro de Heredia subjected this part of America to the crown of Spain, about the year 1532. It is thinly peopled, and of course ill cultivated. It produces, however, a variety of valuable drugs, and some precious stones, particularly emeralds. But its chief importance is derived from the harbour of Carthagena, the safest and best fortified of any in the American dominions of Spain. In a situation so favourable, commerce soon began to flourish. As early as the year 1544 it seems to have been a town of some note. But when Carthagena was chosen as the port in which the galeons should first begin to trade on their arrival from Europe, and to which they were directed to return, in order to prepare for their

voyage homeward, the commerce of its inhabitants was so much favoured by this arrangement, that it soon became one of the most populous, opulent, and beautiful cities in America. There is, however, reason to apprehend, that it has reached its highest point of exaltation, and that it will be so far affected by the change in the Spanish system of trade with America, which has withdrawn from it the desirable visits of the galeons, as to feel at least a temporary decline. But the wealth now collected there will soon find or create employment for itself, and may be turned with advantage into some new channel. Its harbour is so safe, and so conveniently situated for receiving commodities from Europe, its merchants have been so long accustomed to convey these into all the adjacent provinces, that it is probable they will still retain this branch of trade, and Carthagena continue to be a city of great importance.

Venezuela.

The province contiguous to Santa Martha on the east, was first visited by Alonso de Ojeda, in the year 1499;[b] and the Spaniards, on their landing there, having observed some huts in an Indian village built upon piles, in order to raise them above the stagnated water which covered the plain, were led to bestow upon it the name of Venezuela, or Little Venice, by their usual propensity to find a resemblance between what they discovered in America, and the objects which were familiar to them in Europe. They made some attempts to settle there, but with little success. The final reduction of the province was accomplished by means very different from those to which Spain was indebted for its other acquisitions in the New World. The ambition of Charles V. often engaged him in operations of such variety and extent, that his revenues were not sufficient to defray the expense of carrying them into execution. Among other expedients for supplying the deficiency of his funds, he had borrowed large sums from the Velsers of Augsburg, the most opulent merchants at that time in Europe. By way of retribution for these, or in hopes, perhaps, of obtaining a new loan, he bestowed upon them the province of Venezuela, to be held as an hereditary fief from the crown of Castile, on condition that within a limited time they should render themselves masters of the country, and establish a colony there. Under the direction of such persons, it might have been expected that a settlement would have been established on maxims very different from those of the Spaniards, and better calculated to encourage such useful industry as mercantile proprietors might have known to be the most certain source of prosperity and opulence. But unfortunately they committed the execution of their plan to some of those soldiers of fortune with which Germany abounded in the sixteenth century. These adventurers, impatient to amass riches, that they might speedily abandon a station which they soon discovered to be very uncomfortable, instead of planting a colony in order to cultivate and improve the country, wandered from district to district in search of mines, plundering the natives with unfeeling rapacity, or oppressing them by the imposition of intolerable tasks. In the course of a few years, their avarice and exactions, in comparison with which those of the Spaniards were moderate, desolated the province so completely, that it could hardly afford them subsistence, and the Velsers relinquished a property from which the inconsiderate conduct of their agents left them no hope of ever deriving any advantage.[c] When the wretched remainder of the Germans deserted Venezuela, the Spaniards again took possession of it; but notwithstanding many natural advantages, it is one of their most languishing and unproductive settlements.

Caraccas and Cumana.

The provinces of Caraccas and Cumana are the last of the Spanish territories on this coast; but in relating the origin and operations of the mercantile company, in which an exclusive right of trade with them has been vested, I shall hereafter have occasion to consider their state and productions.

New kingdom of Granada.

The new kingdom of Granada is entirely an inland country of great extent. This important addition was made to the dominions of Spain about the year 1536, by Sebastian de Benalcazar and Gonzalo Ximenes de Quesada, two of the bravest and most accomplished officers employed in the conquest of America. The former, who commanded at that time in Quito, attacked it from the south; the latter made his invasion from Santa Martha on the north. As the original inhabitants of this region were further advanced in improvement than any people in America but the Mexicans and Peruvians,[d] they defended themselves with great resolution and good conduct. The abilities and perseverance of Benalcazar and Quesada surmounted all opposition, though not without encountering many dangers, and reduced the country into the form of a Spanish province.

The new kingdom of Granada is so far elevated above the level of the sea, that though it approaches almost to the equator, the climate is remarkably temperate. The fertility of its valleys is not inferior to that of the richest districts in America, and its higher grounds yield gold and precious stones of various kinds. It is not by digging into the bowels of the earth that this gold is found; it is mingled with the soil near the surface, and separated from it by repeated washing with water. This operation is carried on wholly by negro slaves; for though the chill subterranean air has been discovered, by experience, to be so fatal to them, that they cannot be employed with advantage in the deep silver mines, they are more capable of performing the other species of labour than Indians. As the natives in

b Book ii. p. 771.
c Oviedo y Bagnos, Hist. de Venezuela, p. 11, &c.

d Book iv. p. 829, &c.

the new kingdom of Granada are exempt from that service, which has wasted their race so rapidly in other parts of America, the country is still remarkably populous. Some districts yield gold with a profusion no less wonderful than that in the vale of Cinegnilla, which I have formerly mentioned, and it is often found in large *pepitas*, or grains, which manifest the abundance in which it is produced. On a rising ground near Pamplona, single labourers have collected in a day what was equal in value to a thousand pesos.[e] A late governor of Santa Fe brought with him to Spain a lump of pure gold, estimated to be worth seven hundred and forty pounds sterling. This, which is, perhaps, the largest and finest specimen ever found in the New World, is now deposited in the royal cabinet of Madrid. But without founding any calculation on what is rare and extraordinary, the value of the gold usually collected in this country, particularly in the provinces of Popayan and Choco, is of considerable amount. Its towns are populous and flourishing. The number of inhabitants in almost every part of the country daily increases. Cultivation and industry of various kinds begin to be encouraged, and to prosper. A considerable trade is carried on with Carthagena, the produce of the mines, and other commodities, being conveyed down the great river of St. Magdalene to that city. On another quarter, the new kingdom of Granada has a communication with the Atlantic by the river Orinoco; but the country which stretches along its banks towards the east, is little known, and imperfectly occupied by the Spaniards.

BOOK VIII.

View of the policy and trade of the Spanish colonies.

After tracing the progress of the Spaniards in their discoveries and conquests during more than half a century, I have conducted them to that period when their authority was established over almost all the vast regions in the New World still subject to their dominion. The effect of their settlements upon the countries of which they took possession, the maxims which they adopted in forming their new colonies, the interior structure and policy of these, together with the influence of their progressive improvement upon the parent state, and upon the commercial intercourse of nations, are the objects to which we now turn our attention.

Depopulation of America, the first effect of them.

The first visible consequence of the establishments made by the Spaniards in America, was the diminution of the ancient inhabitants, to a degree equally astonishing and deplorable. I have already, on different occasions, mentioned the disastrous influence under which the connexion of the Americans with the people of our hemisphere commenced, both in the islands and in several parts of the continent, and have touched upon various causes of their rapid consumption. Wherever the inhabitants of America had resolution to take arms in defence of their liberty and rights, many perished in the unequal contest, and were cut off by their fierce invaders. But the greatest desolation followed after the sword was sheathed, and the conquerors were settled in tranquillity. It was in the islands, and in those provinces of the continent which stretch from the gulf of Trinidad to the confines of Mexico, that the fatal effects of the Spanish dominion were first and most sensibly felt. All these were occupied either by wandering tribes of hunters, or by such as had made but small progress in cultivation and industry. When they were compelled by their new masters to take up a fixed residence, and to apply to regular labour; when tasks were imposed upon them disproportioned to their strength, and were exacted with unrelenting severity, they possessed not vigour either of mind or of body to sustain this unusual load of oppression. Dejection and despair drove many to end their lives by violence. Fatigue and famine destroyed more. In all those extensive regions, the original race of inhabitants. wasted away; in some it was totally extinguished. In Mexico, where a powerful and martial people distinguished their opposition to the Spaniards by efforts of courage worthy of a better fate, great numbers fell in the field; and there, as well as in Peru, still greater numbers perished under the hardships of attending the Spanish armies in their various expeditions and civil wars, worn out with the incessant toil of carrying their baggage, provisions, and military stores.

Causes of this in the islands, and some parts of the continent;

in New Spain and Peru.

But neither the rage nor cruelty of the Spaniards was so destructive to the people of Mexico and Peru as the inconsiderate policy with which they established their new settlements. The former were temporary calamities, fatal to individuals: the latter was a permanent evil, which, with gradual consumption, wasted the nation. When the provinces of Mexico and Peru were divided among the conquerors, each was eager to obtain a district from which he might expect an instantaneous recompence for all his services. Soldiers, accustomed to the carelessness and dissipation of a military life, had neither industry to carry on any plan of regular cultivation, nor patience to wait for its slow but certain returns. Instead of settling in the vallcys occupied by the natives, where the fertility of the soil would have amply rewarded the diligence of the planter, they chose to fix their stations in some of the mountainous regions, frequent both in New Spain and in Peru. To search for mines of gold and silver, was the chief object of their activity. The prospects which this opens, and the alluring hopes which it con-

e Piedrahita, Hist. del N. Reyno, p. 481. MS. penes me.

tinually presents, correspond wonderfully with the spirit of enterprise and adventure that animated the first emigrants to America in every part of their conduct. In order to push forward those favourite projects, so many hands were wanted, that the service of the natives became indispensably requisite. They were accordingly compelled to abandon their ancient habitations in the plains, and driven in crowds to the mountains. This sudden transition from the sultry climate of the valleys to the chill penetrating air peculiar to high lands in the torrid zone; exorbitant labour, scanty or unwholesome nourishment, and the despondency occasioned by a species of oppression to which they were not accustomed, and of which they saw no end, affected them nearly as much as their less industrious countrymen in the islands. They sunk under the united pressure of those calamities, and melted away with almost equal rapidity.[a] In consequence of this, together with the introduction of the small-pox, a malady unknown in America, and extremely fatal to the natives,[b] the number of people both in New Spain and Peru was so much reduced, that in a few years the accounts of their ancient population appeared almost incredible.[c]

Not the result of any system of policy;

Such are the most considerable events and causes which, by their combined operation, contributed to depopulate America. Without attending to these, many authors, astonished at the suddenness of the desolation, have ascribed this unexampled event to a system of policy no less profound than atrocious. The Spaniards, as they pretend, conscious of their own inability to occupy the vast regions which they had discovered, and foreseeing the impossibility of maintaining their authority over a people infinitely superior to themselves in number, in order to preserve the possession of America, resolved to exterminate the inhabitants, and, by converting a great part of the country into a desert, endeavoured to secure their own dominion over it.[d] But nations seldom extend their views to objects so remote, or lay their plans so deep; and for the honour of humanity we may observe, that no nation ever deliberately formed such an execrable scheme. The Spanish monarchs, far from acting upon any such system of destruction, were uniformly solicitous for the preservation of their new subjects. With Isabella, zeal for propagating the christian faith, together with the desire of communicating the knowledge of truth, and the consolations of religion, to people destitute of spiritual light, were more than ostensible motives for encouraging Columbus to attempt his discoveries. Upon his success, she endeavoured to fulfil her pious purpose, and manifested the most tender concern to secure not only religious instruction, but mild treatment, to that inoffensive race of men subjected to her crown.[e] Her successors adopted the same ideas; and on many occasions, which I have mentioned, their authority was interposed, in the most vigorous exertions, to protect the people of America from the oppression of their Spanish subjects. Their regulations for this purpose were numerous, and often repeated. They were framed with wisdom and dictated by humanity. After their possessions in the New World became so extensive as might have excited some apprehensions of difficulty in retaining their dominion over them, the spirit of their regulations was as mild as when their settlements were confined to the islands alone. Their solicitude to protect the Indians seems rather to have augmented as their acquisitions increased: and from ardour to accomplish this, they enacted and endeavoured to enforce the execution of laws, which excited a formidable rebellion in one of their colonies, and spread alarm and disaffection through all the rest. But the avarice of individuals was too violent to be controlled by the authority of laws. Rapacious and daring adventurers, far removed from the seat of government, little accustomed to the restraints of military discipline while in service, and still less disposed to respect the feeble jurisdiction of civil power in an infant colony, despised or deluded every regulation that set bounds to their exactions and tyranny. The parent state, with persevering attention, issued edicts to prevent the oppression of the Indians; the colonists, regardless of these, or trusting to their distance for impunity, continued to consider and treat them as slaves. The governors themselves, and other officers employed in the colonies, several of whom were as indigent and rapacious as the adventurers over whom they presided, were too apt to adopt their contemptuous ideas of the conquered people; and, instead of checking, encouraged or connived at their excesses. The desolation of the New World should not then be charged on the court of Spain, or be considered as the effect of any system of policy adopted there. It ought to be imputed wholly to the indigent and often unprincipled adventurers, whose fortune it was to be the conquerors and first planters of America, who, by measures no less inconsiderate than unjust, counteracted the edicts of their sovereign, and have brought disgrace upon their country.

nor the effect of religion.

With still greater injustice have many authors represented the intolerating spirit of the Roman catholic religion, as the cause of exterminating the Americans, and have accused the Spanish ecclesiastics of animating their countrymen to the slaughter of that innocent people, as idolaters and enemies of God. But the first missionaries who visited America, though weak and illiterate, were pious men. They early espoused the defence of the natives, and vindicated their character from the aspersions of their conquerors, who, describing them as incapable of being formed to the offices of civil life, or of comprehending the doctrines of religion, contended, that they were a sub-

a Torquemada, i. 613.
b B. Diaz, c. 124. Herrera, dec. 2. lib. x. c. 4. Ulloa Entreten. 206.
c Torquem. 615. 642, 643. See Note CLXIV.
d See Note CLXV.
e See Note CLXVI.

ordinate race of men, on whom the hand of nature had set the mark of servitude. From the accounts which I have given of the humane and persevering zeal of the Spanish missionaries, in protecting the helpless flock committed to their charge, they appear in a light which reflects lustre upon their function. They were ministers of peace, who endeavoured to wrest the rod from the hands of oppressors. To their powerful interposition the Americans were indebted for every regulation tending to mitigate the rigour of their fate. The clergy in the Spanish settlements, regular as well as secular, are still considered by the Indians as their natural guardians, to whom they have recourse under the hardships and exactions to which they are too often exposed.[f]

The number of the Indians still remaining.

But, notwithstanding the rapid depopulation of America, a very considerable number of the native race still remains both in Mexico and Peru, especially in those parts which were not exposed to the first fury of the Spanish arms, or desolated by the first efforts of their industry, still more ruinous. In Guatimala, Chiapa, Nicaragua, and the other delightful provinces of the Mexican empire, which stretch along the South sea, the race of Indians is still numerous. Their settlements in some places are so populous, as to merit the name of cities.[g] In the three audiences into which New Spain is divided, there are at least two millions of Indians; a pitiful remnant, indeed, of its ancient population, but such as still forms a body of people superior in number to that of all the other inhabitants of this extensive country.[h] In Peru several districts, particularly in the kingdom of Quito, are occupied almost entirely by Indians. In other provinces they are mingled with the Spaniards, and in many of their settlements are almost the only persons who practise the mechanic arts, and fill most of the inferior stations in society. As the inhabitants both of Mexico and Peru were accustomed to a fixed residence, and to a certain degree of regular industry, less violence was requisite in bringing them to some conformity with the European modes of civil life. But wherever the Spaniards settled among the savage tribes of America, their attempts to incorporate with them have been always fruitless, and often fatal to the natives. Impatient of restraint, and disdaining labour as a mark of servility, they either abandoned their original seats, and sought for independence in mountains and forests inaccessible to their oppressors, or perished when reduced to a state repugnant to their ancient ideas and habits. In the districts adjacent to Carthagena, to Panama, and to Buenos-Ayres, the desolation is more general than even in those parts of Mexico and Peru of which the Spaniards have taken most full possession.

General ideas of the policy of Spain in its colonies.

But the establishments of the Spaniards in the New World, though fatal to its ancient inhabitants, were made at a period when that monarchy was capable of forming them to best advantage. By the union of all its petty kingdoms, Spain was become a powerful state, equal to so great an undertaking. Its monarchs, having extended their prerogatives far beyond the limits which once circumscribed the regal power in every kingdom of Europe, were hardly subject to control, either in concerting or in executing their measures. In every wide-extended empire, the form of government must be simple, and the sovereign authority such, that its resolutions may be taken with promptitude, and may pervade the whole with sufficient force. Such was the power of the Spanish monarchs, when they were called to deliberate concerning the mode of establishing their dominion over the most remote provinces which had ever been subjected to any European state. In this deliberation, they felt themselves under no constitutional restraint, and that, as independent masters of their own resolves, they might issue the edicts requisite for modelling the government of the new colonies, by a mere act of prerogative.

Early interposition of the regal authority.

This early interposition of the Spanish crown, in order to regulate the policy and trade of its colonies, is a peculiarity which distinguishes their progress from that of the colonies of any other European nation. When the Portuguese, the English, and French took possession of the regions in America which they now occupy, the advantages which these promised to yield were so remote and uncertain, that their colonies were suffered to struggle through a hard infancy, almost without guidance or protection from the parent state. But gold and silver, the first productions of the Spanish settlements in the New World, were more alluring, and immediately attracted the attention of their monarchs. Though they had contributed little to the discovery, and almost nothing to the conquest, of the New World, they instantly assumed the function of its legislators; and having acquired a species of dominion formerly unknown, they formed a plan for exercising it, to which nothing similar occurs in the history of human affairs.

All power and property vested in the crown.

The fundamental maxim of Spanish jurisprudence, with respect to America, is to consider what has been acquired there as vested in the crown, rather than in the state. By the bull of Alexander VI., on which, as its great charter, Spain founded its right, all the regions that had been or should be discovered were bestowed as a free gift upon Ferdinand and Isabella. They and their successors were uniformly held to be the universal proprietors of the vast territories which the arms of their subjects conquered in the New World. From them all grants of land there flowed, and to them they finally returned. The leaders who conducted the various expeditions, the governors who presided over the different colonies, the officers of justice, and the ministers of religion,

f See Note CLXVII. g See Note CLXVIII. h See Note CLXIX.

were all appointed by their authority, and removable at their pleasure. The people who composed infant settlements were entitled to no privileges independent of the sovereign, or that served as a barrier against the power of the crown. It is true, that when towns were built, and formed into bodies corporate, the citizens were permitted to elect their own magistrates, who governed them by laws which the community enacted. Even in the most despotic states this feeble spark of liberty is not extinguished. But in the cities of Spanish America, this jurisdiction is merely municipal, and is confined to the regulation of their own interior commerce and police. In whatever relates to public government, and the general interest, the will of the sovereign is law. No political power originates from the people. All centres in the crown, and in the officers of its nomination.

All the new dominions of Spain subjected to two viceroys.

When the conquests of the Spaniards in America were completed, their monarchs, in forming the plan of internal policy for their new dominions, divided them into two immense governments, one subject to the viceroy of New Spain, the other to the viceroy of Peru. The jurisdiction of the former extended over all the provinces belonging to Spain in the northern division of the American continent. Under that of the latter, was comprehended whatever she possessed in South America. This arrangement, which, from the beginning, was attended with many inconveniences, became intolerable when the remote provinces of each viceroyalty began to improve in industry and population. The people complained of their subjection to a superior, whose place of residence was so distant, or so inaccessible, as almost excluded them from any intercourse with the seat of government. The authority of the viceroy over districts so far removed from his own eye and observation, was unavoidably both feeble and ill directed. As a remedy for those evils, a third viceroyalty has been established in the present century, at Santa Fe de Bogota, the capital of the new kingdom of Granada, the jurisdiction of which extends over the whole kingdom of Tierra Firme and the province of Quito.[i] Those viceroys

Their powers.

not only represent the person of their sovereign, but possess his regal prerogatives within the precincts of their own governments in their utmost extent. Like him, they exercise supreme authority in every department of government, civil, military, and criminal. They have the sole right of nominating the persons who hold many offices of the highest importance, and the occasional privilege of supplying those which when they become vacant by death, are in the royal gift, until the successor appointed by the king shall arrive. The external pomp of their government is suited to its real dignity and power. Their courts are formed upon the model of that at Madrid, with horse and foot guards, a household regularly established, numerous attendants, and ensigns of command, displaying such magnificence as hardly retains the appearance of delegated authority.[k]

Courts of audience.

But as the viceroys cannot discharge in person the functions of a supreme magistrate in every part of their extensive jurisdiction, they are aided in their government by officers and tribunals similar to those in Spain. The conduct of civil affairs in the various provinces and districts, into which the Spanish dominions in America are divided, is committed to magistrates of various orders and denominations; some appointed by the king, others by the viceroy, but all subject to the command of the latter, and amenable to his jurisdiction. The administration of justice is vested in tribunals, known by the name of *audiences*, and formed upon the model of the court of chancery in Spain. These are eleven in number, and dispense justice to as many districts, into which the Spanish dominions in America are divided.[l] The number of judges in the court of audience is various, according to the extent and importance of their jurisdiction. The station is no less honourable than lucrative, and is commonly filled by persons of such abilities and merit as render this tribunal extremely respectable. Both civil and criminal causes come under their cognizance, and for each peculiar judges are set apart. Though it is only in the

Their jurisdiction.

most despotic governments that the sovereign exercises in person the formidable prerogative of administering justice to his subjects, and in absolving, or condemning, consults no law but what is deposited in his own breast; though, in all the monarchies of Europe, judicial authority is committed to magistrates, whose decisions are regulated by known laws and established forms; the Spanish viceroys have often attempted to intrude themselves into the seat of justice, and, with an ambition which their distance from the control of a superior rendered bold, have aspired at a power which their master does not venture to assume. In order to check an usurpation which must have annihilated justice and security in the Spanish colonies, by subjecting the lives and property of all to the will of a single man, the viceroys have been prohibited, in the most explicit terms, by repeated laws, from interfering in the judicial proceedings of the courts of audience, or from delivering an opinion, or giving a voice, with respect to any point litigated before them.[m] In some particular cases, in which any question of civil right is involved, even the political regulations of the viceroy may be brought under the review of the court of audience, which in those instances may be deemed an intermediate power placed between him and the people, as a constitutional barrier to circumscribe his jurisdiction. But as legal restraints on a person who represents the sovereign, and is clothed with his authority, are

i Voy. de Ulloa, i. 23. 255.
k Ulloa, Voy. i. 432. Gage, 61.

l See Note CLXX.
m Recop. lib. ii. tit. xv. l. 35. 38. 44. lib. iii. tit. iii. l. 36, 37.

little suited to the genius of Spanish policy; the hesitation and reserve with which it confers this power on the courts of audience are remarkable. They may advise, they may remonstrate; but, in the event of a direct collision between their opinion and the will of the viceroy, what he determines must be carried into execution, and nothing remains for them, but to lay the matter before the king and the council of the Indies.[n] But to be entitled to remonstrate, and inform against a person before whom all others must be silent, and tamely submit to his decrees, is a privilege which adds dignity to the courts of audience. This is further augmented by another circumstance. Upon the death of a viceroy, without any provision of a successor by the king, the supreme power is vested in the court of audience resident in the capital of the viceroyalty; and the senior judge, assisted by his brethren, exercises all the functions of the viceroy while the office continues vacant.[o] In matters which come under the cognizance of the audiences, in the course of their ordinary jurisdiction, as courts of justice, their sentences are final in every litigation concerning property of less value than six thousand pesos; but when the subject in dispute exceeds that sum, their decisions are subject to review, and may be carried by appeal before the royal council of the Indies.[p]

Council of the Indies.

In this council, one of the most considerable in the monarchy for dignity and power, is vested the supreme government of all the Spanish dominions in America. It was first established by Ferdinand, in the year 1511, and brought into a more perfect form by Charles V., in the year 1524. Its jurisdiction extends to every department, ecclesiastical, civil, military, and commercial. All laws and ordinances relative to the government and police of the colonies originate there, and must be approved of by two-thirds of the members before they are issued in the name of the king. All the offices, of which the nomination is reserved to the crown, are conferred in this council. To it each person employed in America, from the viceroy downwards, is accountable. It reviews their conduct, rewards their services, and inflicts the punishments due to their malversations.[q] Before it is laid whatever intelligence, either public or secret, is received from America; and every scheme of improving the administration, the police, or the commerce of the colonies, is submitted to its consideration. From the first institution of the council of the Indies, it has been the constant object of the catholic monarchs to maintain its authority, and to make such additions from time to time, both to its power and its splendour, as might render it formidable to all their subjects in the New World. Whatever degree of public order and virtue still remains in that country, where so many circumstances conspire to relax the former, and to corrupt the latter, may be ascribed in a great measure to the wise regulations and vigilant inspection of this respectable tribunal.[r]

Its power.

As the king is supposed to be always present in his council of the Indies, its meetings are held in the place where he resides. Another tribunal has been instituted, in order to regulate such commercial affairs as required the immediate and personal inspection of those appointed to superintend them. This is called *Casa de la Contratacion*, or the house of trade, and was established in Seville, the port to which commerce with the New World was confined, as early as the year 1501. It may be considered both as a board of trade, and as a court of judicature. In the former capacity, it takes cognizance of whatever relates to the intercourse of Spain with America, it regulates what commodities should be exported thither, and has the inspection of such as are received in return. It decides concerning the departure of the fleets for the West Indies, the freight and burden of the ships, their equipment and destination. In the latter capacity, it judges with respect to every question, civil, commercial, or criminal, arising in consequence of the transactions of Spain with America; and in both these departments its decisions are exempted from the review of any court but that of the council of the Indies.[s]

Casa de la Contratacion.

Its functions.

Such is the great outline of that system of government which Spain has established in her American colonies. To enumerate the various subordinate boards and offices employed in the administration of justice, in collecting the public revenue, and in regulating the interior police of the country; to describe their different functions, and to inquire into the mode and effect of their operations; would prove a detail no less intricate than minute and uninteresting.

First object, to secure an exclusive trade.

The first object of the Spanish monarchs was to secure the productions of the colonies to the parent-state, by an absolute prohibition of any intercourse with foreign nations. They took possession of America by right of conquest, and conscious not only of the feebleness of their infant settlements, but aware of the difficulty in establishing their dominion over regions so extensive, or in retaining so many reluctant nations under the yoke, they dreaded the intrusion of strangers; they even shunned their inspection, and endeavoured to keep them at a distance from their coasts. This spirit of jealousy and exclusion, which at first was natural, and perhaps necessary, augmented as their possessions in America extended, and the value of them came to be more fully understood. In consequence of it, a system of colonizing was introduced, to which there had hitherto been nothing similar among mankind. In the ancient world, it was not uncommon to send

n Solorz. de Jure Ind. lib. iv. c. 3. n. 40, 41. Recop. lib. ii. tit. xv. l. 36. lib. iii. tit. iii. l. 34. lib. v. tit. ix. l. 1.
o Recop. lib. ii. tit. xv. l. 57, &c.
p Ibid. lib. v. tit. xiii. l. 1, &c.
q Recop. lib. ii. tit. ii. l. 1, 2, &c.
r Solorz. de Jure Ind. lib. iv. c. 12.
s Recop. lib. ix. tit. i. Veitia Norte de la Contratacion, lib. i. 1.

forth colonies. But they were of two kinds only. They were either migrations, which served to disburden a state of its superfluous subjects, when they multiplied too fast for the territory which they occupied; or they were military detachments, stationed as garrisons in a conquered province. The colonies of some Greek republics, and the swarms of northern barbarians which settled in different parts of Europe, were of the first species. The Roman colonies were of the second. In the former, the connexion with the mother-country quickly ceased, and they became independent states. In the latter, as the disjunction was not complete, the dependence continued. In their American settlements, the Spanish monarchs took what was peculiar to each, and studied to unite them. By sending colonies to regions so remote, by establishing in each a form of interior policy and administration, under distinct governors, and with peculiar laws, they disjoined them from the mother-country. By retaining in their own hands the rights of legislation, as well as that of imposing taxes, together with the power of nominating the persons who filled every department of executive government, civil or military, they secured their dependence upon the parent-state. Happily for Spain, the situation of her colonies was such as rendered it possible to reduce this new idea into practice. Almost all the countries which she had discovered and occupied, lay within the tropics. The productions of that large portion of the globe are different from those of Europe, even in its most southern provinces. The qualities of the climate and of the soil naturally turn the industry of such as settle there into new channels. When the Spaniards first took possession of their dominions in America, the precious metals which they yielded were the only object that attracted their attention. Even when their efforts began to take a better direction, they employed themselves almost wholly in rearing such peculiar productions of the climate as, from their rarity or value, were of chief demand in the mother-country. Allured by vast prospects of immediate wealth, they disdained to waste their industry on what was less lucrative, but of superior moment. In order to render it impossible to correct this error, and to prevent them from making any efforts in industry which might interfere with those of the mother-country, the establishment of several species of manufactures, and even the culture of the vine, or olive, are prohibited in the Spanish colonies,[t] under severe penalties.[u] They must trust entirely to the mother-country for the objects of primary necessity. Their clothes, their furniture, their instruments of labour, their luxuries, and even a considerable part of the provisions which they consume, were imported from Spain. During a great part of the sixteenth century, Spain, possessing an extensive commerce and flourishing manufactures, could supply with ease the growing demands of her colonies from her own stores. The produce of their mines and plantations was given in exchange for these. But all that the colonies received, as well as all that they gave, was conveyed in Spanish bottoms. No vessel belonging to the colonies was ever permitted to carry the commodities of America to Europe. Even the commercial intercourse of one colony with another was either absolutely prohibited, or limited by many jealous restrictions. All that America yields flows into the ports of Spain: all that it consumes must issue from them. No foreigner can enter its colonies without express permission; no vessel of any foreign nation is received into their harbours; and the pains of death, with confiscation of movables, are denounced against every inhabitant who presumes to trade with them.[x] Thus the colonies are kept in a state of perpetual pupilage; and by the introduction of this commercial dependence, a refinement in policy of which Spain set the first example to European nations, the supremacy of the parent state hath been maintained over remote colonies during two centuries and a half.

Regulations for that purpose.

Such are the capital maxims to which the Spanish monarchs seem to have attended in forming their new settlements in America. But they could not plant with the same rapidity that they had destroyed; and from many concurring causes, their progress has been extremely slow in filling up the immense void which their devastations had occasioned. As soon as the rage for discovery and adventure began to abate, the Spaniards opened their eyes to dangers and distress which at first they did not perceive, or had despised. The numerous hardships with which the members of infant colonies have to struggle; the diseases of unwholesome climates fatal to the constitution of Europeans; the difficulty of bringing a country covered with forests into culture; the want of hands necessary for labour in some provinces, and the slow reward of industry in all, unless where the accidental discovery of mines enriched a few fortunate adventurers, were evils universally felt and magnified. Discouraged by the view of these, the spirit of migration was so much damped, that sixty years after the discovery of the New World the number of Spaniards in all its provinces is computed not to have exceeded fifteen thousand.[y]

Slow progress of population from Europe.

The mode in which property was distributed in the Spanish colonies, and the regulations established with respect to the transmission of it, whether by descent or by sale, were extremely unfavourable to population. In order to promote a rapid increase of people in any new settlement, property in land ought to be divided into small shares, and the alienation of it should be rendered extremely easy.[z] But the rapaciousness of the Spanish conquerors of the New

Discouraged by the state of property.

t See Note CLXXI.
u D. Ulloa Retab. des Manuf. &c. p. 206.
x Recopil. lib. ix. tit. xxvii. l. i. 4, 7, &c.
y See Note CLXXII.
z Dr. Smith's Inquiry, ii. 166.

World paid no regard to this fundamental maxim of policy; and, as they possessed power which enabled them to gratify the utmost extravagance of their wishes, many seized districts of great extent, and held them as *encomiendas*. By degrees they obtained the privilege of converting a part of these into *Mayorasgos*, a species of fief, introduced into the Spanish system of feudal jurisprudence,[a] which can neither be divided nor alienated. Thus a great portion of landed property, under this rigid form of entail, is withheld from circulation, and descends from father to son unimproved, and of little value either to the proprietor or to the community. In the account which I have given of the reduction of Peru, various examples occur of enormous tracts of country occupied by some of the conquerors.[b] The excesses in other provinces were similar; for, as the value of the lands which the Spaniards acquired was originally estimated according to the number of Indians which lived upon them, America was in general so thinly peopled, that only districts of great extent could afford such a number of labourers as might be employed in the mines with any prospect of considerable gain. The pernicious effects of those radical errors in the distribution and nature of property in the Spanish settlements, are felt through every department of industry, and may be considered as one great cause of a progress in population so much slower than that which has taken place in better constituted colonies.[c]

and the nature of their ecclesiastical policy.

To this we may add, that the support of the enormous and expensive fabric of their ecclesiastical establishment has been a burden on the Spanish colonies, which has greatly retarded the progress of population and industry. The payment of tithes is a heavy tax on industry; and if the exaction of them be not regulated and circumscribed by the wisdom of the civil magistrate, it becomes intolerable and ruinous. But, instead of any restraint on the claims of ecclesiastics, the inconsiderate zeal of the Spanish legislators admitted them into America in their full extent, and at once imposed on their infant colonies a burden which is in no slight degree oppressive to society, even in its most improved state. As early as the year 1501, the payment of tithes in the colonies was enjoined, and the mode of it regulated by law. Every article of primary necessity, towards which the attention of new settlers must naturally be turned, is subjected to that grievous exaction.[d] Nor were the demands of the clergy confined to articles of simple and easy culture. Its more artificial and operose productions, such as sugar, indigo, and cochineal, were soon declared to be titheable;[e] and thus the industry of the planter was taxed in every stage of its progress, from its rudest essay to its highest improvement. To the weight of this legal imposition, the bigotry of the American Spaniards has made many voluntary additions. From their fond delight in the external pomp and parade of religion, and from superstitious reverence for ecclesiastics of every denomination, they have bestowed profuse donatives on churches and monasteries, and have unprofitably wasted a large proportion of that wealth, which might have nourished and given vigour to productive labour in growing colonies.

Various orders of people in the colonies.

But so fertile and inviting are the regions of America, which the Spaniards have occupied, that, notwithstanding all the circumstances which have checked and retarded population, it has gradually increased, and filled the colonies of Spain with citizens of various orders. Among these, the Spaniards who arrive from Europe, distinguished by the name of *Chapetones*, are the first in rank and power. From the jealous attention of the Spanish court to secure the dependence of the colonies on the parent state, all departments of consequence are filled by persons sent from Europe; and in order to prevent any of dubious fidelity from being employed, each must bring proof of a clear descent from a family of *Old Christians*, untainted with any mixture of Jewish or Mahometan blood, and never disgraced by any censure of the inquisition.[f] In such pure hands power is deemed to be safely lodged, and almost every function, from the viceroyalty downwards, is committed to them alone. Every person, who, by his birth or residence in America, may be suspected of any attachment or interest adverse to the mother-country, is the object of distrust to such a degree, as amounts nearly to an exclusion from all offices of confidence or authority.[g] By this conspicuous predilection of the court, the Chapetones are raised to such pre-eminence in America, that they look down with disdain on every other order of men.

Chapetones the first.

Creoles the second.

The character and state of the *Creoles*, or descendants of Europeans settled in America, the second class of subjects in the Spanish colonies, have enabled the Chapetones to acquire other advantages, hardly less considerable than those which they derive from the partial favour of government. Though some of the Creolian race are descended from the conquerors of the New World; though others can trace up their pedigree to the noblest families in Spain; though many are possessed of ample fortunes; yet, by the enervating influence of a sultry climate, by the rigour of a jealous government, and by their despair of attaining that distinction to which mankind naturally aspire, the vigour of their minds is so entirely broken, that a great part of them waste life in luxurious indulgences, mingled with an illiberal superstition still more debasing.

Languid and unenterprising, the operations of an active extended commerce would be to them so cumbersome and oppressive, that in almost every

a Recop. lib. iv. tit. iii. l. 24.
b Book vi.
c See Note CLXXIII.
d Recop. lib. i. tit. xiv. l. 2.
e Recopil. lib. i. tit. xiv. l. 3 & 4.
f Ibid. lib. ix. tit. xxvi. l. 15, 16.
g See Note CLXXIV.

part of America they decline engaging in it. The interior traffic of every colony, as well as any trade which is permitted with the neighbouring provinces, and with Spain itself, is carried on chiefly by the Chapetones;[h] who, as the recompence of their industry, amass immense wealth, while the Creoles, sunk in sloth, are satisfied with the revenues of their paternal estates.

Rivalship between these.

From this stated competition for power and wealth between those two orders of citizens, and the various passions excited by a rivalship so interesting, their hatred is violent and implacable. On every occasion, symptoms of this aversion break out, and the common appellations which each bestows on the other are as contemptuous as those which flow from the most deep-rooted national antipathy.[i] The court of Spain, from a refinement of distrustful policy, cherishes those seeds of discord, and foments this mutual jealousy, which not only prevents the two most powerful classes of its subjects in the New World from combining against the parent state, but prompts each, with the most vigilant zeal, to observe the motions and to counteract the schemes of the other.

A mixed race forms the third order of citizens.

The third class of inhabitants in the Spanish colonies is a mixed race, the offspring either of a European and a negro, or of a European and Indian, the former called *Mulattoes*, the latter *Mestizos*. As the court of Spain, solicitous to incorporate its new vassals with its ancient subjects, early encouraged the Spaniards settled in America to marry the natives of that country, several alliances of this kind were formed in their infant colonies.[k] But it has been more owing to licentious indulgence, than to compliance with this injunction of their sovereigns, that this mixed breed has multiplied so greatly, as to constitute a considerable part of the population in all the Spanish settlements. The several stages of descent in this race, and the gradual variations of shade until the African black or the copper colour of America brighten into European complexion, are accurately marked by the Spaniards, and each distinguished by a peculiar name. Those of the first and second generations are considered and treated as mere Indians and negroes; but in the third descent, the characteristic hue of the former disappears; and in the fifth, the deeper tint of the latter is so entirely effaced, that they can no longer be distinguished from Europeans, and become entitled to all their privileges.[l] It is chiefly by this mixed race, whose frame is so remarkably robust and hardy, that the mechanic arts are carried on in the Spanish settlements, and other active functions in society are discharged, which the two higher classes of citizens, from pride or from indolence, disdain to exercise.[m]

The negroes hold the fourth rank among the inhabitants of the Spanish colonies. The introduction of that unhappy part of the human species into America, together with their services and sufferings there, shall be fully explained in another place; here they are mentioned chiefly in order to point out a peculiarity in their situation under the Spanish dominion. In several of their settlements, particularly in new Spain, negroes are mostly employed in domestic service. They form a principal part in the train of luxury, and are cherished and caressed by their superiors, to whose vanity and pleasures they are equally subservient. Their dress and appearance are hardly less splendid than that of their masters, whose manners they imitate, and whose passions they imbibe.[n] Elevated by this distinction, they have assumed such a tone of superiority over the Indians, and treat them with such insolence and scorn, that the antipathy between the two races has become implacable. Even in Peru, where negroes seem to be more numerous, and are employed in field-work as well as domestic service, they maintain their ascendant over the Indians, and the mutual hatred of one to the other subsists with equal violence. The laws have industriously fomented this aversion, to which accident gave rise, and, by most rigorous injunctions, have endeavoured to prevent every intercourse that might form a bond of union between the two races. Thus, by an artful policy, the Spaniards derive strength from that circumstance in population which is the weakness of other European colonies, and have secured, as associates and defenders, those very persons who elsewhere are objects of jealousy and terror.[o]

Negroes form the fourth order.

The Indians form the last order of citizens.

The Indians form the last and the most depressed order of men in the country which belonged to their ancestors. I have already traced the progress of the Spanish ideas with respect to the condition and treatment of that people; and have mentioned the most important of their more early regulations, concerning a matter of so much consequence in the administration of their new dominions. But since the period to which I have brought down the history of America, the information and experience acquired during two centuries have enabled the court of Spain to make such improvements in this part of its American system, that a short view of the present condition of the Indians may prove both curious and interesting.

Their present condition.

By the famous regulations of Charles V. in 1542, which have been so often mentioned, the high pretensions of the conquerors of the New World, who considered its inhabitants as slaves to whose service they had acquired a full right of property, were finally abrogated. From that period, the Indians have been reputed freemen, and entitled to the privileges of subjects. When

h Voy. de Ulloa, i. 27. 251. Voy. de Frezier, 227.
i Gage's Survey, p. 9. Frezier, 226.
k Recopil. lib. vi. tit. i. l. 2. Herrera, dec. 1. lib. v. c. 12. dec. 3. lib. vii. c. 2.
l Voy. de Ulloa, i. 27.
m Voy. de Ulloa, i. 29. Voy. de Bouguer, p. 104. Melendez, Tesoros Verdaderos, i. 354.
n Gage, p. 56. Voy. de Ulloa, i. 451.
o Recopil. lib. vii. tit. v. l. 7. Herrera, dec. 8. lib. vii. c. 12. Frezier, 244.

admitted into this rank, it was deemed just that they should contribute towards the support and improvement of the society which had adopted them as members. But as no considerable benefit could be expected from the voluntary efforts of men unacquainted with regular industry, and averse to labour, the court of Spain found it necessary to fix and secure, by proper regulations, what it thought reasonable to exact from them. With this view, an annual tax was imposed upon every male from the age of eighteen to fifty; and at the same time the nature as well as the extent of the services which they might be required to perform, was ascertained with precision. This tribute varies in different provinces; but if we take that paid in New Spain as a medium, its annual amount is nearly four shillings a head; no exorbitant sum in countries where, as at the source of wealth, the value of money is extremely low.[p] The right of levying this tribute likewise varies. In America, every Indian is either an immediate vassal of the crown, or depends upon some subject to whom the district in which he resides has been granted for a limited time, under the denomination of an *encomienda*. In the former case, about three-fourths of the tax is paid into the royal treasury; in the latter, the same proportion of it belongs to the holder of the grant. When Spain first took possession of America, the greater part of it was parcelled out among its conquerors, or those who first settled there, and but a small portion reserved for the crown. As those grants, which were made for two lives only,[q] reverted successively to the sovereign, he had it in his power either to diffuse his favours by grants to new proprietors, or to augment his own revenue by valuable annexations. Of these, the latter has been frequently chosen; the number of Indians now depending immediately on the crown is much greater than in the first stage after the conquest, and this branch of the royal revenue continues to extend.

Tax imposed on them.

The benefit arising from the services of the Indians, accrues either to the crown, or to the holder of the *encomienda*, according to the same rule observed in the payment of tribute. Those services, however, which can now be legally exacted, are very different from the tasks originally imposed upon the Indians. The nature of the work which they must perform is defined, and an equitable recompence is granted for their labour. The stated services demanded of the Indians may be divided into two branches. They are either employed in works of primary necessity, without which society cannot subsist comfortably, or are compelled to labour in the mines, from which the Spanish colonies derive their chief value and importance. In consequence of the former, they are obliged to assist in the culture of maize, and other grain of necessary consumption; in tending cattle; in erecting edifices of public utility; in building bridges; and in forming high roads;[s] but they cannot be constrained to labour in raising vines, olives, and sugar-canes, or any species of cultivation which has for its object the gratification of luxury, or commercial profit.[t] In consequence of the latter, the Indians are compelled to undertake the more unpleasant task of extracting ore from the bowels of the earth, and of refining it by successive processes, no less unwholesome than operose.[u]

The services demanded.

The mode of exacting both these services is the same, and is under regulations framed with a view of rendering it as little oppressive as possible to the Indians. They are called out successively in divisions, termed *Mitas*, and no person can be compelled to go but in his turn. In Peru, the number called out must not exceed the seventh part of the inhabitants in any district.[x] In New Spain, where the Indians are more numerous, it is fixed at four in the hundred.[y] During what time the labour of such Indians as are employed in agriculture continues, I have not been able to learn.[z] But in Peru, each *mita*, or division, destined for the mines, remains there six months; and while engaged in this service, a labourer never receives less than two shillings a day, and often earns more than double that sum.[a] No Indian, residing at a greater distance than thirty miles from a mine, is included in the mita, or division employed in working it;[b] nor are the inhabitants of the low country exposed now to certain destruction, as they were at first when under the dominion of the conquerors, by compelling them to remove from that warm climate to the cold elevated regions where minerals abound.[c]

The mode of exacting these.

The Indians who live in the principal towns are entirely subject to the Spanish laws and magistrates: but in their own villages they are governed by caziques, some of whom are the descendants of their ancient lords, others are named by the Spanish viceroys. These regulate the petty affairs of the people under them, according to maxims of justice transmitted to them by tradition from their ancestors. To the Indians this jurisdiction, lodged in such friendly hands, affords some consolation; and so little formidable is this dignity to their new masters, that they often allow it to descend by hereditary right.[d] For the further relief of men so much exposed to oppression, the Spanish court has appointed an officer in every district with the title of Protector of the Indians. It is his function, as the name implies, to assert the rights of the Indians; to appear as their defender in the courts of justice; and, by the interposition of his authority, to set bounds to the encroachments

How governed.

p See Note CLXXV. Recopil. lib. vi. tit. v. l. 42. Hakluyt, vol. iii. p. 461.
q Recopil. lib. vi. tit. viii. l. 48. Solorz, de Ind. Jure, lib. ii. c. 16.
r See Note CLXXVI.
s Recopil. lib. vi. tit. xiii. l. 19. Solorz. de Ind. Jure, ii. lib. i. c. 6, 7. 9.
t Recopil. lib. vi. tit. xiii. l. 8. Solorz. lib. i. c. 7. No. 41, &c.
u See Note CLXXVII.
x Recopil. lib. vi. tit. xii. l. 21.
y Recop. lib. vi. l. 22.
z See Note CLXXVIII.
a Ulloa Entreten. 265, 266.
b Recopil. lib. vi. tit. xii. l. 3.
c Recopil. lib. vi. tit. xii. l. 29. tit. i. l. 13. See Note CLXXIX.
d Solorz. de Jure Ind. lib. i. c. 26. Recopil. lib. vi. tit. vii.

and exactions of his countrymen.[e] A certain portion of the reserved fourth of the annual tribute is destined for the salary of the caziques and protectors; another is applied to the maintenance of the clergy employed in the instruction of the Indians.[f] Another part seems to be appropriated for the benefit of the Indians themselves, and is applied for the payment of their tribute in years of famine, or when a particular district is affected by any extraordinary local calamity.[g] Besides this, provision is made by various laws, that hospitals shall be founded in every new settlement for the reception of Indians.[h] Such hospitals have accordingly been erected, both for the indigent and infirm, in Lima, in Cuzco, and in Mexico, where the Indians are treated with tenderness and humanity.[i]

Such are the leading principles in the jurisprudence and policy by which the Indians are now governed in the provinces belonging to Spain. In those regulations of the Spanish monarchs, we discover no traces of that cruel system of extermination, which they have been charged with adopting; and if we admit that the necessity of securing subsistence for their colonies, or the advantages derived from working the mines, give them a right to avail themselves of the labour of the Indians, we must allow, that the attention with which they regulate and recompense that labour is provident and sagacious. In no code of laws is greater solicitude displayed, or precautions multiplied with more prudent concern, for the preservation, the security, and the happiness of the subject, than we discover in the collection of the Spanish laws for the Indies. But those latter regulations, like the more early edicts which have been already mentioned, have too often proved ineffectual remedies against the evils which they were intended to prevent. In every age, if the same causes continue to operate the same effects must follow. From the immense distance between the power intrusted with the execution of laws, and that by whose authority they are enacted, the vigour even of the most absolute government must relax, and the dread of a superior, too remote to observe with accuracy, or to punish with despatch, must insensibly abate. Notwithstanding the numerous injunctions of the Spanish monarch, the Indians still suffer, on many occasions, both from the avarice of individuals, and from the exactions of the magistrates who ought to have protected them; unreasonable tasks are imposed; the term of their labour is prolonged beyond the period fixed by law, and they groan under many of the insults and wrongs which are the lot of a dependent people.[k] From some information on which I can depend, such oppression abounds more in Peru than in any other colony. But it is not general. According to the accounts even of those authors who are most disposed to exaggerate the sufferings of the Indians, they in several provinces enjoy not only ease but affluence; they possess large farms; they are masters of numerous herds and flocks; and, by the knowledge which they have acquired of European arts and industry, are supplied not only with the necessaries but with many luxuries of life.[l]

Ecclesiastical constitution of the colonies.

After explaining the form of civil government in the Spanish colonies, and the state of the various orders of persons subject to it, the peculiarities in their ecclesiastical constitution merit consideration. Notwithstanding the superstitious veneration with which the Spaniards are devoted to the holy see, the vigilant and jealous policy of Ferdinand early prompted him to take precautions against the introduction of the papal dominion in America. With this view, he solicited Alexander VI. for a grant to the crown of the tithes in all the newly discovered countries,[m] which he obtained on condition of his making provision for the religious instruction of the natives. Soon after Julius II. conferred on him, and his successors, the right of patronage, and the absolute disposal of all ecclesiastical benefices there.[n] But these pontiffs, unacquainted with the value of what he demanded, bestowed those donations with an inconsiderate liberality, which their successors have often lamented, and wished to recall. In consequence of those grants, the Spanish monarchs have become in effect the heads of the American church. In them the administration of its revenues is vested. Their nomination of persons to supply vacant benefices is instantly confirmed by the pope. Thus in all Spanish America, authority of every species centres in the crown. There no collision is known between spiritual and temporal jurisdiction. The king is the only superior, his name alone is heard of, and no dependence upon any foreign power has been introduced. Papal bulls cannot be admitted into America, nor are they of any force there, until they have been previously examined and approved of by the royal council of the Indies;[o] and if any bull should be surreptitiously introduced and circulated in America without obtaining that approbation, ecclesiastics are required not only to prevent it from taking effect, but to seize all the copies of it, and transmit them to the council of the Indies.[p] To this limitation of the papal jurisdiction, equally singular whether we consider the age and nation in which it was devised, or the jealous attention with which Ferdinand and his successors have studied to maintain it in full force,[q] Spain is indebted, in a great measure, for the uniform tranquillity which has reigned in her American dominions.

Restraints on the papal jurisdiction.

Form and endowments of the church in the Spanish colonies.

The hierarchy is established in America in the same form as in Spain, with its full train of archbishops, bishops, deans, and other dignitaries. The inferior clergy are divided

e Solorz. lib. i. c. 17. p. 201. Recopil. lib. vi. tit. vi.
f Recopil. lib. vi. tit. v. l. 30. tit. xvi. l. 12—15.
g Ibid. lib. vi. tit. iv. l. 13. h Ibid. lib. i. tit. iv. l. 1, &c.
i Voy. de Ulloa, i. 429. 509. Churchill, iv. 496.
k See Note CLXXX. l Gage's Survey, p. 85. 90. 104. 119, &c.
m Bulla Alex. VI. A. D. 1501. ap. Solorz. de Jure Ind. ii. p. 498.
n Bulla Julii II. ii. 1508, ap. Solorz. de Jure Ind. ii. 509.
o Recop. lib. i. tit. ix. l. 2. and Autas del Consejo de las Indias, clxi.
p Ibid. lib. i. tit. vii. l. 55.
q Id. lib. i. tit. vii. l. 55. passim.

into three classes, under the denomination of *Curas*, *Doctrineros*, and *Missioneros*. The first are parish priests in those parts of the country where the Spaniards have settled. The second have the charge of such districts as are inhabited by Indians subjected to the Spanish government, and living under its protection. The third are employed in instructing and converting those fiercer tribes, which disdain submission to the Spanish yoke, and live in remote or inaccessible regions, to which the Spanish arms have not penetrated. So numerous are the ecclesiastics of all those various orders, and such the profuse liberality with which many of them are endowed, that the revenues of the church in America are immense. The Romish superstition appears with its utmost pomp in the New World. Churches and convents there are magnificent, and richly adorned; and on high festivals, the display of gold and silver, and precious stones, is such as exceeds the conception of a European.[r] An ecclesiastical establishment so splendid and extensive, is unfavourable, as has been formerly observed, to the progress of rising colonies; but in countries where riches abound, and the people are so delighted with parade, that religion must assume it in order to attract their veneration, this propensity to ostentation has been indulged, and becomes less pernicious.

Pernicious effects of monastic institutions.

The early institution of monasteries in the Spanish colonies, and the inconsiderate zeal in multiplying them, have been attended with consequences more fatal. In every new settlement, the first object should be to encourage population, and to incite every citizen to contribute towards augmenting the number and strength of the community. During the youth and vigour of society, while there is room to spread, and sustenance is procured with facility, mankind increase with amazing rapidity. But the Spaniards had hardly taken possession of America, when, with a most preposterous policy, they began to erect convents, where persons of both sexes were shut up, under a vow to defeat the purpose of nature, and to counteract the first of her laws. Influenced by a misguided piety, which ascribes transcendent merit to a state of celibacy, or allured by the prospect of that listless ease which in sultry climates is deemed supreme felicity, numbers crowded into those mansions of sloth and superstition, and are lost to society. As none but persons of Spanish extract are admitted into the monasteries of the New World, the evil is more sensibly felt, and every monk or nun may be considered as an active person withdrawn from civil life. The impropriety of such foundations in any situation where the extent of territory requires additional hands to improve it, is so obvious, that some catholic states have expressly prohibited any person in their colonies from taking the monastic vows.[s] Even the Spanish monarchs, on some occasions, seem to have been alarmed with the spreading of a spirit so adverse to the increase and prosperity of their colonies, that they have endeavoured to check it.[t] But the Spaniards in America, more thoroughly under the influence of superstition than their countrymen in Europe, and directed by ecclesiastics more bigoted and illiterate, have conceived such a high opinion of monastic sanctity, that no regulations can restrain their zeal; and, by the excess of their ill-judged bounty, religious houses have multiplied to a degree no less amazing than pernicious to society.[u]

Character of ecclesiastics in Spanish America;

In viewing the state of colonies, where not only the number but influence of ecclesiastics is so great, the character of this powerful body is an object that merits particular attention. A considerable part of the secular clergy in Mexico and Peru are natives of Spain. As persons long accustomed, by their education, to the retirement and indolence of academic life are more incapable of active enterprise, and less disposed to strike into new paths, than any order of men, the ecclesiastical adventurers by whom the American church is recruited, are commonly such as, from merit or rank in life, have little prospect of success in their own country. Accordingly, the secular priests in the New World are still less distinguished than their brethren in Spain for literary accomplishments of any species; and though by the ample provision which has been made for the American church, many of its members enjoy the ease and independence which are favourable to the cultivation of science, the body of secular clergy has hardly, during two centuries and a half, produced one author whose works convey such useful information, or possess such a degree of merit, as to be ranked among those which attract the attention of enlightened nations. But the greatest part of the ecclesiastics in the Spanish settlements are regulars. On the discovery of America, a new field opened to the pious zeal of the monastic orders; and, with a becoming alacrity, they immediately sent forth missionaries to labour in it. The first attempt to instruct and convert the Americans was made by monks; and as soon as the conquest of any province was completed, and its ecclesiastical establishment began to assume some form, the popes permitted the missionaries of the four mendicant orders, as a reward for their services, to accept of parochial charges in America, to perform all spiritual functions, and to receive the tithes and other emoluments of the benefice, without depending on the jurisdiction of the bishop of the diocese, or being subject to his censures. In consequence of this, a new career of usefulness, as well as new objects of ambition, presented themselves. Whenever a call is made for a fresh supply of missionaries, men of the most ardent and aspir-

of the seculars;

of the regulars.

r Voy. de Ulloa, i. 430.
s Ibid. ii. 124.
t Herrera, dec. v. lib. ix. c. 1, 2. Recop. lib. i. tit. iii. l. 1, 2. tit. iv. c. ii. Solorz. lib. iii. c. 23.
u See Note CLXXXI.

ing minds, impatient under the restraint of a cloister, weary of its insipid uniformity, and fatigued with the irksome repetition of its frivolous functions, offer their service with eagerness, and repair to the New World in quest of liberty and distinction. Nor do they pursue distinction without success. The highest ecclesiastical honours, as well as the most lucrative preferments in Mexico and Peru, are often in the hands of regulars; and it is chiefly to the monastic orders that the Americans are indebted for any portion of science which is cultivated among them. They are almost the only Spanish ecclesiastics from whom we have received any accounts either of the civil or natural history of the various provinces in America. Some of them, though deeply tinged with the indelible superstition of their profession, have published books which give a favourable idea of their abilities. The natural and moral history of the New World, by the Jesuit Acosta, contains more accurate observations, perhaps, and more sound science, than are to be found in any description of remote countries published in the sixteenth century.

Dissolute manners of some of them.

But the same disgust with monastic life, to which America is indebted for some instructors of worth and abilities, filled it with others of a very different character. The giddy, the profligate, the avaricious, to whom the poverty and rigid discipline of a convent are intolerable, consider a mission to America as a release from mortification and bondage. There they soon obtain some parochial charge; and far removed, by their situation, from the inspection of their monastic superiors, and exempt, by their character, from the jurisdiction of their diocesan,[x] they are hardly subjected to any control. According to the testimony of the most zealous catholics, many of the regular clergy in the Spanish settlements are not only destitute of the virtues becoming their profession, but regardless of that external decorum and respect for the opinion of mankind, which preserve a semblance of worth where the reality is wanting. Secure of impunity, some regulars, in contempt of their vow of poverty, engage openly in commerce, and are so rapaciously eager in amassing wealth, that they become the most grievous oppressors of the Indians whom it was their duty to have protected. Others, with no less flagrant violation of their vow of chastity, indulge with little disguise in the most dissolute licentiousness.[y]

Various schemes have been proposed for redressing enormities so manifest and so offensive. Several persons, no less eminent for piety than discernment, have contended, that the regulars, in conformity to the canons of the church, ought to be confined within the walls of their cloisters, and should no longer be permitted to encroach on the functions of the secular clergy. Some public-spirited magistrates, from conviction of its being necessary to deprive the regulars of a privilege bestowed at first with good intention, but of which time and experience had discovered the pernicious effects, openly countenanced the secular clergy in their attempts to assert their own rights. The prince D'Esquilache, viceroy of Peru under Philip III., took measures so decisive and effectual for circumscribing the regulars within their proper sphere, as struck them with general consternation.[z] They had recourse to their usual arts. They alarmed the superstitious, by representing the proceedings of the viceroy as innovations fatal to religion. They employed all the refinements of intrigue, in order to gain persons in power; and seconded by the powerful influence of the Jesuits, who claimed and enjoyed all the privileges which belonged to the mendicant orders in America, they made a deep impression on a bigoted prince and a weak ministry. The ancient practice was tolerated. The abuses which it occasioned continued to increase, and the corruption of monks, exempt from the restraints of discipline, and the inspection of any superior, became a disgrace to religion. At last, as the veneration of the Spaniards for the monastic orders began to abate, and the power of the Jesuits was on the decline, Ferdinand VI. ventured to apply the only effectual remedy, by issuing an edict, prohibiting regulars of every denomination from taking the charge of any parish with the cure of souls; and declaring, that on the demise of the present incumbents, none but secular priests, subject to the jurisdiction of their diocesans, shall be presented to vacant benefices.[a] If this regulation is carried into execution with steadiness in any degree proportional to the wisdom with which it is framed, a very considerable reformation may take place in the ecclesiastical state of Spanish America, and the secular clergy may gradually become a respectable body of men. The deportment of many ecclesiastics, even at present, seems to be decent and exemplary; otherwise we can hardly suppose that they would be held in such high estimation, and possess such a wonderful ascendant over the minds of their countrymen throughout all the Spanish settlements.

June 23, 1757.

Small progress in converting the Indians to christianity.

But whatever merit the Spanish ecclesiastics in America may possess, the success of their endeavours in communicating the knowledge of true religion to the Indians, has been more imperfect than might have been expected, either from the degree of their zeal, or from the dominion which they had acquired over that people. For this, various reasons may be assigned. The first missionaries, in their ardour to make proselytes, admitted the people of America into the christian church, without previous instruction in the doctrines of religion, and even before they themselves had acquired such knowledge in the Indian language, as to be able to explain to the natives the mysteries of faith, or the precepts of duty. Resting upon a subtle distinction in scholastic theology, between that degree of assent which

x Avendano Thes. Indic. ii. 253.

y See Note CLXXXII.

z See Note CLXXXIII.

a Real Cedula MS. penes me.

is founded on a complete knowledge and conviction of duty, and that which may be yielded when both these are imperfect, they adopted this strange practice, no less inconsistent with the spirit of a religion which addresses itself to the understanding of men, than repugnant to the dictates of reason. As soon as any body of people, overawed by dread of the Spanish power, moved by the example of their own chiefs, incited by levity, or yielding from mere ignorance, expressed the slightest desire of embracing the religion of their conquerors, they were instantly baptized. While this rage of conversion continued, a single clergyman baptized in one day above five thousand Mexicans, and did not desist until he was so exhausted by fatigue, that he was unable to lift his hands.[b] In the course of a few years after the reduction of the Mexican empire, the sacrament of baptism was administered to more than four millions.[c] Prosclytes adopted with such inconsiderate haste, and who were neither instructed in the nature of the tenets to which it was supposed they had given assent, nor taught the absurdity of those which they were required to relinquish, retained their veneration for their ancient superstitions in full force, or mingled an attachment to its doctrines and rites with that slender knowledge of christianity which they had acquired. These sentiments the new converts transmitted to their posterity, into whose minds they have sunk so deep, that the Spanish ecclesiastics, with all their industry, have not been able to eradicate them. The religious institutions of their ancestors are still remembered and held in honour by many of the Indians, both in Mexico and Peru; and whenever they think themselves out of reach of inspection by the Spaniards, they assemble and celebrate their idolatrous rites.[d]

But this is not the most insurmountable obstacle to the progress of christianity among the Indians. The powers of their uncultivated understandings are so limited, their observations and reflections reach so little beyond the mere objects of sense, that they seem hardly to have the capacity of forming abstract ideas, and possess not language to express them. To such men the sublime and spiritual doctrines of christianity must be, in a great measure, incomprehensible. The numerous and splendid ceremonies of the popish worship catch the eye, please and interest them; but when their instructors attempt to explain the articles of faith with which those external observances are connected, though the Indians may listen with patience, they so little conceive the meaning of what they hear, that their acquiescence does not merit the name of belief. Their indifference is still greater than their incapacity. Attentive only to the present moment, and engrossed by the objects before them, the Indians so seldom reflect upon what is past, or take thought for what is to come, that neither the promises nor threats of religion make much impression upon them; and while their foresight rarely extends so far as the next day, it is almost impossible to inspire them with solicitude about the concerns of a future world. Astonished equally at their slowness of comprehension, and at their insensibility, some of the early missionaries pronounced them a race of men so brutish as to be incapable of understanding the first principles of religion. A council held at Lima decreed, that, on account of this incapacity, they ought to be excluded from the sacrament of the Eucharist.[e] Though Paul III., by his famous bull issued in the year 1537, declared them to be rational creatures entitled to all the privileges of christians;[f] yet, after the lapse of two centuries, during which they have been members of the church, so imperfect are their attainments in knowledge, that very few possess such a portion of spiritual discernment, as to be deemed worthy of being admitted to the holy communion.[g] From this idea of their incapacity and imperfect knowledge of religion, when the zeal of Philip II. established the Inquisition in America in the year 1570, the Indians were exempted from the jurisdiction of that severe tribunal,[h] and still continue under the inspection of their diocesans. Even after the most perfect instruction, their faith is held to be feeble and dubious; and though some of them have been taught the learned languages, and have gone though the ordinary course of academic education with applause, their frailty is still so much suspected, that few Indians are either ordained priests, or received into any religious order.[i]

Productions of the Spanish colonies:

From this brief survey, some idea may be formed of the interior state of the Spanish colonies. The various productions with which they supply and enrich the mother-country, and the system of commercial intercourse between them, come next in order to be explained. If the dominions of Spain in the New World had been of such moderate extent, as bore a due proportion to the parent state, the progress of her colonizing might have been attended with the same benefit as that of other nations. But when, in less than half a century, her inconsiderate rapacity had seized on countries larger than all Europe, her inability to fill such vast regions with a number of inhabitants sufficient for the cultivation of them was so obvious, as to give a wrong direction to all the efforts of the colonists. They did not form compact settlements, where industry, circumscribed within proper limits, both in its views and operations, is conducted with that sober persevering spirit, which gradually converts whatever is in its possession to a proper use, and derives thence the greatest advantage. Instead of this, the Spaniards, seduced by the boundless prospect which opened to them, divided their possessions in America into govern-

b P. Torribio, MS. Torquem. Mond. Ind. lib. xvi. c. 6.
c Torribio, MS. Torquem. lib. xvi. c. 8.
d Voy. de Ulloa, i. 341. Torquem. l. xv. c. 23. l. xvi. c. 28. Gage, 171.
e Torquem. lib. xvi. c. 20.
f Torquem. lib. 16. c. 25. Garcia Origin. 311.
g Voy. de Ulloa, i. 343.
h Recop. lib. vi. tit. i. l. 35.
i Torquem. lib. xvii. c. 13. See Note CLXXXIV.

ments of great extent. As their number was too small to attempt the regular culture of the immense provinces which they occupied rather than peopled, they bent their attention to a few objects that allured them with hopes of sudden and exorbitant gain, and turned away with contempt from the humbler paths of industry, which lead more slowly, but with greater certainty, to wealth and increase of national strength.

from their mines.

Of all the methods by which riches may be acquired, that of searching for the precious metals is one of the most inviting to men who are either unaccustomed to the regular assiduity with which the culture of the earth and the operations of commerce must be carried on, or who are so enterprising and rapacious as not to be satisfied with the gradual returns of profit which they yield. Accordingly, as soon as the several countries in America were subjected to the dominion of Spain, this was almost the only method of acquiring wealth which occurred to the adventurers by whom they were conquered. Such provinces of the continent as did not allure them to settle, by the prospect of their affording gold and silver, were totally neglected. Those in which they met with a disappointment of the sanguine expectations they had formed, were abandoned. Even the value of the islands, the first fruits of their discoveries, and the first object of their attention, sunk so much in their estimation, when the mines which had been opened in them were exhausted, that they were deserted by many of the planters, and left to be occupied by more industrious possessors. All crowded to Mexico and Peru, where the quantities of gold and silver found among the natives, who searched for them with little industry and less skill, promised an unexhausted store, as the recompence of more intelligent and persevering efforts.

Discovery of those of Potosi and Sacotecas.

During several years, the ardour of their researches was kept up by hope rather than success. At length, the rich silver mines of Potosi in Peru were accidentally discovered in the year 1545[k] by an Indian, as he was clambering up the mountains in pursuit of a llama which had strayed from his flock. Soon after the mines of Sacotecas in New Spain, little inferior to the other in value, were opened. From that time, successive discoveries have been made in both colonies, and silver mines are now so numerous, that the working of them, and of some few mines of gold in the provinces of Tierra Firme, and the new kingdom of Granada, has become the capital occupation of the Spaniards, and is reduced into a system no less complicated than interesting. To describe the nature of the various ores, the mode of extracting them from the bowels of the earth, and to explain the several processes by which the metals are separated from the substances with which they are mingled, either by the action of fire, or the attractive powers of mercury, is the province of the natural philosopher or chemist, rather than of the historian.

Riches which they yield.

The exuberant profusion with which the mountains of the New World poured forth their treasures astonished mankind, who had been accustomed hitherto to receive a penurious supply of the precious metals, from the more scanty stores contained in the mines of the ancient hemisphere. According to principles of computation, which appear to be extremely moderate, the quantity of gold and silver that has been regularly entered in the ports of Spain, is equal in value to four millions sterling annually, reckoning from the year 1492, in which America was discovered, to the present time. This, in two hundred and eighty-three years, amounts to eleven hundred and thirty-two millions. Immense as this sum is, the Spanish writers contend, that as much more ought to be added to it, in consideration of treasure which has been extracted from the mines, and imported fraudulently into Spain without paying duty to the king. By this account, Spain has drawn from the New World a supply of wealth amounting at least to two thousand millions of pounds sterling.[l]

Spirit to which this gives rise.

The mines, which have yielded this amazing quantity of treasure, are not worked at the expense of the crown or of the public. In order to encourage private adventurers, the person who discovers and works a new vein is entitled to the property of it. Upon laying his claim to such a discovery before the governor of the province, a certain extent of land is measured off, and a certain number of Indians allotted him, under the obligation of his opening the mine within a limited time, and of his paying the customary duty to the king for what it shall produce. Invited by the facility with which such grants are obtained, and encouraged by some striking examples of success in this line of adventure, not only the sanguine and the bold, but the timid and diffident, enter upon it with astonishing ardour. With vast objects always in view, fed continually with hope, and expecting every moment that fortune will unveil her secret stores, and give up the wealth which they contain to their wishes, they deem every other occupation insipid and uninteresting. The charms of this pursuit, like the rage for deep play, are so bewitching, and take such full possession of the mind, as even to give a new bent to the natural temper. Under its influence the cautious become enterprising, and the covetous profuse. Powerful as this charm naturally is, its force is augmented by the arts of an order of men known in Peru by the cant name of *searchers*. These are commonly persons of desperate fortune, who, availing themselves of some skill in mineralogy, accompanied with the insinuating manner and confident pretensions peculiar to projectors, address the wealthy and the credulous. By plausible descriptions of the appearances which they have

k Fernandez, p. 1. lib. xi. c. 11.

l Uztariz Theor. y Pract. de Commercia. c. 3. Herrera. dec. viii. lib. xi. c. 15. See Note CLXXXV.

discovered of rich veins hitherto unexplored; by producing, when requisite, specimens of promising ore; by affirming, with an imposing assurance, that success is certain, and that the expense must be trifling, they seldom fail to persuade. An association is formed; a small sum is advanced by each copartner; the mine is opened; the *searcher* is intrusted with the sole direction of every operation: unforeseen difficulties occur; new demands of money are made; but, amidst a succession of disappointments and delays, hope is never extinguished, and the ardour of expectation hardly abates. For it is observed, that if any person once enter this seducing path, it is almost impossible to return; his ideas alter, he seems to be possessed with another spirit; visions of imaginary wealth are continually before his eyes, and he thinks, and speaks, and dreams of nothing else.[m]

Fatal effects of it.

Such is the spirit that must be formed, wherever the active exertions of any society are chiefly employed in working mines of gold and silver. No spirit is more adverse to such improvements in agriculture and commerce as render a nation really opulent. If the system of administration in the Spanish colonies had been founded upon principles of sound policy, the power and ingenuity of the legislator would have been exerted with as much ardour in restraining its subjects from such pernicious industry, as is now employed in alluring them towards it. "Projects of mining," says a good judge of the political conduct of nations, "instead of replacing the capital employed in them, together with the ordinary profit of stock, commonly absorb both capital and profit. They are the projects, therefore, to which, of all others, a prudent lawgiver, who desired to increase the capital of his nation, would least choose to give any extraordinary encouragement, or to turn towards them a greater share of that capital than would go to them of its own accord. Such, in reality, is the absurd confidence which all men have in their own good fortune, that wherever there is the least probability of success, too great a share of it is apt to go to them of its own accord."[n] But in the Spanish colonies, government is studious to cherish a spirit which it should have laboured to depress, and, by the sanction of its approbation, augments that inconsiderate credulity, which has turned the active industry of Mexico and Peru into such an improper channel. To this may be imputed the slender progress which Spanish America has made, during two centuries and a half, either in useful manufactures, or in those lucrative branches of cultivation which furnish the colonies of other nations with their staple commodities. In comparison with the precious metals every bounty of nature is so much despised, that this extravagant idea of their value has mingled with the idiom of language in America, and the Spaniards settled there, denominate a country *rich*, not from the fertility of its soil, the abundance of its crops, or the exuberance of its pastures, but on account of the minerals which its mountains contain. In quest of these, they abandon the delightful plains of Peru and Mexico, and resort to barren and uncomfortable regions, where they have built some of the largest towns which they possess in the New World. As the activity and enterprise of the Spaniards originally took this direction, it is now so difficult to bend them a different way, that although, from various causes, the gain of working mines is much decreased, the fascination continues, and almost every person, who takes any active part in the commerce of New Spain or Peru, is still engaged in some adventure of this kind.[o]

Other commodities of the Spanish colonies.

But though mines are the chief object of the Spaniards, and the precious metals which these yield form the principal article in their commerce with America; the fertile countries which they possess there abound with other commodities of such value, or scarcity, as to attract a considerable degree of attention. Cochineal is a production almost peculiar to New Spain, of such demand in commerce that the sale is always certain, and yet yields such profit as amply rewards the labour and care employed in rearing the curious insects of which this valuable drug is composed, and preparing it for the market. Quinquina or Jesuits' bark, the most salutary simple, perhaps, and of most restorative virtue, that Providence, in compassion to human infirmity, has made known unto man, is found only in Peru, to which it affords a lucrative branch of commerce. The indigo of Guatimala is superior in quality to that of any province in America, and cultivated to a considerable extent. Cacao, though not peculiar to the Spanish colonies, attains to its highest state of perfection there, and from the great consumption of chocolate in Europe as well as in America, is a valuable commodity. The tobacco of Cuba, of more exquisite flavour than any brought from the New World; the sugar raised in that island, in Hispaniola, and in New Spain, together with drugs of various kinds, may be mentioned among the natural productions of America which enrich the Spanish commerce. To these must be added an article of no inconsiderable account, the exportation of hides; for which, as well as for many of those which I have enumerated, the Spaniards are more indebted to the wonderful fertility of the country, than to their own foresight and industry. The domestic animals of Europe, particularly horned cattle, have multiplied in the New World with a rapidity which almost exceeds belief. A few years after the Spaniards settled there, the herds of tame cattle became so numerous, that their proprietors reckoned them by thousands.[p] Less attention being paid to them as they continued to increase, they were suffered to

m Ulloa Entreten. p. 223.
n Dr. Smith's Inquiry, &c. ii. 155.

o See Note CLXXXVI.
p Oviedo ap. Ramus. iii. 101. B. Hakluyt, iii. 466. 511.

run wild; and spreading over a country of boundless extent, under a mild climate and covered with rich pasture, their number became immense. They range over the vast plains which extend from Buenos Ayres towards the Andes, in herds of thirty or forty thousand; and the unlucky traveller who once falls in among them, may proceed several days before he can disentangle himself from among the crowd that covers the face of the earth, and seems to have no end. They are hardly less numerous in New Spain, and in several other provinces: they are killed merely for the sake of their hides; and the slaughter at certain seasons is so great, that the stench of their carcasses, which are left in the field, would infect the air, if large packs of wild dogs, and vast flocks of *gallinazos*, or American vultures, the most voracious of all the feathered kind, did not instantly devour them. The number of those hides exported in every fleet to Europe is very great, and is a lucrative branch of commerce.[q]

Almost all these may be considered as staple commodities peculiar to America, and different, if we except that last mentioned, from the productions of the mother-country.

Advantages which Spain derives from her colonies.

When the importation into Spain of those various articles from her colonies first became active and considerable, her interior industry and manufactures were in a state so prosperous, that with the product of these she was able both to purchase the commodities of the New World and to answer its growing demands. Under the reigns of Ferdinand and Isabella, and Charles V., Spain was one of the most industrious countries in Europe. Her manufactures in wool, and flax, and silk, were so extensive, as not only to furnish what was sufficient for her own consumption, but to afford a surplus for exportation. When a market for them, formerly unknown, and to which she alone had access, opened in America, she had recourse to her domestic store, and found there an abundant supply.[r] This new employment must naturally have added vivacity to the spirit of industry. Nourished and invigorated by it, the manufactures, the population, and wealth, of Spain might have gone on increasing in the same proportion with the growth of her colonies. Nor was the state of the Spanish marine at this period less flourishing than that of its manufactures. In the beginning of the sixteenth century, Spain is said to have possessed above a thousand merchant ships,[s] a number probably far superior to that of any nation in Europe in that age. By the aid which foreign trade and domestic industry give reciprocally to each other in their progress, the augmentation of both must have been rapid and extensive, and Spain might have received the same accession of opulence and vigour from her acquisitions in the New World, that other powers have derived from their colonies there.

But various causes prevented this. The same thing happens to nations as to individuals. Wealth, which flows in gradually, and with moderate increase, feeds and nourishes that activity which is friendly to commerce, and calls it forth into vigorous and well-conducted exertions; but when opulence pours in suddenly, and with too full a stream, it overturns all sober plans of industry, and brings along with it a taste for what is wild and extravagant and daring in business or in action. Such was the great and sudden augmentation of power and revenue, that the possession of America brought into Spain; and some symptoms of its pernicious influence upon the political operations of that monarchy soon began to appear. For a considerable time, however, the supply of treasure from the New World was scanty and precarious; and the genius of Charles V. conducted public measures with such prudence, that the effects of this influence were little perceived. But when Philip II. ascended the Spanish throne, with talents far inferior to those of his father, and remittances from the colonies became a regular and considerable branch of revenue, the fatal operation of this rapid change in the state of the kingdom, both on the monarch and his people, was at once conspicuous. Philip, possessing that spirit of unceasing assiduity which often characterizes the ambition of men of moderate talents, entertained such a high opinion of his own resources that he thought nothing too arduous for him to undertake. Shut up himself in the solitude of the Escurial, he troubled and annoyed all the nations around him. He waged open war with the Dutch and English; he encouraged and aided a rebellious faction in France; he conquered Portugal, and maintained armies and garrisons in Italy, Africa, and both the Indies. By such a multiplicity of great and complicated operations, pursued with ardour during the course of a long reign, Spain was drained both of men and money. Under the weak administration of his successor, Philip III., the vigour of the nation continued to decrease, and sunk into the lowest decline, when the inconsiderate bigotry of that monarch expelled at once near a million of his most industrious subjects, at the very time when the exhausted state of the kingdom required some extraordinary exertion of political wisdom to augment its numbers, and to revive its strength. Early in the seventeenth century, Spain felt such a diminution in the number of her people, that from inability to recruit her armies she was obliged to contract her operations. Her flourishing manufactures were fallen into decay. Her fleets, which had been the terror of all Europe, were ruined. Her extensive foreign commerce was lost. The trade between different parts of her own dominions was interrupted, and the ships which attempted to carry it on were taken and plundered

Why she does not now derive the same.

A. D. 1611.

q Acosta, lib. iii. c. 33. Ovallo Hist. of Chili. Church Collect. iii. 47. sept. Ibid. v. p. 680. 692. Lettres Edif. xiii. 235. Feuille, i. 249.

r See Note CLXXXVII.

s Campomanes, ii. 140.

by enemies whom she once despised. Even agriculture, the primary object of industry in every prosperous state, was neglected, and one of the most fertile countries in Europe hardly raised what was sufficient for the support of its own inhabitants.

Rapid decline of its trade;

In proportion as the population and manufactures of the parent state declined, the demands of her colonies continued to increase. The Spaniards, like their monarchs, intoxicated with the wealth which poured in annually upon them, deserted the paths of industry to which they had been accustomed, and repaired with eagerness to those regions from which this opulence issued. By this rage of emigration another drain was opened, and the strength of the colonies augmented by exhausting that of the mother-country. All those emigrants, as well as the adventurers who had at first settled in America, depended absolutely upon Spain for almost every article of necessary consumption. Engaged in more alluring and lucrative pursuits, or prevented by restraints which government imposed, they could not turn their own attention towards establishing the manufactures requisite for comfortable subsistence. They received (as I have observed in another place) their clothing, their furniture, whatever ministers to the ease or luxury of life, and even their instruments of labour, from Europe. Spain, thinned of people and decreasing in industry, was unable to supply their growing demands. She had recourse to her neighbours. The manufactures of the Low Countries, of England, of France, and of Italy, which her wants called into existence or animated with new vivacity, furnished in abundance whatever she required. In vain did the fundamental law, concerning the exclusion of foreigners from trade with America, oppose this innovation. Necessity, more powerful than any statute, defeated its operation, and constrained the Spaniards themselves to concur in eluding it. The English, the French and Dutch, relying on the fidelity and honour of Spanish merchants, who lend their names to cover the deceit, send out their manufactures to America, and receive the exorbitant price for which they are sold there, either in specie, or in the rich commodities of the New World. Neither the dread of danger, nor the allurement of profit, ever induced a Spanish factor to betray or defraud the person who confided in him;[t] and that probity, which is the pride and distinction of the nation, contributes to its ruin. In a short time, not above a twentieth part of the commodities exported to America was of Spanish growth or fabric.[u] All the rest was the property of foreign merchants, though entered in the name of Spaniards. The treasure of the New World may be said henceforward not to have belonged to Spain. Before it reached Europe, it was anticipated as the price of goods purchased from foreigners. That wealth which, by an internal circulation, would have spread through each vein of industry, and have conveyed life and movement to every branch of manufacture, flowed out of the kingdom with such a rapid course as neither enriched nor animated it. On the other hand, the artisans of rival nations, encouraged by this quick sale of their commodities, improved so much in skill and industry, as to be able to afford them at a rate so low, that the manufactures of Spain, which could not vie with theirs, either in quality or cheapness of work, were still further depressed. This destructive commerce drained off the riches of the nation faster and more completely than even the extravagant schemes of ambition carried on by its monarchs. Spain was so much astonished and distressed, at beholding her American treasures vanish almost as soon as they were imported, that Philip III., unable to supply what was requisite in circulation, issued an edict, by which he endeavoured to raise copper money to a value in currency nearly equal to that of silver;[x] and the lord of the Peruvian and Mexican mines was reduced to a wretched expedient, which is the last resource of petty impoverished states.

Thus the possessions of Spain in America have not proved a source of population and of wealth to her, in the same manner as those of other nations. In the countries of Europe, where the spirit of industry subsists in full vigour, every person settled in such colonies as are similar, in their situation, to those of Spain, is supposed to give employment to three or four at home in supplying his wants.[y] But wherever the mother-country cannot afford this supply, every emigrant may be considered as a citizen lost to the community, and strangers must reap all the benefit of answering his demands.

increased by the mode of regulating its intercourse with America.

Such has been the internal state of Spain from the close of the sixteenth century, and such her inability to supply the growing wants of her colonies. The fatal effects of this disproportion between their demands, and her capacity of answering them, have been much increased by the mode in which Spain has endeavoured to regulate the intercourse between the mother-country and the colonies. It is from her idea of monopolizing the trade with America, and debarring her subjects there from any communication with foreigners, that all her jealous and systematic arrangements have arisen. These are so singular in their nature and consequences as to merit a particular explanation. In order to secure the monopoly at which she aimed, Spain did not vest the trade with her colonies in an exclusive company, a plan which has been adopted by nations more commercial, and at a period when mercantile policy was an object of greater attention, and ought to have been better understood. The Dutch gave up the whole trade with their colonies, both in the East and West Indies, to exclusive companies. The English, the French, the Danes, have imitated their example with respect to the East Indian commerce;

t Zavala Representacion, p. 226.

u Campomanes, ii. 138.

x Uztarez, c. 104.

y Child on Trade and Colonies.

and the two former have laid a similar restraint upon some branches of their trade with the New World. The wit of man cannot, perhaps, devise a method for checking the progress of industry and population in a new colony more effectual than this. The interest of the colony, and of the exclusive company, must in every point be diametrically opposite; and as the latter possesses such advantages in this unequal contest, that it can prescribe at pleasure the terms of intercourse, the former must not only buy dear and sell cheap, but must suffer the mortification of having the increase of its surplus stock discouraged by those very persons to whom alone it can dispose of its productions.[z]

This confined to one port in Spain.

Spain, it is probable, was preserved from falling into this error of policy, by the high ideas which she early formed concerning the riches of the New World. Gold and silver were commodities of too high a value to vest a monopoly of them in private hands. The crown wished to retain the direction of a commerce so inviting; and, in order to secure that, ordained the cargo of every ship fitted out for America to be inspected by the officers of the *Casa de Contratacion* in Seville before it could receive a licence to make the voyage; and that, on its return, a report of the commodities which it brought should be made to the same board before it could be permitted to land them. In consequence of this regulation, all the trade of Spain with the New World centred originally in the port of Seville, and was gradually brought into a form, in which it has been conducted, with little variation, from the middle of the sixteenth century almost to our own times. For the greater security of the valuable cargoes sent to America, as well as for the more easy prevention of fraud, the commerce of Spain with its colonies is carried on by fleets which sail under strong convoys. These fleets, consisting of two squadrons, one distinguished by the name of the *Galeons*, the other by that of the *Flota*, are equipped annually. Formerly they took their departure from Seville; but as the port of Cadiz has been found more commodious, they have sailed from it since the year 1720.

Carried on by the Galeons,

The Galeons destined to supply Tierra Firme, and the kingdoms of Peru and Chili, with almost every article of luxury, or necessary consumption, that an opulent people can demand, touch first at Carthagena, and then at Porto-bello. To the former, the merchants of Santa Martha, Caraccas, the new kingdom of Granada, and several other provinces, resort. The latter is the great mart for the rich commerce of Peru and Chili. At the season when the Galeons are expected, the product of all the mines in these two kingdoms, together with their other valuable commodities, is transported by sea to Panama. From thence, as soon as the appearance of the fleet from Europe is announced, they are conveyed across the isthmus, partly on mules and partly down the river Chagre, to Porto-bello. This paltry village, the climate of which, from the pernicious union of excessive heat, continual moisture, and the putrid exhalations arising from a rank soil, is more fatal to life than any perhaps in the known world, is immediately filled with people. From being the residence of a few negroes and mulattoes, and of a miserable garrison relieved every three months, Porto-bello assumes suddenly a very different aspect, and its streets are crowded with opulent merchants from every corner of Peru and the adjacent provinces. A fair is opened, the wealth of America is exchanged for the manufactures of Europe; and, during its prescribed term of forty days, the richest traffic on the face of the earth is begun and finished, with that simplicity of transaction, and that unbounded confidence, which accompany extensive commerce.[a]

and Flota.

The Flota holds its course to Vera Cruz. The treasures and commodities of New Spain, and the depending provinces, which were deposited at Puebla de los Angeles, in expectation of its arrival, are carried thither; and the commercial operations of Vera Cruz, conducted in the same manner with those of Porto-bello, are inferior to them only in importance and value. Both fleets, as soon as they have completed their cargoes from America, rendezvous at the Havanna, and return in company to Europe.

Bad effects of this arrangement.

The trade of Spain with her colonies, while thus fettered and restricted, came necessarily to be conducted with the same spirit, and upon the same principles, as that of an exclusive company. Being confined to a single port, it was of course thrown into a few hands, and almost the whole of it was gradually engrossed by a small number of wealthy houses, formerly in Seville, and now in Cadiz. These, by combinations which they can easily form, may altogether prevent that competition which preserves commodities at their natural price; and by acting in concert, to which they are prompted by their mutual interest, they may raise or lower the value of them at pleasure. In consequence of this, the price of European goods in America is always high, and often exorbitant. A hundred, two hundred, and even three hundred per cent., are profits not uncommon in the commerce of Spain with her colonies.[b] From the same engrossing spirit it frequently happens, that traders of the second order, whose warehouses do not contain a complete assortment of commodities for the American market, cannot purchase from the more opulent merchants such goods as they want, at a lower price than that for which they are sold in the colonies. With the same vigilant jealousy that an exclusive company guards against the intrusion of the free trader, those overgrown monopolists endeavour to check the progress of every one whose encroachments they dread.[c] This restraint of the American commerce to one

z Smith's Inquiry, ii. 171.
a See Note CLXXXVIII.

b B. Ulloa Retabliss. part ii. p. 191.
c Smith's Inquiry, ii. 171. Campomanes, Educ. Popul. i. 43.

port, not only affects its domestic state, but limits its foreign operations. A monopolist may acquire more, and certainly will hazard less, by a confined trade which yields exorbitant profit, than by an extensive commerce in which he receives only a moderate return of gain. It is often his interest not to enlarge but to circumscribe the sphere of his activity; and, instead of calling forth more vigorous exertions of commercial industry, it may be the object of his attention to check and set bounds to them. By some such maxim, the mercantile policy of Spain seems to have regulated its intercourse with America. Instead of furnishing the colonies with European goods in such quantity as might render both the price and the profit moderate, the merchants of Seville and Cadiz seem to have supplied them with a sparing hand, that the eagerness of competition, amongst customers obliged to purchase in a scanty market, might enable the Spanish factors to dispose of their cargoes with exorbitant gain. About the middle of the last century, when the exclusive trade to America from Seville was in its most flourishing state, the burden of the two united squadrons of the Galeons and Flota did not exceed twenty-seven thousand five hundred tons.[d] The supply which such a fleet could carry must have been very inadequate to the demands of those populous and extensive colonies, which depended upon it for all the luxuries and many of the necessaries of life.

Remedies proposed.

Spain early became sensible of her declension from her former prosperity; and many respectable and virtuous citizens employed their thoughts in devising methods for reviving the decaying industry and commerce of their country. From the violence of the remedies proposed, we may judge how desperate and fatal the malady appeared. Some, confounding a violation of police with criminality against the state, contended that, in order to check illicit commerce, every person convicted of carrying it on should be punished with death, and confiscation of all his effects.[e] Others, forgetting the distinction between civil offences and acts of impiety, insisted that contraband trade should be ranked among the crimes reserved for the cognizance of the inquisition; that such as were guilty of it might be tried and punished, according to the secret and summary form in which that dreadful tribunal exercises its jurisdiction.[f] Others, uninstructed by observing the pernicious effects of monopolies in every country where they have been established, have proposed to vest the trade with America in exclusive companies, which interest would render the most vigilant guardians of the Spanish commerce against the encroachment of the interlopers.[g]

Besides these wild projects, many schemes, better digested and more beneficial, were suggested. But under the feeble monarchs with whom the reign of the Austrian line in Spain closed, incapacity and indecision are conspicuous in every department of government. Instead of taking for their model the active administration of Charles V., they affected to imitate the cautious procrastinating wisdom of Philip II.; and destitute of his talents, they deliberated perpetually, but determined nothing. No remedy was applied to the evils under which the national commerce, domestic as well as foreign, languished. These evils continued to increase; and Spain, with dominions more extensive and more opulent than any European state, possessed neither vigour, nor money,[h] nor industry. At length, the violence of a great national convulsion roused the slumbering genius of Spain. The efforts of the two contending parties in the civil war kindled by the dispute concerning the succession of the crown at the beginning of this century, called forth in some degree the ancient spirit and vigour of the nation. While men were thus forming, capable of adopting sentiments more liberal than those which had influenced the councils of the monarchy during the course of a century, Spain derived from an unexpected source the means of availing itself of their talents. The various powers who favoured the pretensions either of the Austrian or Bourbon candidate for the Spanish throne, sent formidable fleets and armies to their support; France, England, and Holland remitted immense sums to Spain. These were spent in the provinces which became the theatre of war. Part of the American treasure, of which foreigners had drained the kingdom, flowed back thither. From this æra, one of the most intelligent Spanish authors dates the revival of the monarchy; and, however humiliating the truth may be, he acknowledges, that it is to her enemies his country is indebted for the acquisition of a fund of circulating specie, in some measure adequate to the exigencies of the public.[i]

Step towards improvement by the Bourbon monarchs,

As soon as the Bourbons obtained quiet possession of the throne, they discerned this change in the spirit of the people and in the state of the nation, and took advantage of it; for although that family has not given monarchs to Spain remarkable for superiority of genius, they have all been beneficent princes, attentive to the happiness of their subjects, and solicitous to promote it. It was, accordingly, the first object of Philip V. to suppress an innovation which had crept in during the course of the war, and had overturned the whole system of the Spanish commerce with America. The English and Dutch, by their superiority in naval power, having acquired such command of the sea as to cut off all intercourse between Spain and her colonies, Spain, in order to furnish her subjects in America those necessaries of life without which they could not exist, and as the only means of receiving from thence any part of their treasure, departed so far from the usual rigour of

by excluding foreigners from trade with Peru;

d Campomanes, Educ. Popul. i. 435. ii. 140.
e M. de Santa Cruz Commercia Suelto, p. 142.
f Moncada Restauracion politica de Espagna, p. 41.
g Zavalla y Augnon Representacion, &c. p. 190.
h See Note CLXXXIX.
i Campomanes, i. 420.

its maxims as to open the trade with Peru to her allies the French. The merchants of St. Malo, to whom Louis XIV. granted the privilege of this lucrative commerce, engaged in it with vigour, and carried it on upon principles very different from those of the Spaniards. They supplied Peru with European commodities at a moderate price, and not in stinted quantity. The goods which they imported were conveyed to every province of Spanish America, in such abundance as had never been known in any former period. If this intercourse had been continued, the exportation of European commodities from Spain must have ceased, and the dependence of the colonies on the mother-country have been at an end. The most peremptory injunctions were therefore issued, prohibiting the admission of foreign vessels into any port of Peru or Chili,[k] and a Spanish squadron was employed to clear the South sea of intruders, whose aid was no longer necessary.

1713.

by checking contraband trade,

But though, on the cessation of the war which was terminated by the treaty of Utrecht, Spain obtained relief from one encroachment on her commercial system, she was exposed to another which she deemed hardly less pernicious. As an inducement that might prevail with queen Anne to conclude a peace, which France and Spain desired with equal ardour, Philip V. not only conveyed to Great Britain the *Assiento*, or contract for supplying the Spanish colonies with negroes, which had formerly been enjoyed by France, but granted it the more extraordinary privilege of sending annually to the fair of Porto-bello a ship of five hundred tons, laden with European commodities. In consequence of this, British factories were established at Carthagena, Panama, Vera Cruz, Buenos Ayres, and other Spanish settlements. The veil with which Spain had hitherto covered the state and transactions of her colonies was removed. The agents of a rival nation, residing in the towns of most extensive trade, and of chief resort, had the best opportunities of becoming acquainted with the interior condition of the American provinces, of observing their stated and occasional wants, and of knowing what commodities might be imported into them with the greatest advantage. In consequence of information so authentic and expeditious, the merchants of Jamaica and other English colonies who traded to the Spanish main, were enabled to assort and proportion their cargoes so exactly to the demands of the market, that the contraband commerce was carried on with a facility and to an extent unknown in any former period. This, however, was not the most fatal consequence of the Assiento to the trade of Spain. The agents of the British South sea company, under cover of the importation which they were authorized to make by the ship sent annually to Porto-bello, poured in their commodities on the Spanish continent without limitation or restraint. Instead of a ship of five hundred tons, as stipulated in the treaty, they usually employed one which exceeded nine hundred tons in burthen. She was accompanied by two or three smaller vessels, which, mooring in some neighbouring creek, supplied her clandestinely with fresh bales of goods to replace such as were sold. The inspectors of the fair, and officers of the revenue, gained by exorbitant presents, connived at the fraud.[l] Thus, partly by the operations of the company, and partly by the activity of private interlopers, almost the whole trade of Spanish America was engrossed by foreigners.

particularly of the English Assiento company.

1737.

The immense commerce of the Galeons, formerly the pride of Spain, and the envy of other nations, sunk to nothing; and the squadron itself, reduced from fifteen thousand to two thousand tons,[m] served hardly any purpose but to fetch home the royal revenue arising from the fifth on silver.

While Spain observed those encroachments, and felt so sensibly their pernicious effects, it was impossible not to make some effort to restrain them. Her first expedient was to station ships of force, under the appellation of *Guarda costas*, upon the coasts of those provinces to which interlopers most frequently resorted. As private interest concurred with the duty which they owed to the public, in rendering the officers who commanded those vessels vigilant and active, some check was given to the progress of the contraband trade, though in dominions so extensive, and so accessible by sea, hardly any number of cruisers was sufficient to guard against its inroads in every quarter. This interruption of an intercourse which had been carried on with so much facility, that the merchants in the British colonies were accustomed to consider it almost as an allowed branch of commerce, excited murmurs and complaints. These, authorized in some measure, and rendered more interesting by several unjustifiable acts of violence committed by the captains of the Spanish Guarda costas, precipitated Great Britain into a war with Spain; in consequence of which the latter obtained a final release from the Assiento, and was left at liberty to regulate the commerce of her colonies without being restrained by any engagement with a foreign power.

Guarda costas employed for this purpose.

1739.

As the formidable encroachments of the English on their American trade had discovered to the Spaniards the vast consumption of European goods in their colonies, and taught them the advantage of accommodating their importations to the occasional demand of the various provinces, they perceived the necessity of devising some method of supplying their colonies, different from their ancient one of sending thither periodical fleets. That mode of communication had been found not only to be uncertain, as the departure of the Galeons and Flota was sometimes retarded by

The use of register ships introduced.

k Frezier Voy. 256. B. Ulloa Retab. ii. 104, &c. Alcedo Herrera, Aviso, &c. 236.

l See Note CXC.

m Alcedo y Herrera, p. 359. Campomanes, i. 436.

various accidents, and often prevented by the wars which raged in Europe; but long experience had shown it to be ill adapted to afford America a regular and timely supply of what it wanted. The scarcity of European goods in the Spanish settlements frequently became excessive; their price rose to an enormous height; the vigilant eye of mercantile attention did not fail to observe this favourable opportunity; an ample supply was poured in by interlopers from the English, the French, and Dutch islands; and when the Galeons at length arrived, they found the markets so glutted by this illicit commerce, that there was no demand for the commodities with which they were loaded. In order to remedy this, Spain has permitted a considerable part of her commerce with America to be carried on by *register ships*. These are fitted out during the intervals between the stated seasons when the Galeons and Flota sail, by merchants in Seville or Cadiz, upon obtaining a licence from the council of the Indies, for which they pay a very high premium, and are destined for those ports in America where any extraordinary demand is foreseen or expected. By this expedient, such a regular supply of the commodities for which there is the greatest demand is conveyed to the American market, that the interloper is no longer allured by the same prospect of excessive gain, or the people in the colonies urged by the same necessity, to engage in the hazardous adventures of contraband trade.

The Galeons abolished.

In proportion as experience manifested the advantages of carrying on trade in this mode, the number of register ships increased; and at length, in the year 1748, the Galeons, after having been employed upwards of two centuries, were finally laid aside. From that period there has been no intercourse with Chili and Peru but by single ships despatched from time to time, as occasion requires, and when the merchants expect a profitable market will open. These ships sail round cape Horn, and convey directly to the ports in the South sea the productions and manufactures of Europe, for which the people settled in those countries were formerly obliged to repair to Porto-bello or Panama. These towns, as has been formerly observed, must gradually decline, when deprived of that commerce to which they owed their prosperity. This disadvantage, however, is more than compensated by the beneficial effects of this new arrangement, as the whole continent of South America receives new supplies of European commodities with so much regularity, and in such abundance, as must not only contribute greatly to the happiness, but increase the population, of all the colonies settled there. But as all the register-ships destined for the South seas must still take their departure from Cadiz, and are obliged to return thither,[n] this branch of the American commerce, even in its new and improved form, continues subject to the restraints of a species of monopoly, and feels those pernicious effects of it which I have already described.

[n] Campomanes, i. 434. 440.

Schemes for reviving commerce,

Nor has the attention of Spain been confined to regulating the trade with its more flourishing colonies; it has extended likewise to the reviving commerce in those settlements where it was neglected, or had decayed. Among the new tastes which the people of Europe have acquired, in consequence of importing the productions of those countries which they conquered in America, that for chocolate is one of the most universal. The use of this liquor, made with a paste formed of the nut or almond of the cacao-tree compounded with various ingredients, the Spaniards first learned from the Mexicans; and it has appeared to them, and to the other European nations, so palatable, so nourishing, and so wholesome, that it has become a commercial article of considerable importance. The cacao-tree grows spontaneously in several parts of the torrid zone; but the nuts of the best quality, next to those of Guatimala on the South sea, are produced in the rich plains of Caraccas, a province of Tierra Firme. In consequence of this acknowledged superiority in the quality of cacao in that province, and its communication with the Atlantic, which facilitates the conveyance to Europe, the culture of the cacao there is more extensive than in any district of America. But the Dutch, by the vicinity of their settlements in the small islands of Curazoa and Buen-Ayre, to the coast of Caraccas, gradually engrossed the greatest part of the cacao trade. The traffic with the mother-country for this valuable commodity ceased almost entirely; and such was the supine negligence of the Spaniards, or the defects of their commercial arrangements, that they were obliged to receive from the hands of foreigners this production of their own colonies, at an exorbitant price.

by establishing the company of Caraccas.

In order to remedy an evil no less disgraceful than pernicious to his subjects, Philip V., in the year 1728, granted to a body of merchants an exclusive right to the commerce with Caraccas and Cumana, on condition of their employing, at their own expense, a sufficient number of armed vessels to clear the coast of interlopers. This society, distinguished sometimes by the name of the company of Guipuscoa, from the province of Spain in which it is established, and sometimes by that of the company of Caraccas, from the district of America to which it trades, has carried on its operations with such vigour and success, that Spain has recovered an important branch of commerce which she had suffered to be wrested from her, and is plentifully supplied with an article of extensive consumption at a moderate price. Not only the parent state, but the colony of Caraccas, has derived great advantages from this institution; for although, at the first aspect, it may appear to be one of those monopolies whose tendency is to check the spirit of industry, instead of calling it forth to

new exertions, it has been prevented from operating in this manner by several salutary regulations framed upon foresight of such bad effects, and of purpose to obviate them. The planters in the Caraccas are not left to depend entirely on the company, either for the importation of European commodities or the sale of their own productions. The inhabitants of the Canary Islands have the privilege of sending thither annually a register-ship of considerable burthen; and from Vera Cruz, in New Spain, a free trade is permitted in every port comprehended in the charter of the company. In consequence of this, there is such a competition, that both with respect to what the colonies purchase and what they sell, the price seems to be fixed at its natural and equitable rate. The company has not the power of raising the former, or of degrading the latter, at pleasure; and accordingly, since it was established, the increase of culture, of population, and of live stock, in the province of Caraccas, has been very considerable.[o]

Enlargement of commercial ideas in Spain.

But as it is slowly that nations relinquish any system which time has rendered venerable, and as it is still more slowly that commerce can be diverted from the channel in which it has long been accustomed to flow, Philip V., in his new regulations concerning the American trade, paid such deference to the ancient maxim of Spain, concerning the limitation of all importation from the New World to one harbour, as to oblige both the register-ships which returned from Peru, and those of the Guipuscoan company from Caraccas, to deliver their cargoes in the port of Cadiz. Since his reign, sentiments more liberal and enlarged begin to spread in Spain. The spirit of philosophical inquiry, which it is the glory of the present age to have turned from frivolous or abstruse speculations to the business and affairs of men, has extended its influence beyond the Pyrenees. In the researches of ingenious authors concerning the police or commerce of nations, the errors and defects of the Spanish system with respect to both met every eye, and have not only been exposed with severity, but are held up as a warning to other states. The Spaniards, stung with the reproaches of these authors, or convinced by their arguments, and admonished by several enlightened writers of their own country, seem at length to have discovered the destructive tendency of those narrow maxims, which, by cramping commerce in all its operations, have so long retarded its progress. It is to the monarch now on the throne that Spain is indebted for the first public regulation formed in consequence of such enlarged ideas.

Establishment of regular packet-boats.

While Spain adhered with rigour to her ancient maxim concerning her commerce with America, she was so much afraid of opening any channel by which an illicit trade might find admission into the colonies, that she almost shut herself out from any intercourse with them, but that which was carried on by her annual fleets. There was no establishment, for a regular communication of either public or private intelligence, between the mother-country and its American settlements. From the want of this necessary institution, the operations of the state, as well as the business of individuals, were retarded, or conducted unskilfully, and Spain often received from foreigners her first information with respect to very interesting events in her own colonies. But though this defect in police was sensibly felt, and the remedy for it was obvious, that jealous spirit with which the Spanish monarchs guarded the exclusive trade, restrained them from applying it. At length Charles III. surmounted those considerations which had deterred his predecessors, and in the year 1764 appointed packet-boats to be despatched on the first day of each month from Corugna to the Havanna or Porto Rico. From thence letters are conveyed in smaller vessels to Vera Cruz and Portobello, and transmitted by post through the kingdoms of Tierra Firme, Granada, Peru, and New Spain. With no less regularity packet-boats sail once in two months to Rio de la Plata, for the accommodation of the provinces to the east of the Andes. Thus provision is made for a speedy and certain circulation of intelligence throughout the vast dominions of Spain, from which equal advantages must redound to the political and mercantile interest of the kingdom.[p] With this new arrangement a scheme of extending commerce has been more immediately connected. Each of the packet-boats, which are vessels of some considerable burden, is allowed to take in half a loading of such commodities as are the product of Spain, and most in demand in the ports whither they are bound. In return for these, they may bring home to Corugna an equal quantity of American productions.[q] This may be considered as the first relaxation of those rigid laws, which confined the trade with the New World to a single port, and the first attempt to admit the rest of the kingdom to some share in it.

Free trade permitted to several provinces:

It was soon followed by one more decisive. In the year 1765, Charles III. laid open the trade to the windward islands, Cuba, Hispaniola, Porto-Rico, Margarita, and Trinidad, to his subjects in every province of Spain. He permitted them to sail from certain ports in each province, which are specified in the edict, at any season and with whatever cargo they deemed most proper, without any other warrant than a simple clearance from the custom-house of the place whence they took their departure. He released them from the numerous and oppressive duties imposed on goods exported to America, and in place of the whole substituted a moderate tax of six in the hundred on the commodities sent from Spain. He allowed them to return either to the same port, or to any other where they might hope for a more advantageous market, and there to enter

o See Note CXCI.

p Pontz Viage de Espagna, vi. Prol. p. 15.

q Append. ii. a la Educ. Pop. p. 31.

the homeward cargo on payment of the usual duties. This ample privilege, which at once broke through all the fences which the jealous policy of Spain had been labouring for two centuries and a half to throw round its commercial intercourse with the New World, was soon after extended to Louisiana, and to the provinces of Yucatan and Campeachy.[r]

beneficial effects of it.

The propriety of this innovation, which may be considered as the most liberal effort of Spanish legislation, has appeared from its effects. Prior to the edict in favour of the free trade, Spain derived hardly any benefit from its neglected colonies in Hispaniola, Porto-Rico, Margarita, and Trinidad. Its commerce with Cuba was inconsiderable, and that of Yucatan and Campeachy was engrossed almost entirely by interlopers. But as soon as a general liberty of trade was permitted, the intercourse with those provinces revived, and has gone on with a rapidity of progression of which there are few examples in the history of nations. In less than ten years, the trade of Cuba has been more than tripled. Even in those settlements where, from the languishing state of industry, greater efforts were requisite to restore its activity, their commerce has been doubled. It is computed, that such a number of ships is already employed in the free trade, that the tonnage of them far exceeds that of the Galeons and Flota at the most flourishing æra of their commerce. The benefits of this arrangement are not confined to a few merchants established in a favourite port. They are diffused through every province of the kingdom; and, by opening a new market for their various productions and manufactures, must encourage and add vivacity to the industry of the farmer and artificer. Nor does the kingdom profit only by what it exports; it derives advantage likewise from what it receives in return, and has the prospect of being soon able to supply itself with several commodities of extensive consumption, for which it formerly depended on foreigners. The consumption of sugar in Spain is perhaps as great, in proportion to the number of its inhabitants, as that of any European kingdom. But though possessed of countries in the New World whose soil and climate are most proper for rearing the sugar-cane; though the domestic culture of that valuable plant in the kingdom of Granada was once considerable; such has been the fatal tendency of ill-judged institutions in America, and such the pressure of improper taxes in Europe, that Spain has lost almost entirely this branch of industry, which has enriched other nations. This commodity, which has now become an article of primary necessity in Europe, the Spaniards were obliged to purchase of foreigners, and had the mortification to see their country drained annually of great sums on that account.[s] But, if that spirit which the permission of free trade has put in motion shall persevere in its efforts with the same vigour, the cultivation of sugar in Cuba and Porto-Rico may increase so much, that in a few years it is probable that their growth of sugars may be equal to the demand of the kingdom.

Free trade permitted between the colonies.

Spain has been induced, by her experience of the beneficial consequences resulting from having relaxed somewhat of the rigour of her ancient laws with respect to the commerce of the mother-country with the colonies, to permit a more liberal intercourse of one colony with another. By one of the jealous maxims of the old system, all the provinces situated on the South seas were prohibited, under the most severe penalties, from holding any communication with one another. Though each of these yields peculiar productions, the reciprocal exchange of which might have added to the happiness of their respective inhabitants, or have facilitated their progress in industry, so solicitous was the council of the Indies to prevent their receiving any supply of their wants but by the periodical fleets from Europe, that in order to guard against this, it cruelly debarred the Spaniards in Peru, in the southern provinces of New Spain, in Guatimala, and the new kingdom of Granada, from such a correspondence with their fellow-subjects as tended manifestly to their mutual prosperity. Of all the numerous restrictions devised by Spain for securing the exclusive trade with her American settlements, none perhaps was more illiberal, none seems to have been more sensibly felt, or to have produced more hurtful effects. This grievance, coeval with the settlements of Spain in the countries situated on the Pacific ocean, is at last redressed. In the year 1774, Charles III. published an edict, granting to the four great provinces which I have mentioned the privilege of a free trade with each other.[t] What may be the effects of opening this communication between countries destined by their situation for reciprocal intercourse, cannot yet be determined by experience. They can hardly fail of being beneficial and extensive. The motives for granting this permission are manifestly no less laudable, than the principle on which it is founded is liberal; and both discover the progress of a spirit in Spain, far elevated above the narrow prejudices and maxims on which her system for regulating the trade and conducting the government of her colonies was originally founded.

New regulations concerning the government of the colonies.

At the same time that Spain has been intent on introducing regulations, suggested by more enlarged views of policy, into her system of American commerce, she has not been inattentive to the interior government of her colonies. Here, too, there was much room for reformation and improvement; and Don Joseph Galvez, who has now the direction of the department for Indian affairs in Spain, has enjoyed the best opportunities, not only of observing the defects

r Append. ii. a la Educ. Pop. 37. 54. 91.
s Uztariz, c. 94.

t Real Cedula, penes me. Pontz Viage de Espagna, vi. Prologo, p. 2 Note CXCII.

and corruption in the political frame of the colonies, but of discovering the sources of those evils. After being employed seven years in the New World on an extraordinary mission, and with very extensive powers, as inspector-general of New Spain; after visiting in person the remote provinces of Cinaloa, Sonora, and California, and making several important alterations in the state of the police and revenue; he began his ministry with a general reformation of the tribunals of justice in America. In consequence of the progress of population and wealth in the colonies, the business of the courts of audience has increased so much, that the number of judges of which they were originally composed has been found inadequate to the growing labours and duties of the office, and the salaries settled upon them have been deemed inferior to the dignity of the station. As a remedy for both, he obtained a royal edict, establishing an additional number of judges in each court of audience, with higher titles, and more ample appointments.[u]

Reformation of the courts of justice.

To the same intelligent minister Spain is indebted for a new distribution of government in its American provinces. Even since the establishment of a third viceroyalty in the new kingdom of Granada, so great is the extent of the Spanish dominions in the New World, that several places subject to the jurisdiction of each viceroy were at such an enormous distance from the capitals in which they resided, that neither their attention nor their authority could reach so far. Some provinces subordinate to the viceroy of New Spain lay above two thousand miles from Mexico. There were countries subject to the viceroy of Peru still further from Lima. The people in those remote districts could hardly be said to enjoy the benefit of civil government. The oppression and insolence of its inferior ministers they often feel, and rather submit to these in silence, than involve themselves in the expense and trouble of resorting to the distant capitals, where alone they can find redress. As a remedy for this, a fourth viceroyalty has been erected, to the jurisdiction of which are subjected the provinces of Rio de la Plata, Buenos-Ayres, Paraguay, Tucuman, Potosi, St[a]. Cruz de la Sierra, Chacas, and the towns of Mendoza and St. Juan. By this well-judged arrangement, two advantages are gained. All the inconveniences occasioned by the remote situation of those provinces, which had been long felt, and long complained of, are in a great measure removed. The countries most distant from Lima are separated from the viceroyalty of Peru, and united under a superior, whose seat of government at Buenos-Ayres will be commodious and accessible. The contraband trade with the Portuguese, which was become so extensive as must have put a final stop to the exportation of commodities from Spain to her southern colonies, may be checked more thoroughly, and with greater facility, when the supreme magistrate, by his vicinity to the places in which it is carried on, can view its progress and effects with his own eyes. Don Pedro Zevallos, who has been raised to this new dignity, with appointments equal to those of the other viceroys, is well acquainted both with the state and the interest of the countries over which he is to preside, having served in them long, and with distinction. By this dismemberment, exceeding that which took place at the erection of the viceroyalty of the new kingdom of Granada, almost two-third parts of the territories originally subject to the viceroys of Peru are now lopped off from their jurisdiction.

New distribution of government.

New viceroyalty, Aug. 1776, on Rio de la Plata.

The limits of the viceroyalty of New Spain have likewise been considerably circumscribed, and with no less propriety and discernment. Four of its most remote provinces, Sonora, Cinaloa, California, and New Navarre, have been formed into a separate government. The Chevalier de Croix, who is intrusted with this command, is not dignified with the title of viceroy, nor does he enjoy the appointments belonging to that rank; but his jurisdiction is altogether independent on the viceroyalty of New Spain. The erection of this last government seems to have been suggested not only by the consideration of the remote situation of those provinces from Mexico, but by attention to the late discoveries made there which I have mentioned.[x] Countries containing the richest mines of gold that have hitherto been discovered in the New World, and which probably may rise into great importance, required the immediate inspection of a governor to whom they should be specially committed. As every consideration of duty, of interest, and of vanity, must concur in prompting those new governors to encourage such exertions as tend to diffuse opulence and prosperity through the provinces committed to their charge, the beneficial effects of this arrangement may be considerable. Many districts in America, long depressed by the languor and feebleness natural to provinces which compose the extremities of an overgrown empire, may be animated with vigour and activity when brought so near the seat of power as to feel its invigorating influence.

New government in provinces of Sonora, &c.

Such, since the accession of the princes of the house of Bourbon to the throne of Spain, has been the progress of their regulations, and the gradual expansion of their views with respect to the commerce and government of their American colonies. Nor has their attention been so entirely engrossed by what related to the more remote parts of their dominions, as to render them negligent of what was still more important, the reformation of domestic errors and defects in policy. Fully sensible of the causes to which the declension of Spain from her former prosperity ought to be imputed, they have made it a great object of their policy to revive a spirit of

Attempts to reform domestic policy.

u Gazeta de Madrid, 19th March, 1776.

x Book vii.

industry among their subjects, and to give such extent and perfection to their manufactures as may enable them to supply the demands of America from their own stock, and to exclude foreigners from a branch of commerce which has been so fatal to the kingdom. This they have endeavoured to accomplish by a variety of edicts issued since the peace of Utrecht. They have granted bounties for the encouragement of some branches of industry; they have lowered the taxes on others; they have either entirely prohibited, or have loaded with additional duties, such foreign manufactures as come in competition with their own; they have instituted societies for the improvement of trade and agriculture; they have planted colonies of husbandmen in some uncultivated districts of Spain, and divided among them the waste fields; they have had recourse to every expedient devised by commercial wisdom, or commercial jealousy, for reviving their own industry, and discountenancing that of other nations. These, however, it is not my province to explain, or to inquire into their propriety and effects. There is no effort of legislation more arduous, no experiment in policy more uncertain, than an attempt to revive the spirit of industry where it has declined, or to introduce it where it is unknown. Nations, already possessed of extensive commerce, enter into competition with such advantages, derived from the large capitals and extensive credit of their merchants, the dexterity of their manufacturers, and the alertness acquired by habit in every department of business, that the state which aims at rivalling or supplanting them, must expect to struggle with many difficulties, and be content to advance slowly. If the quantity of productive industry, now in Spain, be compared with that of the kingdom under the last listless monarchs of the Austrian line, its progress must appear considerable, and is sufficient to alarm the jealousy, and to call forth the most vigorous efforts, of the nations now in possession of the lucrative trade which the Spaniards aim at wresting from them. One circumstance may render those exertions of Spain an object of more serious attention to the other European powers. They are not to be ascribed wholly to the influence of the crown and its ministers. The sentiments and spirit of the people seem to second the provident care of their monarchs, and to give it greater effect. The nation has adopted more liberal ideas, not only with respect to commerce but domestic policy. In all the later Spanish writers, defects in the arrangements of their country concerning both are acknowledged, and remedies proposed, which ignorance rendered their ancestors incapable of discerning, and pride would not have allowed them to confess.[y] But after all that the Spaniards have done, much remains to do. Many pernicious institutions and abuses, deeply incorporated with the system of internal policy and taxation which has been long established in Spain, must be abolished before industry and manufactures can recover an extensive activity.

Contraband trade.

Still, however, the commercial regulations of Spain with respect to her colonies are too rigid and systematical to be carried into complete execution. The legislature that loads trade with impositions too heavy, or fetters it by restrictions too severe, defeats its own intention, and is only multiplying the inducements to violate its statutes, and proposing a high premium to encourage illicit traffic. The Spaniards, both in Europe and America, being circumscribed in their mutual intercourse by the jealousy of the crown, or oppressed by its exactions, have their invention continually on the stretch how to elude its edicts. The vigilance and ingenuity of private interest discover means of effecting this, which public wisdom cannot foresee, nor public authority prevent. This spirit, counteracting that of the laws, pervades the commerce of Spain with America in all its branches; and from the highest departments in government descends to the lowest. The very officers appointed to check contraband trade are often employed as instruments in carrying it on; and the boards instituted to restrain and punish it are the channels through which it flows. The king is supposed, by the most intelligent Spanish writers, to be defrauded, by various artifices, of more than one half of the revenue which he ought to receive from America;[z] and as long as it is the interest of so many persons to screen those artifices from detection, the knowledge of them will never reach the throne. "How many ordinances," says Corita, "how many instructions, how many letters from our sovereign, are sent in order to correct abuses! and how little are they observed, and what small advantage is derived from them! To me the old observation appears just, that where there are many physicians and many medicines, there is a want of health; where there are many laws and many judges, there is want of justice. We have viceroys, presidents, governors, oydors, corrigidors, alcaldes; and thousands of alguazils abound every where; but notwithstanding all these, public abuses continue to multiply."[a] Time has increased the evils which he lamented as early as the reign of Philip II. A spirit of corruption has infected all the colonies of Spain in America. Men far removed from the seat of government; impatient to acquire wealth, that they may return speedily from what they are apt to consider as a state of exile in a remote unhealthful country; allured by opportunities too tempting to be resisted, and seduced by the example of those around them; find their sentiments of honour and of duty gradually relax. In private life they give themselves up to a dissolute luxury, while in their public conduct they become unmindful of what they owe to their sovereign and to their country.

y See Note CXCIII.
z Solorz. de Ind. Jure, ii. lib. v.

a MS. penes me.

Trade between New Spain and the Philippines.

Before I close this account of the Spanish trade in America, there remains one detached but important branch of it to be mentioned. Soon after his accession to the throne, Philip II. formed a scheme of planting a colony in the Philippine islands which had been neglected since the time of their discovery; and he accomplished it by means of an armament fitted out from New Spain.[b] Manila, in the island of Luconia, was the station chosen for the capital of this new establishment. From it an active commercial intercourse began with the Chinese, and a considerable number of that industrious people, allured by the prospect of gain, settled in the Philippine islands under the Spanish protection. They supplied the colony so amply with all the valuable productions and manufactures of the East, as enabled it to open a trade with America, by a course of navigation the longest from land to land on our globe. In the infancy of this trade, it was carried on with Callao, on the coast of Peru; but experience having discovered the impropriety of fixing upon that as the port of communication with Manila, the staple of the commerce between the east and west was removed from Callao to Acapulco, on the coast of New Spain.

1564.

After various arrangements, it has been brought into a regular form. One or two ships depart annually from Acapulco, which are permitted to carry out silver to the amount of five hundred thousand pesos;[c] but they have hardly any thing else of value on board; in return for which, they bring back spices, drugs, china and japan wares, calicoes, chintz, muslins, silks, and every precious article with which the benignity of the climate, or the ingenuity of its people, has enabled the East to supply the rest of the world. For some time the merchants of Peru were admitted to participate in this traffic, and might send annually a ship to Acapulco, to wait the arrival of the vessels from Manila, and receive a proportional share of the commodities which they imported. At length the Peruvians were excluded from this trade by most rigorous edicts, and all the commodities from the East reserved solely for the consumption of New Spain.

In consequence of this indulgence, the inhabitants of that country enjoy advantages unknown in the other Spanish colonies. The manufactures of the East are not only more suited to a warm climate, and more showy than those of Europe, but can be sold at a lower price; while, at the same time, the profits upon them are so considerable as to enrich all those who are employed either in bringing them from Manila or vending them in New Spain. As the interest both of the buyer and seller concurred in favouring this branch of commerce, it has continued to extend in spite of regulations concerted with the most anxious jealousy to circumscribe it. Under cover of what the laws permit to be imported, great quantities of Indian goods are poured into the markets of New Spain;[d] and when the Flota arrives at Vera Cruz from Europe, it often finds the wants of the people already supplied by cheaper and more acceptable commodities.

There is not, in the commercial arrangements of Spain, any circumstance more inexplicable than the permission of this trade between New Spain and the Philippines, or more repugnant to its fundamental maxim of holding the colonies in perpetual dependence on the mother-country, by prohibiting any commercial intercourse that might suggest to them the idea of receiving a supply of their wants from any other quarter. This permission must appear still more extraordinary, from considering that Spain herself carries on no direct trade with her settlements in the Philippines, and grants a privilege to one of her American colonies which she denies to her subjects in Europe. It is probable, that the colonists who originally took possession of the Philippines, having been sent out from New Spain, begun this intercourse with a country which they considered, in some measure, as their parent state, before the court of Madrid was aware of its consequences, or could establish regulations in order to prevent it. Many remonstrances have been presented against this trade, as detrimental to Spain, by diverting into another channel a large portion of that treasure which ought to flow into the kingdom, as tending to give rise to a spirit of independence in the colonies, and to encourage innumerable frauds, against which it is impossible to guard, in transactions so far removed from the inspection of government. But as it requires no slight effort of political wisdom and vigour to abolish any practice which numbers are interested in supporting, and to which time has added the sanction of its authority, the commerce between New Spain and Manila seems to be as considerable as ever, and may be considered as one chief cause of the elegance and splendour conspicuous in this part of the Spanish dominions,

Public revenue from America.

But notwithstanding this general corruption in the colonies of Spain, and the diminution of the income belonging to the public occasioned by the illicit importations made by foreigners, as well as by the various frauds of which the colonists themselves are guilty in their commerce with the parent state, the Spanish monarchs receive a very considerable revenue from their American dominions. This arises from taxes of various kinds, which may be divided into three capital branches. The first contains what is paid to the king, as sovereign, or superior lord of the New World: to this class belongs the duty on the gold and silver raised from the mines, and the tribute exacted from the Indians; the former is termed by the Spaniards the *right of signiory*, the latter is the *duty of vassalage*. The second branch comprehends the numerous duties upon commerce, which accompany and oppress it in every step of its progress, from the greatest

b Torquem. i. lib. v. c. 14.

c Recop. lib. ix. c. 45. l. 6.

See Note CXCIV.

transactions of the wholesale merchant, to the petty traffic of the vender by retail. The third includes what accrues to the king, as head of the church, and administrator of ecclesiastical funds in the New World. In consequence of this, he receives the first-fruits, annates, spoils, and other spiritual revenues, levied by the apostolic chamber in Europe; and is entitled likewise to the profit arising from the sale of the bull of Cruzado. This bull, which is published every two years, contains an absolution from past offences by the pope, and among other immunities, a permission to eat several kinds of prohibited food during Lent, and on meagre days. The monks employed in dispersing those bulls extol their virtues with all the fervour of interested eloquence; the people, ignorant and credulous, listen with implicit assent; and every person in the Spanish colonies, of European, Creolian, or mixed race, purchases a bull, which is deemed essential to his salvation, at the rate set upon it by government.[e]

its amount.

What may be the amount of those various funds, it is almost impossible to determine with precision. The extent of the Spanish dominions in America, the jealousy of government, which renders them inaccessible to foreigners, the mysterious silence which the Spaniards are accustomed to observe with respect to the interior state of their colonies, combine in covering this subject with a veil which it is not easy to remove. But an account, apparently no less accurate than it is curious, has lately been published, of the royal revenue in New Spain, from which we may form some idea with respect to what is collected in the other provinces. According to that account, the crown does not receive from all the departments of taxation in New Spain above a million of our money, from which one half must be deducted as the expense of the provincial establishment.[f] Peru, it is probable, yields a sum not inferior to this; and if we suppose that all the other regions of America, including the islands, furnish a third share of equal value, we shall not perhaps be far wide from the truth, if we conclude that the net public revenue of Spain, raised in America, does not exceed a million and a half sterling. This falls far short of the immense sums to which suppositions, founded upon conjecture, have raised the Spanish revenue in America.[g] It is remarkable, however, upon one account. Spain and Portugal are the only European powers who derive a direct revenue from their colonies. All the advantage that accrues to other nations from their American dominions, arises from the exclusive enjoyment of their trade: but beside this, Spain has brought her colonies to contribute towards increasing the power of the state, and, in return for protection, to bear a proportional share of the common burden.

Accordingly, the sum which I have computed to be the amount of the Spanish revenue from America arises wholly from the taxes collected there, and is far from being the whole of what accrues to the king from his dominions in the New World. The heavy duties imposed on the commodities exported from Spain to America,[h] as well as what is paid by those which she sends home in return; the tax upon the negro slaves with which Africa supplies the New World, together with several smaller branches of finance, bring large sums into the treasury, the precise extent of which I cannot pretend to ascertain.

Expense of administration.

But if the revenue which Spain draws from America be great, the expense of administration in her colonies bears proportion to it. In every department, even of her domestic police and finances, Spain has adopted a system more complex, and more encumbered with a variety of tribunals and a multitude of officers, than that of any European nation in which the sovereign possesses such extensive power. From the jealous spirit with which Spain watches over her American settlements, and her endeavours to guard against fraud in provinces so remote from inspection, boards and officers have been multiplied there with still more anxious attention. In a country where the expense of living is great, the salaries allotted to every person in public office must be high, and must load the revenue with an immense burden. The parade of government greatly augments the weight of it. The viceroys of Mexico, Peru, and the new kingdom of Granada, as representatives of the king's person, among people fond of ostentation, maintain all the state and dignity of royalty. Their courts are formed upon the model of that of Madrid, with horse and foot guards, a household regularly established, numerous attendants, and ensigns of power, displaying such pomp as hardly retains the appearance of a delegated authority. All the expense incurred by supporting the external and permanent order of government is defrayed by the crown. The viceroys have, besides, peculiar appointments suited to their exalted station. The salaries fixed by law are indeed extremely moderate; that of the viceroy of Peru is only thirty thousand ducats; and that of the viceroy of Mexico, twenty thousand ducats.[i] Of late they have been raised to forty thousand.

These salaries, however, constitute but a small part of the revenue enjoyed by the viceroys. The exercise of an absolute authority extending to every department of government, and the power of disposing of many lucrative offices, afford them many opportunities of accumulating wealth. To these, which may be considered as legal and allowed emoluments, large sums are often added by exactions, which, in countries so far removed from the seat of government, it is not easy to discover, and impossible to restrain. By monopolizing some branches of commerce, by a lucrative concern in others, by

e See Note CXCV.
f See Note CXCVI.
g See Note CXCVII.
h See Note CXCVIII.
i Recop. lib. iii. tit. iii. c. 72.

conniving at the frauds of merchants, a viceroy may raise such an annual revenue as no subject of any European monarch enjoys.[k] From the single article of presents made to him on the anniversary of his *Name-day*, (which is always observed as a high festival,) I am informed that a viceroy has been known to receive sixty thousand pesos. According to a Spanish saying, the legal revenues of a viceroy are unknown, his real profits depend upon his opportunities and his conscience. Sensible of this, the kings of Spain, as I have formerly observed, grant a commission to their viceroys only for a few years. This circumstance, however, renders them often more rapacious, and adds to the ingenuity and ardour wherewith they labour to improve every moment of a power which they know is hastening fast to a period; and short as its duration is, it usually affords sufficient time for repairing a shattered fortune, or for creating a new one. But even in situations so trying to human frailty, there are instances of virtue that remain unseduced. In the year 1772, the marquis de Croix finished the term of his vice-royalty in New Spain with unsuspected integrity; and, instead of bringing home exorbitant wealth, returned with the admiration and applause of a grateful people, whom his government had rendered happy.

k See Note CXCIX.

THE

HISTORY OF AMERICA.

BOOKS IX. AND X.

CONTAINING

THE HISTORY OF VIRGINIA TO THE YEAR 1688;

AND

THE HISTORY OF NEW ENGLAND TO THE YEAR 1652.

ADVERTISEMENT.

THE original plan of my father, the late Dr. Robertson, with respect to the History of America, comprehended not only an account of the discovery of that country, and of the conquests and colonies of the Spaniards, but embraced also the History of the British and Portuguese establishments in the New World, and of the settlements made by the several nations of Europe in the West India Islands. It was his intention not to have published any part of the Work until the whole was completed. In the Preface to his History of America, he has stated the reasons which induced him to depart from that resolution, and to publish the two volumes which contain an account of the discovery of the New World, and of the progress of the Spanish arms and colonies in that quarter of the globe. He says, "he had made some progress in the History of British America;" and he announces his intention to return to that part of his Work, as soon as the ferment which at that time prevailed in the British colonies in America should subside, and regular government be re-established. Various causes concurred in preventing him from fulfilling his intention.

During the course of a tedious illness, which he early foresaw would have a fatal termination, Dr. Robertson at different times destroyed many of his papers. But after his death, I found that part of the History of British America which he had wrote many years before, and which is now offered to the public. It is written with his own hand, as all his works were; it is as carefully corrected as any part of his manuscripts which I have ever seen; and he had thought it worthy of being preserved, as it escaped the flames to which so many other papers had been committed. I read it with the utmost attention; but, before I came to any resolution about the publication, I put the MS. into the hands of some of those friends whom my father used to consult on such occasions, as it would have been rashness and presumption in me to have trusted to my own partial decision. It was perused by some other persons also, in whose taste and judgment I have the greatest confidence; by all of them I was encouraged to offer it to the public, as a fragment curious and interesting in itself, and not inferior to any of my father's works.

When I determined to follow that advice, it was a circumstance of great weight with me, that as I never could think myself at liberty to destroy those papers, which my father had thought worthy of being preserved, and as I could not know into whose hands they might hereafter fall, I considered it as certain that they would be published at some future period, when they might meet with an editor who, not being actuated by the same sacred regard for the reputation of the author, which I feel, might make alterations and additions, and obtrude the whole on the public as a genuine and authentic work. The MS. is now published, such as it was left by the author; nor have I presumed to make any addition, alteration, or correction whatever.

WM. ROBERTSON.

QUEEN-STREET, EDINBURGH,
APRIL, 1796.

BOOK IX.

Spirit of adventure awakened in England by Columbus's discoveries;

THE dominions of Great Britain in America are next in extent to those of Spain. Its acquisitions there are a recompence due to those enterprising talents which prompted the English to enter early on the career of discovery, and to pursue it with persevering ardour. England was the second nation that ventured to visit the New World. The account of Columbus's successful voyage filled all Europe with astonishment and admiration. But in England it did something more; it excited a vehement desire of emulating the glory of Spain, and of aiming to obtain some share in those advantages which were expected in this new field opened to national activity. The attention of the English court had been turned towards the discovery of unknown countries by its negociation with Bartholomew Columbus. Henry VII. having listened to his propositions with a more favourable ear than could have been expected from a cautious, distrustful prince, averse by habit as well as by temper to new and hazardous projects, he was more easily induced to approve of a voyage for discovery, proposed by some of his own subjects, soon after the return of Christopher Columbus.

checked by unskilfulness in navigation.

But though the English had spirit to form the scheme, they had not at that period attained to such skill in navigation as qualified them for carrying it into execution. From the inconsiderate ambition of its monarchs, the nation had long wasted its genius and activity in pernicious and ineffectual efforts to conquer France. When this ill-directed ardour began to abate, the fatal contest between the houses of York and Lancaster turned the arms of one half of the kingdom against the other, and exhausted the vigour of both. During the course of two centuries, while industry and commerce were making gradual progress, both in the south and north of Europe, the English continued so blind to the advantages of their own situation, that they hardly began to bend their thoughts towards those objects and pursuits to which they are indebted for their present opulence and power. While the trading vessels of Italy, Spain, and Portugal, as well as those of the Hans Towns, visited the most remote ports in Europe, and carried on an active intercourse with its various nations, the English did little more than creep along their own coasts, in small barks, which conveyed the productions of one county to another. Their commerce was almost wholly passive. Their wants were supplied by strangers; and whatever necessary or luxury of life their own country did not yield, was imported in foreign bottoms. The cross of St. George was seldom displayed beyond the precincts of the narrow seas. Hardly any English ship traded with Spain or Portugal before the beginning of the fifteenth century; and half a century more elapsed before the English mariners became so adventurous as to enter the Mediterranean.

Expedition from Bristol, under the command of Cabot.

In this infancy of navigation, Henry could not commit the conduct of an armament destined to explore unknown regions, to his own subjects. He invested Giovanni Gaboto, a Venetian adventurer, who had settled in Bristol, with the chief command; and issued a commission to him and his three sons, empowering them to sail under the banner of England, towards the east, north, or west, in order to discover countries unoccupied by any Christian state; to take possession of them in his name, and to carry on an exclusive trade with the inhabitants, under condition of paying a fifth part of the free profit on every voyage to the crown. This commission was granted on March 5th, 1495, in less than two years after the return of Columbus from America.[a] But Cabot (for that is the name he assumed in England, and by which he is best known) did not set out on his voyage for two years. He, together with his second son Sebastian, embarked at Bristol on board a ship furnished by the king, and was accompanied by four small barks fitted out by the merchants of that city.

1497. May.

Cabot discovers Newfoundland, and sails along the coast of Virginia.

As in that age the most eminent navigators, formed by the instructions of Columbus, or animated by his example, were guided by ideas derived from his superior knowledge and experience, Cabot had adopted the system of that great man concerning the probability of opening a new and shorter passage to the East Indies by holding a western course. The opinions which Columbus had formed with respect to the islands which he had discovered, were universally received. They were supposed to lie contiguous to the great continent of India, and to constitute a part of the vast countries comprehended under that general name. Cabot accordingly deemed it probable, that, by steering to the north-west, he might reach India by a shorter course than that which Columbus had taken, and hoped to fall in with the coast of Cathay, or China, of whose fertility and opulence the descriptions of Marco Polo had excited high ideas. After sailing for some weeks due west, and nearly on the parallel of the port from which he took his departure, he discovered a large island, which he called *Prima Vista*, and his sailors *Newfoundland;* and in a few days he descried a smaller isle, to which he gave the name of St. John. He landed on both these, made some observations on their soil and productions, and brought off three of the natives. Continuing his course westward, he soon reached the continent of North America, and sailed along it from the fifty-sixth to the thirty-eighth

June 24.

a Hakluyt, iii. 4.

degree of latitude, from the coast of Labrador to that of Virginia. As his chief object was to discover some inlet that might open a passage to the west, it does not appear that he landed any where during this extensive run; and he returned to England without attempting either settlement or conquest in any part of that continent.[b]

Henry does not profit by Cabot's discovery;

If it had been Henry's purpose to prosecute the object of the commission given by him to Cabot, and to take possession of the countries which he had discovered, the success of this voyage must have answered his most sanguine expectations. His subjects were undoubtedly the first Europeans who had visited that part of the American continent, and were entitled to whatever right of property prior discovery is supposed to confer. Countries which stretched in an uninterrupted course through such a large portion of the temperate zone, opened a prospect of settling to advantage under mild climates, and in a fertile soil. But by the time that Cabot returned to England, he found both the state of affairs and the king's inclination unfavourable to any scheme the execution of which would have required tranquillity and leisure. Henry was involved in a war with Scotland, and his kingdom was not yet fully composed after the commotion excited by a formidable insurrection of his own subjects in the west. An ambassador from Ferdinand of Arragon was then in London; and as Henry set a high value upon the friendship of that monarch, for whose character he professed much admiration, perhaps from its similarity to his own, and was endeavouring to strengthen their union by negociating the marriage which afterwards took place between his eldest son and the princess Catherine, he was cautious of giving any offence to a prince jealous to excess of all his rights. From the position of the islands and continent which Cabot had discovered, it was evident that they lay within the limits of the ample donative which the bounty of Alexander VI. had conferred upon Ferdinand and Isabella. No person in that age questioned the validity of a papal grant; and Ferdinand was not of a temper to relinquish any claim to which he had a shadow of title. Submission to the authority of the pope, and deference for an ally whom he courted, seem to have concurred with Henry's own situation in determining him to abandon a scheme in which he had engaged with some degree of ardour and expectation. No attempt towards discovery was made in England during the remainder of his reign; and Sebastian Cabot, finding no encouragement for his active talents there, entered into the service of Spain.[c]

nor his immediate successors.

This is the most probable account of the sudden cessation of Henry's activity, after such success in his first essay as might have encouraged him to persevere. The advantages of commerce, as well as its nature, were so little understood in England about this period, that by an act of parliament in the year 1488, the taking of interest for the use of money was prohibited under severe penalties.[d] And by another law, the profit arising from dealing in bills of exchange was condemned as savouring of usury.[e] It is not surprising, then, that no great effort should be made to extend trade by a nation whose commercial ideas were still so crude and illiberal. But it is more difficult to discover what prevented this scheme of Henry VII. from being resumed during the reigns of his son and grandson; and to give any reason why no attempt was made, either to explore the northern continent of America more fully, or to settle in it. Henry VIII. was frequently at open enmity with Spain: the value of the Spanish acquisitions in America had become so well known, as might have excited his desire to obtain some footing in those opulent regions; and during a considerable part of his reign, the prohibitions in a papal bull would not have restrained him from making encroachment upon the Spanish dominions. But the reign of Henry was not favourable to the progress of discovery. During one period of it, the active part which he took in the affairs of the continent, and the vigour with which he engaged in the contest between the two mighty rivals, Charles V. and Francis I., gave full occupation to the enterprising spirit both of the king and his nobility. During another period of his administration, his famous controversy with the court of Rome kept the nation in perpetual agitation and suspense. Engrossed by those objects, neither the king nor the nobles had inclination or leisure to turn their attention to new pursuits; and without their patronage and aid, the commercial part of the nation was too inconsiderable to make any effort of consequence. Though England, by its total separation from the church of Rome soon after the accession of Edward VI., disclaimed that authority which, by its presumptuous partition of the globe between two favourite nations, circumscribed the activity of every other state within very narrow limits; yet a feeble minority, distracted with faction, was not a juncture for forming schemes of doubtful success and remote utility. The bigotry of Mary, and her marriage with Philip, disposed her to pay a sacred regard to that grant of the holy see, which vested in a husband, on whom she doted, an exclusive right to every part of the New World. Thus, through a singular succession of various causes, sixty-one years elapsed from the time that the English discovered North America, during which their monarchs gave little attention to that country which

b Monson's Naval Tracts, in Churchill's Collect. iii. 211.

c Some schemes of discovery seem to have been formed in England towards the beginning of the sixteenth century. But as there is no other memorial of them than what remains in a patent granted by the king to the adventurers, it is probable that they were feeble or abortive projects. If any attempt had been made in consequence of this patent, it would not have escaped the knowledge of a compiler so industrious and inquisitive as Hakluyt. In his patent, Henry restricts the adventurers from encroaching on the countries discovered by the kings of Portugal, or any other prince in confederacy with England. Rymer's Fœdera, vol. xiii. p. 37.

d 3 Hen. VII. c. 5. e Ibid. c. 6.

was destined to be annexed to their crown, and to be a chief source of its opulence and power.

Expedition to South America, under the command of Sebastian Cabot.

But though the public contributed little towards the progress of discovery, naval skill, knowledge of commerce, and a spirit of enterprise, began to spread among the English. During the reign of Henry VIII. several new channels of trade were opened, and private adventurers visited remote countries, with which England had formerly no intercourse. Some merchants of Bristol, having fitted out two ships for the southern regions of America, committed the conduct of them to Sebastian Cabot, who had quitted the service of Spain. He visited the coasts of Brazil, and touched at the islands of Hispaniola and Puerto Rico; and though this voyage seems not to have been beneficial to the adventurers, it extended the sphere of English navigation, and added to the national stock of nautical science.[f] Though disappointed in their expectations of profit in this first essay, the merchants were not discouraged. They sent, successively, several vessels from different ports towards the same quarter, and seem to have carried on an interloping trade in the Portuguese settlements with success.[g] Nor was it only towards the west, that the activity of the English was directed. Other merchants began to extend their commercial views to the east; and by establishing an intercourse with several islands in the Archipelago, and with some of the towns on the coast of Syria, they found a new market for woollen cloths, (the only manufacture which the nation had begun to cultivate,) and supplied their countrymen with various productions of the East, formerly unknown, or received from the Venetians at an exorbitant price.[h]

Unsuccessful attempts to discover a north-west passage to the Indies.

But the discovery of a shorter passage to the East Indies, by the north-west, was still the favourite project of the nation, which beheld with envy the vast wealth that flowed into Portugal from its commerce with those regions. The scheme was accordingly twice resumed under the long administration of Henry VIII. first, with some slender aid from the king, and then by private merchants. Both voyages were disastrous and unsuccessful. In the former, one of the ships was lost. In the latter, the stock of provisions was so ill proportioned to the number of the crew, that, although they were but six months at sea, many perished with hunger, and the survivors were constrained to support life by feeding on the bodies of their dead companions.[i]

1527 and 1536.

Sir Hugh Willoughby fails in search of a north-east passage.

The vigour of a commercial spirit did not relax in the reign of Edward VI. The great fishery on the banks of Newfoundland became an object of attention; and from some regulations for the encouragement of that branch of trade, it seems to have been prosecuted with activity and success.[k] But the prospect of opening a communication with China and the Spice Islands, by some other route than round the Cape of Good Hope, still continued to allure the English more than any scheme of adventure. Cabot, whose opinion was deservedly of high authority in whatever related to naval enterprise, warmly urged the English to make another attempt to discover this passage. As it had been thrice searched for in vain by steering towards the north-west, he proposed that a trial should now be made by the north-east; and supported this advice by such plausible reasons and conjectures as excited sanguine expectations of success. Several noblemen and persons of rank, together with some principal merchants, having associated for this purpose, were incorporated, by a charter from the king, under the title of The Company of Merchant Adventurers for the Discovery of Regions, Dominions, Islands, and Places unknown. Cabot, who was appointed governor of this company, soon fitted out two ships and a bark, furnished with instructions in his own hand, which discover the great extent both of his naval skill and mercantile sagacity.

Sir Hugh Willoughby, who was intrusted with the command, stood directly northwards along the coast of Norway, and doubled the North Cape. But in that tempestuous ocean, his small squadron was separated in a violent storm. Willoughby's ship and the bark took refuge in an obscure harbour in a desert part of Russian Lapland, where he and all his companions were frozen to death. Richard Chancelour, the captain of the other vessel, was more fortunate; he entered the White sea, and wintered in safety at Archangel. Though no vessel of any foreign nation had ever visited that quarter of the globe before, the inhabitants received their new visitors with a hospitality which would have done honour to a more polished people. The English learned there, that this was a province of a vast empire, subject to the great duke or czar of Muscovy, who resided in a great city twelve hundred miles from Archangel. Chancelour, with a spirit becoming an officer employed in an expedition for discovery, did not hesitate a moment about the part which he ought to take, and set out for that distant capital. On his arrival in Moscow, he was admitted to audience, and delivered a letter which the captain of each ship had received from Edward VI. for the sovereign of whatever country they should discover, to John Vasilowitz, who at that time filled the Russian throne. John, though he ruled over his subjects with the cruelty and caprice of a barbarous despot, was not destitute of political sagacity. He instantly perceived the happy consequences that might flow from opening an intercourse between his dominions and the western nations of Europe; and, delighted with the fortunate event to which he was indebted for this unexpected benefit, he

May 10.

Willoughby perishes. One of his ships winters at Archangel.

The captain visits Moscow.

f Hakluyt, iii. 498. g Ibid. iii. 709. h Ibid. ii. 96, &c.

i Hakluyt, i. 213, &c. iii. 129, 130. k Ibid. iii. 131.

treated Chancelour with great respect; and, by a letter to the king of England, invited his subjects to trade in the Russian dominions, with ample promises of protection and favour.[l]

Feb. 1554.

Trade opened with Russia.

Chancelour, on his return, found Mary seated on the English throne. The success of this voyage, the discovery of a new course of navigation, the establishment of commerce with a vast empire, the name of which was then hardly known in the West, and the hope of arriving, in this direction, at those regions which had been so long the object of desire, excited a wonderful ardour to prosecute the design with greater vigour. Mary, implicitly guided by her husband in every act of administration, was not unwilling to turn the commercial activity of her subjects towards a quarter where it could not excite the jealousy of Spain by encroaching on its possessions in the New World. She wrote to John Vasilowitz in the most respectful terms, courting his friendship. She confirmed the charter of Edward VI., empowered Chancelour, and two agents appointed by the company, to negociate with the czar in her name; and according to the spirit of that age, she granted an exclusive right of trade with Russia to the corporation of merchant adventurers.[m] In virtue of this, they not only established an active and gainful commerce with Russia, but, in hopes of reaching China, they pushed their discoveries eastward to the coast of Nova Zembla, the straits of Waigatz, and towards the mouth of the great river Oby. But in those frozen seas, which nature seems not to have destined for navigation, they were exposed to innumerable disasters, and met with successive disappointments.

Communication with India by land.

Nor were their attempts to open a communication with India made only in this channel. They appointed some of their factors to accompany the Russian caravans which travelled into Persia by the way of Astracan and the Caspian sea, instructing them to penetrate as far as possible towards the east, and to endeavour not only to establish a trade with those countries, but to acquire every information that might afford any light towards the discovery of a passage to China by the north-east.[n] Notwithstanding a variety of dangers to which they were exposed in travelling through so many provinces inhabited by fierce and licentious nations, some of these factors reached Bokara in the province of Chorassan; and though prevented from advancing further by the civil wars which desolated the country, they returned to Europe with some hopes of extending the commerce of the company into Persia, and with much intelligence concerning the state of those remote regions of the East.[o]

Expedition to the coast of Africa.

The successful progress of the merchant adventurers in discovery roused the emulation of their countrymen, and turned their activity into new channels. A commercial intercourse, hitherto unattempted by the English, having been opened with the coast of Barbary, the specimens which that afforded of the valuable productions of Africa invited some enterprising navigators to visit the more remote provinces of that quarter of the globe. They sailed along its western shore, traded in different ports on both sides of the line, and, after acquiring considerable knowledge of those countries, returned with a cargo of gold-dust, ivory, and other rich commodities little known at that time in England. This commerce with Africa seems to have been pursued with vigour, and was at that time no less innocent than lucrative; for, as the English had then no demand for slaves, they carried it on for many years without violating the rights of humanity. Thus far did the English advance during a period which may be considered as the infant state of their navigation and commerce; and feeble as its steps at that time may appear to us, we trace them with an interesting curiosity, and look back with satisfaction to the early essays of that spirit which we now behold in the full maturity of its strength. Even in those first efforts of the English, an intelligent observer will discern presages of their future improvement. As soon as the activity of the nation was put in motion, it took various directions, and exerted itself in each with that steady, persevering industry which is the soul and guide of commerce. Neither discouraged by the hardships and dangers to which they were exposed in those northern seas which they first attempted to explore, nor afraid of venturing into the sultry climates of the torrid zone, the English, during the reigns of Henry VIII., Edward VI., and Mary, opened some of the most considerable sources of their commercial opulence, and gave a beginning to their trade with Turkey, with Africa, with Russia, and with Newfoundland.

Reign of Elizabeth auspicious to discovery.

By the progress which England had already made in navigation and commerce, it was now prepared for advancing further; and on the accession of Elizabeth to the throne, a period commenced extremely auspicious to this spirit which was rising in the nation. The domestic tranquillity of the kingdom, maintained, almost without interruption, during the course of a long and prosperous reign; the peace with foreign nations, that subsisted more than twenty years after Elizabeth was seated on the throne; the queen's attentive economy, which exempted her subjects from the burthen of taxes oppressive to trade; the popularity of her administration; were all favourable to commercial enterprise, and called it forth into vigorous exertion. The discerning eye of Elizabeth having early perceived that the security of a kingdom environed by the sea depended on its naval force, she began her government with adding to the number and strength of the royal navy; which, during a factious minority, and a reign in-

l Hakluyt, i. 226, &c.

m Ibid. 258, &c.

n Hakluyt, i. 301.

o Ibid. 310, &c.

tent on no object but that of suppressing heresy, had been neglected, and suffered to decay. She filled her arsenals with naval stores; she built several ships of great force, according to the ideas of that age, and encouraged her subjects to imitate her example, that they might no longer depend on foreigners, from whom the English had hitherto purchased all vessels of any considerable burthen.[p] By those efforts the skill of the English artificers was improved, the number of sailors increased, and the attention of the public turned to the navy, as the most important national object. Instead of abandoning any of the new channels of commerce which had been opened in the three preceding reigns, the English frequented them with greater assiduity, and the patronage of their sovereign added vigour to all their efforts. In order to secure to them the continuance of their exclusive trade with Russia, Elizabeth cultivated the connexion with John Vasilowitz, which had been formed by her predecessor, and, by successive embassies, gained his confidence so thoroughly, that the English enjoyed that lucrative privilege during his long reign. She encouraged the company of merchant adventurers, whose monopoly of the Russian trade was confirmed by act of parliament,[q] to resume their design of penetrating into Persia by land. Their second attempt, conducted with greater prudence, or undertaken at a more favourable juncture, than the first, was more successful. Their agents arrived in the Persian court, and obtained such protection and immunities from the Shah, that for a course of years they carried on a gainful commerce in his kingdom;[r] and by frequenting the various provinces of Persia, became so well acquainted with the vast riches of the East, as strengthened their design of opening a more direct intercourse with those fertile regions by sea.

1562.

Frobisher makes three attempts to discover the north-west passage.

But as every effort to accomplish this by the north-east had proved abortive, a scheme was formed, under the patronage of the earl of Warwick, the head of the enterprising family of Dudley, to make a new attempt, by holding an opposite course by the north-west. The conduct of this enterprise was committed to Martin Frobisher, an officer of experience and reputation. In three successive voyages he explored the inhospitable coast of Labrador, and that of Greenland, (to which Elizabeth gave the name of *Meta Incognita*,) without discovering any probable appearance of that passage to India for which he sought. This new disappointment was sensibly felt, and might have damped the spirit of naval enterprise among the English, if it had not resumed fresh vigour, amidst the general exultation of the nation, upon the successful expedition of sir Francis Drake. That bold navigator, emulous of the glory which Magellan had acquired by sailing round the globe, formed a scheme of attempting a voyage, which all Europe had admired for sixty years, without venturing to follow the Portuguese discoverer in his adventurous course. Drake undertook this with a feeble squadron, in which the largest vessel did not exceed a hundred tons, and he accomplished it with no less credit to himself than honour to his country. Even in this voyage, conducted with other views, Drake seems not to have been inattentive to the favourite object of his countrymen, the discovery of a new route to India. Before he quitted the Pacific ocean, in order to stretch towards the Philippine islands, he ranged along the coast of California, as high as the latitude of forty-two degrees north, in hopes of discovering, on that side, the communication between the two seas, which had so often been searched for in vain on the other. But this was the only unsuccessful attempt of Drake. The excessive cold of the climate, intolerable to men who had long been accustomed to tropical heat, obliged him to stop short in his progress towards the north; and whether or not there be any passage from the Pacific to the Atlantic ocean in that quarter is a point still unascertained.[s]

1576, 1577, and 1578.

Sir Francis Drake sails round the world.

Enthusiasm of discovery.

From this period, the English seem to have confided in their own abilities and courage, as equal to any naval enterprise. They had now visited every region to which navigation extended in that age, and had rivalled the nation of highest repute for naval skill in its most splendid exploit. But notwithstanding the knowledge which they had acquired of the different quarters of the globe, they had not hitherto attempted any settlement out of their own country. Their merchants had not yet acquired such a degree either of wealth or of political influence, as was requisite towards carrying a scheme of colonization into execution. Persons of noble birth were destitute of the ideas and information which might have disposed them to patronize such a design. The growing power of Spain, however, and the ascendant over the other nations of Europe to which it had attained under Charles V. and his son, naturally turned the attention of mankind towards the importance of those settlements in the New World, to which they were so much indebted for that pre-eminence. The intercourse between Spain and England, during the reign of Philip and Mary; the resort of the Spanish nobility to the English court, while Philip resided there; the study of the Spanish language, which became fashionable; and the translation of several histories of America into English, diffused gradually through the nation a more distinct knowledge of the policy of Spain in planting its colonies, and of the advantages which it derived from them. When hostilities commenced between Elizabeth and Philip, the prospect of annoying Spain by sea opened a new career to the enterprising spirit of the English nobility. Almost every eminent leader of the age aimed at distinguishing himself by naval

p Camd. Annales, p. 70. edit. 1615. fol. q Hakluyt, i. 369. r Hakluyt, i. 344, &c. s Ibid. iii. 44. Camd. Annal. 301, &c.

exploits. That service, and the ideas connected with it, the discovery of unknown countries, the establishment of distant colonies, and the enriching of commerce by new commodities, became familiar to persons of rank.

First project of a colony in North America.

In consequence of all those concurring causes, the English began seriously to form plans of settling colonies in those parts of America which hitherto they had only visited. The projectors and patrons of these plans were mostly persons of rank and influence. Among them, Sir Humphry Gilbert, of Compton in Devonshire, ought to be mentioned with the distinction due to the conductor of the first English colony to America. He had early rendered himself conspicuous by his military services both in France and Ireland; and having afterwards turned his attention to naval affairs, he published a discourse concerning the probability of a north-west passage, which discovered no inconsiderable portion both of learning and ingenuity, mingled with the enthusiasm, the credulity, and sanguine expectations which incite men to new and hazardous undertakings.[t] With those talents he was deemed a proper person to be employed in establishing a new colony, and easily obtained from the queen letters patent, vesting in him sufficient powers for this purpose.

June 11, 1578.

Charter granted by queen Elizabeth.

As this is the first charter to a colony, granted by the crown of England, the articles in it merit particular attention, as they unfold the ideas of that age with respect to the nature of such settlements. Elizabeth authorizes him to discover and take possession of all remote and barbarous lands, unoccupied by any christian prince or people. She vests in him, his heirs, and assigns for ever, the full right of property in the soil of those countries whereof he shall take possession. She permits such of her subjects as were willing to accompany Gilbert in his voyage, to go and settle in the countries which he shall plant. She empowers him, his heirs, and assigns, to dispose of whatever portion of those lands he shall judge meet, to persons settled there, in fee simple, according to the laws of England. She ordains, that all the lands granted to Gilbert shall hold of the crown of England by homage, on payment of the fifth part of the gold or silver ore found there. She confers upon him, his heirs and assigns, the complete jurisdictions and royalties, as well marine as other, within the said lands and seas thereunto adjoining; and as their common safety and interest would render good government necessary in their new settlements, she gave Gilbert, his heirs and assigns, full power to convict, punish, pardon, govern, and rule, by their good discretion and policy, as well in causes capital or criminal as civil, both marine and other, all persons who shall, from time to time, settle within the said countries, according to such statutes, laws, and ordinances, as shall be by him, his heirs and assigns, devised and established for their better government. She declared, that all who settled there should have and enjoy all the privileges of free denizens and natives of England, any law, custom, or usage to the contrary notwithstanding. And finally, she prohibited all persons from attempting to settle within two hundred leagues of any place which Sir Humphry Gilbert, or his associates, shall have occupied, during the space of six years.[u]

First expedition fails.

With those extraordinary powers, suited to the high notions of authority and prerogative prevalent in England during the sixteenth century, but very repugnant to more recent ideas with respect to the rights of free men, who voluntarily unite to form a colony, Gilbert began to collect associates, and to prepare for embarkation. His own character, and the zealous efforts of his half-brother, Walter Ralegh, who even in his early youth displayed those splendid talents, and that undaunted spirit, which create admiration and confidence, soon procured him a sufficient number of followers. But his success was not suited either to the sanguine hopes of his countrymen, or to the expense of his preparations. Two expeditions, both of which he conducted in person, ended disastrously. In the last he himself perished, without having effected his intended settlement on the continent of America, or performing any thing more worthy of notice, than the empty formality of taking possession of the island of Newfoundland in the name of his sovereign. The dissensions among his officers; the licentious and ungovernable spirit of some of his crew; his total ignorance of the countries which he purposed to occupy; his misfortune in approaching the continent too far towards the north, where the inhospitable coast of Cape Breton did not invite them to settle; the shipwreck of his largest vessel; and, above all, the scanty provision which the funds of a private man could make of what was requisite for establishing a new colony, were the true causes to which the failure of the enterprise must be imputed, not to any deficiency of abilities or resolution in its leader.[x]

1580.

The plan resumed by Ralegh. 1584. March 26.

But the miscarriage of a scheme, in which Gilbert had wasted his fortune, did not discourage Ralegh. He adopted all his brother's ideas; and applying to the queen, in whose favour he stood high at that time, he procured a patent, with jurisdiction and prerogatives as ample as had been granted unto Gilbert.[y] Ralegh, no less eager to execute than to undertake the scheme, instantly despatched two small vessels, under the command of Amadas and Barlow, two officers of trust, to visit the countries which he intended to settle, and to acquire some previous knowledge of their coasts, their soil, and productions. In order to avoid Gilbert's error, in holding too

April 27.

Discovery of Virginia.

t Hakluyt, iii. 11. u Ibid. iii. 135. x Hakluyt, iii. 143, &c. y Ibid. iii. 213.

far north, they took their course by the Canaries and the West India islands, and approached the North American continent by the gulf of Florida. Unfortunately, their chief researches were made in that part of the country now known by the name of North Carolina, the province in America most destitute of commodious harbours. They touched first at an island, which they call Wokocon, (probably Ocakoke,) situated on the inlet into Pamplicoe sound, and then at Roanoke, near the mouth of Albemarle sound. In both they had some intercourse with the natives, whom they found to be savages with all the characteristic qualities of uncivilized life, bravery, aversion to labour, hospitality, a propensity to admire, and a willingness to exchange their rude productions for English commodities, especially for iron, or any of the useful metals of which they were destitute. After spending a few weeks in this traffic, and in visiting some parts of the adjacent continent, Amadas and Barlow returned to England with two of the natives, and gave such splendid descriptions of the beauty of the country, the fertility of the soil, and the mildness of the climate, that Elizabeth, delighted with the idea of occupying a territory superior, so far, to the barren regions towards the north hitherto visited by her subjects, bestowed on it the name of Virginia; as a memorial that this happy discovery had been made under a virgin queen.[z]

Sept. 15.

Colony established in Virginia by Sir Richard Greenville.

Their report encouraged Ralegh to hasten his preparations for taking possession of such an inviting property. He fitted out a squadron of seven small ships, under the command of sir Richard Greenville, a man of honourable birth, and of courage so undaunted as to be conspicuous even in that gallant age. But the spirit of that predatory war which the English carried on against Spain, mingled with this scheme of settlement; and on this account, as well as from unacquaintance with a more direct and shorter course to North America, Greenville sailed by the West Indian islands. He spent some time in cruising among these, and in taking prizes; so that it was towards the close of June before he arrived on the coast of North America. He touched at both the islands where Amadas and Barlow had landed, and made some excursions into different parts of the continent round Pamplicoe and Albemarle sounds. But as, unfortunately, he did not advance far enough towards the north, to discover the noble bay of Chesapeak, he established the colony which he left on the island of Roanoke, an incommodious station, without any safe harbour, and almost uninhabited.[a]

Aug. 25.

In danger of perishing by famine; returns to England.

This colony consisted only of one hundred and eighty persons, under the command of captain Lane, assisted by some men of note, the most distinguished of whom was Hariot, an eminent mathematician. Their chief employment, during a residence of nine months, was to obtain a more extensive knowledge of the country; and their researches were carried on with greater spirit, and reached further, than could have been expected from a colony so feeble, and in a station so disadvantageous. But from the same impatience of indigent adventurers to acquire sudden wealth, which gave a wrong direction to the industry of the Spaniards in their settlements, the greater part of the English seem to have considered nothing as worthy of attention but mines of gold and silver. These they sought for, wherever they came: these they inquired after with unwearied eagerness. The savages soon discovered the favourite objects which allured them, and artfully amused them with so many tales concerning pearl fisheries, and rich mines of various metals, that Lane and his companions wasted their time and activity in the chimerical pursuit of these, instead of labouring to raise provisions for their own subsistence. On discovering the deceit of the Indians, they were so much exasperated, that from expostulations and reproaches they proceeded to open hostility. The supplies of provision which they had been accustomed to receive from the natives were of course withdrawn. Through their own negligence, no other precaution had been taken for their support. Ralegh, having engaged in a scheme too expensive for his narrow funds, had not been able to send them that recruit of stores with which Greenville had promised to furnish them early in the spring. The colony, reduced to the utmost distress, and on the point of perishing with famine, was preparing to disperse into different districts of the country in quest of food, when sir Francis Drake appeared with his fleet, returning from a successful expedition against the Spaniards in the West Indies. A scheme which he formed, of furnishing Lane and his associates with such supplies as might enable them to remain with comfort in their station, was disappointed by a sudden storm, in which a small vessel that he destined for their service was dashed to pieces; and as he could not supply them with another, at their joint request, as they were worn out with fatigue and famine, he carried them home to England.[b]

June 1.

June 19.

Knowledge of the country acquired in this expedition.

Such was the inauspicious beginning of the English settlements in the New World; and, after exciting high expectations, this first attempt produced no effect but that of affording a more complete knowledge of the country; as it enabled Hariot, a man of science and observation, to describe its soil, climate, productions, and the manners of its inhabitants, with a degree of accuracy which merits no inconsiderable praise, when compared with the childish and marvellous tales published by several of the early visitants of the New World. There is another consequence of this abortive colony important enough to entitle it to a place in history. Lane and his as-

z Hakluyt, iii. 246. a Ibid. iii. 251. b Hakluyt, ii. 255. Camd. Annal. 387.

sociates, by their constant intercourse with the Indians, had acquired a relish for their favourite enjoyment of smoking tobacco; to the use of which, the credulity of that people not only ascribed a thousand imaginary virtues, but their superstition considered the plant itself as a gracious gift of the gods, for the solace of human kind, and the most acceptable offering which man can present to heaven.[c] They brought with them a specimen of this new commodity to England, and taught their countrymen the method of using it; which Ralegh and some young men of fashion fondly adopted. From imitation of them, from love of novelty, and from the favourable opinion of its salutary qualities entertained by several physicians, the practice spread among the English. The Spaniards and Portuguese had, previous to this, introduced it in other parts of Europe. This habit of taking tobacco gradually extended from the extremities of the north to those of the south, and in one form or other seems to be equally grateful to the inhabitants of every climate, and by a singular caprice of the human species, no less inexplicable than unexampled, (so bewitching is the acquired taste for a weed of no manifest utility, and at first not only unpleasant, but nauseous,) that it has become almost as universal as the demands of those appetites originally implanted in our nature. Smoking was the first mode of taking tobacco in England; and we learn from the comic writers towards the close of the sixteenth century and the beginning of the seventeenth, that this was deemed one of the accomplishments of a man of fashion and spirit.

Use of tobacco introduced in England.

A few days after Drake departed from Roanoke, a small bark, despatched by Ralegh with a supply of stores for the colony, landed at the place where the English had settled; but on finding it deserted by their countrymen, they returned to England. The bark was hardly gone, when sir Richard Grenville appeared with three ships. After searching in vain for the colony which he had planted, without being able to learn what had befallen it, he left fifteen of his crew to keep possession of the island. This handful of men was soon overpowered and cut in pieces by the savages.[d]

Though all Ralegh's efforts to establish a colony in Virginia had hitherto proved abortive, and had been defeated by a succession of disasters and disappointments, neither his hopes nor resources were exhausted. Early in the following year, he fitted out three ships, under the command of captain John White, who carried thither a colony more numerous than that which had been settled under Lane. On their arrival in Virginia, after viewing the face of the country covered with one continued forest, which to them appeared an uninhabited wild, as it was occupied only by a few scattered tribes of savages, they discovered that they were destitute of many things which they deemed essentially necessary towards their subsistence in such an uncomfortable situation; and, with one voice, requested White, their commander, to return to England, as the person among them most likely to solicit, with efficacy, the supply on which depended the existence of the colony. White landed in his native country at a most unfavourable season for the negociation which he had undertaken. He found the nation in universal alarm at the formidable preparations of Philip II. to invade England, and collecting all his force to oppose the fleet to which he had arrogantly given the name of the Invincible Armada. Ralegh, Greenville, and all the most zealous patrons of the new settlement, were called to act a distinguished part in the operations of a year equally interesting and glorious to England. Amidst danger so imminent, and during a contest for the honour of their sovereign and the independence of their country, it was impossible to attend to a less important and remote object. The unfortunate colony in Roanoke received no supply, and perished miserably by famine, or by the unrelenting cruelty of those barbarians by whom they were surrounded.

Ralegh's second attempt to settle a colony in Virginia.

1587.

1588.

Colony perishes by famine.

During the remainder of Elizabeth's reign, the scheme of establishing a colony in Virginia was not resumed. Ralegh, with a most aspiring mind and extraordinary talents, enlightened by knowledge no less uncommon, had the spirit and the defects of a projector. Allured by new objects, and always giving the preference to such as were most splendid and arduous, he was apt to engage in undertakings so vast and so various as to be far beyond his power of accomplishing. He was now intent on peopling and improving a large district of country in Ireland, of which he had obtained a grant from the queen. He was a deep adventurer in the scheme of fitting out a powerful armament against Spain, in order to establish Don Antonio on the throne of Portugal. He had begun to form his favourite but visionary plan, of penetrating into the province of Guiana, where he fondly dreamed of taking possession of inexhaustible wealth flowing from the richest mines in the New World. Amidst this multiplicity of projects, of such promising appearance, and recommended by novelty, he naturally became cold towards his ancient and hitherto unprofitable scheme of settling a colony in Virginia, and was easily induced to assign his right of property in that country, which he had never visited, together with all the privileges contained in his patent, to sir Thomas Smith and a company of merchants in London. This company, satisfied with a paltry traffic carried on by a few small barks, made no attempt to take possession of the country. Thus, after a period of a hundred and six years from the time that Cabot discovered North

Ralegh abandons the design of settling a colony in Virginia.

March. 1596.

c Hariot ap. Hakluyt, iii. 271. De Bry, America, part i.

d Hakluyt, iii. 265. 283.

America in the name of Henry VII., and of twenty years from the time that Ralegh planted the first colony, there was not a single Englishman settled there at the demise of queen Elizabeth, in the year one thousand six hundred and three.

Circumstances in Elizabeth's reign unfavourable to colonization.

I have already explained the causes of this, during the period previous to the accession of Elizabeth. Other causes produced the same effect under her administration. Though for one half of her reign England was engaged in no foreign war, and commerce enjoyed that perfect security which is friendly to its progress; though the glory of her latter years give the highest tone of elevation and vigour to the national spirit; the queen herself, from her extreme parsimony, and her aversion to demand extraordinary supplies of her subjects, was more apt to restrain than to second the ardent genius of her people. Several of the most splendid enterprises in her reign were concerted and executed by private adventurers. All the schemes for colonization were carried on by the funds of individuals, without any public aid. Even the felicity of her government was adverse to the establishment of remote colonies. So powerful is the attraction of our native soil, and such our fortunate partiality to the laws and manners of our own country, that men seldom choose to abandon it, unless they be driven away by oppression, or allured by vast prospects of sudden wealth. But the provinces of America, in which the English attempted to settle, did not, like those occupied by Spain, invite them thither by any appearance of silver or gold mines. All their hopes of gain were distant; and they saw that nothing could be earned but by persevering exertions of industry. The maxims of Elizabeth's administration were, in their general tenor, so popular, as did not force her subjects to emigrate in order to escape from the heavy or vexatious hand of power. It seems to have been with difficulty that these slender bands of planters were collected, on which the writers of that age bestow the name of the first and second Virginian colonies. The fulness of time for English colonization was not yet arrived.

1603. Reign of James favourable to the establishment of colonies.

But the succession of the Scottish line to the crown of England hastened its approach. James was hardly seated on the throne before he discovered his pacific intentions, and he soon terminated the long war which had been carried on between Spain and England, by an amicable treaty. From that period, uninterrupted tranquillity continued during his reign. Many persons of high rank, and of ardent ambition, to whom the war with Spain had afforded constant employment, and presented alluring prospects not only of fame but of wealth, soon became so impatient of languishing at home without occupation or object, that their invention was on the stretch to find some exercise for their activity and talents. To both these North America seemed to open a new field, and schemes of carrying colonies thither became more general and more popular.

Direct course from England to North America first attempted by Gosnold.

A voyage undertaken by Bartholomew Gosnold, in the last year of the queen, facilitated as well as encouraged the execution of these schemes. He sailed from Falmouth in a small bark with thirty-two men. Instead of following former navigators in their unnecessary circuit by the West India isles and the gulf of Florida, Gosnold steered due west as nearly as the winds would permit, and was the first English commander who reached America by this shorter and more direct course. That part of the continent which he first described was a promontory in the province now called Massachusetts Bay, to which he gave the name of Cape Cod. Holding along the coast, as it stretched towards the south west, he touched at two islands, one of which he called Martha's Vineyard, the other Elizabeth's Island; and visited the adjoining continent, and traded with its inhabitants. He and his companions were so much delighted every where with the inviting aspect of the country, that notwithstanding the smallness of their number, a part of them consented to remain there. But when they had leisure to reflect upon the fate of former settlers in America, they retracted a resolution formed in the first warmth of their admiration; and Gosnold returned to England in less than four months from the time of his departure.[e]

Consequences of Gosnold's voyage.

This voyage, however inconsiderable it may appear, had important effects. The English now discovered the aspect of the American continent to be extremely inviting far to the north of the place where they had formerly attempted to settle. The coast of a vast country, stretching through the most desirable climates, lay before them. The richness of its virgin soil promised a certain recompence to their industry. In its interior provinces unexpected sources of wealth might open, and unknown objects of commerce might be found. Its distance from England was diminished almost a third part, by the new course which Gosnold had pointed out. Plans for establishing colonies began to be formed in different parts of the kingdom; and before these were ripe for execution, one small vessel was sent out by the merchants of Bristol, another by the earl of Southampton and lord Arundel of Wardour, in order to learn whether Gosnold's account of the country was to be considered as a just representation of its state, or as the exaggerated description of a fond discoverer. Both returned with a full confirmation of his veracity, and with the addition of so many new circumstances in favour of the country, acquired by a more extensive view of it, as greatly increased the desire of planting it.

The most active and efficacious promoter of this was Richard Hakluyt, prebendary of Westminster,

e Purchas, iv. p. 1647.

Hakluyt improves the commercial and naval skill of that age.

to whom England is more indebted for its American possessions than to any man of that age. Formed under a kinsman of the same name, eminent for naval and commercial knowledge, he imbibed a similar taste, and applied early to the study of geography and navigation. These favourite sciences engrossed his attention, and to diffuse a relish for them was the great object of his life. In order to excite his countrymen to naval enterprise, by flattering their national vanity, he published, in the year one thousand five hundred and eighty-nine, his valuable collection of voyages and discoveries made by Englishmen. In order to supply them with what information might be derived from the experience of the most successful foreign navigators, he translated some of the best accounts of the progress of the Spaniards and Portuguese in their voyages both to the East and West Indies, into the English tongue. He was consulted with respect to many of the attempts towards discovery or colonization during the latter part of Elizabeth's reign. He corresponded with the officers who conducted them, directed their researches to proper objects, and published the history of their exploits. By the zealous endeavours of a person equally respected by men of rank and men of business, many of both orders formed an association to establish colonies in America, and petitioned the king for the sanction of his authority to warrant the execution of their plans.

James divides the coast of North America into two parts;

James, who prided himself on his profound skill in the science of government, and who had turned his attention to consider the advantages which might be derived from colonies, at a time when he patronized his scheme for planting them in some of the ruder provinces of his ancient kingdom, with a view of introducing industry and civilization there,[f] was now no less fond of directing the active genius of his English subjects towards occupations not repugnant to his own pacific maxims, and listened with a favourable ear to their application. But as the extent as well as value of the American continent began now to be better known, a grant of the whole of such a vast region to any one body of men, however respectable, appeared to him an act of impolitic and profuse liberality. For this reason he divided that portion of North America, which stretches from the thirty-fourth to the forty-fifth degree of latitude, into two districts nearly equal; the one called the first or south colony of Virginia, the other, the second or north colony.

1606. April 10.

He authorized sir Thomas Gates, sir George Summers, Richard Hakluyt, and their associates, mostly resident in London, to settle any part of the former which they should choose, and vested in them a right of property to the land extending along the coast fifty miles on each side of the place of their first habitation, and reaching into the interior country a hundred miles. The latter district he allotted, as the place of settlement, to sundry knights, gentlemen, and merchants of Bristol, Plymouth, and other parts in the west of England, with a similar grant of territory. Neither the monarch who issued this charter, nor his subjects who received it, had any conception that they were proceeding to lay the foundation of mighty and opulent states. What James granted was nothing more than a simple charter of corporation to a trading company, empowering the members of it to have a common seal, and to act as a body politic. But as the object for which they associated was new, the plan established for the administration of their affairs was uncommon. Instead of the power usually granted to corporations, of electing officers and framing by-laws for the conduct of their own operations, the supreme government of the colonies to be settled was vested in a council resident in England, to be named by the king according to such laws and ordinances as should be given under his sign manual; and the subordinate jurisdiction was committed to a council resident in America, which was likewise to be nominated by the king, and to act conformably to his instructions. To this important clause, which regulated the form of their constitution, was added the concession of several immunities, to encourage persons to settle in the intended colonies. Some of these were the same which had been granted to Gilbert and Ralegh; such as the securing to the emigrants and their descendants all the rights of denizens, in the same manner as if they had remained or had been born in England; and granting them the privilege of holding their lands in America by the freest and least burdensome tenure. Others were more favourable than those granted by Elizabeth. He permitted whatever was necessary for the sustenance or commerce of the new colonies to be exported from England, during the space of seven years, without paying any duty; and, as a further incitement to industry, he granted them liberty of trade with other nations, and appropriated the duty to be levied on foreign commodities, for twenty-one years, as a fund for the benefit of the colony.[g]

and grants charters to two companies.

Tenor of these charters.

In this singular charter, the contents of which have been little attended to by the historians of America, some articles are as unfavourable to the rights of the colonists, as others are to the interest of the parent state. By placing the legislative and executive powers in a council nominated by the crown, and guided by its instructions, every person settling in America seems to be bereaved of the noblest privilege of a free man; by the unlimited permission of trade with foreigners, the parent state is deprived of that exclusive commerce which has been deemed the chief advantage resulting from the establishment of colonies. But in the infancy of colonization, and without the

Defects of these charters.

f Hist. of Scotland, p. 210.

g Stith. Hist. of Virginia, p. 35. Append. p. 1. Purchas, v. 1683.

guidance of observation or experience, the ideas of men, with respect to the mode of forming new settlements, were not fully unfolded, or properly arranged. At a period when they could not foresee the future grandeur and importance of the communities which they were about to call into existence, they were ill qualified to concert the best plan for governing them. Besides, the English of that age, accustomed to the high prerogative and arbitrary rule of their monarchs, were not animated with such liberal sentiments, either concerning their own personal or political rights, as have become familiar in the more mature and improved state of their constitution.

Colonies of Virginia and New England.

Without hesitation or reluctance the proprietors of both colonies prepared to execute their respective plans; and under the authority of a charter, which would now be rejected with disdain, as a violent invasion of the sacred and inalienable rights of liberty, the first permanent settlements of the English in America were established. From this period, the progress of the two provinces of Virginia and New England forms a regular and connected story. The former in the south, and the latter in the north, may be considered as the original and parent colonies; in imitation of which, and under whose shelter, all the others have been successively planted and reared.

Advantages of tracing the history of these colonies in their infant state.

The first attempts to occupy Virginia and New England were made by very feeble bodies of emigrants. As these settled under great disadvantages, among tribes of savages, and in an uncultivated desert; as they attained gradually, after long struggles and many disasters, to that maturity of strength, and order of policy, which entitle them to be considered as respectable states, the history of their persevering efforts merits particular attention. It will exhibit a spectacle no less striking than instructive, and presents an opportunity, which rarely occurs, of contemplating a society in the first moment of its political existence, and of observing how its spirit forms in its infant state, how its principles begin to unfold as it advances, and how those characteristic qualities which distinguish its maturer age are successively acquired. The account of the establishment of the other English colonies, undertaken at periods when the importance of such possessions was better understood, and effected by more direct and vigorous exertions of the parent state, is less interesting. I shall therefore relate the history of the two original colonies in detail. With respect to the subsequent settlements, some more general observations concerning the time, the motives, and circumstances of their establishment will be sufficient. I begin with the history of Virginia, the most ancient and most valuable of the British colonies in North America.

Newport sails for Virginia. Dec. 19.

Though many persons of distinction became proprietors in the company which undertook to plant a colony in Virginia, its funds seem not to have been considerable, and its first effort was certainly extremely feeble. A small vessel of a hundred tons, and two barks under the command of captain Newport, sailed with a hundred and five men destined to remain in the country. Some of these were of respectable families, particularly a brother of the earl of Northumberland, and several officers who had served with reputation in the reign of Elizabeth. Newport, I know not for what reason, followed the ancient course by the West Indies, and did not reach the coast of North America for four months. But he approached it with better fortune than any former navigator; for having been driven, by the violence of a storm, to the northward of Roanoke, the place of his destination, the first land he discovered was a promontory which he called Cape Henry, the southern boundary of the bay of Chesapeak. The English stood directly into that spacious inlet, which seemed to invite them to enter; and as they advanced, contemplated, with a mixture of delight and admiration, that grand reservoir, into which are poured the waters of all the vast rivers, which not only diffuse fertility through that district of America, but open the interior parts of the country to navigation, and render a commercial intercourse more extensive and commodious than in any other region of the globe. Newport, keeping along the southern shore, sailed up a river, which the natives called Powhatan, and to which he gave the name of James river. After viewing its banks, during a run of above forty miles from its mouth, they all concluded that a country, where safe and convenient harbours seemed to be numerous, would be a more suitable station for a trading colony, than the shoaly and dangerous coast to the south, on which their countrymen had formerly settled. Here then they determined to abide; and having chosen a proper spot for their residence, they gave this infant settlement the name of James town, which it still retains; and though it has never become either populous or opulent, it can boast of being the most ancient habitation of the English in the New World. But however well chosen the situation might be, the members of the colony were far from availing themselves of its advantages. Violent animosities had broke out among some of their leaders, during their voyage to Virginia. These did not subside on their arrival there. The first deed of the council, which assumed the government in virtue of a commission brought from England under the seal of the company, and opened on the day after they landed, was an act of injustice. Captain Smith, who had been appointed a member of the council, was excluded from his seat at the board, by the mean jealousy of his colleagues, and not only reduced to the condition of a private man, but of one suspected and watched by his superiors. This diminution of his influence, and restraint on

1607. April 26th.

discovers the Chesapeak;

sails up James river;

founds James town.

Bad administration.

his activity, was an essential injury to the colony, which at that juncture stood in need of the aid of both. For soon after they began to settle, the English were involved in a war with the natives, partly by their own indiscretion, and partly by the suspicion and ferocity of those barbarians. And although the Indians, scattered over the countries adjacent to James river, were divided into independent tribes, so extremely feeble that hardly one of them could muster above two hundred warriors,[h] they teased and annoyed an infant colony by their incessant hostilities. To this was added a calamity still more dreadful; the stock of provisions left for their subsistence, on the departure of their ships for England, was so scanty and of such bad quality, that a scarcity, approaching almost to absolute famine, soon followed. Such poor unwholesome fare brought on diseases, the violence of which was so much increased by the sultry heat of the climate, and the moisture of a country covered with wood, that before the beginning of September one half of their number died, and most of the survivors were sickly and dejected. In such trying extremities, the comparative powers of every individual are discovered and called forth, and each naturally takes that station, and assumes that ascendant, to which he is entitled by his talents and force of mind. Every eye was now turned towards Smith, and all willingly devolved on him that authority of which they had formerly deprived him. His undaunted temper, deeply tinctured with the wild romantic spirit characteristic of military adventurers in that age, was peculiarly suited to such a situation. The vigour of his constitution continued fortunately still unimpaired by disease, and his mind was never appalled by danger. He instantly adopted the only plan that could save them from destruction. He began by surrounding James town with such rude fortifications as were a sufficient defence against the assaults of savages. He then marched, at the head of a small detachment, in quest of their enemies. Some tribes he gained by caresses and presents, and procured from them a supply of provisions. Others he attacked with open force; and defeating them on every occasion, whatever their superiority in numbers might be, compelled them to impart to him some portion of their winter stores. As the recompence of all his toils and dangers, he saw abundance and contentment re-established in the colony, and hoped that he should be able to maintain them in that happy state, until the arrival of ships from England in the spring: but in one of his excursions he was surprised by a numerous body of Indians, and in making his escape from them, after a gallant defence, he sunk to the neck in a swamp, and was obliged to surrender. Though he knew well what a dreadful fate awaits the prisoners of savages, his presence of mind did not forsake him. He showed those who had taken him captive a mariner's compass, and amused them with so many wonderful accounts of its virtues, as filled them with astonishment and veneration, which began to operate very powerfully in his favour. They led him, however, in triumph through various parts of the country, and conducted him at last to Powhatan, the most considerable sachim in that part of Virginia. There the doom of death being pronounced, he was led to the place of execution, and his head already bowed down to receive the fatal blow, when that fond attachment of the American women to their European invaders, the beneficial effects of which the Spaniards often experienced, interposed in his behalf. The favourite daughter of Powhatan rushed in between him and the executioner, and by her entreaties and tears prevailed on her father to spare his life. The beneficence of his deliverer, whom the early English writers dignify with the title of the princess Pocahuntas, did not terminate here; she soon after procured his liberty, and sent him from time to time seasonable presents of provisions.[i]

Smith, on his return to James town, found the colony reduced to thirty-eight persons, who in despair were preparing to abandon a country which did not seem destined to be the habitation of Englishmen. He employed caresses, threats, and even violence, in order to prevent them from executing this fatal resolution. With difficulty he prevailed on them to defer it so long, that the succour anxiously expected from England arrived. Plenty was instantly restored; a hundred new planters were added to their number; and an ample stock of whatever was requisite for clearing and sowing the ground was delivered to them. But an unlucky incident turned their attention from that species of industry which alone could render their situation comfortable. In a small stream of water that issued from a bank of sand near James town, a sediment of some shining mineral substance, which had some resemblance of gold, was discovered. At a time when the precious metals were conceived to be the peculiar and only valuable productions of the New World, when every mountain was supposed to contain a treasure, and every rivulet was searched for its golden sands, this appearance was fondly considered as an infallible indication of a mine. Every hand was eager to dig; large quantities of this glittering dust were amassed. From some assay of its nature, made by an artist as unskilful as his companions were credulous, it was pronounced to be extremely rich. "There was now," says Smith, "no talk, no hope, no work, but

Colony annoyed by the Indians; — June 15. — suffers from scarcity, and the unhealthiness of the climate. — Smith, called to the command, restores the prosperity of the colony. — He is taken prisoner by the Indians. — On his return, he finds the colony almost ruined. — Seasonable succours from England. — Colonists deceived by the appearances of gold.

h Purchas, vol. iv. 1692. Smith's Travels, p. 23.

i Smith's Travels, p. 44, &c. Purchas, iv. 1704. Stith. p. 45, &c.

dig gold, wash gold, refine gold."[k] With this imaginary wealth the first vessel returning to England was loaded, while the culture of the land and every useful occupation were totally neglected.

Smith undertakes a survey of the country.

The effects of this fatal delusion were soon felt. Notwithstanding all the provident activity of Smith, in procuring corn from the natives by traffic or by force, the colony began to suffer as much as formerly from scarcity of food, and was wasted by the same distempers. In hopes of obtaining some relief, Smith proposed, as they had not hitherto extended their researches beyond the countries contiguous to James river, to open an intercourse with the more remote tribes, and to examine into the state of culture and population among them. The execution of this arduous design he undertook himself, in a small open boat, with a feeble crew, and a very scanty stock of provisions. He began his survey at Cape Charles, and in two different excursions, which continued above four months, he advanced as far as the river Susquehannah, which flows into the bottom of the bay. He visited all the countries both on the east and west shores; he entered most of the considerable creeks; he sailed up many of the great rivers as far as their falls. He traded with some tribes; he fought with others; he observed the nature of the territory which they occupied, their mode of subsistence, the peculiarities in their manners; and left among all a wonderful admiration either of the beneficence or valour of the English. After sailing above three thousand miles in a paltry vessel, ill fitted for such an extensive navigation, during which the hardships to which he was exposed, as well as the patience with which he endured, and the fortitude with which he surmounted them, equal whatever is related of the celebrated Spanish discoverers in their most daring enterprises, he returned to James town; he brought with him an account of that large portion of the American continent now comprehended in the two provinces of Virginia and Maryland,[l] so full and exact, that after the progress of information and research for a century and a half, his map exhibits no inaccurate view of both countries, and is the original upon which all subsequent delineations and descriptions have been formed.[m]

But whatever pleasing prospect of future benefit might open upon this complete discovery of a country formed by nature to be the seat of an exclusive commerce, it afforded but little relief for their present wants. The colony still depended for subsistence chiefly on supplies from the natives; as, after all the efforts of their own industry, hardly thirty acres of ground were yet cleared so as to be capable of culture.[n] By Smith's attention, however, the stores of the English were so regularly filled, that for some time they felt no considerable distress; and at this juncture a change was made in the constitution of the company, which seemed to promise an increase of their security and happiness. That supreme direction of all the company's operations, which the king by his charter had reserved to himself, discouraged persons of rank or property from becoming members of a society so dependent on the arbitrary will of the crown. Upon a representation of this to James, he granted them a new charter, with more ample privileges. He enlarged the boundaries of the colony; he rendered the powers of the company, as a corporation, more explicit and complete; he abolished the jurisdiction of the council resident in Virginia; he vested the government entirely in a council residing in London; he granted to the proprietors of the company the right of electing the persons who were to compose this council, by a majority of voices; he authorized this council to establish such laws, orders, and forms of government and magistracy, for the colony and plantation, as they in their discretion should think to be fittest for the good of the adventurers and inhabitants there; he empowered them to nominate a governor to have the administration of affairs in the colony, and to carry their orders into execution.[o] In consequence of these concessions, the company having acquired the power of regulating all its own transactions, the number of proprietors increased, and among them we find the most respectable names in the nation.

1609. May 23. A new charter granted.

The first deed of the new council was to appoint lord Delaware governor and captain-general of their colony in Virginia. To a person of his rank those high-sounding titles could be no allurement; and by his thorough acquaintance with the progress and state of the settlement, he knew enough of the labour and difficulty with which an infant colony is reared, to expect any thing but anxiety and care in discharging the duties of that delicate office. But, from zeal to promote an establishment which he expected to prove so highly beneficial to his country, he was willing to relinquish all the comforts of an honourable station, to undertake a long voyage to settle in an uncultivated region, destitute of every accommodation to which he had been accustomed, and where he foresaw that toil, and trouble, and danger awaited him. But as he could not immediately leave England, the council despatched sir Thomas Gates and sir George Summers, the former of whom had been appointed lieutenant-general and the latter admiral, with nine ships and five hundred planters. They carried with them commissions by which they were empowered to supersede the jurisdiction of the former council, to proclaim lord Delaware governor, and, until he should arrive, to take the administration of affairs into their own hands. A violent hurricane separated the vessel in which Gates and Summers had

Lord Delaware appointed governor.

Gates and Summers appointed to command till the arrival of lord Delaware.

Their ship stranded on the coast of Bermudas. Aug. 11.

k Smith's Travels, p. 53. l Ibid. p. 65, &c. m Stith. p. 83. n Ibid. p. 97. o Ibid. Append. 8.

embarked from the rest of the fleet, and stranded it on the coast of Bermudas. The other ships arrived safely at James town. But the fate of their commanders was unknown. Their commission for new-modelling the government, and all other public papers, were supposed to be lost together with them. The present form of government, however, was held to be abolished. No legal warrant could be produced for establishing any other. Smith was not in a condition at this juncture to assert his own rights, or to act with his wonted vigour. By an accidental explosion of gunpowder, he had been so miserably scorched and mangled that he was incapable of moving, and under the necessity of committing himself to the guidance of his friends, who carried him aboard one of the ships returning to England, in hopes that he might recover by more skilful treatment than he could meet with in Virginia.[p]

Anarchy in the colony.

After his departure, every thing tended fast to the wildest anarchy. Faction and discontent had often arisen so high among the old settlers, that they could hardly be kept within bounds. The spirit of the new comers was too ungovernable to bear any restraint. Several among them of better rank were such dissipated hopeless young men, as their friends were glad to send out in quest of whatever fortune might betide them in a foreign land. Of the lower order many were so profligate or desperate, that their country was happy to throw them out as nuisances in society. Such persons were little capable of the regular subordination, the strict economy, and persevering industry, which their situation required. The Indians, observing their misconduct, and that every precaution for sustenance or safety was neglected, not only withheld the supplies of provisions which they were accustomed to furnish, but harassed them with continual hostilities. All their subsistence was derived from the stores which they had brought from England; these were soon consumed; then the domestic animals sent out to breed in the country were devoured; and by this inconsiderate waste, they were reduced to such extremity of famine, as not only to eat the most nauseous and unwholesome roots and berries, but to feed on the bodies of the Indians whom they slew, and even on those of their companions who sunk under the oppression of such complicated distress. In less than six months, of five hundred persons whom Smith left in Virginia, only sixty remained; and these so feeble and dejected, that they could not have survived for ten days, if succour had not arrived from a quarter whence they did not expect it.[q]

The colony reduced by famine.

Gates and Summers arrive from Bermudas;

When Gates and Summers were thrown ashore on Bermudas, fortunately not a single person on board their ship perished. A considerable part of their provisions and stores, too, was saved, and in that delightful spot nature, with spontaneous bounty, presented to them such a variety of her productions, that a hundred and fifty people subsisted in affluence for ten months on an uninhabited island. Impatient, however, to escape from a place where they were cut off from all intercourse with mankind, they set about building two barks with such tools and materials as they had, and by amazing efforts of perseverance and ingenuity they finished them. In these they embarked, and steered directly towards Virginia, in hopes of finding an ample consolation for all their toils and dangers in the embraces of their companions, and amidst the comforts of a flourishing colony. After a more prosperous navigation than they could have expected in their ill-constructed vessels, they landed at James town. But instead of that joyful interview for which they fondly looked, a spectacle presented itself which struck them with horror. They beheld the miserable remainder of their countrymen emaciated with famine and sickness, sunk in despair, and in their figure and looks rather resembling spectres than human beings. As Gates and Summers, in full confidence of finding plenty of provisions in Virginia, had brought with them no larger stock than was deemed necessary for their own support during the voyage, their inability to afford relief to their countrymen added to the anguish with which they viewed this unexpected scene of distress. Nothing now remained but instantly to abandon a country, where it was impossible to subsist any longer; and though all that could be found in the stores of the colony, when added to what remained of the stock brought from Bermudas, did not amount to more than was sufficient to support them for sixteen days, at the most scanty allowance, they set sail, in hopes of being able to reach Newfoundland, where they expected to be relieved by their countrymen employed at that season in the fishery there.[r]

May 23.

find the colony in the utmost distress;

But it was not the will of Heaven that all the labour of the English, in planting this colony, as well as all their hopes of benefit from its future prosperity, should be for ever lost. Before Gates and the melancholy companions of his voyage had reached the mouth of James river, they were met by lord Delaware with three ships, that brought a large recruit of provisions, a considerable number of new settlers, and every thing requisite for defence or cultivation. By persuasion and authority he prevailed on them to return to James town, where they found their fort, their magazines, and houses entire, which sir Thomas Gates, by some happy chance, had preserved from being set on fire at the time of their departure. A society so feeble and disordered in its frame, required a tender and skilful hand to cherish

are about to return to England, when lord Delaware arrives.

p Purchas, iv. 1734, &c. Smith's Travels, p. 89. Stith. p. 102, &c.
q Stith. p. 116. Purchas, iv. 1748.
r A minute and curious account of the shipwreck of Gates and Summers, and of their adventures in Bermudas, was composed by Strachy, a gentleman who accompanied them, and was published by Purchas, iv. 1734.

Wise administration of lord Delaware.

it, and restore its vigour. This it found in lord Delaware: he searched into the causes of their misfortunes, as far as he could discover them, amidst the violence of their mutual accusations; but instead of exerting his power in punishing crimes that were past, he employed his prudence in healing their dissensions, and in guarding against a repetition of the same fatal errors. By unwearied assiduities, by the respect due to an amiable and beneficent character, by knowing how to mingle severity with indulgence, and when to assume the dignity of his office, as well as when to display the gentleness natural to his own temper, he gradually reconciled men corrupted by anarchy to subordination and discipline, he turned the attention of the idle and profligate to industry, and taught the Indians again to reverence and dread the English name. Under such an administration, the colony began once more to assume a promising appearance; when unhappily for it, a complication of diseases brought on by the climate obliged lord Delaware to quit the country;[s] the government of which he committed to Mr. Percy.

1611. March 28. His health obliges him to return to England.

He was soon superseded by the arrival of sir Thomas Dale; in whom the company had vested more absolute authority than in any of his predecessors, empowering him to rule by martial law; a short code of which, founded on the practice of the armies in the Low Countries, the most rigid military school at that time in Europe, they sent out with him. This system of government is so violent and arbitrary, that even the Spaniards themselves had not ventured to introduce it into their settlements; for among them, as soon as a plantation began, and the arts of peace succeeded to the operations of war, the jurisdiction of the civil magistrate was uniformly established. But however unconstitutional or oppressive this may appear, it was adopted by the advice of sir Francis Bacon, the most enlightened philosopher, and one of the most eminent lawyers of the age.[t] The company, well acquainted with the inefficacy of every method which they had hitherto employed for restraining the unruly mutinous spirits which they had to govern, eagerly adopted a plan that had the sanction of such high authority to recommend it. Happily for the colony, sir Thomas Dale, who was intrusted with this dangerous power, exercised it with prudence and moderation. By the vigour which the summary mode of military punishment gave to his administration, he introduced into the colony more perfect order than had ever been established there; and at the same time he tempered his vigour with so much discretion, that no alarm seems to have been given by this formidable innovation.[u]

May 10. Sir Thomas Dale appointed governor.

Martial law established.

s Stith. p. 117. Purchas, iv. 1764.
t Bacon, Essay on Plantations, p. 3.
u Stith. p. 112.

The regular form which the colony now began to assume induced the king to issue a new charter for the encouragement of the adventurers, by which he not only confirmed all their former privileges, and prolonged the term of exemption from payment of duties on the commodities exported by them, but granted them more extensive property, as well as more ample jurisdiction. All the islands lying within three hundred leagues of the coast were annexed to the province of Virginia. In consequence of this, the company took possession of Bermudas, and the other small islands discovered by Gates and Summers, and at the same time prepared to send out a considerable reinforcement to the colony at James town. The expense of those extraordinary efforts was defrayed by the profits of a lottery, which amounted nearly to thirty thousand pounds. This expedient they were authorized to employ by their new charter;[x] and it is remarkable, as the first instance, in the English history, of any public countenance given to this pernicious seducing mode of levying money. But the house of Commons, which towards the close of this reign began to observe every measure of government with jealous attention, having remonstrated against the institution as unconstitutional and impolitic, James recalled the licence under the sanction of which it had been established.[y]

1612. March 12. New charter issued to the colony; new privileges conferred.

By the severe discipline of martial law, the activity of the colonists was forced into a proper direction, and exerted itself in useful industry. This, aided by a fertile soil and favourable climate, soon enabled them to raise such a large stock of provisions, that they were no longer obliged to trust for subsistence to the precarious supplies which they obtained or extorted from the Indians. In proportion as the English became more independent, the natives courted their friendship upon more equal terms. The happy effects of this were quickly felt. Sir Thomas Dale concluded a treaty with one of their most powerful and warlike tribes, situated on the river Chickahominy, in which they consented to acknowledge themselves subjects to the king of Great Britain, to assume henceforth the name of Englishmen, to send a body of their warriors to the assistance of the English as often as they took the field against any enemy, and to deposit annually a stipulated quantity of Indian corn in the storehouses of the colony.[z] An event, which the early historians of Virginia relate with peculiar satisfaction, prepared the way for this union. Pocahuntas, the favourite daughter of the great chief Powhatan, to whose intercession captain Smith was indebted for his life, persevered in her partial attachment to the English; and as she frequently visited their settlements, where she was always received with respectful hospitality, her admiration

Cultivation of the lands promoted.

Treaty with the natives.

x Stith. p. 191. Appendix, 23, &c.
y Chalmers' Annals, i. 32.
z Hamer Solida Narratio, ap. de Bry, pars x. p. 33. Stith. p. 130.

of their arts and manners continued to increase. During this intercourse, her beauty, which is represented as far superior to that of her country-women, made such impression on the heart of Mr. Rolfe, a young man of rank in the colony, that he warmly solicited her to accept of him as a husband. Where manners are simple, courtship is not tedious. Neither artifice prevents, nor ceremony forbids, the heart from declaring its sentiments. Pocahuntas readily gave her consent; Dale encouraged the alliance, and Powhatan did not disapprove it. The marriage was celebrated with extraordinary pomp; and from that period a friendly correspondence subsisted between the colony and all the tribes subject to Powhatan, or that stood in awe of his power. Rolfe and his princess (for by that name the writers of the last age always distinguish her) set out for England, where she was received by James and his queen with the respect suited to her birth. Being carefully instructed in the principles of the christian faith, she was publicly baptized, but died a few years after, on her return to America, leaving one son, from whom are sprung some of the most respectable families in Virginia, who boast of their descent from the race of the ancient rulers of their country.[a] But notwithstanding the visible good effects of that alliance, none of Rolfe's countrymen seem to have imitated the example which he set them, of intermarrying with the natives. Of all the Europeans who have settled in America, the English have availed themselves least of this obvious method of conciliating the affection of its original inhabitants; and, either from the shyness conspicuous in their national character, or from the want of that pliant facility of manners which accommodates itself to every situation, they have been more averse than the French and Portuguese, or even the Spaniards, from incorporating with the native Americans. The Indians, courting such an union, offered their daughters in marriage to their new guests: and when they did not accept of the proffered alliance, they naturally imputed it to pride, and to their contempt of them as an inferior order of beings.[b]

Rolfe marries the daughter of an Indian chief.

During the interval of tranquillity procured by the alliance with Powhatan, an important change was made in the state of the colony. Hitherto no right of private property in land had been established. The fields that were cleared had been cultivated by the joint labour of the colonists; their product was carried to the common storehouses, and distributed weekly to every family, according to its number and exigencies. A society, destitute of the first advantage resulting from social union, was not formed to prosper. Industry, when not excited by the idea of property in what was acquired by its own efforts, made no vigorous exertion. The head had no inducement to contrive, nor the hand to labour. The idle and improvident trusted entirely to what was issued from the common store; the assiduity even of the sober and attentive relaxed, when they perceived that others were to reap the fruit of their toil; and it was computed, that the united industry of the colony did not accomplish as much work in a week as might have been performed in a day, if each individual had laboured on his own account. In order to remedy this, sir Thomas Dale divided a considerable portion of the land into small lots, and granted one of these to each individual in full property. From the moment that industry had the certain prospect of a recompence, it advanced with rapid progress. The articles of primary necessity were cultivated with so much attention as secured the means of subsistence; and such schemes of improvement were formed as prepared the way for the introduction of opulence into the colony.[c]

Land in Virginia first becomes property.

Advantages.

The industrious spirit which began to rise among the planters was soon directed towards a new object; and they applied to it for some time with such inconsiderate ardour as was productive of fatal consequences. The culture of tobacco, which has since become the staple of Virginia, and the source of its prosperity, was introduced about this time into the colony. As the taste for that weed continued to increase in England, notwithstanding the zealous declamations of James against it, the tobacco imported from Virginia came to a ready market; and though it was so much inferior in quality or in estimation to that raised by the Spaniards in the West Indian islands, that a pound of the latter sold for eighteen shillings, and of the former for no more than three shillings, it yielded a considerable profit. Allured by the prospect of such a certain and quick return, every other species of industry was neglected. The land which ought to have been reserved for raising provisions, and even the streets of James town, were planted with tobacco. Various regulations were framed to restrain this ill-directed activity. But, from eagerness for present gain, the planters disregarded every admonition. The means of subsistence became so scanty, as forced them to renew their demands upon the Indians, who seeing no end of those exactions, their antipathy to the English name revived with additional rancour, and they began to form schemes of vengeance, with a secrecy and silence peculiar to Americans.[d]

Culture of tobacco introduced.

1616.

Bad consequences arising from it.

Meanwhile the colony, notwithstanding this error in its operations, and the cloud that was gathering over its head, continued to wear an aspect of prosperity. Its numbers increased by successive migrations; the quantity of tobacco exported became every year more considerable, and several of the

a Hamer Solida Narratio, ap. de Bry, pars x. p. 23. Stith. p. 129, 146. Smith's Travels, p. 113, 121.
b Beverley's Hist. of Virg. p. 25.
c Smith's Travels, p. 114. Stith. p. 131.
d Stith. p. 140, 147, 164, 168. Smith, p. 130. Purchas, iv. 1787.

planters were not only in an easy situation, but advancing fast to opulence;[e] and by two events, which happened nearly at the same time, both population and industry were greatly promoted. As few women had hitherto ventured to encounter the hardships which were unavoidable in an unknown and uncultivated country, most of the colonists, constrained to live single, considered themselves as no more than sojourners in a land to which they were not attached by the tender ties of a family and children. In order to induce them to settle there, the company took advantage of the apparent tranquillity in the country, to send out a considerable number of young women, of humble birth indeed, but of unexceptionable character, and encouraged the planters, by premiums and immunities, to marry them.[f] These new companions were received with such fondness, and many of them so comfortably established, as invited others to follow their example; and by degrees thoughtless adventurers, assuming the sentiments of virtuous citizens and of provident fathers of families, became solicitous about the prosperity of a country which they now considered as their own. As the colonists began to form more extensive plans of industry, they were unexpectedly furnished with means of executing them with greater facility. A Dutch ship from the coast of Guinea, having sailed up James river, sold a part of her cargo of negroes to the planters;[g] and as that hardy race was found more capable of enduring fatigue under a sultry climate than Europeans, their number has been increased by continual importation; their aid seems now to be essential to the existence of the colony, and the greater part of field-labour in Virginia is performed by servile hands.

Young women emigrate from England to Virginia.

Negroes first introduced.

But as the condition of the colony improved, the spirit of its members became more independent. To Englishmen the summary and severe decisions of martial law, however tempered by the mildness of their governors, appeared intolerably oppressive; and they longed to recover the privileges to which they had been accustomed under the liberal form of government in their native country. In compliance with this spirit, sir George Yeardley, in the year 1619, called the first general assembly that was ever held in Virginia; and the numbers of the people were now so increased, and their settlements so dispersed, that eleven corporations appeared by their representatives in this convention, where they were permitted to assume legislative power, and to exercise the noblest function of free men. The laws enacted in it seem neither to have been many nor of great importance; but the meeting was highly acceptable to the people, as they now beheld among themselves an image of the English constitution, which they reverenced as the most perfect model of free government. In order to render this resemblance more complete, and the rights of the planters more certain, the company issued a charter or ordinance, which gave a legal and permanent form to the government of the colony. The supreme legislative authority in Virginia, in imitation of that in Great Britain, was divided, and lodged partly in the governor, who held the place of the sovereign; partly in a council of state named by the company, which possessed some of the distinctions, and exercised some of the functions, belonging to the peerage; partly in a general council or assembly composed of the representatives of the people, in which were vested powers and privileges similar to those of the house of Commons. In both these councils all questions were to be determined by the majority of voices, and a negative was reserved to the governor; but no law or ordinance, though approved of by all the three members of the legislature, was to be of force until it was ratified in England by a general court of the company, and returned under its seal.[h] Thus the constitution of the colony was fixed, and the members of it are henceforth to be considered, not merely as servants of a commercial company dependent on the will and orders of their superior, but as free men and citizens.

1619. June. First general assembly of representatives.

July 24. New constitution given to the colony.

The natural effect of that happy change in their condition was an increase of their industry. The product of tobacco in Virginia was now equal, not only to the consumption of it in Great Britain,[i] but could furnish some quantity for a foreign market. The company opened a trade for it with Holland, and established warehouses for it in Middleburg and Flushing. James and his privy council, alarmed at seeing the commerce of a commodity, for which the demand was daily increasing, turned into a channel that tended to the diminution of the revenue, by depriving it of a considerable duty imposed on the importation of tobacco, interposed with vigour to check this innovation. Some expedient was found, by which the matter was adjusted for the present; but it is remarkable as the first instance of a difference in sentiment between the parent-state and the colony, concerning their respective rights. The former concluded, that the trade of the colony should be confined to England, and all its productions be landed there. The latter claimed, not only the general privilege of Englishmen to carry their commodities to the best market, but pleaded the particular concessions in their charter, by which an

Industry increased.

Direct trade of the colony with Holland;

gives offence to James.

e Smith, p. 139. f Stith. p. 166, 197.
g Beverley, p. 37.
h Stith. Appendix, p. 32, &c.
i It is a matter of some curiosity to trace the progress of the consumption of this unnecessary commodity. The use of tobacco seems to have been first introduced into England about the year 1586. Possibly a few seafaring persons may have acquired a relish for it by their intercourse with the Spaniards previous to that period: but the use of it cannot be denominated a national habit sooner than the time I have mentioned. Upon an average of the seven years immediately preceding the year 1622, the whole import of tobacco into England amounted to a hundred and forty-two thousand and eighty-five pounds' weight. Stith. p. 246. From this it appears, that the taste had spread with a rapidity which is remarkable. But how inconsiderable is that quantity to what is now consumed in Great Britain!

unlimited freedom of commerce seemed to be granted to them.[k] The time for a more full discussion of this important question was not yet arrived.

The colony neglects the precautions necessary for its defence against the Indians.

But while the colony continued to increase so fast, that settlements were scattered, not only along the banks of James and York rivers, but began to extend to the Rapahannock, and even to the Potowmack, the English, relying on their own numbers, and deceived by this appearance of prosperity, lived in full security. They neither attended to the movements of the Indians, nor suspected their machinations; and though surrounded by a people whom they might have known from experience to be both artful and vindictive, they neglected every precaution for their own safety that was requisite in such a situation. Like the peaceful inhabitants of a society completely established, they were no longer soldiers but citizens, and were so intent on what was subservient to the comfort or embellishment of civil life, that every martial exercise began to be laid aside as unnecessary. The Indians, whom they commonly employed as hunters, were furnished with fire-arms, and taught to use them with dexterity. They were permitted to frequent the habitations of the English at all hours, and received as innocent visitants whom there was no reason to dread. This inconsiderate security enabled the Indians to prepare for the execution of that plan of vengeance, which they meditated with all the deliberate forethought which is agreeable to their temper. Nor did they want a leader capable of conducting their schemes with address. On the death of Powhatan, in the year 1618, Opechancanough succeeded him, not only as wirowanee, or chief of his own tribe, but in that extensive influence over all the Indian nations of Virginia, which induced the English writers to distinguish them by the name of Emperor. According to the Indian tradition, he was not a native of Virginia, but came from a distant country to the southwest, possibly from some province of the Mexican empire.[l] But as he was conspicuous for all the qualities of highest estimation among savages, a fearless courage, great strength and agility of body, and crafty policy, he quickly rose to eminence and power. Soon after his elevation to the supreme command, a general massacre of the English seems to have been resolved upon; and during four years, the means of perpetrating it with the greatest facility and success were concerted with amazing secrecy. All the tribes contiguous to the English settlements were successively gained, except those on the eastern shore, from whom, on account of their peculiar attachment to their new neighbours, every circumstance that might discover what they intended was carefully concealed. To each tribe its station was allotted, and the part it was to act prescribed. On the morning of the day consecrated to vengeance, each was at the place of rendezvous appointed, while the English were so little aware of the impending destruction, that they received with unsuspicious hospitality several persons sent by Opechancanough, under pretext of delivering presents of venison and fruits, but in reality to observe their motions. Finding them perfectly secure, at mid-day, the moment that was previously fixed for this deed of horror, the Indians rushed at once upon them in all their different settlements, and murdered men, women, and children, with undistinguishing rage, and that rancorous cruelty with which savages treat their enemies. In one hour nearly a fourth part of the whole colony was cut off, almost without knowing by whose hands they fell. The slaughter would have been universal, if compassion, or a sense of duty, had not moved a converted Indian, to whom the secret was communicated the night before the massacre, to reveal it to his master in such time as to save James town and some adjacent settlements; and if the English in other districts had not run to their arms with resolution prompted by despair, and defended themselves so bravely as to repulse their assailants, who, in the execution of their plan, did not discover courage equal to the sagacity and art with which they had concerted it.[m]

General massacre of the English planned by the Indians;

March 22.

executed on most of the settlements.

But though the blow was thus prevented from descending with its full effect, it proved very grievous to an infant colony. In some settlements not a single Englishman escaped. Many persons of prime note in the colony, and among these several members of the council, were slain. The survivors, overwhelmed with grief, astonishment, and terror, abandoned all their remote settlements, and, crowding together for safety to James town, did not occupy a territory of greater extent than had been planted soon after the arrival of their countrymen in Virginia. Confined within those narrow boundaries, they were less intent on schemes of industry than on thoughts of revenge. Every man took arms. A bloody war against the Indians commenced; and, bent on exterminating the whole race, neither old nor young were spared. The conduct of the Spaniards in the southern regions of America was openly proposed as the most proper model to imitate;[n] and regardless, like them, of those principles of faith, honour, and humanity, which regulate hostility among civilized nations and set bounds to its rage, the English deemed every thing allowable that tended to accomplish their design. They hunted the Indians like wild beasts, rather than enemies; and as the pursuit of them to their places of retreat in the woods, which covered the country, was both difficult and dangerous, they endeavoured to allure them from their inaccessible fastnesses by offers of peace and promises of oblivion, made with such an artful appearance of sincerity as deceived their crafty leader, and induced them to return to their former settlements, and re-

Bloody war with the Indians.

k Stith, p. 200, &c.

l Beverly, p. 51.

m Stith. p. 208, &c. Purchas, iv. 1788, &c.

n Stith, p. 233

sume their usual peaceful occupations. The behaviour of the two people seemed now to be perfectly reversed. The Indians, like men acquainted with the principles of integrity and good faith, on which the intercourse between nations is founded, confided in the reconciliation, and lived in absolute security without suspicion of danger; while the English, with perfidious craft, were preparing to imitate savages in their revenge and cruelty. On the approach of harvest, when they knew an hostile attack would be most formidable and fatal, they fell suddenly upon all the Indian plantations, murdered every person on whom they could lay hold, and drove the rest to the woods, where so many perished with hunger, that some of the tribes nearest to the English were totally extirpated. This atrocious deed, which the perpetrators laboured to represent as a necessary act of retaliation, was followed by some happy effects. It delivered the colony so entirely from any dread of the Indians, that its settlements began again to extend, and its industry to revive.

Company at home divided by factions.

But unfortunately at this juncture the state of the company in England, in which the property of Virginia and the government of the colony settled there were vested, prevented it from seconding the efforts of the planters, by such a reinforcement of men, and such a supply of necessaries, as were requisite to replace what they had lost. The company was originally composed of many adventurers, and increased so fast by the junction of new members, allured by the prospect of gain, or the desire of promoting a scheme of public utility, that its general courts formed a numerous assembly.[o] The operation of every political principle and passion, that spread through the kingdom, was felt in those popular meetings, and influenced their decisions. As towards the close of James's reign more just and enlarged sentiments with respect to constitutional liberty were diffused among the people, they came to understand their rights better and to assert them with greater boldness; a distinction formerly little known, but now familiar in English policy, began to be established between the court and country parties, and the leaders of each endeavoured to derive power and consequence from every quarter. Both exerted themselves with emulation, in order to obtain the direction of a body so numerous and respectable as the company of Virginian adventurers. In consequence of this, business had been conducted in every general court for some years, not with the temperate spirit of merchants deliberating concerning their mutual interest, but with the animosity and violence natural to numerous assemblies, by which rival factions contend for superiority.[p]

James institutes an inquiry into their conduct.

As the king did not often assemble the great council of the nation in parliament, the general courts of the company became a theatre on which popular orators displayed their talents; the proclamations of the crown, and acts of the privy council, with respect to the commerce and police of the colony, were canvassed there with freedom, and censured with severity, ill-suited to the lofty ideas which James entertained of his own wisdom, and the extent of his prerogative. In order to check this growing spirit of discussion, the ministers employed all their address and influence to gain as many members of the company as might give them the direction of their deliberations. But so unsuccessful were they in this attempt, that every measure proposed by them was reprobated by a vast majority, and sometimes without any reason but because they were the proposers of it. James, little favourable to the power of any popular assembly, and weary of contending with one over which he had laboured in vain to obtain an ascendant, began to entertain thoughts of dissolving the company, and new-modelling its constitution. Pretexts, neither unplausible, nor destitute of some foundation, seemed to justify this measure. The slow progress of the colony, the large sums of money expended, and great number of men who had perished in attempting to plant it, the late massacre by the Indians, and every disaster that had befallen the English from their first migration to America, were imputed solely to the inability of a numerous company to conduct an enterprise so complex and arduous. The nation felt sensibly its disappointment in a scheme in which it had engaged with sanguine expectations of advantage, and wished impatiently for such an impartial scrutiny into former proceedings, as might suggest more salutary measures in the future administration of the colony. The present state of its affairs, as well as the wishes of the people, seemed to call for the interposition of the crown; and James, eager to display the superiority of his royal wisdom, in correcting those errors into which the company had been betrayed by inexperience in the arts of government, boldly undertook the work of reformation. Without regarding the rights conveyed to the company by their charter, and without the formality of any judicial proceeding for annulling it, he, by virtue of his prerogative, issued a commission, empowering some of the judges, and other persons of note, to examine into all the transactions of the company from its first establishment, and to lay the result of their inquiries, together with their opinion concerning the most effectual means of rendering the colony more prosperous,[q] before the privy council. At the same time, by a strain of authority still higher, he ordered all the records and papers of the company to be seized, and two of its principal officers to be arrested. Violent and arbitrary as these acts of authority may now appear, the commissioners carried on their inquiry without any obstruction, but what arose from some feeble and ineffectual remonstrances of the company. The

1623. May 9.

o Stith, p. 272, 276.

p Stith, p. 229, &c. Chalmers, p. 59.

q Stith p. 288.

commissioners, though they conducted their scrutiny with much activity and vigour,[r] did not communicate any of their proceedings to the company; but their report, with respect to its operations, seems to have been very unfavourable, as the king, in consequence of it, signified to the company his intention of vesting the supreme government of the company in a governor and twelve assistants, to be resident in England, and the executive power in a council of twelve, which should reside in Virginia. The governor and assistants were to be originally appointed by the king. Future vacancies were to be supplied by the governor and his assistants, but their nomination was not to take effect until it should be ratified by the privy council. The twelve counsellors in Virginia were to be chosen by the governor and assistants; and this choice was likewise subjected to the review of the privy council. With an intention to quiet the minds of the colonists, it was declared that private property should be deemed sacred; and for the more effectual security of it, all grants of lands from the former company were to be confirmed by the new one. In order to facilitate the execution of this plan, the king required the company instantly to surrender its charter into his hands.[s]

Oct. 8. Company required to surrender its charter.

But here James and his ministers encountered a spirit of which they seem not to have been aware. They found the members of the company unwilling tamely to relinquish rights of franchises, conveyed to them with such legal formality, that upon faith in their validity they had expended considerable sums;[t] and still more averse to the abolition of a popular form of government, in which every proprietor had a voice, in order to subject a colony, in which they were deeply interested, to the dominion of a small junto absolutely dependent on the crown. Neither promises nor threats could induce them to depart from these sentiments; and in a general court the king's proposal was almost unanimously rejected, and a resolution taken to defend to the utmost their chartered rights, if these should be called in question in any court of justice. James, highly offended at their presumption in daring to oppose his will, directed a writ of *quo warranto* to be issued against the company, that the validity of its charter might be tried in the court of King's Bench; and in order to aggravate the charge, by collecting additional proofs of mal-administration, he appointed some persons in whom he could confide, to repair to Virginia to inspect the state of the colony, and inquire into the conduct of the company, and of its officers there.

Company refuses.

Oct. 20.

Nov. 10.

The law-suit in the King's Bench did not hang long in suspense. It terminated, as was usual in that reign, in a decision perfectly consonant to the wishes of the monarch. The charter was forfeited, the company was dissolved, and all the rights and privileges conferred upon it returned to the king, from whom they flowed.[u]

Trial in the King's Bench, and dissolution of the company. June 1624.

Some writers, particularly Stith, the most intelligent and best informed historian of Virginia, mention the dissolution of the company as a most disastrous event to the colony. Animated with liberal sentiments, imbibed in an age when the principles of liberty were more fully unfolded than under the reign of James, they viewed his violent and arbitrary proceedings on this occasion with such indignation, that their abhorrence of the means which he employed to accomplish his design seems to have rendered them incapable of contemplating its effects with discernment and candour. There is not perhaps any mode of governing an infant colony less friendly to its liberty, than the dominion of an exclusive corporation possessed of all the powers which James had conferred upon the company of adventurers in Virginia. During several years the colonists can hardly be considered in any other light than as servants to the company, nourished out of its stores, bound implicitly to obey its orders, and subjected to the most rigorous of all forms of government, that of martial law. Even after the native spirit of Englishmen began to rouse under oppression, and had extorted from their superiors the right of enacting laws for the government of that community of which they were members, as no act, though approved of by all the branches of the provincial legislature, was held to be of legal force until it was ratified by a general court in England, the company still retained the paramount authority in its own hands. Nor was the power of the company more favourable to the prosperity of the colony than to its freedom. A numerous body of merchants, as long as its operations are purely commercial, may carry them on with discernment and success. But the mercantile spirit seems ill adapted to conduct an enlarged and liberal plan of civil policy, and colonies have seldom grown up to maturity and vigour under its narrow and interested regulations. To the unavoidable defects in administration which this occasioned, were added errors arising from inexperience. The English merchants of that age had not those extensive views which a general commerce opens to such as have the direction of it. When they first began to venture out of the beaten track, they groped their way with timidity and hesitation. Unacquainted with the climate and soil of America, and ignorant of the productions best suited to them, they seem to have had no settled plan of improvement, and their schemes were continually varying. Their system of government was equally fluctuating. In the course of eighteen years ten different persons presided over the province as chief governors. No wonder that, under such administration, all the efforts to give

Defects in the first constitution of the colonies.

[r] Smith's Travels, p. 165, &c. [s] Stith, p. 293, &c. [t] Chalmers, p. 61. [u] Rymer, vol. xvii. p. 618, &c. Chalmers, p. 62.

vigour and stability to the colony should prove abortive, or produce only slender effects. These efforts, however, when estimated according to the ideas of that age, either with respect to commerce or to policy, were very considerable, and conducted with astonishing perseverance.

Weakness of the colony.

Above an hundred and fifty thousand pounds were expended in this first attempt to plant an English colony in America;[x] and more than nine thousand persons were sent out from the mother-country to people this new settlement. At the dissolution of the company, the nation, in return for this waste of treasure and of people, did not receive from Virginia an annual importation of commodities exceeding twenty thousand pounds in value; and the colony was so far from having added strength to the state by an increase of population, that in the year one thousand six hundred and twenty-four scarcely two thousand persons survived:[y] a wretched remnant of the numerous emigrants who had flocked thither with sanguine expectations of a very different fate.

Temporary council appointed for the government of Virginia.

The company, like all unprosperous societies, fell unpitied. The violent hand with which prerogative had invaded its rights was forgotten, and new prospects of success opened, under a form of government exempt from all the defects to which past disasters were imputed. The king and the nation concurred with equal ardour in resolving to encourage the colony. Soon after the final judgment in the court of King's Bench against the company, James appointed a council of twelve persons to take the temporary direction of affairs in Virginia, that he might have leisure to frame with deliberate consideration proper regulations for the permanent government of the colony.[z] Pleased with such an opportunity of exercising his talents as a legislator, he began to turn his attention towards the subject; but death prevented him from completing his plan.

Aug. 26.

1625. March 27. Accession of Charles the first. His arbitrary government of the colony.

Charles I. on his accession to the throne, adopted all his father's maxims with respect to the colony in Virginia. He declared it to be a part of the empire annexed to the crown, and immediately subordinate to its jurisdiction: he conferred the title of governor on sir George Yardely, and appointed him, in conjunction with a council of twelve, and a secretary, to exercise supreme authority there, and enjoined them to conform, in every point, to such instructions as from time to time they might receive from him.[a] From the tenor of the king's commission, as well as from the known spirit of his policy, it is apparent that he intended to vest every power of government, both legislative and executive, in the governor and council, without recourse to the representatives of the people, as possessing a right to enact laws for the community, or to impose taxes upon it. Yardely and his council, who seem to have been fit instruments for carrying this system of arbitrary rule into execution, did not fail to put such a construction on the words of their commission as was most favourable to their own jurisdiction. During a great part of Charles's reign, Virginia knew no other law than the will of the sovereign. Statutes were published, and taxes imposed, without once calling the representatives of the people to authorize them by their sanction. At the same time that the colonists were bereaved of political rights, which they deemed essential to freemen and citizens, their private property was violently invaded. A proclamation was issued, by which, under pretexts equally absurd and frivolous, they were prohibited from selling tobacco to any person but certain commissioners appointed by the king to purchase it on his account;[b] and they had the cruel mortification to behold the sovereign who should have afforded them protection, engross all the profits of their industry, by seizing the only valuable commodity which they had to vend, and retaining the monopoly of it in his own hands. While the staple of the colony in Virginia sunk in value under the oppression and restraints of a monopoly, property in land was rendered insecure by various grants of it, which Charles inconsiderately bestowed upon his favourites. These were not only of such exorbitant extent as to be unfavourable to the progress of cultivation; but from inattention, or imperfect acquaintance with the geography of the country, their boundaries were so inaccurately defined, that large tracts already occupied and planted were often included in them.

Grants and monopoly of tobacco.

The murmurs and complaints which such a system of administration excited, were augmented by the rigour with which sir John Harvey, who succeeded Yardely in the government of the colony,[c] enforced every act of power. Rapacious, unfeeling, and haughty, he added insolence to oppression, and neither regarded the sentiments nor listened to the remonstrances of the people under his command. The colonists, far from the seat of government, and overawed by authority derived from a royal commission, submitted long to his tyranny and exactions. Their patience was at last exhausted; and in a transport of popular rage and indignation, they seized their governor, and sent him a prisoner to England, accompanied by two of their number, whom they deputed to prefer their accusations against him to the king. But this attempt to redress their own wrongs, by a proceeding so summary and violent as is hardly consistent with any idea of regular government, and can be justified only in cases of such urgent necessity as rarely occur in civil society, was altogether repugnant to every notion which Charles entertained with respect

1627.

Colonists seize on Harvey their governor, and send him prisoner to England.

x Smith's Travels, p. 42. 167. y Chalmers's Annals, p. 69.
z Rymer, xvii. 618, &c. a Rymer, xviii. 72. 311.
b Ibid. 19. c Ibid. 980.

to the obedience due by subjects to their sovereign. To him the conduct of the colonists appeared to be not only an usurpation of his right to judge and to punish one of his own officers, but an open and audacious act of rebellion against his authority. Without deigning to admit their deputies into his presence, or to hear one article of their charge against Harvey, the king instantly sent him back to his former station, with an ample renewal of all the powers belonging to it. But though Charles deemed this vigorous step necessary in order to assert his own authority, and to testify his displeasure with those who had presumed to offer such an insult to it, he seems to have been so sensible of the grievances under which the colonists groaned, and of the chief source from which they flowed, that soon after he not only removed a governor so justly odious to them, but named as a successor sir William Berkeley, a person far superior to Harvey in rank and abilities, and still more distinguished by possessing all the popular virtues to which the other was a stranger.[d]

He is released by the king, and reinstated in his government.

1639. Sir W. Berkeley appointed governor.

Under his government the colony in Virginia remained, with some short intervals of interruption, almost forty years; and to his mild and prudent administration its increase and prosperity are in a great measure to be ascribed. It was indebted, however, to the king himself for such a reform of its constitution and policy, as gave a different aspect to the colony, and animated all its operations with new spirit. Though the tenor of sir William Berkeley's commission was the same with that of his predecessor, he received instructions under the great seal, by which he was empowered to declare, that in all its concerns, civil as well as ecclesiastical, the colony was to be governed according to the laws of England; he was directed to issue writs for electing representatives of the people, who, in conjunction with the governor and council, were to form a general assembly, and to possess supreme legislative authority in the community; he was ordered to establish courts of justice, in which all questions, whether civil or criminal, were to be decided agreeably to the forms of judicial procedure in the mother-country. It is not easy to discover what were the motives which induced a monarch, tenacious in adhering to any opinion or system which he had once adopted, jealous to excess of his own rights, and adverse on every occasion to any extension of the privileges claimed by his people, to relinquish his original plan of administration in the colony, and to grant such immunities to his subjects settled there. From the historians of Virginia, no less superficial than ill informed, no light can be derived with respect to this point. It is most probable, the dread of the spirit then rising in Great Britain extorted from Charles concessions so favourable to Virginia. After an intermission of almost twelve years, the state of his affairs compelled him to have recourse to the great council of the nation. There his subjects would find a jurisdiction independent of the crown, and able to control its authority. There they hoped for legal redress of all their grievances. As the colonists in Virginia had applied for relief to a former parliament, it might be expected with certainty that they would lay their case before the first meeting of an assembly in which they were secure of a favourable audience. Charles knew that, if the spirit of his administration in Virginia were to be tried by the maxims of the English constitution, it must be severely reprehended. He was aware that many measures of greater moment in his government would be brought under a strict review in parliament; and, unwilling to give malcontents the advantage of adding a charge of oppression in the remote parts of his dominions to a catalogue of domestic grievances, he artfully endeavoured to take the merit of having granted voluntarily to his people in Virginia such privileges as he foresaw would be extorted from him.

His mild and wise administration.

New privileges granted by Charles.

Motives that appear to have influenced the king.

But though Charles established the internal government of Virginia on a model similar to that of the English constitution, and conferred on his subjects there all the rights of freemen and citizens, he was extremely solicitous to maintain its connexion with the parent state. With this view, he instructed sir William Berkeley strictly to prohibit any commerce of the colony with foreign nations; and in order more certainly to secure exclusive possession of all the advantages arising from the sale of its productions, he was required to take a bond from the master of each vessel that sailed from Virginia, to land his cargo in some part of the king's dominions in Europe.[e] Even under this restraint, such is the kindly influence of free government on society, the colony advanced so rapidly in industry and population, that at the beginning of the civil war the English settled in it exceeded twenty thousand.[f]

Virginia flourishes under the new government.

Gratitude towards a monarch from whose hands they had received immunities which they had long wished but hardly expected to enjoy, the influence and example of a popular governor passionately devoted to the interests of his master, concurred in preserving inviolated loyalty among the colonists. Even after monarchy was abolished, after one king had been beheaded, and another driven into exile, the authority of the crown continued to be acknowledged and revered in Virginia. Irritated at this open defiance of its power, the parliament issued an ordinance, declaring, that as the settlement in Virginia had been made at the cost and by the people of England, it ought to be subordinate to and dependent upon the English commonwealth, and subject to such laws and regula-

Remains attached to the royal cause.

1650.

d Beverley's Hist. of Virg. p. 50. Chalmers's Annals, i. 118, &c.

e Chalmers's Annals, p. 219, 232. f Ibid. p. 125.

tions as are or shall be made in parliament; that, instead of this dutiful submission, the colonists had disclaimed the authority of the state, and audaciously rebelled against it; that on this account they were denounced notorious traitors, and not only all vessels belonging to natives of England, but those of foreign nations, were prohibited to enter their ports, or to carry on any commerce with them.

Parliament makes war on Virginia.

It was not the mode of that age to wage a war of words alone. The efforts of a high-spirited government in asserting its own dignity were prompt and vigorous. A powerful squadron, with a considerable body of land-forces, was despatched to reduce the Virginians to obedience. After compelling the colonies in Barbadoes and the other islands to submit to the commonwealth, the squadron entered the bay of Chesapeak. Berkeley, with more courage than prudence, took arms to oppose this formidable armament; but he could not long maintain such an unequal contest. His gallant resistance, however, procured favourable terms to the people under his government. A general indemnity for all past offences was granted; they acknowledged the authority of the commonwealth, and were admitted to a participation of all the rights enjoyed by citizens.[g] Berkeley, firm to his principles of loyalty, disdained to make any stipulation for himself; and, choosing to pass his days far removed from the seat of a government which he detested, continued to reside in Virginia as a private man, beloved and respected by all over whom he had formerly presided.

1651.

Virginia is forced to acknowledge the commonwealth.

Restraints on the trade of the colony.

Not satisfied with taking measures to subject the colonies, the commonwealth turned its attention towards the most effectual mode of retaining them in dependence on the parent state, and of securing to it the benefit of their increasing commerce. With this view the parliament framed two laws, one of which expressly prohibited all mercantile intercourse between the colonies and foreign states, and the other ordained that no production of Asia, Africa, or America should be imported into the dominions of the commonwealth but in vessels belonging to English owners, or to the people of the colonies settled there, and navigated by an English commander,[h] and by crews of which the greater part must be Englishmen. But while the wisdom of the commonwealth prescribed the channel in which the trade of the colonies was to be carried on, it was solicitous to encourage the cultivation of the staple commodity of Virginia, by an act of parliament, which gave legal force to all the injunctions of James and Charles against planting tobacco in England.[i]

1652.

Under governors appointed by the commonwealth, or by Cromwell when he usurped the supreme power, Virginia remained almost nine years in perfect tranquillity. During that period, many adherents to the royal party, and among these some gentlemen of good families, in order to avoid danger and oppression, to which they were exposed in England, or in hopes of repairing their ruined fortunes, resorted thither. Warmly attached to the cause for which they had fought and suffered, and animated with all the passions natural to men recently engaged in a fierce and long protracted civil war, they, by their intercourse with the colonists, confirmed them in principles of loyalty, and added to their impatience and indignation under the restraints imposed on their commerce by their new masters. On the death of Matthews, the last governor named by Cromwell, the sentiments and inclination of the people, no longer under the control of authority, burst out with violence. They forced sir William Berkeley to quit his retirement; they unanimously elected him governor of the colony: and as he refused to act under an usurped authority, they boldly erected the royal standard, and, acknowledging Charles II. to be their lawful sovereign, proclaimed him with all his titles; and the Virginians long boasted, that as they were the last of the king's subjects who renounced their allegiance, they were the first who returned to their duty.[k]

The colonists, dissatisfied with these restraints,

are the first to acknowledge Charles II.

Happily for the people of Virginia, a revolution in England, no less sudden and unexpected, seated Charles on the throne of his ancestors, and saved them from the severe chastisement to which their premature declaration in his favour must have exposed them. On receiving the first account of this event, the joy and exultation of the colony were universal and unbounded. These, however, were not of long continuance. Gracious but unproductive professions of esteem and good will were the only return made by Charles to loyalty and services which in their own estimation were so distinguished that no recompence was beyond what they might claim. If the king's neglect and ingratitude disappointed all the sanguine hopes which their vanity had founded on the merit of their past conduct, the spirit which influenced parliament in its commercial deliberations opened a prospect that alarmed them with respect to their future situation. In framing regulations for the encouragement of trade, which during the convulsions of civil war, and amidst continual fluctuations in government, had met with such obstruction that it declined in every quarter; the house of Commons, instead of granting the colonies that relief which they expected from the restraints in their commerce imposed by the commonwealth and Cromwell, not only adopted all their ideas concerning this branch of legislation, but extended them further. This produced the *act of navigation*, the most important and

Their loyalty ill rewarded.

Navigation act.

g Thurlow's State Papers, i. 197. Chalmers's Annals, p. 122. Beverley's Hist. p. 53.

h Scobel's Acts, p. 132, 176.

i Ibid. p. 117.

k Beverley, p. 55. Chalmers, p. 124.

memorable of any in the statute-book with respect to the history of English commerce. By it, besides several momentous articles foreign to the subject of this work, it was enacted, that no commodities should be imported into any settlement in Asia, Africa, or America, or exported from them, but in vessels of English or plantation built, whereof the master and three-fourths of the mariners shall be English subjects, under pain of forfeiting ship and goods; that none but natural-born subjects, or such as have been naturalized, shall exercise the occupation of merchant or factor in any English settlement, under pain of forfeiting their goods and chattels; that no sugar, tobacco, cotton, wool, indigo, ginger, or woods used in dyeing, of the growth or manufacture of the colonies, shall be shipped from them to any other country but England; and in order to secure the performance of this, a sufficient bond, with one surety, shall be given before sailing by the owners, for a specific sum proportional to the rate of the vessel employed by them.[l] The productions subjected to this restriction are distinguished, in the language of commerce and finance, by the name of *enumerated commodities*, and as industry in its progress furnished new articles of value, these have been successively added to the roll, and subjected to the same restraint. Soon after, the act of navigation was extended, and additional restraints were imposed, by a new law, which prohibited the importation of any European commodity into the colonies, but what was laden in England in vessels navigated and manned as the act of navigation required. More effectual provision was made by this law for exacting the penalties to which the transgressors of the act of navigation were subjected; and the principles of policy, on which the various regulations contained in both statutes are founded, were openly avowed in a declaration, that as the plantations beyond seas are inhabited and peopled by subjects of England, they may be kept in a firmer dependence upon it, and rendered yet more beneficial and advantageous unto it, in the further employment and increase of English shipping and seamen, as well as in the vent of English woollen and other manufactures and commodities; and in making England a staple, not only of the commodities of those plantations, but also of the commodities of other countries and places, for the supplying of them; and it being the usage of other nations to keep the trade of their plantations to themselves.[m] In prosecution of those favourite maxims, the English legislature proceeded a step further. As the act of navigation had left the people of the colonies at liberty to export the enumerated commodities from one plantation to another without paying any duty, it subjected them to a tax equivalent to what was paid by the consumers of these commodities in England.[n]

1663.

1672.

By these successive regulations, the plan of securing to England a monopoly of the commerce with its colonies, and of shutting up every other channel into which it might be diverted, was perfected, and reduced into complete system. On one side of the Atlantic these regulations have been extolled as an extraordinary effort of political sagacity, and have been considered as the great charter of national commerce, to which the parent state is indebted for all its opulence and power. On the other, they have been execrated as a code of oppression, more suited to the illiberality of mercantile ideas than to extensive views of legislative wisdom. Which of these opinions is best founded, I shall examine at large in another part of this work. But in writing the history of the English settlements in America, it was necessary to trace the progress of those restraining laws with accuracy, as in every subsequent transaction we may observe a perpetual exertion, on the part of the mother-country, to enforce and extend them; and on the part of the colonies, endeavours no less unremitting to elude or to obstruct their operation.

Effects of the act.

Hardly was the act of navigation known in Virginia, and its effects begun to be felt, when the colony remonstrated against it as a grievance, and petitioned earnestly for relief. But the commercial ideas of Charles and his ministers coincided so perfectly with those of parliament, that, instead of listening with a favourable ear to their applications, they laboured assiduously to carry the act into strict execution. For this purpose, instructions were issued to the governor, forts were built on the banks of the principal rivers, and small vessels appointed to cruise on the coast. The Virginians, seeing no prospect of obtaining exemption from the act, set themselves to evade it; and found means, notwithstanding the vigilance with which they were watched, of carrying on a considerable clandestine trade with foreigners, particularly with the Dutch settled on Hudson's river. Imboldened by observing disaffection spread through the colony, some veteran soldiers who had served under Cromwell, and had been banished to Virginia, formed a design of rendering themselves masters of the country, and of asserting its independence on England. This rash project was discovered by one of their associates, and disconcerted by the vigorous exertions of sir William Berkeley. But the spirit of discontent, though repressed, was not extinguished. Every day something occurred to revive and to nourish it. As it is with extreme difficulty that commerce can be turned into a new channel, tobacco, the staple of the colony, sunk prodigiously in value when they were compelled to send it all to one market. It was some time before England could furnish them regularly full assortments of those necessary articles, without which the industry of the colony could not be carried on, or its prosperity secured. Encouraged by the symptoms

Colonists remonstrate against the act.

1663.

l 12 Car. II. c. 18.

m 15 Car. II. c. 7.

n 25 Car. II. c. 7.

Colony attacked by the Indians.

of general languor and despondency which this declining state of the colony occasioned, the Indians seated towards the heads of the rivers ventured first to attack the remote settlements, and then to make incursions into the interior parts of the country. Unexpected as these hostilities were, from a people who during a long period had lived in friendship with the English, a measure taken by the king seems to have excited still greater terror among the most opulent people of the colony. Charles had imprudently imitated the example of his father, by granting such large tracts of land in Virginia to several of his courtiers, as tended to unsettle the distribution of property in the country, and to render the title of the most ancient planters to their estates precarious and questionable. From those various causes, which in a greater or lesser degree affected every individual in the colony, the indignation of the people became general, and was worked up to such a pitch, that nothing was wanting to precipitate them into the most desperate acts but some leader qualified to unite and to direct their operations.[o]

Discontents produced by the grants of land by the crown.

1676.

An insurrection in Virginia headed by N. Bacon.

Such a leader they found in Nathaniel Bacon, a colonel of militia, who, though he had been settled in Virginia only three years, had acquired, by popular manners, an insinuating address, and the consideration derived from having been regularly trained in England to the profession of law, such general esteem, that he had been admitted into the council, and was regarded as one of the most respectable persons in the colony. Bacon was ambitious, eloquent, daring, and, prompted either by honest zeal to redress the public wrongs, or allured by hopes of raising himself to distinction and power, he mingled with the malcontents; and by his bold harangues and confident promises of removing all their grievances, he inflamed them almost to madness. As the devastations committed by the Indians was the calamity most sensibly felt by the people, he accused the governor of having neglected the proper measures for repelling the invasions of the savages, and exhorted them to take arms in their own defence, and to exterminate that odious race. Great numbers assembled, and chose Bacon to be their general. He applied to the governor for a commission, confirming this election of the people, and offered to march instantly against the common enemy. Berkeley, accustomed by long possession of supreme command to high ideas of the respect due to his station, considered this tumultuary armament as an open insult to his authority, and suspected that, under specious appearances, Bacon concealed most dangerous designs. Unwilling, however, to give further provocation to an incensed multitude by a direct refusal of what they demanded, he thought it prudent to negociate, in order to gain time; and it was not until he found all endeavours to soothe them ineffectual, that he issued a proclamation, requiring them, in the king's name, under the pain of being denounced rebels, to disperse.

But Bacon, sensible that he had now advanced so far as rendered it impossible to recede with honour or safety, instantly took the only resolution that remained in his situation. At the head of a chosen body of his followers, he marched rapidly to James town, and surrounding the house where the governor and council were assembled, demanded the commission for which he had formerly applied. Berkeley, with the proud indignant spirit of a cavalier, disdaining the requisitions of a rebel, peremptorily refused to comply, and calmly presented his naked breast to the weapons which were pointed against it. The council, however, foreseeing the fatal consequences of driving an enraged multitude, in whose power they were, to the last extremities of violence, prepared a commission constituting Bacon general of all the forces in Virginia, and by their entreaties prevailed on the governor to sign it. Bacon with his troops retired in triumph. Hardly was the council delivered by his departure from the dread of present danger, when, by a transition not unusual in feeble minds, presumptuous boldness succeeded to excessive fear. The commission granted to Bacon was declared to be null, having been extorted by force; he was proclaimed a rebel, his followers were required to abandon his standard, and the militia ordered to arm, and to join the governor.

Bacon forces sir W. Berkeley and the council to fly.

Enraged at conduct which he branded with the name of base and treacherous, Bacon, instead of continuing his march towards the Indian country, instantly wheeled about, and advanced with all his forces to James town. The governor, unable to resist such a numerous body, made his escape, and fled across the bay to Acomack on the eastern shore. Some of the counsellors accompanied him thither, others retired to their own plantations. Upon the flight of sir William Berkeley, and dispersion of the council, the frame of civil government in the colony seemed to be dissolved, and Bacon became possessed of supreme and uncontrolled power. But as he was sensible that his countrymen would not long submit with patience to authority acquired and held merely by force of arms, he endeavoured to found it on a more constitutional basis, by obtaining the sanction of the people's approbation. With this view he called together the most considerable gentlemen in the colony, and having prevailed on them to bind themselves by oath to maintain his authority, and to resist every enemy that should oppose it, he from that time considered his jurisdiction as legally established.

Sir W. Berkeley applies for succour to England.

Berkeley, meanwhile, having collected some forces, made inroads into different parts of the colony where Bacon's authority was recognised. Several sharp conflicts happened with various success. James

o Chalmers's Annals, ch. 10, 13, 14, passim. Beverley's Hist. of Virg. p. 58, &c.

town was reduced to ashes, and the best cultivated districts in the province were laid waste, sometimes by one party, and sometimes by the other. But it was not by his own exertions that the governor hoped to terminate the contest. He had early transmitted an account of the transactions in Virginia to the king, and demanded such a body of soldiers as would enable him to quell the insurgents, whom he represented as so exasperated by the restraints imposed on their trade, that they were impatient to shake off all dependence on the parent state. Charles, alarmed at a commotion no less dangerous than unexpected, and solicitous to maintain his authority over a colony the value of which was daily increasing and more fully understood, speedily despatched a small squadron with such a number of regular troops as Berkeley had required. Bacon and his followers received information of this armament, but were not intimidated at its approach. They boldly determined to oppose it with open force, and declared it to be consistent with their duty and allegiance, to treat all who should aid sir William Berkeley as enemies, until they should have an opportunity of laying their grievances before their sovereign.[p]

1677. Death of Bacon terminates the rebellion.

But while both parties prepared, with equal animosity, to involve their country in the horrors of civil war, an event happened, which quieted the commotion almost as suddenly as it had been excited. Bacon, when ready to take the field, sickened and died. None of his followers possessed such talents, or were so much objects of the people's confidence, as entitled them to aspire to the supreme command. Destitute of a leader to conduct and animate them, their sanguine hopes of success subsided; mutual distrust accompanied this universal despondency; all began to wish for an accommodation; and after a short negociation with sir William Berkeley, they laid down their arms, and submitted to his government, on obtaining a promise of general pardon.

Thus terminated an insurrection, which, in the annals of Virginia, is distinguished by the name of *Bacon's rebellion*. During seven months this daring leader was master of the colony, while the royal governor was shut up in a remote and ill-peopled corner of it. What were the real motives that prompted him to take arms, and to what length he intended to carry his plans of reformation, either in commerce or government, it is not easy to discover in the scanty materials from which we derive our information with respect to this transaction. It is probable, that his conduct, like that of other adventurers in faction, would have been regulated chiefly by events; and accordingly as these proved favourable or adverse, his views and requisitions would have been extended or circumscribed.

An assembly called; its moderation.

Sir William Berkeley, as soon as he was reinstated in his office, called together the representatives of the people, that by their advice and authority public tranquillity and order might be perfectly established. Though this assembly met a few weeks after the death of Bacon, while the memory of reciprocal injuries was still recent, and when the passions excited by such a fierce contest had but little time to subside, its proceedings were conducted with a moderation seldom exercised by the successful party in a civil war. No man suffered capitally; a small number were subjected to fines; others were declared incapable of holding any office of trust; and with those exceptions the promise of general indemnity was confirmed by law. Soon after, Berkeley was recalled, and colonel Jefferys was appointed his successor.

State of the colony till the revolution in 1688.

From that period to the revolution in 1688, there is scarcely any memorable occurrence in the history of Virginia. A peace was concluded with the Indians. Under several successive governors, administration was carried on in the colony with the same arbitrary spirit that distinguished the latter years of Charles II. and the precipitate counsels of James II. The Virginians, with a constitution which in form resembled that of England, enjoyed hardly any portion of the liberty which that admirable system of policy is framed to secure. They were deprived even of the last consolation of the oppressed, the power of complaining, by a law which, under severe penalties, prohibited them from speaking disrespectfully of the governor, or defaming, either by words or writing, the administration of the colony.[q] Still, however, the laws restraining their commerce were felt as an intolerable grievance, and they nourished in secret a spirit of discontent, which, from the necessity of concealing it, acquired a greater degree of acrimony. But notwithstanding those unfavourable circumstances, the colony continued to increase. The use of tobacco was now become general in Europe; and though it had fallen considerably in price, the extent of demand compensated that diminution, and by giving constant employment to the industry of the planters, diffused wealth among them. At the revolution the number of inhabitants in the colony exceeded sixty thousand,[r] and in the course of twenty-eight years its population had been more than doubled.[s]

BOOK X.

History of the northern colony, and of the Plymouth company.

When James I., in the year one thousand six hundred and six, made that magnificent partition, which has been mentioned, of a vast region in North America, extending from the thirty-fourth to the forty-fifth degree of latitude, between two trading companies of his subjects, he established the residence of the one

p Beverley's Hist. p. 75, 76. q Ibid. p. 81. Chalmers, p. 341.

r Chalmers's Annals, p. 356. s Ibid. p. 125.

in London, and of the other in Plymouth. The former was authorized to settle in the southern, and the latter in the northern, part of this territory, then distinguished by the general name of Virginia. This arrangement seems to have been formed upon the idea of some speculative refiner, who aimed at diffusing the spirit of industry, by fixing the seat of one branch of the trade that was now to be opened, on the east coast of the island, and the other on the west. But London possesses such advantages of situation, that the commercial wealth and activity of England have always centred in the capital. At the beginning of the last century, the superiority of the metropolis in both these respects was so great, that though the powers and privileges conferred by the king on the two trading companies were precisely the same, the adventurers settled in Plymouth fell far short of those in London in the vigour and success of their efforts towards accomplishing the purpose of their institution. Though the operations of the Plymouth company were animated by the public-spirited zeal of sir John Popham, chief-justice of England, sir Ferdinando Gorges, and some other gentlemen of the west, all its exertions were feeble and unfortunate.

1606. First attempts to settle on the northern coast.

The first vessel fitted out by the company was taken by the Spaniards. In the year one thousand six hundred and seven a feeble settlement was made at Sagahadoc; but, on account of the rigour of the climate, was soon relinquished, and for some time nothing further was attempted than a few fishing voyages to Cape Cod, or a pitiful traffic with the natives for skins and oil. One of the vessels equipped for this purpose was commanded by captain Smith, whose name has been so often mentioned with distinction in the History of Virginia. The adventure was prosperous and lucrative. But his ardent enterprising mind could not confine its attention to objects so unequal to it as the petty details of a trading voyage. He employed a part of his time in exploring the coast, and in delineating its bays and harbours. On his return, he laid a map of it before prince Charles, and, with the usual exaggeration of discoverers, painted the beauty and excellence of the country in such glowing colours, that the young prince, in the warmth of admiration, declared that it should be called New England:[a] a name which effaced that of Virginia, and by which it is still distinguished.

Smith surveys that coast, and calls it New England. 1614.

First attempts to settle unsuccessful.

The favourable accounts of the country by Smith, as well as the success of his voyage, seem to have encouraged private adventurers to prosecute the trade on the coast of New England with greater briskness; but did not inspire the languishing company of Plymouth with such vigour as to make any new attempt towards establishing a permanent colony there. Something more than the prospect of distant gain to themselves, or of future advantages to their country, was requisite in order to induce men to abandon the place of their nativity, to migrate to another quarter of the globe, and endure innumerable hardships under an untried climate, and in an uncultivated land, covered with woods, or occupied by fierce and hostile tribes of savages. But what mere attention to private emolument or to national utility could not effect, was accomplished by the operation of a higher principle. Religion had gradually excited among a great body of the people a spirit that fitted them remarkably for encountering the dangers, and surmounting the obstacles, which had hitherto rendered abortive the schemes of colonization in that part of America allotted to the company of Plymouth. As the various settlements in New England are indebted for their origin to this spirit, as in the course of our narrative we shall discern its influence mingling in all their transactions, and giving a peculiar tincture to the character of the people, as well as to their institutions both civil and ecclesiastical, it becomes necessary to trace its rise and progress with attention and accuracy.

Religious disputes give rise to the New England colony.

When the superstitions and corruptions of the Romish church prompted different nations of Europe to throw off its yoke, and to withdraw from its communion, the mode as well as degree of their separation was various. Wherever reformation was sudden, and carried on by the people without authority from their rulers, or in opposition to it, the rupture was violent and total. Every part of the ancient fabric was overturned, and a different system, not only with respect to doctrine, but to church-government and the external rites of worship, was established. Calvin, who, by his abilities, learning, and austerity of manners, had acquired high reputation and authority in the protestant churches, was a zealous advocate for this plan of thorough reformation. He exhibited a model of that pure form of ecclesiastical policy, which he approved, in the constitution of the church of Geneva. The simplicity of its institutions, and still more their repugnancy to those of the popish church, were so much admired by all the stricter reformers, that it was copied, with some small variations, in Scotland, in the republic of the United Provinces, in the dominions of the house of Brandenburgh, in those of the elector Palatine, and in the churches of the Hugonots in France.

Different sentiments respecting church-government, that prevailed at the Reformation.

But in those countries where the steps of departure from the church of Rome were taken with greater deliberation, and regulated by the wisdom or policy of the supreme magistrate, the separation was not so wide. Of all the reformed churches, that of England has deviated least from the ancient institutions. The violent but capricious spirit of Henry VIII., who, though he disclaimed the supremacy, revered the tenets of the papal see, checked

[a] Smith's Trav., book vi. p. 203, &c. Purchas, iv. p. 1837.

innovations in doctrine or worship during his reign. When his son ascended the throne, and the protestant religion was established by law, the cautious prudence of archbishop Cranmer moderated the zeal of those who had espoused the new opinions. Though the articles to be recognised as the system of national faith were framed conformably to the doctrines of Calvin, his notions with respect to church-government and the mode of worship were not adopted. As the hierarchy in England was incorporated with the civil policy of the kingdom, and constituted a member of the legislature, archbishops, and bishops, with all the subordinate ranks of ecclesiastics subject to them, were continued according to ancient form, and with the same dignity and jurisdiction. The peculiar vestments in which the clergy performed their sacred functions, bowing at the name of Jesus, kneeling at receiving the sacrament of the Lord's supper, the sign of the cross in baptism, the use of the ring in marriage, with several other rites to which long usage had accustomed the people, and which time had rendered venerable, were still retained. But though parliament enjoined the observance of these ceremonies under very severe penalties,[b] several of the more zealous clergy entertained scruples with respect to the lawfulness of complying with this injunction: and the vigilance and authority of Cranmer and Ridley with difficulty saved their infant church from the disgrace of a schism on this account.

Religious persecution by Mary.

On the accession of Mary, the furious zeal with which she persecuted all who had adopted the tenets of the reformers forced many eminent protestants, laymen as well as ecclesiastics, to seek an asylum on the continent. Francfort, Geneva, Basil, and Strasburgh, received them with affectionate hospitality as sufferers in the cause of truth, and the magistrates permitted them to assemble by themselves for religious worship. The exiles who took up their residence in the two former cities, modelled their little congregations according to the ideas of Calvin, and, with a spirit natural to men in their situation, eagerly adopted institutions which appeared to be further removed from the superstitions of popery than those of their own church. They returned to England as soon as Elizabeth re-established the protestant religion, not only with more violent antipathy to the opinions and practices of that church, by which they had been oppressed, but with a strong attachment to that mode of worship to which they had been for some years accustomed. As they were received by their countrymen with the veneration due to confessors, they exerted all the influence derived from that opinion, in order to obtain such a reformation in the English ritual as might bring it nearer to the standard of purity in foreign churches. Some of the queen's most confidential ministers were warmly disposed to co-operate with them in this measure. But Elizabeth paid little regard to the inclinations of the one or the sentiments of the other. Fond of pomp and ceremony, accustomed, according to the mode of that age, to study religious controversy, and possessing, like her father, such confidence in her own understanding, that she never doubted her capacity to judge and decide with respect to every point in dispute between contending sects,[c] she chose to act according to her own ideas, which led her rather to approach nearer to the church of Rome, in the parade of external worship, than to widen the breach by abolishing any rite already established.[d] An act of parliament, in the first year of her reign, not only required an exact conformity to the mode of worship prescribed in the service-book, under most rigorous penalties, but empowered the queen to enjoin the observance of such additional ceremonies as might tend, in her opinion, to render the public exercises of devotion more decent and edifying.[e]

Queen Elizabeth.

The advocates for a further reformation, notwithstanding this cruel disappointment of the sanguine hopes with which they returned to their native country, did not relinquish their design. They disseminated their opinions with great industry among the people. They extolled the purity of foreign churches, and inveighed against the superstitious practices with which religion was defiled in their own church. In vain did the defenders of the established system represent that these forms and ceremonies were in themselves things perfectly indifferent, which, from long usage, were viewed with reverence; and, by their impression upon the senses and imagination, tended not only to fix the attention, but to affect the heart, and to warm it with devout and worthy sentiments. The puritans (for by that name such as scrupled to comply with what was enjoined by the act of uniformity were distinguished) maintained, that the rites in question were inventions of men, superadded to the simple and reasonable service required in the word of God; that from the excessive solicitude with which conformity to them was exacted, the multitude must conceive such a high opinion of their value and importance, as might induce them to rest satisfied with the mere form and shadow of religion, and to imagine that external observances may compensate for the want of inward sanctity; that ceremonies which had been long em-

Puritans.

b 2 & 3 Edw. VI. c. 1.

c Of the high idea which Elizabeth entertained with respect to her own superior skill in theology, as well as the haughty tone in which she dictated to her subjects what they ought to believe, we have a striking picture in her speech at the close of the parliament, A. D. 1585.—"One thing I may not overskip—Religion, the ground on which all other matters ought to take root, and, being corrupted, may mar all the tree. And that there be some fault-finders with the order of the clergy, which so may make a slander to myself, and to the church, whose over-ruler God hath made me, whose negligence cannot be excused, if any schisms or errors heretical were suffered. Thus much I must say, that some faults and negligences must grow and be, as in all other great charges it happeneth; and what vocation without? All which, if you, my lords of the clergy, do not amend, I mean to depose you. Look ye, therefore, well to your charges. This may be amended without needless or open exclamations. I am supposed to have many studies, but most philosophical. I must yield this to be true, that I suppose few (that be not professors) have read more. And I need not tell you, that I am not so simple that I understand not, nor so forgetful that I remember not; and yet, amidst my many volumes, I hope God's book hath not been my seldomest lectures, in which we find that by which reason all ought to believe. I see many over-bold with God Almighty, making too many subtle scannings of his blessed will. The presumption is so great that I may not suffer it." &c. D'Ewes's Journal, p. 328.

d Neal's Hist. of the Puritans, i. 138. 176.

e 1 Eliz. c. 2.

ployed by a society manifestly corrupt, to veil its own defects, and to seduce and fascinate mankind, ought now to be rejected as relics of superstition unworthy of a place in a church which gloried in the name of *Reformed.*

Intolerant spirit of the church.

The people, to whom in every religious controversy the final appeal is made, listened to the arguments of the contending parties; and it is obvious to which of them men, who had lately beheld the superstitious spirit of popery, and felt its persecuting rage, would lend the most favourable ear. The desire of a further separation from the church of Rome spread wide through the nation. The preachers who contended for this, and who refused to wear the surplice and other vestments peculiar to their order, or to observe the ceremonies enjoined by law, were followed and admired, while the ministry of the zealous advocates for conformity was deserted, and their persons often exposed to insult. For some time the non-conformists were connived at; but as their number and boldness increased, the interposition both of spiritual and civil authority was deemed necessary in order to check their progress. To the disgrace of christians, the sacred rights of conscience and private judgment, as well as the charity and mutual forbearance suitable to the mild spirit of the religion which they professed, were in that age little understood. Not only the idea of toleration, but even the word itself in the sense now affixed to it, was then unknown. Every church claimed a right to employ the hand of power for the protection of truth and the extirpation of error. The laws of her kingdom armed Elizabeth with ample authority for this purpose, and she was abundantly disposed to exercise it with full vigour. Many of the most eminent among the puritan clergy were deprived of their benefices, others were imprisoned, several were fined, and some put to death. But persecution, as usually happens, instead of extinguishing, inflamed their zeal to such a height, that the jurisdiction of the ordinary courts of law was deemed insufficient to suppress it, and a new tribunal was established under the title of the *high commission for ecclesiastical affairs*, whose powers and mode of procedure were hardly less odious or less hostile to the principles of justice than those of the Spanish inquisition. Several attempts were made in the house of Commons to check these arbitrary proceedings, and to moderate the rage of persecution; but the queen always imposed silence upon those who presumed to deliver any opinion with respect to a matter appertaining solely to her prerogative, in a tone as imperious and arrogant as was ever used by Henry VIII. in addressing his parliaments; and so tamely obsequious were the guardians of the people's rights, that they not only obeyed those unconstitutional commands, but consented to an act, by which every person who should absent himself from church during a month was subjected to punishment by fine and imprisonment; and if after conviction he did not within three months renounce his erroneous opinions and conform to the laws, he was then obliged to abjure the realm; but if he either refused to comply with this condition, or returned from banishment, he should be put to death as a felon without benefit of clergy.[f]

Entire separation of the puritans from the church.

By this iniquitous statute, equally repugnant to ideas of civil and of religious liberty, the puritans were cut off from any hope of obtaining either reformation in the church or indulgence to themselves. Exasperated by this rigorous treatment, their antipathy to the established religion increased, and, with the progress natural to violent passions, carried them far beyond what was their original aim. The first puritans did not entertain any scruples with respect to the lawfulness of episcopal government, and seem to have been very unwilling to withdraw from communion with the church of which they were members. But when they were thrown out of her bosom, and constrained to hold separate assemblies for the worship of God, their followers no longer viewed a society, by which they were oppressed, with reverence or affection. Her government, her discipline, her ritual, were examined with minute attention. Every error was pointed out, and every defect magnified. The more boldly any preacher inveighed against the corruptions of the church, he was listened to with greater approbation; and the further he urged his disciples to depart from such an impure community, the more eagerly did they follow him. By degrees, ideas of ecclesiastical policy, altogether repugnant to those of the established church, gained footing in the nation. The more sober and learned puritans inclined to that form which is known by the name of Presbyterian. Such as were more thoroughly possessed with the spirit of innovation, however much they might approve the equality of pastors which that system establishes, reprobated the authority which it vests in various judicatories, descending from one to another in regular subordination, as inconsistent with christian liberty.

These wild notions floated for some time in the minds of the people, and amused them with many ideal schemes of ecclesiastical policy. At length Robert Brown, a popular declaimer in high estimation, reduced them to a system, on which he modelled his own congregation. He taught that the church of England was corrupt and antichristian, its ministers not lawfully ordained, its ordinances and sacraments invalid; and therefore he prohibited his people to hold communion with it in any religious function. He maintained, that a society of christians, uniting together to worship God, constituted a church possessed of complete jurisdiction in the conduct of its own affairs, independent of any other society, and unaccount-

Brownists. 1580.

f 35 Eliz. c. 1.

able to any superior; that the priesthood was neither a distinct order in the church, nor conferred an indelible character; but that every man qualified to teach might be set apart for that office by the election of the brethren, and by imposition of their hands; in like manner, by their authority, he might be discharged from that function, and reduced to the rank of a private christian; that every person, when admitted a member of a church, ought to make a public confession of his faith, and give evidence of his being in a state of favour with God; and that all the affairs of a church were to be regulated by the decision of the majority of its members.

Brownists take refuge in Holland.

This democratical form of government, which abolished all distinction of ranks in the church, and conferred an equal portion of power on every individual, accorded so perfectly with the levelling genius of fanaticism, that it was fondly adopted by many as a complete model of christian policy. From their founder, they were denominated Brownists; and as their tenets were more hostile to the established religion than those of other separatists, the fiercest storm of persecution fell upon their heads. Many of them were fined or imprisoned, and some put to death: and though Brown, with a levity of which there are few examples among enthusiasts whose vanity has been soothed by being recognised as heads of a party, abandoned his disciples, conformed to the established religion, and accepted of a benefice in the church, the sect not only subsisted, but continued to spread, especially among persons in the middle and lower ranks of life. But as all their motions were carefully watched, both by the ecclesiastical and civil courts, which, as often as they were detected, punished them with the utmost rigour, a body of them, weary of living in a state of continual danger and alarm, fled to Holland, and settled in Leyden, under the care of Mr. John Robinson their pastor. There they resided for several years unmolested and obscure. But many of their aged members dying, and some of the younger marrying into Dutch families, while their church received no increase, either by recruits from England or by proselytes gained in the country, they began to be afraid that all their high attainments in spiritual knowledge would be lost, and that perfect fabric of policy which they had erected, would be dissolved and consigned to oblivion, if they remained longer in a strange land.

Remove from thence to America.

Deeply affected with the prospect of an event, which to them appeared fatal to the interests of truth, they thought themselves called, in order to prevent it, to remove to some other place, where they might profess and propagate their opinions with greater success. America, in which their countrymen were at that time intent on planting colonies, presented itself to their thoughts. They flattered themselves with hopes of being permitted, in that remote region, to follow their own ideas in religion, without disturbance. The dangers and hardships to which all former emigrants to America had been exposed, did not deter them. "They were well weaned (according to their own description) from the delicate milk of their mother-country, and inured to the difficulties of a strange land. They were knit together in a strict and sacred band, by virtue of which they held themselves obliged to take care of the good of each other, and of the whole. It was not with them, as with other men, whom small things could discourage, or small discontents cause to wish themselves at home again."[g] The first object of their solicitude was to secure the free exercise of their religion. For this purpose they applied to the king; and, though James refused to give them any explicit assurance of toleration, they seem to have obtained from him some promise of his connivance, as long as they continued to demean themselves quietly. So eager were they to accomplish their favourite scheme, that, relying on this precarious security, they began to negociate with the Virginian company for a tract of land within the limits of their patent. This they easily procured from a society desirous of encouraging migration to a vast country, of which they had hitherto occupied only a few spots.

1618.

After the utmost efforts, their preparations fell far short of what was requisite for beginning the settlement of a new colony. A hundred and twenty persons sailed from England in a single ship on this arduous undertaking. The place of their destination was Hudson's river, where they intended to settle; but their captain having been bribed, as is said, by the Dutch, who had then formed a scheme, which they afterwards accomplished, of planting a colony there, carried them so far towards the north, that the first land in America which they made was Cape Cod. They were now not only beyond the precincts of the territory which had been granted to them, but beyond those of the company from which they derived their right. The season, however, was so far advanced, and sickness raged so violently among men unaccustomed to the hardships of a long voyage, that it became necessary to take up their abode there. After exploring the coast, they chose for their station a place now belonging to the province of Massachusetts Bay, to which they gave the name of New Plymouth, probably out of respect to that company within whose jurisdiction they now found themselves situated.[h]

1620. Sept. 6. First attempt to settle at Massachusetts Bay;

Nov. 11. settle at New Plymouth.

No season could be more unfavourable to settlement than that in which the colony landed. The winter, which, from the predominance of cold in America, is rigorous to a degree unknown in parallel latitudes of our hemisphere, was already set in; and they were slenderly provided with what was

g Hutchinson's Hist. of Massach. p. 4.

h Hubard's Pres. State, p. 3. Cotton's Magnalia, p. 7. Hutchinson's Hist. p. 3, &c.

requisite for comfortable subsistence, under a climate considerably more severe than that for which they had made preparation. Above one half of them was cut off before the return of spring, by diseases, or by famine; the survivors, instead of having leisure to attend to the supply of their own wants, were compelled to take arms against the savages in their neighbourhood. Happily for the English, a pestilence which raged in America the year before they landed, had swept off so great a number of the natives that they were quickly repulsed and humbled. The privilege of professing their own opinions, and of being governed by laws of their own framing, afforded consolation to the colonists amidst all their dangers and hardships. The constitution of their church was the same with that which they had established in Holland. Their system of civil government was founded on those ideas of the natural equality among men, to which their ecclesiastical policy had accustomed them. Every free man, who was a member of the church, was admitted into the supreme legislative body. The laws of England were adopted as the basis of their jurisprudence, though with some diversity in the punishments inflicted upon crimes, borrowed from the Mosaic institutions. The executive power was vested in a governor and some assistants, who were elected annually by the members of the legislative assembly.[i] So far their institutions appear to be founded on the ordinary maxims of human prudence. But it was a favourite opinion with all the enthusiasts of that age, that the Scriptures contained a complete system not only of spiritual instruction, but of civil wisdom and polity; and without attending to the peculiar circumstances or situation of the people whose history is there recorded, they often deduced general rules for their own conduct from what happened among men in a very different state. Under the influence of this wild notion, the colonists of New Plymouth, in imitation of the primitive christians, threw all their property into a common stock, and, like members of one family, carried on every work of industry by their joint labour for public behoof.[k] But, however this resolution might evidence the sincerity of their faith, it retarded the progress of their colony. The same fatal effects flowed from this community of goods and of labour, which had formerly been experienced in Virginia; and it soon became necessary to relinquish what was too refined to be capable of being accommodated to the affairs of men. But though they built a small town, and surrounded it with such a fence as afforded sufficient security against the assaults of Indians, the soil around it was so poor, their religious principles were so unsocial, and the supply sent them by their friends so scanty, that at the end of ten years the number of people belonging to the settlement did not exceed three hundred.[l] During some years they appear not to have acquired right by any legal conveyance to the territory which they had occupied. At length they obtained a grant of property from the council of the New Plymouth company, but were never incorporated as a body politic by royal charter.[m] Unlike all the other settlements in America, this colony must be considered merely as a voluntary association, held together by the tacit consent of its members to recognise the authority of laws, and submit to the jurisdiction of magistrates, framed and chosen by themselves. In this state it remained an independent but feeble community, until it was united to its more powerful neighbour, the colony of Massachusetts bay, the origin and progress of which I now proceed to relate.

Plan of government.

Community of goods.

This institution hurtful to the colony.

1630. This colony not incorporated by charter.

The original company of Plymouth having done nothing effectual towards establishing any permanent settlement in America, James I. in the year one thousand six hundred and twenty issued a new charter to the duke of Lenox, the marquis of Buckingham, and several other persons of distinction in his court, by which he conveyed to them a right to a territory in America, still more extensive than what had been granted to the former patentees, incorporating them as a body politic, in order to plant colonies there, with powers and jurisdictions similar to those contained in his charters to the companies of South and North Virginia. This society was distinguished by the name of the Grand Council of Plymouth for planting and governing new England. What considerations of public utility could induce the king to commit such an undertaking to persons apparently so ill qualified for conducting it, or what prospect of private advantage prompted them to engage in it, the information we receive from contemporary writers does not enable us to determine. Certain it is, that the expectations of both were disappointed; and after many schemes and arrangements, all the attempts of the new associates towards colonization proved unsuccessful.

Grand council of Plymouth appointed.

New England must have remained unoccupied, if the same causes which occasioned the emigration of the Brownists had not continued to operate. Notwithstanding the violent persecution to which puritans of every denomination were still exposed, their number and zeal daily increased. As they now despaired of obtaining in their own country any relaxation of the penal statutes enacted against their sect, many began to turn their eyes towards some other place of retreat, where they might profess their own opinions with impunity. From the tranquillity which their brethren had hitherto enjoyed in New Plymouth, they hoped to find this desired asylum in New England; and by the activity of Mr. White, a non-conformist minister

Project of a new colony.

i Chalmers's Annals, p. 87.
k Ibid. p. 89. Douglas's Summary, i. p. 370.
l Chalmers's Annals, p. 97.
m Ibid. p. 97. 107.

at Dorchester, an association was formed by several gentlemen who had imbibed puritanical notions, in order to conduct a colony thither. They purchased from the council of Plymouth all the territory, extending in length from three miles north of the river Merrimack, to three miles south of Charles river, and in breadth, from the Atlantic to the Southern ocean. Zealous as these proprietors were to accomplish their favourite purpose, they quickly perceived their own inability to attempt the population of such an immense region, and deemed it necessary to call in the aid of more opulent co-partners.[n]

1627. March 19.

Of these they found, without difficulty, a sufficient number, chiefly in the capital, and among persons in the commercial and other industrious walks of life, who had openly joined the sect of the puritans, or secretly favoured their opinions. These new adventurers, with the caution natural to men conversant in business, entertained doubts concerning the propriety of founding a colony on the basis of a grant from a private company of patentees, who might convey a right of property in the soil, but could not confer jurisdiction, or the privilege of governing that society which they had in contemplation to establish. As it was only from royal authority that such powers could be derived, they applied for these; and Charles granted their request, with a facility which appears astonishing, when we consider the principles and views of the men who were suitors for the favour.

Charter to the new colony of Massachusetts Bay.

Time has been considered as the parent of political wisdom, but its instructions are communicated slowly. Although the experience of above twenty years might have taught the English the impropriety of committing the government of settlements in America to exclusive corporations resident in Europe, neither the king nor his subjects had profited so much by what passed before their eyes, as to have extended their ideas beyond those adopted by James in his first attempts towards colonization. The charter of Charles I. to the adventurers associated for planting the province of Massachusetts bay, was perfectly similar to those granted by his father to the two Virginian companies and to the council of Plymouth. The new adventurers were incorporated as a body politic, and their right to the territory, which they had purchased from the council at Plymouth, being confirmed by the king, they were empowered to dispose of the lands, and to govern the people who should settle upon them. The first governor of the company and his assistants were named by the crown; the right of electing their successors was vested in the members of the corporation. The executive power was committed to the governor and assistants; that of legislation to the body of proprietors, who might make statutes and orders for the good of the community, not inconsistent with the laws of England, and enforce the observance of them, according to the course of other corporations within the realm. Their lands were to be held by the same liberal tenure with those granted to the Virginian company. They obtained the same temporary exemption from internal taxes, and from duties on goods exported or imported; and notwithstanding their migration to America, they and their descendants were declared to be entitled to all the rights of natural-born subjects.[o]

The manifest object of this charter was to confer on the adventurers who undertook to people the territory on Massachusetts bay, all the corporate rights possessed by the council of Plymouth, from which they had purchased it, and to form them into a public body, resembling other great trading companies, which the spirit of monarchy had at that time multiplied in the kingdom. The king seems not to have foreseen, or to have suspected, the secret intentions of those who projected the measure; for so far was he from alluring emigrants, by any hopes of indulgence with respect to their religious scruples, or from promising any relaxation from the rigour of the penal statutes against non-conformists, that he expressly provides for having the oath of supremacy administered to every person who shall pass to the colony, or inhabit there.[p]

1629. Settlement in consequence of this charter.

But whatever were the intentions of the king, the adventurers kept their own object steadily in view. Soon after their powers to establish a colony were rendered complete by the royal charter, they fitted out five ships for New England; on board of which embarked upwards of three hundred passengers, with a view of settling there. These were mostly zealous puritans, whose chief inducement to relinquish their native land was the hope of enjoying religious liberty in a country far removed from the seat of government and the oppression of ecclesiastical courts. Some eminent non-conformist ministers accompanied them as their spiritual instructors. On their arrival in New England, they found the wretched remainder of a small body of emigrants, who had left England the preceding year, under the conduct of Endicott, a deep enthusiast, whom, prior to their incorporation by the royal charter, the associates had appointed deputy-governor. They were settled at a place called by the Indians Naunekeag, and to which Endicott, with the fond affectation of fanatics of that age to employ the language and appellations of Scripture in the affairs of common life, had given the name of Salem.

June 29.

n Neal's Hist. of New Engl. i. p. 122.

o Hutchinson's Collect. of Orig. Papers, p. 1, &c.

p Id. p. 18.—It is surprising that Mr. Neal, an industrious and generally well-informed writer, should affirm, that "free liberty of conscience was granted by this charter to all who should settle in those parts, to worship God in their own way." Hist. of New Engl. i. 124. This he repeats in his History of the Puritans, ii. 210.; and subsequent historians have copied him implicitly. No permission of that kind, however, is contained in the charter; and such an indulgence would have been inconsistent with all the maxims of Charles and his ministers during the course of his reign. At the time when Charles issued the charter, the influence of Laud over his councils was at its height, the puritans were prosecuted with the greatest severity, and the kingdom was ruled entirely by prerogative. This is not an æra in which one can expect to meet with concessions in favour of non-conformists, from a prince of Charles's character and principles.

Begin with establishing a church.

The emigrants under Endicott, and such as now joined them, coincided perfectly in religious principles. They were puritans of the strictest form; and to men of this character the institution of a church was naturally of such interesting concern as to take place of every other object. In this first transaction, they displayed at once the extent of the reformation at which they aimed. Without regard to the sentiments of that monarch under the sanction of whose authority they settled in America, and from whom they derived right to act as a body politic, and in contempt of the laws of England, with which the charter required that none of their acts or ordinances should be inconsistent, they adopted in their infant church that form of policy which has since been distinguished by the name of independent.

Aug. 6.

They united together in religious society, by a solemn covenant with God and with one another, and in strict conformity, as they imagined, to the rules of Scripture. They elected a pastor, a teacher, and an elder, whom they set apart for their respective offices, by imposition of the hands of the brethren. All who were that day admitted members of the church signified their assent to a confession of faith drawn up by their teacher, and gave an account of the foundation of their own hopes as christians; and it was declared that no person should hereafter be received into communion until he gave satisfaction to the church with respect to his faith and sanctity. The form of public worship which they instituted was without a liturgy, disencumbered of every superfluous ceremony, and reduced to the lowest standard of Calvinistic simplicity.[q]

Intolerance of the new church.

It was with the utmost complacence that men passionately attached to their own notions, and who had long been restrained from avowing them, employed themselves in framing this model of a pure church. But in the first moment that they began to taste of christian liberty themselves, they forgot that other men had an equal title to enjoy it. Some of their number, retaining a high veneration for the ritual of the English church, were so much offended at the total abolition of it, that they withdrew from communion with the newly instituted church, and assembled separately for the worship of God. With an inconsistency of which there are such flagrant instances among christians of every denomination that it cannot be imputed as a reproach peculiar to any sect, the very men who had themselves fled from persecution became persecutors; and had recourse, in order to enforce their own opinions, to the same unhallowed weapons, against the employment of which they had lately remonstrated with so much violence. Endicott called the two chief malcontents before him; and though they were men of note, and among the number of original patentees, he expelled them from the society, and sent them home in the ships which were returning to England.[r] The colonists were now united in sentiments; but, on the approach of winter, they suffered so much from diseases, which carried off almost one half of their number, that they made little progress in occupying the country.

Meanwhile the directors of the company in England exerted their utmost endeavours in order to reinforce the colony with a numerous body of new settlers; and as the intolerant spirit of Laud exacted conformity to all the injunctions of the church with greater rigour than ever, the condition of such as had any scruples with respect to this became so intolerable, that many accepted of their invitation to a secure retreat in New England. Several of these were persons of greater opulence and of better condition than any who had hitherto migrated to that country. But as they intended to employ their fortunes, as well as to hazard their persons, in establishing a permanent colony there, and foresaw many inconveniences from their subjection to laws made without their own consent, and framed by a society which must always be imperfectly acquainted with their situation, they insisted that the corporate powers of the company should be transferred from England to America, and the government of the colony be vested entirely in those who, by settling in the latter country, became members of it.[s] The company had already expended considerable sums in prosecuting the design of their institution, without having received almost any return, and had no prospect of gain, or even of reimbursement, but what was too remote and uncertain to be suitable to the ideas of merchants, the most numerous class of its members. They hesitated, however, with respect to the legality of granting the demand of the intended emigrants. But such was their eagerness to be disengaged from an unpromising adventure, that, "by general consent it was determined, that the charter should be transferred, and the government be settled in New England."[t] To the members of the corporation who chose to remain at home was reserved a share in the trading stock and profits of the company during seven years.

Emigrations from England increased by the intolerance of Laud.

Charter of the company transferred to the colonists.

In this singular transaction, to which there is nothing similar in the history of English colonization, two circumstances merit particular attention: one is the power of the company to make this transference; the other is the silent acquiescence with which the king permitted it to take place. If the validity of this determination of the company be tried by the charter which constituted it a body politic, and conveyed to it all the corporate powers with which it was invested, it is evident that it could neither exercise those powers in any mode different from what the charter prescribed, nor

q Math. Magnal, p. 18. Neal's Hist. of New England, i. 126. Chalmers, p. 443.

r Mather, p. 19. Neal, p. 129.

s Hutchinson's Coll. of Papers, p. 25.

t Mather, p. 20. Hutchinson's Hist. p. 12. Chalmers, p. 150.

alienate them in such a manner as to convert the jurisdiction of a trading corporation in England into a provincial government in America. But from the first institution of the company of Massachusetts bay, its members seem to have been animated with a spirit of innovation in civil policy, as well as in religion; and by the habit of rejecting established usages in the one, they were prepared for deviating from them in the other. They had applied for a royal charter, in order to give legal effect to their operations in England, as acts of a body politic; but the persons whom they sent out to America, as soon as they landed there, considered themselves as individuals united together by voluntary association, possessing the natural right of men who form a society, to adopt what mode of government, and to enact what laws, they deemed most conducive to general felicity. Upon this principle of being entitled to judge and to decide for themselves, they established their church in Salem, without regard to the institutions of the church of England, of which the charter supposed them to be members, and bound of consequence to conformity with its ritual. Suitably to the same ideas, we shall observe them framing all their future plans of civil and ecclesiastical policy. The king, though abundantly vigilant in observing and checking slighter encroachments on his prerogative, was either so much occupied at that time with other cares, occasioned by his fatal breach with his parliament, that he could not attend to the proceedings of the company; or he was so much pleased with the prospect of removing a body of turbulent subjects to a distant country, where they might be useful, and could not prove dangerous, that he was disposed to connive at the irregularity of a measure which facilitated their departure.

Colony extended.

Without interruption from the crown, the adventurers proceeded to carry their scheme into execution. In a general court, John Winthrop was appointed governor, and Thomas Dudley deputy-governor, and eighteen assistants were chosen; in whom, together with the body of freemen who should settle in New England, were vested with all the corporate rights of the company. With such zeal and activity did they prepare for emigration, that in the course of the ensuing year seventeen ships sailed for New England, and aboard these above fifteen hundred persons, among whom were several of respectable families, and in easy circumstances. On their arrival in New England, many were so ill satisfied with the situation of Salem, that they explored the country in quest of some better station; and settling in different places around the bay, according to their various fancies, laid the foundations of Boston, Charles town, Dorchester, Roxborough, and other towns, which have since become considerable in the province. In each of these a church was established on the same model with that of Salem. This, together with the care of making provision for their subsistence during winter, occupied them entirely during some months. But in the first general court, their disposition to consider themselves as members of an independent society, unconfined by the regulations in their charter, began to appear. The election of the governor and deputy-governor, the appointment of all other officers, and even the power of making laws, all which were granted by the charter to the freemen, were taken from them, and vested in the council of assistants. But the aristocratical spirit of this resolution did not accord with the ideas of equality prevalent among the people, who had been surprised into an approbation of it. Next year the freemen, whose numbers had been greatly augmented by the admission of new members, resumed their former rights.

Oct. 19.

1631.

None but members of the church admitted as freemen.

But, at the same time, they ventured to deviate from the charter in a matter of greater moment, which deeply affected all the future operations of the colony, and contributed greatly to form that peculiar character by which the people of New England have been distinguished. A law was passed, declaring that none shall hereafter be admitted freemen, or be entitled to any share in the government, or be capable of being chosen magistrates, or even of serving as jurymen, but such as have been received into the church as members.[u] By this resolution, every person who did not hold the favourite opinions concerning the doctrines of religion, the discipline of the church, or the rites of worship, was at once cast out of the society, and stripped of all the privileges of a citizen. An uncontrolled power of approving or rejecting the claims of those who applied for admission into communion with the church being vested in the ministers and leading men of each congregation, the most valuable of all civil rights was made to depend on their decision with respect to qualifications purely ecclesiastical. As in examining into these they proceeded not by any known or established rules, but exercised a discretionary judgment, the clergy rose gradually to a degree of influence and authority from which the levelling spirit of the independent church-policy was calculated to exclude them. As by their determination the political condition of every citizen was fixed, all paid court to men possessed of such an important power, by assuming those austere and sanctimonious manners which were known to be the most certain recommendation to their favour. In consequence of this ascendant, which was acquired chiefly by the wildest enthusiasts among the clergy, their notions became a standard to which all studied to conform, and the singularities characteristic of the puritans in that age increased, of which many remarkable instances will occur in the course of our narrative.

Pernicious consequences of this regulation.

u Hutchinson, p. 26. Chalmers, p. 153.

Indian territories depopulated by the small-pox.

Though a considerable number of planters was cut off by the diseases prevalent in a country so imperfectly cultivated by its original inhabitants as to be still almost one continued forest, and several, discouraged by the hardships to which they were exposed, returned to England, recruits sufficient to replace them arrived.

1632.

At the same time the small-pox, a distemper fatal to the people of the New World, swept away such multitudes of the natives, that some whole tribes disappeared; and Heaven, by thus evacuating a country in which the English might settle without molestation, was supposed to declare its intention that they should occupy it.

Settlements of the colonists extended.

As several of the vacant Indian stations were well chosen, such was the eagerness of the English to take possession of them, that their settlements became more numerous and more widely dispersed than suited the condition of an infant colony. This led to an innovation which totally altered the nature and constitution of the government.

1634. Freemen meet by representatives.

When a general court was to be held in the year one thousand six hundred and thirty-four, the freemen, instead of attending it in person, as the charter prescribed, elected representatives in their different districts, authorizing them to appear in their name, with full power to deliberate and decide concerning every point that fell under the cognizance of the general court. Whether this measure was suggested by some designing leaders, or whether they found it prudent to soothe the people by complying with their inclination, is uncertain. The representatives were admitted, and considered themselves, in conjunction with the governor and assistants, as the supreme legislative assembly of the colony. In assertion of their own rights, they enacted that no law should be passed, no tax should be imposed, and no public officer should be appointed, but in the general assembly. The pretexts for making this new arrangement were plausible. The number of freemen was greatly increased; many resided at a distance from the places where the supreme courts were held; personal attendance became inconvenient; the form of government in their own country had rendered familiar the idea of delegating their rights, and committing the guardianship of their liberties, to representatives of their own choice, and the experience of ages had taught them that this important trust might with safety be lodged in their hands. Thus did the company of Massachusetts bay, in less than six years from its incorporation by the king, mature and perfect a scheme which, I have already observed, some of its more artful and aspiring leaders seem to have had in view when the association for peopling New England was first formed. The colony must henceforward be considered, not as a corporation whose powers were defined and its mode of procedure regulated by its charter, but as a society, which, having acquired or assumed political liberty, had, by its own voluntary deed, adopted a constitution or government framed on the model of that in England.

Extent of political liberty assumed by the assembly.

Spirit of fanaticism increases.

But however liberal their system of civil policy might be, as their religious opinions were no longer under any restraint of authority, the spirit of fanaticism continued to spread, and became every day wilder and more extravagant. Williams, a minister of Salem, in high estimation, having conceived an antipathy to the cross of St. George in the standard of England, declaimed against it with so much vehemence, as a relic of superstition and idolatry which ought not to be retained among a people so pure and sanctified, that Endicott, one of the members of the court of assistants, in a transport of zeal, publicly cut out the cross from the ensign displayed before the governor's gate. This frivolous matter interested and divided the colony. Some of the militia scrupled to follow colours in which there was a cross, lest they should do honour to an idol: others refused to serve under a mutilated banner, lest they should be suspected of having renounced their allegiance to the crown of England. After a long controversy, carried on by both parties with that heat and zeal which in trivial disputes supply the want of argument, the contest was terminated by a compromise. The cross was retained in the ensigns of forts and ships, but erased from the colours of the militia. Williams, on account of this, as well as of some other doctrines deemed unsound, was banished out of the colony.[x]

New settlers.

The prosperous state of New England was now so highly extolled, and the simple frame of its ecclesiastic policy was so much admired by all whose affections were estranged from the church of England, that crowds of new settlers flocked thither. Among these

1635.

were two persons, whose names have been rendered memorable by the appearance which they afterwards made on a more conspicuous theatre: one was Hugh Peters, the enthusiastic and intriguing chaplain of Oliver Cromwell; the other Mr. Henry Vane, son of Sir Henry Vane, a privy counsellor, high in office, and of great credit with the king; a young man of a noble family, animated with such zeal for pure religion and such love of liberty as induced him to relinquish all his hopes in England, and to settle in a colony hitherto no further advanced in improvement than barely to afford subsistence to its members, was received with the fondest admiration. His mortified appearance, his demure look, and rigid manners, carried even beyond the standard of preciseness in that society which he joined, seemed to indicate a man of high spiritual attainments, while his abilities and address in business pointed him out as worthy of the highest station in the community. With universal con-

x Neal's Hist. of N. Eng. p, 140, &c. Hutchins. p. 37. Chalm. p. 156.

1636. sent, and high expectations of advantage from his administration, he was elected governor in the year subsequent to his arrival. But as the affairs of an infant colony afforded not objects adequate to the talents of Vane, his busy pragmatical spirit occupied itself with theological subtilties and speculations unworthy of his attention. These were excited by a woman, whose revcries produced such effects both within the colony and beyond its precincts, that, frivolous as they may now appear, they must be mentioned as an occurrence of importance in its history.

Antinomian sect. It was the custom at that time in New England, among the chief men in every congregation, to meet once a week, in order to repeat the sermons which they had heard, and to hold religious conference with respect to the doctrine contained in them. Mrs. Hutchinson, whose husband was among the most respectable members of the colony, regretting that persons of her sex were excluded from the benefit of those meetings, assembled statedly in her house a number of women, who employed themselves in pious exercises similar to those of the men. At first she satisfied herself with repeating what she could recollect of the discourses delivered by their teachers. She began afterwards to add illustrations, and at length proceeded to censure some of the clergy as unsound, and to vent opinions and fancies of her own. These were all founded on the system which is denominated Antinomian by divines, and tinged with the deepest enthusiasm. She taught, that sanctity of life is no evidence of justification, or of a state of favour with God; and that such as inculcated the necessity of manifesting the reality of our faith by obedience, preached only a covenant of works; she contended that the Spirit of God dwelt personally in good men, and by inward revelations and impressions they received the fullest discoveries of the divine will. The fluency and confidence with which she delivered these notions gained her many admirers and proselytes, not only among the vulgar but among the principal inhabitants. The whole colony was interested and agitated. Vane, whose sagacity and acuteness seemed to forsake him whenever they were turned towards religion, espoused and defended her wildest tenets. Many conferences were held, days of fasting and humiliation were appointed, a general synod was called; and, after dissensions so violent as threatened the dissolution of the colony, Mrs. Hutchinson's opinions were condemned as erroneous, and she herself banished. Several of her disciples withdrew from the province of their own accord. Vane quitted America in disgust, unlamented even by those who had lately admired him; some of whom now regarded him as a mere visionary, and others as one of those dark turbulent spirits doomed to embroil every society into which they enter.[y]

1637. Their doctrines condemned by a general synod.

The sectaries settle in Providence and Rhode Island; However much these theological contests might disquiet the colony of Massachusetts bay, they contributed to the more speedy population of America. When Williams was banished from Salem in the year one thousand six hundred and thirty-four, such was the attachment of his hearers to a pastor whose piety they revered, that a good number of them voluntarily accompanied him in his exile. They directed their march towards the south; and having purchased from the natives a considerable tract of land, to which Williams gave the name of Providence, they settled there. They were joined soon after by some of those to whom the proceedings against Mrs. Hutchinson gave disgust; and by a transaction with the Indians they obtained a right to a fertile island in Naraganset bay, which acquired the name of Rhode Island. Williams remained among them upwards of forty years, respected as the father and the guide of the colony which he had planted. His spirit differed from that of the puritans in Massachusetts; it was mild and tolerating; and having ventured himself to reject established opinions, he endeavoured to secure the same liberty to other men, by maintaining that the exercise of private judgment was a natural and sacred right; that the civil magistrate has no compulsive jurisdiction in the concerns of religion; that the punishment of any person on account of his opinions was an encroachment on conscience, and an act of persecution.[z] These humane principles he instilled into his followers; and all who felt or dreaded oppression in other settlements resorted to a community in which universal toleration was known to be a fundamental maxim. In the plantations of Providence and Rhode Island, political union was established by voluntary association, and the equality of condition among the members, as well as their religious opinions; their form of government was purely democratical, the supreme power being lodged in the freemen personally assembled. In this state they remained until they were incorporated by charter.[a]

their moderation.

Colony of Connecticut; To similar causes the colony of Connecticut is indebted for its origin. The rivalship between Mr. Cotton and Mr. Hooker, two favourite ministers in the settlement of Massachusetts bay, disposed the latter, who was least successful in this contest for fame and power, to wish for some settlement at a distance from a competitor by whom his reputation was eclipsed. A good number of those who had imbibed Mrs. Hutchinson's notions, and were offended at such as combated them, offered to accompany him. Having employed proper persons to explore the country, they pitched upon the west side of the great river Connecticut as the most inviting station; and in the year one

y Mather, book vii. c. 3. Hutchinson, p. 53, 74. Neal, p. 1, 144, 165, &c. Chalmers, p. 163.

z Neal's Hist. of N. Eng. p. 141.

a Hutchinson, p. 38. Neal, ii. 142. Dougl. Sum. ii. p. 76, &c. Chalmers ch. ii.

thousand six hundred and thirty-six, about a hundred persons, with their wives and families, after a fatiguing march of many days through woods and swamps, arrived there, and laid the foundation of the towns of Hartford, Springfield, and Weatherfield. This settlement was attended with peculiar irregularities. Part of the district now occupied lay beyond the limits of the territory granted to the colony of Massachusetts bay, and yet the emigrants took a commission from the governor and court of assistants, empowering them to exercise jurisdiction in that country. The Dutch from Manhados or New York, having discovered the river Connecticut, and established some trading houses upon it, had acquired all the right that prior possession confers. Lord Say and Sele and lord Brook, the heads of two illustrious families, were so much alarmed at the arbitrary measures of Charles I., both in his civil and ecclesiastical administration, that they took a resolution not unbecoming young men of noble birth and liberal sentiments, of retiring to the New World, in order to enjoy such a form of religion as they approved of, and those liberties which they deemed essential to the well-being of society. They, too, fixed on the banks of the Connecticut as their place of settlement, and had taken possession, by building a fort at the mouth of the river, which, from their united names, was called Say Brook. The emigrants from Massachusetts, without regarding either the defects in their own right or the pretensions of other claimants, kept possession, and proceeded with vigour to clear and cultivate the country. By degrees they got rid of every competitor. The Dutch, recently settled in America, and too feeble to engage in a war, peaceably withdrew from Connecticut. Lord Say and Sele and lord Brook made over to the colony whatever title they might have to any lands in that region. Society was established by a voluntary compact of the freemen; and though they soon disclaimed all dependence on the colony of Massachusetts bay, they retained such veneration for its legislative wisdom as to adopt a form of government nearly resembling its institutions, with respect both to civil and ecclesiastical policy. At a subsequent period, the colony of Connecticut was likewise incorporated by royal charter.[b]

of New Hampshire and Main.

The history of the first attempts to people the provinces of New Hampshire and Main, which form the fourth and most extensive division in New England, is obscure and perplexed, by the interfering claims of various proprietors. The company of Plymouth had inconsiderately pareelled out the northern part of the territory contained in its grant among different persons: of these only sir Ferdinando Gorges and captain Mason seem to have had any serious intention to occupy the lands allotted to them. Their efforts to accomplish this were meritorious and persevering, but unsuccessful. The expense of settling colonies in an uncultivated country must necessarily be great and immediate; the prospect of a return is often uncertain, and always remote. The funds of two private adventurers were not adequate to such an undertaking. Nor did the planters whom they sent out possess that principle of enthusiasm, which animated their neighbours of Massachusetts with vigour to struggle through all the hardships and dangers to which society in its infancy is exposed in a savage land. Gorges and Mason, it is probable, must have abandoned their design, if, from the same motives that settlements had been made in Rhode Island and Connecticut, colonists had not unexpectedly migrated into New Hampshire and Main. Mr. Wheelwright, a minister of some note, nearly related to Mrs. Hutchinson, and one of her most fervent admirers and partisans, had on this account been banished from the province of Massachusetts bay.[c] In quest of a new station, he took a course opposite to the other exiles, and, advancing towards the north, founded the town of Exeter on a small river flowing into Piskataqua bay. His followers, few in number, but firmly united, were of such rigid principles, that even the churches of Massachusetts did not appear to them sufficiently pure. From time to time they received some recruits, whom love of novelty, or dissatisfaction with the ecclesiastical institutions of the other colonies, prompted to join them. Their plantations were widely dispersed, but the country was thinly peopled, and its political state extremely unsettled. The colony of Massachusetts bay claimed jurisdiction over them, as occupying lands situated within the limits of their grant. Gorges and Mason asserted the rights conveyed to them as proprietors by their charter. In several districts the planters, without regarding the pretensions of either party, governed themselves by maxims and laws copied from those of their brethren in the adjacent colonies.[d] The first reduction of the political constitution in the provinces of New Hampshire and Main into a regular and permanent form, was subsequent to the Revolution.

By extending their settlements, the English became exposed to new danger. The tribes of Indians around Massachusetts bay were feeble and unwarlike; yet from regard to justice, as well as motives of prudence, the first colonists were studious to obtain the consent of the natives before they ventured to occupy any of their lands; and though in such transactions the consideration given was often very inadequate to the value of the territory acquired, it was sufficient to satisfy the demands of the proprietors. The English took quiet possession of the lands thus conveyed to them, and no open hostility broke out between them and the ancient possessors. But the colonies of Providence and Connecticut soon

The further encroachments of the English resisted by the natives.

b Hutchinson, p. 44, &c. Neal, i. 147. Douglas, ii. 158, &c. Chalmers's Annals, ch. xii.

c Hutchinson, p. 70.

d Hutchinson, p. 103, &c. 176. Douglas's Sum. ii. 22, &c. Chalmers's Annals, ch. 17.

found that they were surrounded by more powerful and martial nations. Among these the most considerable were the Naragansets and Pequods; the former seated on the bay which bears their name, and the latter occupying the territory which stretches from the river Pequod along the banks of the Connecticut. The Pequods were a formidable people, who could bring into the field a thousand warriors not inferior in courage to any in the New World. They foresaw, not only that the extermination of the Indian race must be the consequence of permitting the English to spread over the continent of America, but that, if measures were not speedily concerted to prevent it, the calamity would be unavoidable. With this view they applied to the Naragansets, requesting them to forget ancient animosities for a moment, and to co-operate with them in expelling a common enemy who threatened both with destruction. They represented that, when those strangers first landed, the object of their visit was not suspected, and no proper precautions were taken to check their progress; that now, by sending out colonies in one year towards three different quarters, their intentions were manifest, and the people of America must abandon their native seats to make way for unjust intruders.

But the Naragansets and Pequods, like most of the contiguous tribes in America, were rivals, and there subsisted between them an hereditary and implacable enmity. Revenge is the darling passion of savages; in order to secure the indulgence of which there is no present advantage that they will not sacrifice, and no future consequence which they do not totally disregard. The Naragansets, instead of closing with the prudent proposal of their neighbours, discovered their hostile intentions to the governor of Massachusetts bay; and, eager to lay hold on such a favourable opportunity of wreaking their vengeance on their ancient foes, entered into an alliance with the English against them. The Pequods, more exasperated than discouraged by the imprudence and treachery of their countrymen, took the field, and carried on the war in the usual mode of Americans. They surprised stragglers, and scalped them; they plundered and burnt remote settlements; they attacked Fort Say Brook without success, though garrisoned only by twenty men; and when the English began to act offensively, they retired to fastnesses which they deemed inaccessible. The different colonies had agreed to unite against the common enemy, each furnishing a quota of men in proportion to its numbers. The troops of Connecticut, which lay most exposed to danger, were soon assembled. The march of those from Massachusetts, which formed the most considerable body, was retarded by the most singular cause that ever influenced the operations of a military force. When they were mustered previous to their departure, it was found that some of the officers, as well as of the private soldiers, were still under a covenant of works; and that the blessing of God could not be implored or expected to crown the arms of such unhallowed men with success. The alarm was general, and many arrangements necessary in order to cast out the unclean, and to render this little band sufficiently pure to fight the battles of a people who entertained high ideas of their own sanctity.[e]

War with the Pequod tribes.

Purification of the army.

Meanwhile the Connecticut troops, reinforced by a small detachment from Say Brook, found it necessary to advance towards the enemy. They were posted on a rising ground, in the middle of a swamp towards the head of the river Mistick, which they had surrounded with palisadoes, the best defence that their slender skill in the art of fortification had discovered. Though they knew that the English were in motion, yet, with the usual improvidence and security of savages, they took no measures either to observe their progress, or to guard against being surprised themselves. The enemy, unperceived, reached the palisadoes; and if a dog had not given the alarm by barking, the Indians must have been massacred without resistance. In a moment, however, they started to arms, and, raising the war-cry, prepared to repel the assailants. But at that early period of their intercourse with the Europeans, the Americans were little acquainted with the use of gunpowder, and dreaded its effects extremely. While some of the English galled them with an incessant fire through the intervals between the palisadoes, others forced their way by the entries into the fort, filled only with branches of trees; and setting fire to the huts which were covered with reeds, the confusion and terror quickly became general. Many of the women and children perished in the flames; and the warriors, in endeavouring to escape, were either slain by the English, or, falling into the hands of their Indian allies, who surrounded the fort at a distance, were reserved for a more cruel fate. After the junction of the troops from Massachusetts, the English resolved to pursue their victory; and hunting the Indians from one place of retreat to another, some subsequent encounters were hardly less fatal to them than the action on the Mistick. In less than three months the tribe of Pequods was extirpated; a few miserable fugitives, who took refuge among the neighbouring Indians, being incorporated by them, lost their name as a distinct people. In this first essay of their arms the colonists of New England seem to have been conducted by skilful and enterprising officers, and displayed both courage and perseverance as soldiers. But they stained their laurels by the use which they made of victory. Instead of treating the Pequods as an independent people, who made a gallant effort to defend the property, the rights, and the freedom of their nation, they retaliated upon them all the barbarities of American war. Some

Defeat of the Indians.

May 20.

Cruelties exercised against the Indians.

e Neal, i. 168.

they massacred in cold blood, others they gave up to be tortured by their Indian allies, a considerable number they sold as slaves in Bermudas, the rest were reduced to servitude among themselves.[f]

Emigrations from England;

But reprehensible as this conduct of the English must be deemed, their vigorous efforts in this decisive campaign filled all the surrounding tribes of Indians with such a high opinion of their valour as secured a long tranquillity to all their settlements. At the same time the violence of administration in England continued to increase their population and strength, by forcing many respectable subjects to tear themselves from all the tender connexions that bind men to their native country, and to fly for refuge to a region of the New World, which hitherto presented to them nothing that could allure them thither but exemption from oppression. The number of those emigrants drew the attention of government, and appeared so formidable, that a proclamation was issued, prohibiting masters of ships from carrying passengers to New England without special permission. On many occasions this injunction was eluded or disregarded. Fatally for the king, it operated with full effect in one instance. Sir Arthur Haslerig, John Hampden, Oliver Cromwell, and some other persons whose principles and views coincided with theirs, impatient to enjoy those civil and religious liberties which they struggled in vain to obtain in Great Britain, hired some ships to carry them and their attendants to New England. By order of council, an embargo was laid on these when on the point of sailing; and Charles, far from suspecting that the future revolutions in his kingdoms were to be excited and directed by persons in such a humble sphere of life, forcibly detained the men destined to overturn his throne, and to terminate his days by a violent death.[g]

prohibited by royal proclamation.

But, in spite of all the efforts of government to check this spirit of migration, the measures of the king and his ministers were considered by a great body of the people as so hostile to those rights which they deemed most valuable, that in the course of the year one thousand six hundred and thirty-eight, about three thousand persons embarked for New England, choosing rather to expose themselves to all the consequences of disregarding the royal proclamation, than to remain longer under oppression. Exasperated at this contempt of his authority, Charles had recourse to a violent but effectual mode of accomplishing what he had in view. A writ of *quo warranto* was issued against the corporation of Massachusetts bay. The colonists had conformed so little to the terms of their charter, that judgment was given against them without difficulty. They were found to have forfeited all their rights as a corporation, which of course returned to the crown, and Charles began to take measures for new modelling the political frame of the colony, and vesting the administration of its affairs in other hands. But his plans were never carried into execution. In every corner of his dominions the storm now began to gather, which soon burst out with such fatal violence, that Charles, during the remainder of his unfortunate reign occupied with domestic and more interesting cares, had not leisure to bestow any attention upon a remote and inconsiderable province.[h]

Colony of Massachusetts bay sued at law, and found to have forfeited its rights.

On the meeting of the Long Parliament, such a revolution took place in England, that all the motives for migrating to the New World ceased. The maxims of the puritans with respect to the government both of church and state became predominant in the nation, and were enforced by the hand of power. Their oppressors were humbled; that perfect system of reformed polity, which had long been the object of their admiration and desire, was established by law; and amidst the intrigues and conflicts of an obstinate civil war, turbulent and aspiring spirits found such full occupation, that they had no inducement to quit a busy theatre, on which they had risen to act a most conspicuous part. From the year one thousand six hundred and twenty, when the first feeble colony was conducted to New England by the Brownists, to the year one thousand six hundred and forty, it has been computed that twenty-one thousand two hundred British subjects had settled there. The money expended by various adventurers during that period, in fitting out ships, in purchasing stock, and transporting settlers, amounted, on a moderate calculation, nearly to two hundred thousand pounds:[i] a vast sum in that age, and which no principles, inferior in force to those wherewith the puritans were animated, could have persuaded men to lay out on the uncertain prospect of obtaining an establishment in a remote uncultivated region, which, from its situation and climate, could allure them with no hope but that of finding subsistence and enjoying freedom. For some years, even subsistence was procured with difficulty; and it was towards the close of the period to which our narrative is arrived, before the product of the settlement yielded the planters any return for their stock. About that time they began to export corn in small quantities to the West Indies, and made some feeble attempts to extend the fishery, and to open the trade in lumber, which have since proved the staple articles of commerce in the colony.[k] Since the year one thousand six hundred and forty, the number of people with which New England has recruited the population of the parent-state, is supposed at least to equal what may have been drained from it by occasional migrations thither.

State of the colonies at this period.

But though the sudden change of system in Great

f Hutchinson, p. 58, 76, &c. Mather, Magnalia, b. vii. ch. 6. Hubbard's State of N. Eng. p. 5, 116, &c.
g Mather, Magnalia, b. i. ch. 5. p. 23. Neal's Hist. of N. Eng. i. 151. Chalmers's Annals, i. 155, 160, &c.
h Hutchinson, p. 86, 502, &c. Chalmers's Annals, i. 161.
i Mather, b. i. ch. 4. p. 17. ch. 5. p. 23. Hutchinson, p. 193. Chalmers's Annals, p. 165.
k Hutchinson, p. 91, 92.

Britain stopped entirely the influx of settlers into New England, the principles of the colonists coincided so perfectly with those of the popular leaders in parliament, that they were soon distinguished by peculiar marks of their brotherly affection. By a vote of the house of Commons in the year one thousand six hundred and forty-two, the people in all the different plantations of New England were exempted from payment of any duties, either upon goods exported thither, or upon those which they imported into the mother-country, until the house shall take further order to the contrary. This was afterwards confirmed by the authority of both houses. Encouraged by such an extraordinary privilege, industry made rapid progress in all the districts of New England, and population increased along with it. In return for those favours, the colonists applauded the measures of parliament, celebrated its generous efforts to vindicate the rights and liberties of the nation, prayed for the success of its arms, and framed regulations in order to prevent any exertion in favour of the king on the other side of the Atlantic.[l]

Exemption from certain duties granted to the colonies.

1646.

Relying on the indulgent partiality with which all their proceedings were viewed by men thus closely united with them in sentiment and wishes, the people of New England ventured on a measure which not only increased their security and power, but may be regarded as a considerable step towards independence. Under the impression or pretext of the danger to which they were exposed from the surrounding tribes of Indians, the four colonies of Massachusetts, Plymouth, Connecticut, and Newhaven, entered into a league of perpetual confederacy, offensive and defensive; an idea familiar to several leading men in the colonies, as it was framed in imitation of the famous bond of union among the Dutch provinces, in whose dominions the Brownists had long resided. It was stipulated that the confederates should henceforth be distinguished by the name of the United Colonies of New England; that each colony shall remain separate and distinct, and have exclusive jurisdiction within its own territory; and that in every war, offensive or defensive, each of the confederates shall furnish his quota of men, provisions, and money, at a rate to be fixed from time to time, in proportion to the number of people in each settlement; that an assembly composed of two commissioners from each colony shall be held annually, with power to deliberate and decide in all points of common concern to the confederacy; and every determination, in which six of their number concur, shall be binding on the whole.[m] In this transaction the colonies of New England seem to have considered themselves as independent societies, possessing all the rights of sovereignty, and free from the control of any superior power. The governing party in England, occupied with affairs of more urgent concern, and no wise disposed to observe the conduct of their brethren in America with any jealous attention, suffered the measure to pass without animadversion.

1643. May 19. Confederacy of the New England states.

Imboldened by this connivance, the spirit of independence gathered strength, and soon displayed itself more openly: some persons of note in the colony of Massachusetts, averse to the system of ecclesiastical polity established there, and preferring to it the government and discipline of the churches of England or Scotland, having remonstrated to the general court against the injustice of depriving them of their rights as freemen, and of their privileges as christians, because they could not join as members with any of the congregational churches, petitioned that they might no longer be bound to obey laws to which they had not assented, nor be subjected to taxes imposed by an assembly in which they were not represented. Their demands were not only rejected, but they were imprisoned and fined as disturbers of the public peace; and when they appointed some of their number to lay their grievances before parliament, the annual court, in order to prevent this appeal to the supreme power, attempted first to seize their papers, and then to obstruct their embarkation for England. But though neither of these could be accomplished, such was the address and influence of the colony's agents in England, that no inquiry seems to have been made into this transaction.[n] This was followed by an indication, still less ambiguous, of the aspiring spirit prevalent among the people of Massachusetts. Under every form of government the right of coining money has been considered as a prerogative peculiar to sovereignty, and which no subordinate member in any state is entitled to claim. Regardless of this established maxim, the general court ordered a coinage of silver money at Boston, stamped with the name of the colony, and a tree as an apt symbol of its progressive vigour.[o] Even this usurpation escaped without notice. The independents, having now humbled all rival sects, engrossed the whole direction of affairs in Great Britain; and long accustomed to admire the government of New England, framed agreeably to those principles which they had adopted as the most perfect model of civil and ecclesiastical polity, they were unwilling to stain its reputation by censuring any part of its conduct.

1646.

Petition of the dissenters rejected.

1652. Right of coining assumed by the colonists.

When Cromwell usurped the supreme power, the colonies of New England continued to stand as high in his estimation. As he had deeply imbibed all the fanatical notions of the independents, and was perpetually surrounded by the most eminent and artful teachers of that sect, he kept a constant correspondence with the leading men in the American settle-

Cromwell patronizes the New England colonies:

l Hutchinson, p. 114. App. 517. Chalmers's Annals, i. 174, 176.
m Neal's Hist. of N. Eng. i. 202, &c. Hutchinson, p. 124. Chalmers's Ann. p. 177.
n Neal's Hist. of N. Eng. i. 121. Hutchinson's Hist. 145, &c. Collect. 188, &c. Chalm. Ann. 179. Mather, Magnal. b. iii. ch. i. p. 30.
o Hutchinson's Hist. 177, 178. Chalmers's Annals, p. 181.

ments, who seem to have looked up to him as a zealous patron.[p] He in return considered them as his most devoted adherents, attached to him no less by affection than by principle. He soon gave a striking proof of this. On the conquest of Jamaica, he formed a scheme for the security and improvement of the acquisition made by his victorious arms, suited to the ardour of an impetuous spirit that delighted in accomplishing its ends by extraordinary means. He proposed to transport the people of New England to that island, and employed every argument calculated to make impression upon them, in order to obtain their consent. He endeavoured to rouse their religious zeal, by representing what a fatal blow it would be to the man of sin, if a colony of the faithful were settled in the midst of his territories in the New World. He allured them with prospects of immense wealth in a fertile region, which would reward the industry of those who cultivated it with all the precious productions of the torrid zone, and expressed his fervent wish that they might take possession of it, in order to fulfil God's promise of making his people the head and not the tail. He assured them of being supported by the whole force of his authority, and of vesting all the powers of government entirely in their hands. But by this time the colonists were attached to a country in which they had resided for many years, and where, though they did not attain opulence, they enjoyed the comforts of life in great abundance; and they dreaded so much the noxious climate of the West Indies, which had proved fatal to a great number of the English who first settled in Jamaica, that they declined, though in the most respectful terms, closing with the protector's proposition.[q]

proposes to transport the colonists to Jamaica.

Colonists decline accepting this offer.

p Hutchinson, App. 520, &c. Collect. p. 233.

q Hutchinson, p. 190, &c. Chalmers, p. 188.

NOTES AND ILLUSTRATIONS

TO THE

HISTORY OF AMERICA.

Note I. (Page 729.)

Tyre was situated at such a distance from the Arabian gulf, or Red sea, as made it impracticable to convey commodities from thence to that city by land-carriage. This induced the Phenicians to render themselves masters of *Rhinocrura* or *Rhinocolura*, the nearest port in the Mediterranean to the Red sea. They landed the cargoes which they purchased in Arabia, Ethiopia, and India, at Elath, the safest harbour in the Red sea towards the north. Thence they were carried by land to Rhinocolura, the distance not being very considerable; and, being re-shipped in that port, were transported to Tyre, and distributed over the world. Strabon. Geogr. edit. Casaub. lib. xvi. p. 1128. Diodor. Sicul. Biblioth. Hist. Edit. Wesselingii, lib. i. p. 70.

Note II. (Page 730.)

The Periplus Hannonis is the only authentic monument of the Carthaginian skill in naval affairs, and one of the most curious fragments transmitted to us by antiquity. The learned and industrious Mr. Dodwell, in a dissertation prefixed to the Periplus of Hanno, in the edition of the Minor Geographers published at Oxford, endeavours to prove that this is a spurious work, the composition of some Greek, who assumed Hanno's name. But M. de Montesquieu, in his l'Esprit des Loix, lib. xxi. c. 8. and M. de Bougainville, in a dissertation published, tom. xxvi. of the Mémoires de l'Academie des Inscriptions, &c. have established its authenticity by arguments which to me appear unanswerable. Ramusio has accompanied his translation of this curious voyage with a dissertation tending to illustrate it. Raccolte de Viaggi, vol. i. p. 112. M. de Bougainville has, with great learning and ability, treated the same subject. It appears that Hanno, according to the mode of ancient navigation, undertook this voyage in small vessels, so constructed that he could keep close in with the coast. He sailed from Gades to the island of Cerne in twelve days. This is probably what is known to the moderns by the name of the isle of Arguim. It became the chief station of the Carthaginians on that coast; and M. de Bougainville contends, that the cisterns found there are monuments of the Carthaginian power and ingenuity. Proceeding from Cerne, and still following the winding of the coast, he arrived, in seventeen days, at a promontory which he called *The West Horn*, probably Cape Palmas. From this he advanced to another promontory, which he named *The South Horn*, and which is manifestly Cape de Tres Puntas, about five degrees north of the line. All the circumstances contained in the short abstract of his journal, which is handed down to us concerning the appearance and state of the countries on the coast of Africa, are confirmed and illustrated by a comparison with the accounts of modern navigators. Even those circumstances which, from their seeming improbability, have been produced to invalidate the credibility of his relation, tend to confirm it. He observes, that in the country to the south of Cerne, a profound silence reigned through the day; but during the night innumerable fires were kindled along the banks of the rivers, and the air resounded with the noise of pipes and drums, and cries of joy. The same thing, as Ramusio observes, still takes place. The excessive heat obliges the negroes to take shelter in the woods, or in their houses, during the day. As soon as the sun sets they sally out, and by torch-light enjoy the pleasure of music and dancing, in which they spend the night. Ramus. i. 113. F. In another place, he mentions the sea as burning with torrents of fire. What occurred to

M. Adanson, on the same coast, may explain this: "As soon," says he, "as the sun dipped beneath the horizon, and night overspread the earth with darkness, the sea lent us its friendly light. While the prow of our vessel ploughed the foaming surges, it seemed to set them all on fire. Thus we sailed in a luminous enclosure, which surrounded us like a large circle of rays, from whence darted in the wake of the ship a long stream of light." Voy. to Senegal, p. 176. This appearance of the sea, observed by Hunter, has been mentioned as an argument against the authenticity of the Periplus. It is, however, a phenomenon very common in warm climates. Captain Cook's Second Voyage, vol. i. p. 15. The Periplus of Hanno has been translated, and every point with respect to it has been illustrated with much learning and ingenuity, in a work published by Don Pedr. Rodrig. Campomanes, entitled, Antiguedad maritima de Cartago, con el Periplo de su General Hannon traducido è illustrado. Mad. 1756. 4to.

Note III. (Page 730.)

Long after the navigation of the Phenicians and of Eudoxus round Africa, Polybius, the most intelligent and best informed historian of antiquity, and particularly distinguished by his attention to geographical researches, affirms, that it was not known, in his time, whether Africa was a continued continent, stretching to the south, or whether it was encompassed by the sea. Polybii Hist. lib. iii. Pliny the naturalist asserts, that there can be no communication between the southern and northern temperate zones. Plinii Hist. Natur. edit. in usum Delph. 4to. lib. ii. c. 68. If they had given full credit to the accounts of those voyages, the former could not have entertained such a doubt, the latter could not have delivered such an opinion. Strabo mentions the voyage of Eudoxus, but treats it as a fabulous tale, lib. ii. p. 155.; and, according to his account of it, no other judgment can be formed with respect to it. Strabo seems not to have known any thing with certainty concerning the form and state of the southern parts of Africa. Geogr. lib. xvii. p. 1180. Ptolemy, the most inquisitive and learned of all the ancient geographers, was equally unacquainted with any parts of Africa situated a few degrees beyond the equinoctial line; for he supposes that this great continent was not surrounded by the sea, but that it stretched, without interruption, towards the south pole; and he so far mistakes its true figure, that he describes the continent as becoming broader and broader as it advanced towards the south. Ptolemæi Geogr. lib. iv. c. 9. Brietii Parallela Geogr. veteris et novæ, p. 86.

Note IV. (Page 731.)

A fact, recorded by Strabo, affords a very strong and singular proof of the ignorance of the ancients with respect to the situation of the various parts of the earth. When Alexander marched along the banks of the Hydaspes and Acesine, two of the rivers which fall into the Indus, he observed that there were many crocodiles in those rivers, and that the country produced beans of the same species with those which were common in Egypt. From these circumstances, he concluded that he had discovered the source of the Nile, and prepared a fleet to sail down the Hydaspes to Egypt. Strab. Geogr. lib. xv. p. 1020. This amazing error did not arise from any ignorance of geography peculiar to that monarch; for we are informed by Strabo, that Alexander applied with particular attention in order to acquire the knowledge of this science, and had accurate maps or descriptions of the countries through which he marched. Lib. ii. p. 120. But in his age the knowledge of the Greeks did not extend beyond the limits of the Mediterranean.

Note V. (Page 732.)

As the flux and reflux of the sea is remarkably great at the mouth of the river Indus, this would render the phenomenon more formidable to the Greeks. Varen. Geogr. vol. i. p. 251.

Note VI. (Page 732.)

It is probable that the ancients were seldom induced to advance so far as the mouth of the Ganges, either by motives of curiosity, or views of commercial advantage. In consequence of this, their idea concerning the position of that great river was very erroneous. Ptolemy places that branch of the Ganges, which he distinguishes by the name of the Great Mouth, in the hundred and forty-sixth degree of longitude from his first meridian in the Fortunate Islands. But its true longitude, computed from that meridian, is now determined, by astronomical observations, to be only a hundred and five degrees. A geographer so eminent must have been betrayed into an error of this magnitude, by the imperfection of the information which he had received concerning those distant regions; and this affords a striking proof of the intercourse with them being extremely rare. With respect to the countries of India beyond the Ganges, his intelligence was still more defective, and his errors more enormous. I shall have occasion to observe, in another place, that he has placed the country of the Seres, or China, no less than sixty degrees further east than its true position. M. d'Anville, one of the most learned and intelligent of the modern geographers, has set this matter in a clear light, in two dissertations published in Mem. de l'Academ. des Inscript. &c. tom. xxxii. p. 573. 604.

Note VII. (Page 733.)

It is remarkable, that the discoveries of the ancients were made chiefly by land; those of the moderns are carried on chiefly by sea. The progress of conquest led to the former, that of commerce to the latter. It is a judicious observation of Strabo, that the conquests of Alexander the Great made

known the East, those of the Romans opened the West, and those of Mithridates, king of Pontus, the North. Lib. i. p. 26. When discovery is carried on by land alone its progress must be slow and its operations confined. When it is carried on only by sea, its sphere may be more extensive, and its advances more rapid; but it labours under peculiar defects. Though it may make known the position of different countries, and ascertain their boundaries as far as these are determined by the ocean, it leaves us in ignorance with respect to their interior state. Above two centuries and a half have elapsed since the Europeans sailed round the southern promontory of Africa, and have traded in most of its ports; but, in a considerable part of that great continent, they have done little more than survey its coasts, and mark its capes and harbours. Its interior regions are in a great measure unknown. The ancients, who had a very imperfect knowledge of its coasts, except where they are washed by the Mediterranean or Red sea, were accustomed to penetrate into its inland provinces, and, if we may rely on the testimony of Herodotus and Diodorus Siculus, had explored many parts of it now altogether unknown. Unless both modes of discovery be united, the geographical knowledge of the earth must remain incomplete and inaccurate.

Note VIII. (Page 734.)

The notion of the ancients concerning such an excessive degree of heat in the torrid zone, as rendered it uninhabitable, and their persisting in this error long after they began to have some commercial intercourse with several parts of India lying within the tropics, must appear so singular and absurd, that it may not be unacceptable to some of my readers to produce evidence of their holding this opinion, and to account for the apparent inconsistence of their theory with their experience. Cicero, who had bestowed attention upon every part of philosophy known to the ancients, seems to have believed that the torrid zone was uninhabitable, and, of consequence, that there could be no intercourse between the northern and southern temperate zones. He introduces Africanus thus addressing the younger Scipio: "You see this earth encompassed, and as it were bound in, by certain zones, of which two, at the greatest distance from each other, and sustaining the opposite poles of heaven, are frozen with perpetual cold; the middle one, and the largest of all, is burnt with the heat of the sun; two are habitable, the people in the southern one are antipodes to us, with whom we have no connexion." *Somnium Scipionis*, c. 6. Geminus, a Greek philosopher, contemporary with Cicero, delivers the same doctrine, not in a popular work, but in his Εισαγωγη εις Φαινομενα, a treatise purely scientific. "When we speak," says he, "of the southern temperate zone, and its inhabitants, and concerning those who are called antipodes, it must be always understood, that we have no certain knowledge or information concerning the southern temperate zone, whether it be inhabited or not. But from the spherical figure of the earth, and the course which the sun holds between the tropics, we conclude that there is another zone situated to the south, which enjoys the same degree of temperature with the northern one which we inhabit." Cap. xiii. p. 31. ap. Petavii Opus de Doctr. Tempor. in quo Uranologium sive Systemata var. Auctorum. Amst. 1705. vol. iii. The opinion of Pliny the naturalist, with respect to both these points, was the same: "There are five divisions of the earth which are called zones. All that portion which lies near to the two opposite poles is oppressed with vehement cold and eternal frost. There, unblest with the aspect of milder stars, perpetual darkness reigns, or at the utmost a feeble light reflected from surrounding snows. The middle of the earth, in which is the orbit of the sun, is scorched and burnt up with flames and fiery vapour. Between these torrid and frozen districts lie two other portions of the earth, which are temperate; but, on account of the burning region interposed, there can be no communication between them. Thus Heaven has deprived us of three parts of the earth." Lib. ii. c. 68. Strabo delivers his opinion to the same effect, in terms no less explicit: "The portion of the earth which lies near the equator, in the torrid zone, is rendered uninhabitable by heat." Lib. ii. p. 154. To these I might add the authority of many other respectable philosophers and historians of antiquity.

In order to explain the sense in which this doctrine was generally received, we may observe, that Parmenides, as we are informed by Strabo, was the first who divided the earth into five zones, and he extended the limits of the zone which he supposed to be uninhabitable on account of heat, beyond the tropics. Aristotle, as we learn likewise from Strabo, fixed the boundaries of the different zones in the same manner as they are defined by modern geographers. But the progress of discovery having gradually demonstrated that several regions of the earth which lay within the tropics were not only habitable, but populous and fertile, this induced later geographers to circumscribe the limits of the torrid zone. It is not easy to ascertain with precision the boundaries which they allotted to it. From a passage in Strabo, who, as far as I know, is the only author of antiquity from whom we receive any hint concerning this subject, I should conjecture, that those who calculated according to the measurement of the earth by Eratosthenes, supposed the torrid zone to comprehend near sixteen degrees, about eight on each side of the equator; whereas such as followed the computation of Posidonius allotted about twenty-four degrees, or somewhat more than twelve degrees on each side of the equator, to the torrid zone. Strabo, lib. ii. p. 151. According to the former opinion, about two thirds of that portion of the earth which lies between the tropics was considered as habitable; according

to the latter, about one half of it. With this restriction, the doctrine of the ancients concerning the torrid zone appears less absurd; and we can conceive the reason of their asserting this zone to be uninhabitable, even after they had opened a communication with several places within the tropics. When men of science spoke of the torrid zone, they considered it as it was limited by the definition of geographers to sixteen, or at the utmost to twenty-four, degrees; and as they knew almost nothing of the countries nearer to the equator, they might still suppose them to be uninhabitable. In loose and popular discourse, the name of the torrid zone continued to be given to all that portion of the earth which lies within the tropics. Cicero seems to have been unacquainted with those ideas of the later geographers; and, adhering to the division of Parmenides, describes the torrid zone as the largest of the five. Some of the ancients rejected the notion concerning the intolerable heat of the torrid zone as a popular error. This, we are told by Plutarch, was the sentiment of Pythagoras; and we learn from Strabo, that Eratosthenes and Polybius had adopted the same opinion, lib. ii. p. 154. Ptolemy seems to have paid no regard to the ancient doctrine and opinions concerning the torrid zone.

Note IX. (Page 739.)

The court of inquisition, which effectually checks a spirit of liberal inquiry, and of literary improvement, wherever it is established, was unknown in Portugal in the fifteenth century, when the people of that kingdom began their voyages of discovery. More than a century elapsed before it was introduced by John III. whose reign commenced A. D. 1521.

Note X. (Page 742.)

An instance of this is related by Hackluyt, upon the authority of the Portuguese historian Garcia de Resende. Some English merchants having resolved to open a trade with the coast of Guinea, John II. of Portugal despatched ambassadors to Edward IV. in order to lay before him the right which he had acquired by the pope's bull to the dominion of that country, and to request of him to prohibit his subjects to prosecute their intended voyage. Edward was so much satisfied with the exclusive title of the Portuguese, that he issued his orders in the terms which they desired. Hackluyt, Navigations, Voyages, and Traffics of the English, vol. ii. part ii. p. 2.

Note XI. (Page 744.)

The time of Columbus's death may be nearly ascertained by the following circumstances. It appears from the fragment of a letter, addressed by him to Ferdinand and Isabella, A. D. 1501, that he had, at that time, been engaged forty years in a seafaring life. In another letter he informs them, that he went to sea at the age of fourteen: from those facts it follows, that he was born A. D. 1447. Life of Christo. Columbus, by his son Don Ferdinand Churchill's Collection of Voyages, vol. ii. p. 484, 486.

Note XII. (Page 746.)

The spherical figure of the earth was known to the ancient geographers. They invented the method, still in use, of computing the longitude and latitude of different places. According to their doctrine, the equator, or imaginary line which encompasses the earth, contained three hundred and sixty degrees; these they divided into twenty-four parts, or hours, each equal to fifteen degrees. The country of the *Seres*, or *Sinæ*, being the furthest part of India known to the ancients, was supposed by Marinus Tyrius, the most eminent of the ancient geographers before Ptolemy, to be fifteen hours, or two hundred and twenty-five degrees to the east of the first meridian, passing through the Fortunate Islands. Ptolemæi Geogr. lib. i. c. 11. If this supposition was well founded, the country of the Seres, or China, was only nine hours, or one hundred and thirty-five degrees, west from the Fortunate or Canary Islands; and the navigation in that direction was much shorter than by the course which the Portuguese were pursuing. Marco Polo, in his travels, had described countries, particularly the island of Cipango or Zipangri, supposed to be Japan, considerably to the east of any part of Asia known to the ancients. Marcus Paulus de Region. Oriental. lib. ii. c. 70. lib. iii. c. 2. Of course, this country, as it extended further to the east, was still nearer to the Canary Islands. The conclusions of Columbus, though drawn from inaccurate observations, were just. If the suppositions of Marinus had been well founded, and if the countries which Marco Polo visited had been situated to the east of those whose longitude Marinus had ascertained, the proper and nearest course to the East Indies must have been to steer directly west. Herrera, dec. 1. lib. i. c. 2. A more extensive knowledge of the globe has now discovered the great error of Marinus, in supposing China to be fifteen hours, or two hundred and twenty-five degrees east from the Canary Islands, and that even Ptolemy was mistaken, when he reduced the longitude of China to twelve hours, or one hundred and eighty degrees. The longitude of the western frontier of that vast empire is seven hours, or one hundred and fifteen degrees from the meridian of the Canary Islands. But Columbus followed the light which his age afforded, and relied upon the authority of writers, who were, at that time, regarded as the instructors and guides of mankind in the science of geography.

Note XIII. (Page 752.)

As the Portuguese, in making their discoveries, did not depart far from the coasts of Africa, they concluded that birds, whose flight they observed with great attention, did not venture to any considerable distance from land. In the infancy of navigation it was not known, that birds often stretched

their flight to an immense distance from any shore. In sailing towards the West Indian islands, birds are often seen at the distance of two hundred leagues from the nearest coast. Sloane's Nat. Hist. of Jamaica, vol. i. p. 30. Catesby saw an owl at sea, when the ship was six hundred leagues distant from land. Nat. Hist. of Carolina, pref. p. 7. Hist. Naturelle de M. Buffon, tom. xvi. p. 32. From which it appears, that this indication of land, on which Columbus seems to have relied with some confidence, was extremely uncertain. This observation is confirmed by Capt. Cook, the most extensive and experienced navigator of any age or nation. "No one yet knows (says he) to what distance any of the oceanic birds go to sea; for my own part, I do not believe that there is one in the whole tribe that can be relied on in pointing out the vicinity of land." Voyage towards the South Pole, vol. i. p. 275.

Note XIV. (Page 755.)

In a letter of the admiral's to Ferdinand and Isabella, he describes one of the harbours in Cuba with all the enthusiastic admiration of a discoverer. —"I discovered a river which a galley might easily enter: the beauty of it induced me to sound, and I found from five to eight fathoms of water. Having proceeded a considerable way up the river, every thing invited me to settle there. The beauty of the river, the clearness of the water, through which I could see the sandy bottom, the multitude of palm trees of different kinds, the tallest and finest I had seen, and an infinite number of other large and flourishing trees, the birds, and the verdure of the plains, are so wonderfully beautiful, that this country excels all others as far as the day surpasses the night in brightness and splendour, so that I often said, that it would be in vain for me to attempt to give your highnesses a full account of it, for neither my tongue nor my pen could come up to the truth; and indeed I am so much amazed at the sight of such beauty, that I know not how to describe it." Life of Columb. c. 30.

Note XV. (Page 757.)

The account which Columbus gives of the humanity and orderly behaviour of the natives on this occasion is very striking. "The king (says he, in a letter to Ferdinand and Isabella) having been informed of our misfortune, expressed great grief for our loss, and immediately sent aboard all the people in the place in many large canoes; we soon unloaded the ship of every thing that was upon deck, as the king gave us great assistance: he himself, with his brothers and relations, took all possible care that every thing should be properly done, both aboard and on shore. And, from time to time, he sent some of his relations weeping, to beg of me not to be dejected, for he would give me all that he had. I can assure your highnesses, that so much care would not have been taken in securing our effects in any part of Spain, as all our property was put together in one place near his palace, until the houses which he wanted to prepare for the custody of it were emptied. He immediately placed a guard of armed men, who watched during the whole night, and those on shore lamented as if they had been much interested in our loss. The people are so affectionate, so tractable, and so peaceable, that I swear to your highnesses, that there is not a better race of men, nor a better country, in the world. They love their neighbour as themselves; their conversation is the sweetest and mildest in the world, cheerful and always accompanied with a smile. And although it is true that they go naked, yet your highnesses may be assured that they have many very commendable customs; the king is served with great state, and his behaviour is so decent, that it is pleasant to see him, as it is likewise to observe the wonderful memory which these people have, and their desire of knowing every thing, which leads them to inquire into its causes and effects." Life of Columbus, c. 32. It is probable, that the Spaniards were indebted, for this officious attention, to the opinion which the Indians entertained of them as a superior order of beings.

Note XVI. (Page 759.)

Every monument of such a man as Columbus is valuable. A letter which he wrote to Ferdinand and Isabella, describing what passed on this occasion, exhibits a most striking picture of his intrepidity, his humanity, his prudence, his public spirit, and courtly address. "I would have been less concerned for this misfortune had I alone been in danger, both because my life is a debt that I owe to the supreme Creator, and because I have at other times been exposed to the most imminent hazard. But what gave me infinite grief and vexation was, that after it had pleased our Lord to give me faith to undertake this enterprise, in which I had now been so successful, that my opponents would have been convinced, and the glory of your highnesses, and the extent of your territory increased by me, it should please the divine majesty to stop all by my death. All this would have been more tolerable, had it not been attended with the loss of those men whom I had carried with me, upon promise of the greatest prosperity, who, seeing themselves in such distress, cursed not only their coming along with me, but that fear and awe of me which prevented them from returning, as they often had resolved to have done. But besides all this, my sorrow was greatly increased by recollecting that I had left my two sons at school at Cordova, destitute of friends, in a foreign country, when it could not in all probability be known that I had done such services as might induce your highnesses to remember them. And though I comforted myself with the faith that our Lord would not permit that, which tended so much to the glory of his church, and which I had

brought about with so much trouble, to remain imperfect, yet I considered, that, on account of my sins, it was his will to deprive me of that glory, which I might have attained in this world. While in this confused state, I thought on the good fortune which accompanies your highnesses, and imagined that although I should perish, and the vessel be lost, it was possible that you might somehow come to the knowledge of my voyage, and the success with which it was attended. For that reason I wrote upon parchment with the brevity which the situation required, that I had discovered the lands which I promised, in how many days I had done it, and what course I had followed. I mentioned the goodness of the country, the character of the inhabitants, and that your highnesses' subjects were left in possession of all that I had discovered. Having sealed this writing, I addressed it to your highnesses, and promised a thousand ducats to any person who should deliver it sealed, so that if any foreigners found it, the promised reward might prevail on them not to give the information to another. I then caused a great cask to be brought to me, and wrapping up the parchment in an oiled cloth, and afterwards in a cake of wax, I put it into the cask, and having stopped it well, I cast it into the sea. All the men believed that it was some act of devotion. Imagining that this might never chance to be taken up, as the ships approached nearer to Spain I made another packet like the first, and placed it at the top of the poop, so that if the ship sunk, the cask remaining above water might be committed to the guidance of fortune."

Note XVII. (Page 760.)

Some Spanish authors, with the meanness of national jealousy, have endeavoured to detract from the glory of Columbus by insinuating that he was led to the discovery of the New World, not by his own inventive or enterprising genius, but by information which he had received. According to their account, a vessel having been driven from its course by easterly winds, was carried before them far to the west, and landed on the coast of an unknown country, from which it returned with difficulty; the pilot and three sailors being the only persons who survived the distresses which the crew suffered, from want of provisions, and fatigue in this long voyage. In a few days after their arrival, all the four died; but the pilot having been received into the house of Columbus, his intimate friend disclosed to him, before his death, the secret of the discovery which he had accidentally made, and left him his papers, containing a journal of a voyage, which served as a guide to Columbus in his undertaking. Gomara, as far as I know, is the first author who published this story, Hist. c. 13. Every circumstance is destitute of evidence to support it. Neither the name of the vessel nor its destination is known. Some pretend that it belonged to one of the seaport towns in Andalusia, and was sailing either to the Canaries, or to Madeira; others, that it was a Biscayner in its way to England; others, a Portuguese ship trading on the coast of Guinea. The name of the pilot is alike unknown, as well as that of the port in which he landed on his return. According to some, it was in Portugal; according to others, in Madeira, or the Azores. The year in which this voyage was made is no less uncertain. Monson's Nav. Tracts. Churchill, iii. 371. No mention is made of this pilot, or his discoveries, by And. Bernaldes, or Pet. Martyr, the contemporaries of Columbus. Herrera, with his usual judgment, passes over it in silence. Oviedo takes notice of this report, but considers it as a tale fit only to amuse the vulgar. Hist. lib. ii. c. 2. As Columbus held his course directly west from the Canaries, and never varied it, some later authors have supposed, that this uniformity is a proof of his being guided by some previous information. But they do not recollect the principles on which he founded all his hopes of success, that by holding a westerly course, he must certainly arrive at those regions of the east described by the ancients. His firm belief of his own system led him to take that course, and to pursue it without deviation.

The Spaniards are not the only people who have called in question Columbus's claim to the honour of having discovered America. Some German authors ascribe this honour to Martin Behaim, their countryman. He was of the noble family of the Behaims of Schwartzbach, citizens of the first rank in the imperial town of Nuremberg. Having studied under the celebrated John Muller, better known by the name of Regiomontanus, he acquired such knowledge of cosmography, as excited a desire of exploring those regions, the situation and qualities of which he had been accustomed, under that able master, to investigate and describe. Under the patronage of the duchess of Burgundy he repaired to Lisbon, whither the fame of the Portuguese discoveries invited all the adventurous spirits of the age. There, as we learn from Herman Schedel, of whose *Chronicon Mundi* a German translation was printed at Nuremberg, A. D. 1493, his merit as a cosmographer raised him, in conjunction with Diego Cano, to the command of a squadron fitted out for discovery in the year 1483. In that voyage, he is said to have discovered the kingdom of Congo. He settled in the island of Fayal, one of the Azores, and was a particular friend of Columbus. Herrera, dec. 1. lib. i. c. 2. Magellan had a terrestrial globe made by Behaim, on which he demonstrated the course that he proposed to hold in search of the communication with the South Sea, which he afterwards discovered. Gomara, Hist. c. 19. Herrera, dec. 11. lib. ii. c. 19. In the year 1492, Behaim visited his relations in Nuremberg, and left with them a map drawn with his own hand, which is still preserved among the archives of the family. Thus far the story of Martin Behaim seems to be well authenticated; but the account of his having

discovered any part of the New World appears to be merely conjectural.

In the first edition, as I had at that time hardly any knowledge of Behaim but what I derived from a frivolous dissertation 'De vero Novi Orbis Inventore,' published at Francfort, A. D. 1714, by Jo. Frid. Stuvenius, I was induced, by the authority of Herrera, to suppose that Behaim was not a native of Germany; but from more full and accurate information, communicated to me by the learned Dr. John Reinhold Forster, I am now satisfied that I was mistaken. Dr. Forster has been likewise so good as to favour me with a copy of Behaim's map, as published by Doppelmayer in his account of the Mathematicians and Artists of Nuremberg. From this map, the imperfection of cosmographical knowledge at that period is manifest. Hardly one place is laid down in its true situation. Nor can I discover from it any reason to suppose that Behaim had the least knowledge of any region in America. He delineates, indeed, an island to which he gives the name of St. Brandon. This, it is imagined, may be some part of Guiana, supposed at first to be an island. He places it in the same latitude with the Cape Verd isles, and I suspect it to be an imaginary island which has been admitted into some ancient maps on no better authority than the legend of the Irish St. Brandon or Brendan, whose story is so childishly fabulous as to be unworthy of any notice. Girald. Cambrensis ap. Missingham Florilegium Sanctorum, p. 427.

The pretensions of the Welch to the discovery of America seem not to rest on a foundation much more solid. In the twelfth century, according to Powell, a dispute having arisen among the sons of Owen Guyneth, king of North Wales, concerning the succession to his crown, Madoc, one of their number, weary of this contention, betook himself to sea in quest of a more quiet settlement. He steered due west, leaving Ireland to the north, and arrived in an unknown country, which appeared to him so desirable, that he returned to Wales, and carried thither several of his adherents and companions. This is said to have happened about the year 1170, and after that, he and his colony were heard of no more. But it is to be observed, that Powell, on whose testimony the authenticity of this story rests, published his history above four centuries from the date of the event which he relates. Among a people as rude and as illiterate as the Welch at that period, the memory of a transaction so remote must have been very imperfectly preserved, and would require to be confirmed by some author of greater credit, and nearer to the æra of Madoc's voyage, than Powell. Later antiquaries have indeed appealed to the testimony of Meredith ap Rees, a Welch bard, who died A. D. 1477. But he, too, lived at such a distance of time from the event, that he cannot be considered as a witness of much more credit than Powell. Besides, his verses, published by Hakluyt, vol. iii. p. 1. convey no information, but that Madoc, dissatisfied with his domestic situation, employed himself in searching the ocean for new possessions. But even if we admit the authenticity of Powell's story, it does not follow that the unknown country which Madoc discovered by steering west, in such a course as to leave Ireland to the north, was any part of America. The naval skill of the Welch in the twelfth century was hardly equal to such a voyage. If he made any discovery at all, it is more probable that it was Madeira, or some other of the western isles. The affinity of the Welch language with some dialects spoken in America, has been mentioned as a circumstance which confirms the truth of Madoc's voyage. But that affinity has been observed in so few instances, and in some of these is so obscure, or so fanciful, that no conclusion can be drawn from the casual resemblance of a small number of words. There is a bird, which, as far as is yet known, is found only on the coasts of South America, from Port Desire to the Straits of Magellan. It is distinguished by the name of *Penguin*. This word in the Welch language signifies *White-head*. Almost all the authors who favour the pretensions of the Welch to the discovery of America, mention this as an irrefragable proof of the affinity of the Welch language with that spoken in this region of America. But Mr. Pennant, who has given a scientific description of the penguin, observes, that all the birds of this genus have black heads, "so that we must resign every hope (adds he) founded on this hypothesis, of retrieving the Cambrian race in the New World." Philos. Transact. vol. lviii. p. 91, &c. Besides this, if the Welch, towards the close of the twelfth century, had settled in any part of America, some remains of the christian doctrine and rites must have been found among their descendants, when they were discovered about three hundred years posterior to their migration; a period so short, that, in the course of it, we cannot well suppose that all European ideas and arts would be totally forgotten. Lord Lyttleton, in his notes to the fifth book of his History of Henry II. p. 371. has examined what Powell relates concerning the discoveries made by Madoc, and invalidates the truth of his story by other arguments of great weight.

The pretensions of the Norwegians to the discovery of America seem to be better founded than those of the Germans or Welch. The inhabitants of Scandinavia were remarkable in the middle ages for the boldness and extent of their maritime excursions. In 874, the Norwegians discovered and planted a colony in Iceland. In 982, they discovered Greenland, and established settlements there. From that, some of their navigators proceeded towards the west, and discovered a country more inviting than those horrid regions with which they were acquainted. According to their representation, this country was sandy on the coasts, but in the interior parts level and covered with wood, on which account they gave it the name of *Helle-land*, and

Mark-land, and having afterwards found some plants of the vine which bore grapes, they called it *Win-land*. The credit of this story rests, as far as I know, on the authority of the *saga*, or chronicle of king Olaus, composed by Snorro Sturlonides, or *Sturlusons*, published by Perinskiold, at Stockholm, A. D. 1697. As Snorro was born in the year 1179, his chronicle might be compiled about two centuries after the event which he relates. His account of the navigation and discoveries of *Biorn*, and his companion *Lief*, is a very rude confused tale, p. 104. 110. 326. It is impossible to discover from him what part of America it was in which the Norwegians landed. According to his account of the length of the days and nights, it must have been as far north as the fifty-eighth degree of latitude, on some part of the coast of Labradore, approaching near to the entry of Hudson's straits. Grapes, certainly, are not the production of that country. Torfeus supposes that there is an error in the text, by rectifying of which the place where the Norwegians landed may be supposed to be situated in latitude 49°. But neither is that the region of the vine in America. From perusing Snorro's tale, I should think that the situation of Newfoundland corresponds best with that of the country discovered by the Norwegians. Grapes, however, are not the production of that barren island. Other conjectures are mentioned by M. Mallet, Introd. à l'Hist. de Dannem. 175, &c. I am not sufficiently acquainted with the literature of the north to examine them. It seems manifest, that if the Norwegians did discover any part of America at that period, their attempts to plant colonies proved unsuccessful, and all knowledge of it was soon lost.

Note XVIII. (Page 760.)

Peter Martyr, ab Angleria, a Milanese gentleman, residing at that time in the court of Spain, whose letters contain an account of the transactions of that period, in the order wherein they occurred, describes the sentiments with which he himself and his learned correspondents were affected, in very striking terms. "Præ lætitia prosiluisse te, vixque a lachrymis præ gaudio temperasse, quando literas adspexisti meas quibus, de antipodum orbe latenti hactenus, te certiorem feci, mi suavissime Pomponi, insinuasti. Ex tuis ipse literis colligo, quid senseris. Sensisti autem, tantique rem fecisti, quanti virum summa doctrina insignitum decuit. Quis namque cibus sublimibus præstari potest ingeniis, isto suavior? quod condimentum gratius? A me facio conjecturam. Beatos sentio spiritus meos, quando accitos alloquor prudentes aliquos ex his qui ab ea redeunt provincia. Implicent animos pecuniarum cumulis augendis miseri avari, libidinibus obscœni; nostras nos mentes, postquam Deo pleni aliquando fuerimus, contemplando, hujuscemodi rerum notitia demulciamus." Epist. 152. Pomponio Læto.

Note XIX. (Page 763.)

So firmly were men of science in that age persuaded that the countries which Columbus had discovered were connected with the East Indies, that Bernaldes, the Cura de los Palacios, who seems to have been no inconsiderable proficient in the knowledge of cosmography, contends that Cuba was not an island, but a part of the continent, and united to the dominions of the Great Khan. This he delivered as his opinion to Columbus himself, who was his guest for some time on his return from his second voyage; and he supports it by several arguments, mostly founded on the authority of sir John Mandeville. MS. *penes me*. Antonio Gallo, who was secretary to the magistracy of Genoa towards the close of the fifteenth century, published a short account of the navigations and discoveries of his countryman Columbus, annexed to his Opuscula Historica de Rebus Populi Genuensis; in which he informs us, from letters of Columbus which he himself had seen, that it was his opinion, founded upon nautical observations, that one of the islands he had discovered was distant only two hours or thirty degrees from Cattigara, which, in the charts of the geographers of that age, was laid down, upon the authority of Ptolemy, lib. vii. c. 3. as the most easterly place in Asia. From this he concluded, that if some unknown continent did not obstruct the navigation, there must be a short and easy access, by holding a westerly course, to this extreme region of the East. Muratori Scriptores Rer. Italicarum, vol. xxiii. p. 304.

Note XX. (Page 765.)

Bernaldes, the *Cura* or Rector de los Palacios, a contemporary writer, says, that five hundred of these captives were sent to Spain, and sold publicly in Seville as slaves; but that by the change of climate and their inability to bear the fatigue of labour, they all died in a short time. MS. *penes me*.

Note XXI. (Page 768.)

Columbus seems to have formed some very singular opinions concerning the countries which he had now discovered. The violent swell and agitation of the waters on the coast of Trinidad, led him to conclude this to be the highest part of the terraqueous globe; and he imagined that various circumstances concurred in proving that the sea was here visibly elevated. Having adopted this erroneous principle, the apparent beauty of the country induced him to fall in with a notion of sir John Mandeville, c. 102. that the terrestrial paradise was the highest land in the earth; and he believed that he had been so fortunate as to discover this happy abode. Nor ought we to think it strange that a person of so much sagacity should be influenced by the opinion or reports of such a fabulous author as Mandeville. Columbus and the other discoverers were obliged to follow such guides as they could

find; and it appears from several passages in the manuscript of Andr. Bernaldes, the friend of Columbus, that no inconsiderable degree of credit was given to the testimony of Mandeville in that age. Bernaldes frequently quotes him, and always with respect.

Note XXII. (Page 772.)

It is remarkable that neither Gomara nor Oviedo, the most ancient Spanish historians of America, nor Herrera, consider Ojeda, or his companion Vespucci, as the first discoverers of the continent of America. They uniformly ascribe this honour to Columbus. Some have supposed that national resentment against Vespucci, for deserting the service of Spain, and entering into that of Portugal, may have prompted these writers to conceal the actions which he performed. But Martyr and Benzoni, both Italians, could not be warped by the same prejudice. Martyr was a contemporary author; he resided in the court of Spain, and had the best opportunity to be exactly informed with respect to all public transactions; and yet neither in his Decads, the first general history published of the New World, nor in his epistles, which contain an account of all the remarkable events of his time, does he ascribe to Vespucci the honour of having first discovered the continent. Benzoni went as an adventurer to America in the year 1541, and resided there a considerable time. He appears to have been animated with a warm zeal for the honour of Italy, his native country, and yet does not mention the exploits and discoveries of Vespucci. Herrera, who compiled his general history of America from the most authentic records, not only follows those early writers, but accuses Vespucci of falsifying the dates of both the voyages which he made to the New World, and of confounding the one with the other, in order that he might arrogate to himself the glory of having discovered the continent. Her. dec. 1. lib. iv. c. 2. He asserts, that in a judicial inquiry into this matter by the royal fiscal, it was proved by the testimony of Ojeda himself, that he touched at Hispaniola when returning to Spain from his first voyage; whereas Vespucci gave out that they returned directly to Cadiz from the coast of Paria, and touched at Hispaniola only in their second voyage; and that he had finished the voyage in five months; whereas, according to Vespucci's account, he had employed seventeen months in performing it. Viaggio primo de Am. Vespucci, p. 36. Viag. secundo, p. 45. Herrera gives a more full account of this inquest in another part of his Decads, and to the same effect. Her. dec. 1. lib. vii. c. 5. Columbus was in Hispaniola when Ojeda arrived there, and had by that time come to an agreement with Roldan, who opposed Ojeda's attempt to excite a new insurrection, and, of consequence, his voyage must have been posterior to that of the admiral. Life of Columbus, c. 84. According to Vespucci's account, he set out on his first voyage May 10, 1497. Viag. primo, p. 6. At that time Columbus was in the court of Spain preparing for his voyage, and seems to have enjoyed a considerable degree of favour. The affairs of the New World were at this juncture under the direction of Antonio Torres, a friend of Columbus. It is not probable, that at that period a commission would be granted to another person, to anticipate the admiral, by undertaking a voyage which he himself intended to perform. Fonseca, who patronized Ojeda, and granted the licence for his voyage, was not recalled to court, and reinstated in the direction of Indian affairs, until the death of prince John, which happened September 1497, (P. Martyr, Ep. 182.) several months posterior to the time at which Vespucci pretends to have set out upon his voyage. A life of Vespucci was published at Florence by the Abate Bandini, A. D. 1745, 4to. It is a work of no merit, written with little judgment, and less candour. He contends for his countryman's title to the discovery of the continent with all the blind zeal of national partiality, but produces no new evidence to support it. We learn from him that Vespucci's account of his voyage was published as early as the year 1510, and probably sooner. Vita di Am. Vesp. p. 52. At what time the name of America came to be first given to the New World is not certain.

Note XXIII. (Page 784.)

The form employed on this occasion served as a model to the Spaniards in all their subsequent conquests in America. It is so extraordinary in its nature, and gives us such an idea of the proceedings of the Spaniards, and the principles upon which they founded their right to the extensive dominions which they acquired in the New World, that it well merits the attention of the reader. "I Alonso de Ojeda, servant of the most high and powerful kings of Castile and Leon, the conquerors of barbarous nations, their messenger and captain, notify to you and declare, in as ample form as I am capable, that God our Lord, who is one and eternal, created the heaven and the earth, and one man and one woman, of whom you and we, and all the men who have been or shall be in the world, are descended. But as it has come to pass through the number of generations during more than five thousand years, that they have been dispersed into different parts of the world, and are divided into various kingdoms and provinces, because one country was not able to contain them, nor could they have found in one the means of subsistence and preservation; therefore God our Lord gave the charge of all those people to one man named St. Peter, whom he constituted the lord and head of all the human race, that all men, in whatever place they are born, or in whatever faith or place they are educated, might yield obedience unto him. He hath subjected the whole world to his jurisdiction, and commanded him to establish his residence in Rome, as the most proper

place for the government of the world. He likewise promised and gave him power to establish his authority in every other part of the world, and to judge and govern all Christians, Moors, Jews, Gentiles, and all other people of whatever sect or faith they may be. To him is given the name of *Pope*, which signifies admirable, great father and guardian, because he is the father and governor of all men. Those who lived in the time of this holy father obeyed and acknowledged him as their lord and king, and the superior of the universe. The same has been observed with respect to them who, since his time, have been chosen to the pontificate. Thus it now continues, and will continue to the end of the world.

" One of these pontiffs, as lord of the world, hath made a grant of these islands, and of the Tierra Firmè of the ocean sea, to the catholic kings of Castile, Don Ferdinand and Donna Isabella, of glorious memory, and their successors, our sovereigns, with all they contain, as is more fully expressed in certain deeds passed upon that occasion, which you may see, if you desire it. Thus his majesty is king and lord of these islands, and of the continent, in virtue of this donation; and, as king and lord aforesaid, most of the islands to which his title hath been notified, have recognised his majesty, and now yield obedience and subjection to him as their lord, voluntarily and without resistance; and instantly, as soon as they received information, they obeyed the religious men sent by the king to preach to them, and to instruct them in our holy faith; and all these, of their own free will, without any recompence or gratuity, became christians, and continue to be so; and his majesty having received them graciously under his protection, has commanded that they should be treated in the same manner as his other subjects and vassals. You are bound and obliged to act in the same manner. Therefore I now entreat and require you to consider attentively what I have declared to you; and that you may more perfectly comprehend it, that you take such time as is reasonable, in order that you may acknowledge the church as the superior and guide of the universe, and likewise the holy father called the pope, in his own right, and his majesty by his appointment, as king and sovereign lord of these islands, and of the Tierra Firmè; and that you consent that the aforesaid holy fathers shall declare and preach to you the doctrines above mentioned. If you do this, you act well, and perform that to which you are bound and obliged; and his majesty, and I in his name, will receive you with love and kindness, and will leave you, your wives and children, free and exempt from servitude, and in the enjoyment of all you possess, in the same manner as the inhabitants of the islands. Besides this, his majesty will bestow upon you many privileges, exemptions, and rewards. But if you will not comply, or maliciously delay to obey my injunction, then, with the help of God, I will enter your country by force; I will carry on war against you with the utmost violence; I will subject you to the yoke of obedience to the church and king; I will take your wives and children, and will make them slaves, and sell or dispose of them according to his majesty's pleasure; I will seize your goods, and do you all the mischief in my power, as rebellious subjects, who will not acknowledge or submit to their lawful sovereign. And I protest, that all the bloodshed and calamities which shall follow are to be imputed to you, and not to his majesty, or to me, or the gentlemen who serve under me; and as I have now made this declaration and requisition unto you, I require the notary here present to grant me a certificate of this, subscribed in proper form." Herrera, dec. 1. lib. vii. c. 14.

Note XXIV. (Page 788.)

Balboa, in his letter to the king, observes, that of the hundred and ninety men whom he took with him, there were never above eighty fit for service at one time. So much did they suffer from hunger, fatigue, and sickness. Herrera, dec. 1. lib. x. c. 16. P. Mart. decad. 225.

Note XXV. (Page 791.)

Fonseca, bishop of Palencia, the principal director of American affairs, had eight hundred Indians in property; the commendator Lope de Conchillos, his chief associate in that department, eleven hundred; and other favourites had considerable numbers. They sent overseers to the islands, and hired out those slaves to the planters. Herrera, dec. 1. lib. ix. c. 14. p. 325.

Note XXVI. (Page 798.)

Though America is more plentifully supplied with water than the other regions of the globe, there is no river or stream of water in Yucatan. This peninsula projects from the continent a hundred leagues, but, where broadest, does not extend above twenty-five leagues. It is an extensive plain, not only without mountains, but without almost any inequality of ground. The inhabitants are supplied with water from pits, and wherever they dig them, find it in abundance. It is probable, from all those circumstances, that this country was formerly covered by the sea. Herreræ Descriptio Indiæ Occidentalis, p. 14. Histoire Naturelle, par M. de Buffon, tom. i. p. 593.

Note XXVII. (Page 799.)

M. Clavigero censures me for having represented the Spaniards who sailed with Cordova and Grijalva, as fancying, in the warmth of their imagination, that they saw cities on the coast of Yucatan adorned with towers and *cupolas*. I know not what translation of my history he has consulted, (for his quotation from it is not taken from the original,) but I never imagined that any building erected by Americans could suggest the idea of a cupola or

dome, a structure which their utmost skill in architecture was incapable of rearing. My words are, that they fancied the villages which they saw from their ships "to be cities adorned with towers and pinnacles." By *pinnacles* I meant some elevation above the rest of the building; and the passage is translated almost literally from Herrera, dec. 2. lib. iii. c. 1. In almost all the accounts of new countries given by the Spanish discoverers in that age, this warmth of admiration is conspicuous, and led them to describe these new objects in the most splendid terms. When Cordova and his companions first beheld an Indian village of greater magnitude than any they had beheld in the islands, they dignified it by the name of *Grand Cairo*, B. Diaz, c. 2. From the same cause Grijalva and his associates thought the country, along the coast of which they held their course, entitled to the name of New Spain.

Note XXVIII. (Page 801.)

The height of the most elevated point in the Pyrenees is, according to M. Cassini, six thousand six hundred and forty-six feet. The height of the mountain Gemmi, in the canton of Berne, is ten thousand one hundred and ten feet. The height of the Peak of Teneriffe, according to the measurement of P. Feuillè, is thirteen thousand one hundred and seventy-eight feet. The height of Chimborazzo, the most elevated point of the Andes, is twenty thousand two hundred and eighty feet; no less than seven thousand one hundred and two feet above the highest mountain in the ancient continent. Voyage de D. Juan Ulloa, Observations Astron. et Physiq. tom. ii. p. 114. The line of congelation on Chimborazzo, or that part of the mountain which is covered perpetually with snow, is no less than two thousand four hundred feet from its summit. Prevot Hist. Gener. des Voyages, vol. xiii. p. 636.

Note XXIX. (Page 801.)

As a particular description makes a stronger impression than general assertions, I shall give one of Rio de la Plata by an eye-witness, P. Cattaneo, a Modenese Jesuit, who landed at Buenos Ayres in 1749, and thus represents what he felt when such new objects were first presented to his view. "While I resided in Europe, and read in books of history or geography that the mouth of the river de la Plata was an hundred and fifty miles in breadth, I considered it as an exaggeration, because in this hemisphere we have no example of such vast rivers. When I approached its mouth, I had the most vehement desire to ascertain the truth with my own eyes; and I have found the matter to be exactly as it was represented. This I deduce particularly from one circumstance: When we took our departure from Monte-Video, a fort situated more than a hundred miles from the mouth of the river, and where its breadth is considerably diminished, we sailed a complete day before we discovered the land on the opposite bank of the river; and when we were in the middle of the channel, we could not discern land on either side, and saw nothing but the sky and water, as if we had been in some great ocean. Indeed we should have taken it to be sea, if the fresh water of the river, which was turbid like the Po, had not satisfied us that it was a river. Moreover, at Buenos Ayres, another hundred miles up the river, and where it is still much narrower, it is not only impossible to discern the opposite coast, which is indeed very low and flat, but one cannot perceive the houses or the tops of the steeples in the Portuguese settlement at Colonia on the other side of the river." Lettera prima, published by Muratori, Il Christianesimo Felicè, &c. i. p. 257.

Note XXX. (Page 802.)

Newfoundland, part of Nova Scotia, and Canada, are the countries which lie in the same parallel of latitude with the kingdom of France; and in every part of these the water of the rivers is frozen during winter to the thickness of several feet; the earth is covered with snow as deep; almost all the birds fly, during that season, from a climate where they could not live. The country of the Esquimaux, part of Labrador, and the countries on the south of Hudson's bay, are in the same parallel with Great Britain; and yet in all these the cold is so intense, that even the industry of Europeans has not attempted cultivation.

Note XXXI. (Page 802.)

Acosta is the first philosopher, as far as I know, who endeavoured to account for the different degrees of heat in the old and new continents, by the agency of the winds which blow in each. Hist. Moral. &c. lib. ii. and iii. M. de Buffon adopts this theory, and has not only improved it by new observations, but has employed his amazing powers of descriptive eloquence in embellishing and placing it in the most striking light. Some remarks may be added, which tend to illustrate more fully a doctrine of much importance in every inquiry concerning the temperature of various climates.

When a cold wind blows over land, it must in its passage rob the surface of some of its heat. By means of this, the coldness of the wind is abated. But if it continue to blow in the same direction, it will come, by degrees, to pass over a surface already cooled, and will suffer no longer any abatement of its own keenness. Thus, as it advances over a large tract of land, it brings on all the severity of intense frost.

Let the same wind blow over an extensive and deep sea; the superficial water must be immediately cooled to a certain degree, and the wind proportionally warmed. But the superficial and colder water becoming specifically heavier than the warmer water below it, descends; what is warmer supplies its place, which, as it comes to be cooled in its turn, continues to warm the air which passes over it, or

to diminish its cold. This change of the superficial water and successive ascent of that which is warmer, and the consequent successive abatement of coldness in the air, is aided by the agitation caused in the sea by the mechanical action of the wind, and also by the motion of the tides. This will go on, and the rigour of the wind will continue to diminish, until the whole water is so far cooled that the water on the surface is no longer removed from the action of the wind, fast enough to hinder it from being arrested by frost. Whenever the surface freezes, the wind is no longer warmed by the water from below, and it goes on with undiminished cold.

From those principles may be explained the severity of winter frosts in extensive continents; their mildness in small islands; and the superior rigour of winter in those parts of North America with which we are best acquainted. In the north-west parts of Europe, the severity of winter is mitigated by the west winds, which usually blow in the months of November, December, and part of January.

On the other hand, when a warm wind blows over land, it heats the surface, which must therefore cease to abate the fervour of the wind. But the same wind blowing over water, agitates it, brings up the colder water from below, and thus is continually losing somewhat of its own heat.

But the great power of the sea to mitigate the heat of the wind or air passing over it, proceeds from the following circumstance:—that on account of the transparency of the sea, its surface cannot be heated to a great degree by the sun's rays; whereas the ground, subjected to their influence, very soon acquires great heat. When, therefore, the wind blows over a torrid continent, it is soon raised to a heat almost intolerable; but during its passage over an extensive ocean, it is gradually cooled; so that on its arrival at the furthest shore, it is again fit for respiration.

Those principles will account for the sultry heats of large continents in the torrid zone; for the mild climate of islands in the same latitude; and for the superior warmth in summer which large continents, situated in the temperate or colder zones of the earth, enjoy, when compared with that of islands. The heat of a climate depends not only upon the immediate effect of the sun's rays, but on their continued operation, on the effect which they have formerly produced, and which remains for some time in the ground. This is the reason why the day is warmest about two in the afternoon, the summer warmest about the middle of July, and the winter coldest about the middle of January.

The forests which cover America, and hinder the sun-beams from heating the ground, are a great cause of the temperate climate in the equatorial parts. The ground, not being heated, cannot heat the air; and the leaves, which receive the rays intercepted from the ground, have not a mass of matter sufficient to absorb heat enough for this purpose. Besides, it is a known fact, that the vegetative power of a plant occasions a perspiration from the leaves in proportion to the heat to which they are exposed; and from the nature of evaporation, this perspiration produces a cold in the leaf proportional to the perspiration. Thus the effect of the leaf in heating the air in contact with it, is prodigiously diminished. For those observations, which throw much additional light on this curious subject, I am indebted to my ingenious friend, Mr. Robison, professor of natural philosophy in the university of Edinburgh.

Note XXXII. (Page 802.)

The climate of Brazil has been described by two eminent naturalists, Piso and Margrave, who observed it with a philosophical accuracy for which we search in vain in the accounts of many other provinces in America. Both represent it as temperate and mild, when compared with the climate of Africa. They ascribe this chiefly to the refreshing wind which blows continually from the sea. The air is not only cool, but chilly through the night, in so much that the natives kindle fires every evening in their huts. Piso de Medicina Brasiliensi, lib. i. p. 1, &c. Margravius Histor. Rerum Natural. Brasiliæ, lib. viii. c. 3. p. 264. Nieuhoff, who resided long in Brazil, confirms their description. Churchill's Collection, vol. ii. p. 26. Gumilla, who was a missionary many years among the Indians upon the river Oronoco, gives a similar description of the temperature of the climate there. "Hist. de l'Orenoque, tom. i. p. 26. P. Acugna felt a very considerable degree of cold in the countries on the banks of the river Amazons. Relat. vol. ii. p. 56. M. Biet, who lived a considerable time in Cayenne, gives a similar account of the temperature of that climate, and ascribes it to the same cause. Voyage de la France, Equinox, p. 330. Nothing can be more different from these descriptions than that of the burning heat of the African coast given by M. Adanson. Voyage to Senegal, passim.

Note XXXIII. (Page 803.)

Two French frigates were sent upon a voyage of discovery in the year 1739. In latitude 44° south, they began to feel a considerable degree of cold. In latitude 48°, they met with islands of floating ice. Histoires des Navigations aux Terres Australes, tom. ii. p. 256, &c. Dr. Halley fell in with ice in latitude 59°. Id. tom. i. p. 47. Commodore Byron, when on the coast of Patagonia, latitude 50° 33′ south, on the fifteenth of December, which is midsummer in that part of the globe, the twenty-first of December being the longest day there, compares the climate to that of England in the middle of winter. Voyages by Hawkesworth, i. 25. Mr. Banks having landed on Terra del Fuego, in the Bay of Good Success, latitude 55°, on the sixteenth of January, which corresponds to the month of July in our hemisphere, two of his attendants died in one night of extreme cold, and all the party were

in the most imminent danger of perishing. Id. ii. 51, 52. By the fourteenth of March, corresponding to September in our hemisphere, winter was set in with rigour, and the mountains were covered with snow. Ibid. 72. Captain Cook, in his voyage towards the south polc, furnishes new and striking instances of the extraordinary predominance of cold in this region of the globe. "Who would have thought (says he) that an island of no greater cxtent than seventy leagues in circuit, situated between thc latitude of 54° and 55°, should, in thc very height of summer, be in a manner wholly covered, many fathoms deep, with frozen snow; but more especially the S. W. coast? The very summits of thc lofty mountains were cased with snow and ice; but the quantity that lay in the valleys is incredible; and at the bottom of the bays the coast was terminated by a wall of ice of considerable height." Vol. ii. p. 217.

In some places of the ancient continent, an extraordinary degree of cold prevails in very low latitudes. Mr. Bogle, in his embassy to the court of the Dclai Lama, passed the winter of the year 1774 at Chamnanning, in latitnde 31° 39′ N. Hc often found the thermometer in his room twenty-nine degrees under the freczing point by Fahrenheit's scale; and in the middle of April the standing waters were all frozen, and heavy showers of snow frequently fell. The extraordinary elevation of the conntry seems to be the cause of this cxcessive cold. In travelling from Indostan to Thibet, the ascent to the summit of the Boutan mountains is very great, but the descent on thc other side is not in eqnal proportion. The kingdom of Thibct is an elevated region, extremely barc and desolate. Account of Thibet, by Mr. Stewart, read in the Royal Society, p. 7. The extraordinary cold in low latitudes in America cannot be accounted for by the same cause. Those regions are not remarkable for elevation. Some of them are countries depressed and level.

The most obvious and probable causc of the superior degree of cold towards the southern extremity of America, scems to be the form of the continent there. Its brcadth gradually decreases as it stretches from St. Antonio southwards, and from the bay of St. Julian to the straits of Magellan its dimensions are much contracted. On the east and west sides, it is washed by the Atlantic and Pacific oceans. From its southern point it is probable that a great extent of sea, without any considerable tract of land, reaches to the Antarctic pole. In whichever of these directions the wind blows, it is cooled before it approaches the Magellanic regions by passing over a vast body of water; nor is the land there of such extent, that it can recover any considerable degree of heat in its progress over it. These circumstances concur in rendering the temperature of the air in this district of America more similar to that of an insular than to that of a continental climate, and hinder it from acqniring the same degree of summer heat with places in Europe and Asia in a correspondent northern latitude. The north wind is the only one that reaches this part of America, after blowing over a great continent. But from an attentive survey of its position, this will be found to have a tendency rather to diminish than augment the degree of heat. The southern extremity of America is properly the termination of the immense ridge of the Andes, which stretches nearly in a direct line from north to south, through the whole extent of the continent. The most sultry regions in South America, Guiana, Brazil, Paraguay, and Tucuman, lie many degrees to the east of the Magellanic regions. The level country of Peru, which enjoys the tropical heats, is situated considerably to the west of them. The north wind then, though it blows over land, does not bring to the southern extremity of America an increase of heat collected in its passage over torrid regions; but before it arrives there, it must have swept along the summits of the Andes, and comes impregnated with the cold of that frozen region.

Though it be now demonstrated that there is no southern continent in that region of the globe which it was supposed to occupy, it appears to be certain from captain Cook's discoveries, that there is a large tract of land near the south pole, which is the source of most of the ice spread over the vast southern ocean. Vol. ii. p. 230. 239, &c. Whether the influence of this remote frozen continent may reach thc southern extremity of America, and affect its climate, is an inquiry not unworthy of attention.

Note XXXIV. (Page 803.)

M. Condamine is one of the latest and most accurate observers of the interior state of South America. "After descending from the Andes, (says he,) one beholds a vast and uniform prospect of water and verdure, and nothing more. One treads upon the earth, but does not see it; as it is so entirely covered with luxuriant plants, weeds, and shrubs, that it would require a considerable degree of labour to clear it for the space of a foot." Relation abrégée d'nn Voyage, &c. p. 48. One of the singularities in the forests is a sort of osiers, or withes, called *bejucos* by the Spaniards, *lianes* by the French, and *nibbes* by the Indians, which are usually employed as ropes in Amcrica. This is one of the parasitical plants, which twists about the trees it meets with, and rising above their highest branches, its tendrils descend perpendicularly, strike into the ground, take root, rise up around another tree, and thus mount and descend alternately. Other tendrils are carried obliquely by the wind, or some accident, and form a confusion of interwoven cordage, which resembles thc rigging of a ship. Bancroft, Nat. Hist. of Guiana, 99. These withes are often as thick as the arm of a man. Ib. p. 75. M. Bouguer's account of the forests in Peru perfectly resembles this description. Voyages au Peru, p. 16. Oviedo gives a similar description of the forests in other parts of America. Hist. lib. ix. p. 144. D. The country of the Moxos is so much overflowed,

that they are obliged to reside on the summit of some rising ground during some part of the year, and have no communication with their countrymen at any distance. Lettres Edifiantes, tom. x. p. 187. Garcia gives a full and just description of the rivers, lakes, woods, and marshes, in those countries of America which lie between the tropics. Origin de los Indios, lib. ii. c. 5. § 4, 5. The incredible hardships to which Gonzalez Pizarro was exposed in attempting to march into the country to the east of the Andes, convey a very striking idea of that part of America in its original uncultivated state. Garcil. de la Vega, Royal. Comment. of Peru, part ii. book iii. c. 2—5.

Note XXXV. (Page 804.)

The animals of America seem not to have been always of a size inferior to those in other quarters of the globe. From antlers of the moose-deer which have been found in America, it appears to have been an animal of great size. Near the banks of the Ohio, a considerable number of bones of an immense magnitude have been found. The place where this discovery has been made lies about one hundred and ninety miles below the junction of the river Scioto with the Ohio. It is about four miles distant from the banks of the latter on the side of the marsh called the Salt Lick. The bones lie in vast quantities about five or six feet under ground, and the stratum is visible in the bank on the edge of the Lick. *Journal of Colonel George Croglan, MS. penes me.* This spot seems to be accurately laid down by Evans in his map. These bones must have belonged to animals of enormous bulk; but naturalists, being acquainted with no living creature of such size, were at first inclined to think that they were mineral substances. Upon receiving a greater number of specimens, and after inspecting them more narrowly, they are now allowed to be the bones of an animal. As the elephant is the largest known quadruped, and the tusks which were found nearly resembled, both in form and quality, the tusks of an elephant, it was concluded that the carcasses deposited on the Ohio were of that species. But Dr. Hunter, one of the persons of our age best qualified to decide with respect to this point, having accurately examined several parcels of the tusks, and grinders, and jaw-bones, sent from the Ohio to London, gives it as his opinion, that they did not belong to an elephant, but to some huge carnivorous animal of an unknown species. Phil. Transact. vol. lviii. p. 34. Bones of the same kind, and as remarkable for their size, have been found near the mouths of the great rivers Oby, Jeniseia, and Lena, in Siberia. *Strahlerenberg, Descript. of North and East Parts of Europe and Asia*, p. 402, &c. The elephant seems to be confined in his range to the torrid zone, and never multiplies beyond it. In such cold regions as those bordering on the frozen sea he could not live. The existence of such large animals in America might open a wide field for conjecture. The more we contemplate the face of nature, and consider the variety of her productions, the more we must be satisfied, that astonishing changes have been made in the terraqueous globe by convulsions and revolutions, of which no account is preserved in history.

Note XXXVI. (Page 804.)

This degeneracy of the domestic European animals in America may be imputed to some of these causes. In the Spanish settlements, which are situated either within the torrid zone, or in countries bordering upon it, the increase of heat, and diversity of food, prevent sheep and horned cattle from attaining the same size as in Europe. They seldom become so fat, and their flesh is not so juicy, or of such delicate flavour. In North America, where the climate is more favourable, and similar to that of Europe, the quality of the grasses which spring up naturally in their pasture-grounds is not good. Mitchell, p. 151. Agriculture is still so much in its infancy, that artificial food for cattle is not raised in any quantity. During a winter, long in many provinces and rigorous in all, no proper care is taken of their cattle. The general treatment of their horses and horned cattle is injudicious and harsh in all the English colonies. These circumstances contribute more, perhaps, than any thing peculiar in the quality of the climate, to the degeneracy of breed in the horses, cows, and sheep, of many of the North American provinces.

Note XXXVII. (Page 804.)

In the year 1518, the island of Hispaniola was afflicted with a dreadful visitation of those destructive insects, the particulars of which Herrera describes, and mentions a singular instance of the superstition of the Spanish planters. After trying various methods of exterminating the ants, they resolved to implore protection of the saints; but as the calamity was new, they were at a loss to find out the saint who could give them the most effectual aid. They cast lots in order to discover the patron whom they should invoke. The lots decided in favour of St. Saturninus. They celebrated his festival with great solemnity, and immediately, adds the historian, the calamity began to abate. Herrera, dec. 2. lib. iii. c. 15. p. 107.

Note XXXVIII. (Page 805.)

The author of Recherches Philosophiques sur les Americains, supposes this difference in heat to be equal to twelve degrees, and that a place thirty degrees from the equator in the old continent is as warm as one situated eighteen degrees from it in America, tom. i. p. 11. Dr. Mitchell, after observations carried on during thirty years, contends that the difference is equal to fourteen or fifteen degrees of latitude. Present State, &c. p. 257.

Note XXXIX. (Page 805.)

January 3rd, 1765, Mr. Bertram, near the head of St. John's river, in East Florida, observed a frost so intense, that in one night the ground was frozen an inch thick upon the banks of the river. The limes, citrons, and banana trees, at St. Augustin, were destroyed. Bertram's Journal, p. 20. Other instances of the extraordinary operations of cold in the southern provinces of North America are collected by Dr. Mitchell. Present State, p. 206, &c. February 7th, 1747, the frost at Charles town was so intense, that a person having carried two quart bottles of hot water to bed, in the morning they were split to pieces, and the water converted into solid lumps of ice. In a kitchen, where there was a fire, the water in a jar, in which there was a large live eel, was frozen to the bottom. Almost all the orange and olive trees were destroyed. Description of South Carolina, 8vo. Lond. 1761.

Note XL. (Page 805.)

A remarkable instance of this occurs in Dutch Guiana, a country every where level, and so low, that during the rainy seasons it is usually covered with water near two feet in height. This renders the soil so rich, that on the surface, for twelve inches in depth, it is a stratum of perfect manure, and as such has been transported to Barbadoes. On the banks of the Essequebo, thirty crops of ratan canes have been raised successively; whereas in the West Indian islands not more than two is ever expected from the richest land. The expedients by which the planters endeavour to diminish this excessive fertility of the soil are various. Bancroft, Nat. Hist. of Guiana, p. 10, &c.

Note XLI. (Page 808.)

Muller seems to have believed, without sufficient evidence, that the cape had been doubled, tom. i. p. 11, &c.; and the imperial academy of St. Petersburgh give some countenance to it, by the manner in which *Tschukotskoi-noss* is laid down in their charts. But I am assured, from undoubted authority, that no Russian vessel has ever sailed round that cape; and as the country of *Tschutki* is not subject to the Russian empire, it is very imperfectly known.

Note XLII. (Page 809.)

Were this the place for entering into a long and intricate geographical disquisition, many curious observations might arise from comparing the accounts of the two Russian voyages and the charts of their respective navigations. One remark is applicable to both. We cannot rely with absolute certainty on the position which they assign to several of the places which they visited. The weather was so extremely foggy, that they seldom saw the sun or stars; and the position of the islands and supposed continents was commonly determined by reckoning, not by observation. Behring and Tschirikow proceeded much further towards the east than Krenitzin. The land discovered by Behring, which he imagined to be part of the American continent, is in the 236th degree of longitude from the first meridian in the isle of Ferro, and in 58° 28′ of latitude. Tschirikow came upon the same coast in longit. 241°, latit. 65°. Muller, i. 248, 249. The former must have advanced 60 degrees from the port of Petropawlowski, from which he took his departure, and the latter 65 degrees. But from the chart of Krenitzin's voyage, it appears that he did not sail further towards the east than the 208th degree, and only 32 degrees from Petropawlowski. In 1741, Behring and Tschirikow, both in going and returning, held a course which was mostly to the south of that chain of islands which they discovered; and observing the mountainous and rugged aspect of the head-lands which they descried towards the north, they supposed them to be promontories belonging to some part of the American continent, which, as they fancied, stretched as far south as the latitude 56. In this manner they are laid down in the chart published by Muller, and likewise in a manuscript chart drawn by a mate of Behring's ship, communicated to me by Mr. Professor Robison. But in 1769, Krenitzin, after wintering in the island Alaxa, stood so far towards the north in his return, that his course lay through the middle of what Behring and Tschirikow had supposed to be a continent, which he found to be an open sea, and that they had mistaken rocky isles for the head-lands of a continent. It is probable, that the countries discovered in 1741, towards the east, do not belong to the American continent, but are only a continuation of the chain of islands. The number of volcanoes in this region of the globe is remarkable. There are several in Kamtchatka, and not one of the islands, great or small, as far as the Russian navigation extends, is without them. Many are actually burning, and the mountains in all bear marks of having been once in a state of eruption. Were I disposed to admit such conjectures as have found place in other inquiries concerning the peopling of America, I might suppose that this part of the earth, having manifestly suffered violent convulsions from earthquakes and volcanoes, an isthmus, which may have formerly united Asia to America, has been broken, and formed into a cluster of islands by the shock.

It is singular, that at the very time the Russian navigators were attempting to make discoveries in the north-west of America, the Spaniards were prosecuting the same design from another quarter. In 1769, two small vessels sailed from Loretto in California to explore the coasts of the country to the north of that peninsula. They advanced no farther than the port of Monte-Rey in latitude 36. But, in several successive expeditions fitted out from the port of St. Blas in New Galicia, the Spaniards have advanced as far as the latitude 58. *Gazeta de Madrid*, March 19, and May 14, 1776.

But as the journals of those voyages have not yet been published, I cannot compare their progress with that of the Russians, or show how near the navigators of the two nations have approached to each other. It is to be hoped, that the enlightened minister who has now the direction of American affairs in Spain, will not withhold this information from the public.

Note XLIII. (Page 809.)

Our knowledge of the vicinity of the two continents of Asia and America, which was very imperfect when I published the History of America in the year 1777, is now complete. Mr. Coxe's Account of the Russian Discoveries between Asia and America, printed in the year 1780, contains many curious and important facts with respect to the various attempts of the Russians to open a communication with the New World. The history of the great Voyage of Discovery, begun by captain Cook in 1776, and completed by captains Clerk and Gore, published in the year 1780, communicates all the information that the curiosity of mankind could desire with regard to this subject.

At my request, my friend Mr. Playfair, Professor of Mathematics in the University of Edinburgh, has compared the narrative and charts of those illustrious navigators, with the more imperfect relations and maps of the Russians. The result of this comparison I communicate in his own words, with much greater confidence in his scientific accuracy, than I could have ventured to place in any observations which I myself might have made upon the subject.

"The discoveries of captain Cook in his last voyage have confirmed the conclusions which Dr. Robertson had drawn, and have connected together the facts from which they were deduced. They have now rendered it certain that Behring and Tschirikow touched on the coast of America in 1741. The former discovered land in lat. 58° 28′, and about 236° east from Ferro. He has given such a description of the bay in which he anchored, and the high mountain to the westward of it, which he calls St. Elias, that though the account of his voyage is much abridged in the English translation, captain Cook recognised the place as he sailed along the western coast of America in the year 1778. The isle of St. Hermogenes, near the mouth of Cook's river, Schumagins Isles on the coast of Alashka, and Foggy Isle, retain in captain Cook's chart the names which they had received from the Russian navigator. Cook's Voy. vol. ii. p. 347.

"Tschirikow came upon the same coast about 2° 30′ further south than Behring, near the Mount Edgecumbe of Captain Cook.

"With regard to Krenitzin, we learn from Coxe's Account of the Russian Discoveries, that he sailed from the mouth of the Kamtchatka river with two ships in the year 1768. With his own ship he reached the island Oonolashka, in which there had been a Russian settlement since the year 1762, where he wintered, probably in the same harbour or bay where captain Cook afterwards anchored. The other ship wintered at Alashka, which was supposed to be an island, though it be in fact a part of the American continent. Krenitzin accordingly returned without knowing that either of his ships had been on the coast of America; and this is the more surprising, because captain Cook has informed us that Alashka is understood to be a great continent, both by the Russians and the natives at Oonolashka.

"According to Krenitzin, the ship which had wintered at Alashka had hardly sailed 32° to the eastward of the harbour of St. Peter and St. Paul in Kamtchatka; but, according to the more accurate charts of captain Cook, it had sailed no less than 37° 17′ to the eastward of that harbour. There is nearly the same mistake of 5° in the longitude which Krenitzin assigns to Oonolashka. It is remarkable enough, that in the chart of those seas, put into the hand of captain Cook by the Russians on that island, there was an error of the same kind, and very nearly of the same extent.

"But what is of most consequence to be remarked on the subject is, that the discoveries of captain Cook have fully verified Dr. Robertson's conjecture, that 'it is probable that future navigators in those seas, by steering further to the north than Behring and Tschirikow or Krenitzin had done, may find that the continent of America approaches still nearer to that of Asia.' Book. iv. p. 809. It has accordingly been found that these two continents, which, in the parallel of 55°, or that of the southern extremity of Alashka, are about four hundred leagues asunder, approach continually to one another as they stretch together toward the north, until, within less than a degree from the polar circle, they are terminated by two capes, only thirteen leagues distant. The east cape of Asia is in latitude 66° 6′, and in longitude 190° 22′ east from Greenwich; the western extremity of America, or Prince of Wales' Cape, is in latitude 65° 46′, and in longitude 191° 45′. Nearly in the middle of the narrow strait (Behring's Strait) which separates these capes, are the two islands of St. Diomede, from which both continents may be seen. Captain King informs us, that as he was sailing through this strait, July 5, 1779, the fog having cleared away, he enjoyed the pleasure of seeing from the ship the continents of Asia and America at the same moment, together with the islands of St. Diomede lying between them. Cook's Voy. vol. iii. p. 244.

"Beyond this point the strait opens towards the Arctic sea, and the coasts of Asia and America diverge so fast from one another, that in the parallel of 69° they are more than one hundred leagues asunder. Ib. p. 277. To the south of the strait there are a number of islands, Clerk's, King's, Anderson's, &c. which, as well as those of St. Diomede, may have facilitated the migrations of the natives from

the one continent to the other. Captain Cook, however, on the authority of the Russians at Oonolashka, and for other good reasons, has diminished the number of islands which had been inserted in former charts of the northern Archipelago. He has also placed Alashka, or the promontory which stretches from the continent of America S. W. towards Kamtchatka, at the distance of five degrees of longitude further from the coast of Asia than it was reckoned by the Russian navigators.

"The geography of the Old and New World is therefore equally indebted to the discoveries made in this memorable voyage; and as many errors have been corrected, and many deficiencies supplied by means of these discoveries, so the accuracy of some former observations has been established. The basis of the map of the Russian empire, as far as regarded Kamtchatka, and the country of the Tschutzki, was the position of four places, Yakutsh, Ochotz, Bolcheresk, and Petropawlowski, which had been determined by the astronomer Krassilnicow in the year 1744. Nov. Comment. Petrop. vol. iii. p. 465, &c. But the accuracy of his observations was contested by M. Engel, and M. Robert de Vaugondy; Coxe, Append. i. No. 2. p. 267. 272.; and the former of these geographers ventured to take away no less than 28 degrees from the longitude, which, on the faith of Krassilnicow's observations, was assigned to the eastern boundary of the Russian empire. With how little reason this was done, will appear from considering that our British navigators, having determined the position of Petropawlowski by a great number of very accurate observations, found the longitude of that port 158° 43′ E. from Greenwich, and its latitude 53° 1′; agreeing, the first to less than seven minutes, and the second to less than half a minute, with the calculations of the Russian astronomer: a coincidence which, in the situation of so remote a place, does not leave an uncertainty of more than four English miles, and which, for the credit of science, deserves to be particularly remarked. The chief error in the Russian maps has been in not extending the boundaries of that empire sufficiently towards the east. For as there was nothing to connect the land of the Tschutzki and the north-east point of Asia with those places whereof the position had been carefully ascertained, except the imperfect accounts of Behring's and Synd's voyages, considerable errors could not fail to be introduced, and that point was laid down as not more than 23° 2′ east of the meridian of Petropawlowski. Coxe, App. i. No. 2. By the observations of captain King, the difference of longitude between Petropawlowski and the East Cape is 31° 9′; that is, 8° 7′ greater than it was supposed to be by the Russian geographers."—It appears from Cook's and King's Voy. iii. p. 272. that the continents of Asia and America are usually joined together by ice during winter. Mr. Samwell confirms this account of his superior officer. "At this place, viz. near the latitude of 66° N. the two coasts are only thirteen leagues asunder, and about midway between them lie two islands, the distance from which to either shore is short of twenty miles. At this place the natives of Asia could find no difficulty in passing over to the opposite coast, which is in sight of their own. That in a course of years such an event would happen, either through design or accident, cannot admit of a doubt. The canoes which we saw among the Tschutzki were capable of performing a much longer voyage; and, however rude they may have been at some distant period, we can scarcely suppose them unequal to a passage of six or seven leagues. People might have been carried over by accident on floating pieces of ice. They might also have travelled across on sledges or on foot; for we have reason to believe that the strait is entirely frozen over in the winter; so that, during that season, the continents, with respect to the communication between them, may be considered as one land." Letter from Mr. Samwell, Scots Magazine for 1788, p. 604. It is probable that this interesting portion of geographical knowledge will, in the course of a few years, receive further improvement. Soon after the publication of captain Cook's last voyage, the great and enlightened sovereign of Russia, attentive to every thing that may contribute to extend the bounds of science, or to render it more accurate, formed the plan of a new voyage of discovery, in order to explore those parts of the ocean lying between Asia and America which captain Cook did not visit, to examine more accurately the islands which stretch from one continent almost to the other, to survey the north-east coast of the Russian empire, from the mouth of the Kovyma, or Kolyma, to the North Cape, and to settle, by astronomical observations, the position of each place worth notice. The conduct of this important enterprise is committed to captain Billings, an English officer in the Russian service, of whose abilities for that station it will be deemed the best evidence, that he accompanied captain Cook in his last voyage. To render the expedition more extensively useful, an eminent naturalist is appointed to attend captain Billings. Six years will be requisite for accomplishing the purposes of the voyage. Coxe, Supplement to Russian Discoveries, p. 27, &c.

Note XLIV. (Page 813.)

Few travellers have had such opportunity of observing the natives of America, in its various districts, as Don Antonio Ulloa. In a work lately published by him, he thus describes the characteristical features of the race: "A very small forehead, covered with hair towards its extremities, as far as the middle of the eye-brows; little eyes; a thin nose, small and bending towards the upper lip; the countenance broad; the ears large; the hair very black, lank, and coarse; the limbs well turned, the feet small, the body of just proportion; and altogether smooth and free from hair, until old age, when they acquire some beard, but never on the

cheeks." Noticias Americanas, &c. p. 307. M. le Chevalier de Pinto, who resided several years in a part of America which Ulloa never visited, gives a sketch of the general aspect of the Indians there. "They are all of copper colour, with some diversity of shade, not in proportion to their distance from the equator, but according to the degree of elevation of the territory which they inhabit. Those who live in a high country are fairer than those in the marshy low lands on the coast. Their face is round, further removed, perhaps, than that of any people from an oval shape. Their forehead is small, the extremity of their ears far from the face, their lips thick, their nose flat, their eyes black, or of a chesnut colour, small, but capable of discerning objects at a great distance. Their hair is always thick and sleek, and without any tendency to curl. They have no hair on any part of their body but the head. At the first aspect, a southern American appears to be mild and innocent, but on a more attentive view, one discovers in his countenance something wild, distrustful, and sullen." MS. *penes me*. The two portraits, drawn by hands very different from those of common travellers, have a near resemblance.

Note XLV. (Page 813.)

Amazing accounts are given of the persevering speed of the Americans. Adair relates the adventures of a Chikkasah warrior, who ran through woods and over mountains, three hundred computed miles, in a day and a half and two nights. Hist. of Amer. Ind. 396.

Note XLVI. (Page 814.)

M. Godin le Jeune, who resided fifteen years among the Indians of Peru and Quito, and twenty years in the French colony of Cayenne, in which there is a constant intercourse with the Galibis and other tribes on the Orinoco, observes, that the vigour of constitution among the Americans is exactly in proportion to their habits of labour. The Indians, in warm climates, such as those on the coasts of the South Sea, on the river of Amazons, and the river Orinoco, are not to be compared for strength with those in cold countries; and yet, says he, boats daily set out from Para, a Portuguese settlement on the river of Amazons, to ascend that river against the rapidity of the stream, and with the same crew they proceed to San Pablo, which is eight hundred leagues distant. No crew of white people, or even of negroes, would be found equal to a task of such persevering fatigue, as the Portuguese have experienced, and yet the Indians, being accustomed to this labour from their infancy, perform it. MS. *penes me*.

Note XLVII. (Page 816.)

Don Antonio Ulloa, who visited a great part of Peru and Chili, the kingdom of New Granada, and several of the provinces bordering on the Mexican gulf, while employed in the same service with the French mathematicians during the space of ten years, and who afterwards had an opportunity of viewing the North Americans, asserts, "that if we have seen one American, we may be said to have seen them all, their colour and make are so nearly the same." Notic. Americanas, p. 308. A more early observer, Pedro de Cieca de Leon, one of the conquerors of Peru, who had likewise traversed many provinces of America, affirms that the people, men and women, although there is such a multitude of tribes or nations as to be almost innumerable, and such diversity of climates, appear nevertheless like the children of one father and mother. Chronica del' Peru, parte i. c. 19. There is, no doubt, a certain combination of features, and peculiarity of aspect, which forms what may be called a European or Asiatic countenance. There must likewise be one that may be denominated American, common to the whole race. This may be supposed to strike the traveller at first sight, while not only the various shades which distinguish people of different regions, but the peculiar features which discriminate individuals, escape the notice of a transient observer. But when persons who had resided so long among the Americans concur in bearing testimony to the similarity of their appearance in every climate, we may conclude that it is more remarkable than that of any other race. See likewise Garcia, Origen de los Indies, p. 54. 242. Torquemada, Monarch. Indiana, ii. 571.

Note XLVIII. (Page 817.)

M. le Chevalier de Pinto observes, that in the interior parts of Brazil, he had been informed that some persons resembling the white people of Darien have been found; but that the breed did not continue, and their children became like other Americans. This race, however, is very imperfectly known. MS. *penes me*.

Note XLIX. (Page 817.)

The testimonies of different travellers, concerning the Patagonians, have been collected and stated with a considerable degree of accuracy by the author of Recherches Philosophiques, &c. tom. i. 281, &c. iii. 181, &c. Since the publication of his work, several navigators have visited the Magellanic regions, and, like their predecessors, differ very widely in their accounts of its inhabitants. By commodore Byron and his crew, who sailed through the Straits in 1764, the common size of the Patagonians was estimated to be eight feet, and many of them much taller. Phil. Transact. vol. lvii. p. 78. By captains Wallis and Carteret, who actually measured them in 1766, they were found to be from six feet to six feet five and seven inches in height. Phil. Trans. vol. lx. p. 22. These, however, seem to have been the very people whose size had been rated so high in the year 1764; for several of them had beads and red baize of the same kind with what had been put on board Captain Wallis's

ship, and he naturally concluded that they had got these from Mr. Byron. Hawkesw. i. In 1767 they were again measured by M. Bougainville, whose account differs little from that of captain Wallis. Voy. 129. To this I shall add a testimony of great weight. In the year 1762, Don Bernardo Ibegnez de Echavarri accompanied the marquis de Valdelirios to Buenos Ayres, and resided there several years. He is a very intelligent author, and his reputation for veracity unimpeached among his countrymen. In speaking of the country towards the southern extremity of America, "By what Indians," says he, "is it possessed? Not certainly by the fabulous Patagonians, who are supposed to occupy this district. I have from many eye-witnesses, who have lived among those Indians, and traded much with them, a true and accurate description of their persons. They are of the same stature with Spaniards. I never saw one who rose in height two *varas* and two or three inches," *i. e.* about 80 or 81.332 inches English, if Echavarri makes his computation according to the *vara* of Madrid. This agrees nearly with the measurement of captain Wallis. Reyno Jesuitico, 238. Mr. Falkner, who resided as a missionary forty years in the southern parts of America, says, that "the Patagonians, or Puelches, are a large-bodied people; but I never heard of that gigantic race which others have mentioned, though I have seen persons of all the different tribes of southern Indians." Introd. p. 26. M. Dobrizhoffer, a Jesuit, who resided eighteen years in Paraguay, and who had seen great numbers of the various tribes which inhabit the countries situated upon the straits of Magellan, confirms, in every point, the testimony of his brother-missionary Falkner. Dobrizhoffer enters into some detail with respect to the opinions of several authors, concerning the stature of the Patagonians. Having mentioned the reports of some early travellers with regard to the extraordinary size of some bones found on that coast which were supposed to be human, and having endeavoured to show that these bones belonged to some large marine or land animal, he concludes, "de hisce ossibus crede quicquid libuerit, dummodo, me suasore, Patagones pro gigantibus desinas habere." Historia de Abissonibus, vol. ii. p. 19, &c.

Note L. (Page 818.)

Antonio Sanchez Rideiro, a learned and ingenious physician, published a dissertation in the year 1765, in which he endeavours to prove, that this disease was not introduced from America, but took its rise in Europe, and was brought on by an epidemical and malignant disorder. Did I choose to enter into a disquisition on this subject, which I should not have mentioned, if it had not been intimately connected with this part of my inquiries, it would not be difficult to point out some mistakes with respect to the facts upon which he founds, as well as some errors in the consequences which he draws from them. The rapid communication of this disease from Spain over Europe, seems however to resemble the progress of an epidemic, rather than that of a disease transmitted by infection. The first mention of it is in the year 1493, and before the year 1497 it had made its appearance in most countries of Europe, with such alarming symptoms as rendered it necessary for the civil magistrate to interpose, in order to check its career.—Since the publication of this work, a second edition of Dr. Sanchez's Dissertation has been communicated to me. It contains several additional facts in confirmation of his opinion, which is supported with such plausible arguments, as render it a subject of inquiry well deserving the attention of learned physicians.

Note LI. (Page 819.)

The people of Otaheite have no denomination for any number above two hundred, which is sufficient for their transactions. Voyages by Hawkesworth, ii. 228.

Note LII. (Page 821.)

As the view which I have given of rude nations is extremely different from that exhibited by very respectable authors, it may be proper to produce some of the many authorities on which I found my description. The manners of the savage tribes in America have never been viewed by persons more capable of observing them with discernment, than the philosophers employed by France and Spain, in the year 1735, to determine the figure of the earth. M. Bouguer, D. Antonio d'Ulloa, and D. Jorge Juan, resided long among the natives of the least civilized provinces in Peru. M. de la Condamine had not only the same advantages with them for observation, but in his voyage down the Maragnon, he had an opportunity of inspecting the state of the various nations seated on its banks, in its vast course across the continent of South America. There is a wonderful resemblance in their representation of the character of the Americans. "They are all extremely indolent," says M. Bouguer, "they are stupid; they pass whole days sitting in the same place, without moving, or speaking a single word. It is not easy to describe the degree of their indifference for wealth and all its advantages. One does not well know what motive to propose to them, when one would persuade them to perform any service. It is vain to offer them money; they answer that they are not hungry." Voyage au Perou, p. 102. "If one considers them as men, the narrowness of their understanding seems to be incompatible with the excellence of the soul. Their imbecility is so visible, that one can hardly form an idea of them different from what one has of the brutes. Nothing disturbs the tranquillity of their souls, equally insensible to disasters and to prosperity. Though half-naked, they are as contented as a monarch in his most splendid array. Riches do not attract them in the smallest degree, and the authority or

dignities to which they may aspire are so little the objects of their ambition, that an Indian will receive with the same indifference the office of a judge (alcade) or that of a hangman, if deprived of the former and appointed to the latter. Nothing can move or change them. Interest has no power over them, and they often refuse to perform a small service, though certain of a great recompence. Fear makes no impression upon them, and respect as little. Their disposition is so singular that there is no method of influencing them, no means of rousing them from that indifference, which is proof against all the endeavours of the wisest persons; no expedient which can induce them to abandon that gross ignorance, or lay aside that careless negligence, which disconcert the prudence and disappoint the care of such as are attentive to their welfare." Voyage d'Ulloa, tom. i. 335, 356. Of those singular qualities he produces many extraordinary instances, p. 336—347. "Insensibility," says M. de la Condamine, "is the basis of the American character. I leave others to determine, whether this should be dignified with the name of apathy, or disgraced with that of stupidity. It arises, without doubt, from the small number of their ideas, which do not extend beyond their wants. Gluttons even to voracity, when they have wherewithal to satisfy their appetite. Temperate, when necessity obliges them, to such a degree, that they can endure want without seeming to desire any thing. Pusillanimous and cowardly to excess, unless when they are rendered desperate by drunkenness. Averse to labour, indifferent to every motive of glory, honour, or gratitude; occupied entirely by the object that is present, and always determined by it alone, without any solicitude about futurity; incapable of foresight or of reflection; abandoning themselves, when under no restraint, to a puerile joy, which they express by frisking about, and immoderate fits of laughter; without object or design, they pass their life without thinking, and grow old without advancing beyond childhood, of which they retain all the defects. If this description were applicable only to the Indians in some provinces of Peru, who are slaves in every respect but the name, one might believe, that this degree of degeneracy was occasioned by the servile dependence to which they are reduced; the example of the modern Greeks being proof how far servitude may degrade the human species. But the Indians in the missions of the Jesuits, and the savages who still enjoy unimpaired liberty, being as limited in their faculties, not to say as stupid, as the other, one cannot observe, without humiliation, that man, when abandoned to simple nature, and deprived of the advantages resulting from education and society, differs but little from the brute creation." Voyage de la Riv. de Amaz. 52, 53. M. de Chanvalon, an intelligent and philosophical observer, who visited Martinico in 1751, and resided there six years, gives the following description of the Caraibs: "It is not the red colour of their complexion, it is not the singularity of their features, which constitutes the chief difference between them and us. It is their excessive simplicity; it is the limited degree of their faculties. Their reason is not more enlightened or more provident than the instinct of brutes. The reason of the most gross peasants, that of the negroes brought up in the parts of Africa most remote from intercourse with Europeans, is such, that we discover appearances of intelligence, which, though imperfect, is capable of increase. But of this the understanding of the Caraibs seems to be hardly susceptible. If sound philosophy and religion did not afford us their light, if we were to decide according to the first impression which the view of that people makes upon the mind, we should be disposed to believe that they do not belong to the same species with us. Their stupid eyes are the true mirror of their souls; it appears to be without functions. Their indolence is extreme; they have never the least solicitude about the moment which is to succeed that which is present." Voyage à la Martinique, p. 44, 45. 51. M. de la Borde, Tertre, and Rochefort, confirm this description. "The characteristics of the Californians," says P. Vencgas, "as well as of all other Indians, are stupidity and insensibility; want of knowledge and reflection; inconstancy, impetuosity, and blindness of appetite; an excessive sloth, and abhorrence of all labour and fatigue; an excessive love of pleasure and amusement of every kind, however trifling or brutal; pusillanimity; and, in fine, a most wretched want of every thing which constitutes the real man, and renders him rational, inventive, tractable, and useful to himself and society. It is not easy for Europeans, who never were out of their own country, to conceive an adequate idea of those people; for, even in the least frequented corners of the globe, there is not a nation so stupid, of such contracted ideas, and so weak both in body and mind, as the unhappy Californians. Their understanding comprehends little more than what they see; abstract ideas, and much less a chain of reasoning, being far beyond their power; so that they scarce ever improve their first ideas, and these are in general false, or at least inadequate. It is in vain to represent to them any future advantages which will result to them from doing or abstaining from this or that particular immediately present; the relation of means and ends being beyond the stretch of their faculties. Nor have they the least notion of pursuing such intentions as will procure themselves some future good, or guard them against future evils. Their will is proportional to their faculties, and all their passions move in a very narrow sphere. Ambition they have none, and are more desirous of being accounted strong than valiant. The objects of ambition with us, honour, fame, reputation, titles, posts, and distinctions of superiority, are unknown among them; so that this powerful spring of action, the cause of so much seeming good and real evil in the world, has no

power here. This disposition of mind, as it gives them up to an amazing languor and lassitude, their lives fleeting away in a perpetual inactivity and detestation of labour, so it likewise induces them to be attracted by the first object which their own fancy, or the persuasion of another, places before them; and at the same time renders them as prone to alter their resolutions with the same facility. They look with indifference upon any kindness done them; nor is even the bare remembrance of it to be expected from them. In a word, the unhappy mortals may be compared to children, in whom the development of reason is not completed. They may indeed be called a nation who never arrived at manhood." Hist. of Californ. Engl. Transl. i. 64. 67. Mr. Ellis gives a similar account of the want of foresight and inconsiderate disposition of the people adjacent to Hudson's bay. Voyage, p. 194, 195.

The incapacity of the Americans is so remarkable, that negroes from all the different provinces of Africa are observed to be more capable of improving by instruction. They acquire the knowledge of several particulars which the Americans cannot comprehend. Hence the negroes, though slaves, value themselves as a superior order of beings, and look down upon the Americans with contempt, as void of capacity and of rational discernment. Ulloa, Notic. Americ. 322, 323.

Note LIII. (Page 822.)

Dobrizhoffer, the last traveller I know who has resided among any tribe of the ruder Americans, has explained so fully the various reasons which have induced their women to suckle their children long, and never to undertake rearing such as were feeble or distorted, and even to destroy a considerable number of their offspring, as to throw great light on the observations I have made, p. 71, 72. Hist. de Abissonibus, vol. ii. p. 107. 221. So deeply were these ideas imprinted in the minds of the Americans, that the Peruvians, a civilized people, when compared with the barbarous tribes whose manners I am describing, retained them; and even their intercourse with the Spaniards has not been able to root them out. When twins are born in any family, it is still considered as an ominous event, and the parents have recourse to rigorous acts of mortification, in order to avert the calamities with which they are threatened. When a child is born with any deformity, they will not, if they can possibly avoid it, bring it to be baptized, and it is with difficulty they can be brought to rear it. Arriaga Extirpac. de la Idolat. del Peru, p. 32, 33.

Note LIV. (Page 824.)

The number of the fish in the rivers of South America is so extraordinary, as to merit particular notice. "In the Maragnon (says P. Acugna) fish are so plentiful, that, without any art, they may take them with the hands," p. 138. "In the Orinoco, (says P. Gumilla,) besides an infinite variety of other fish, tortoise or turtle abound in such numbers, that I cannot find words to express it. I doubt not but that such as read my account will accuse me of exaggeration; but I can affirm that it is as difficult to count them, as to count the sands on the banks of that river. One may judge of their number by the amazing consumption of them; for all the nations contiguous to the river, and even many who are at a distance, flock thither at the season of breeding, and not only find sustenance during that time, but carry off great numbers both of the turtles and of their eggs," &c. Hist. de l'Orenoque, ii. c. 22. p. 59. M. de la Condamine confirms their accounts, p. 159.

Note LV. (Page 824.)

Piso describes two of these plants, the *Cururuape*, and the *Guajana-Timbo*. It is remarkable, that though they have this fatal effect upon fishes, they are so far from being noxious to the human species, that they are used in medicine with success. Piso, lib. iv. c. 88. Bancroft mentions another, the *Hiarree*, a small quantity of which is sufficient to inebriate all the fish to a considerable distance, so that in a few minutes they float motionless on the surface of the water, and are taken with ease. Nat. Hist. of Guiana, p. 109.

(Note LVI. (Page 824.)

Remarkable instances occur of the calamities which rude nations suffer by famine. Alvar Nugnez Cabeca de Vaca, one of the most gallant and virtuous of the Spanish adventurers, resided almost nine years among the savages of Florida. They were unacquainted with every species of agriculture. Their subsistence was poor and precarious. "They live chiefly (says he) upon roots of different plants, which they procure with great difficulty, wandering from place to place in search of them. Sometimes they kill game, sometimes they catch fish, but in such small quantities, that their hunger is so extreme as compels them to eat spiders, the eggs of ants, worms, lizards, serpents, a kind of unctuous earth, and I am persuaded, that if in this country there were any stones, they would swallow these. They preserve the bones of fishes and serpents, which they grind into powder, and eat. The only season when they do not suffer much from famine, is when a certain fruit, which he calls *Tunas*, is ripe. This is the same with the *Opuntia*, or prickly pear, of a reddish and yellow colour, with a sweet insipid taste. They are sometimes obliged to travel far from their usual place of residence, in order to find them." Naufragios, c. xviii. p. 20, 21, 22. In another place he observes, that they are frequently reduced to pass two or three days without food, c. xxiv. p. 27.

Note LVII. (Page 825.)

M. Fermin has given an accurate description of the two species of manioc, with an account of its

culture, to which he has added some experiments, in order to ascertain the poisonous qualities of the juice extracted from that species which he calls the bitter cassava. Among the Spaniards, it is known by the name of *Yuca brava*. Descr. de Surin. tom. i. p. 66.

Note LVIII. (Page 825.)

The plantain is found in Asia and Africa, as well as in America. Oviedo contends, that it is not an indigenous plant of the New World, but was introduced into the island of Hispaniola, in the year 1516, by father Thomas de Berlanga, and that he transplanted it from the Canary islands, whither the original slips had been brought from the East Indies. Oviedo, lib. viii. c. 1. But the opinion of Acosta and other naturalists, who reckon it an American plant, seems to be better founded. Acosta, Hist. Nat. lib. iv. 21. It was cultivated by rude tribes in America, who had little intercourse with the Spaniards, and who were destitute of that ingenuity which disposes men to borrow what is useful from foreign nations. Gumil. iii. 186. Wafer's Voyage, p. 87.

Note LIX. (Page 825.)

It is remarkable, that Acosta, one of the most accurate and best informed writers concerning the West Indies, affirms that maize, though cultivated on the continent, was not known in the islands, the inhabitants of which had none but cassada bread. Hist. Nat. lib. iv. c. 16. But P. Martyr, in the first book of his first Decad, which was written in the year 1493, upon the return of Columbus from his first voyage, expressly mentions maize as a plant which the islanders cultivated, and of which they made bread, p. 7. Gomara likewise asserts, that they were acquainted with the culture of maize. Histor. Gener. cap. 28. Oviedo describes maize without any intimation of its being a plant that was not natural to Hispaniola. Lib. vii. c. 1.

Note LX. (Page 827.)

New Holland, a country which formerly was only known, has lately been visited by intelligent observers. It lies in a region of the globe where it must enjoy a very favourable climate, as it stretches from the 10th to the 38th degree of southern latitude. It is of great extent, and from its square form must be much more than equal to all Europe. The people who inhabit the various parts of it appear to be of one race. They are evidently ruder than most of the Americans, and have made still less progress in improvement and the arts of life. There is not the least appearance of cultivation in any part of this vast region. The inhabitants are extremely few, so that the country appears almost desolate. Their tribes are still more inconsiderable than those of America. They depend for subsistence almost entirely on fishing. They do not settle in one place, but roam about in quest of food. Both sexes go stark-naked. Their habitations, utensils, &c. are more simple and rude than those of the Americans. Voyages, by Hawkesworth, iii. 622, &c. This, perhaps, is the country where man has been discovered in the earliest stage of his progress, and it exhibits a miserable specimen of his condition and powers in that uncultivated state. If this country shall be more fully explored by future navigators, the comparison of the manners of its inhabitants with those of the Americans will prove an instructive article in the history of the human species.

Note LXI. (Page 827.)

P. Gabriel Marest, who travelled from his station among the Illinois to Machillimakinac, thus describes the face of the country:—"We have marched twelve days without meeting a single human creature. Sometimes we found ourselves in vast meadows, of which we could not see the boundaries, through which there flowed many brooks and rivers, but without any path to conduct us. Sometimes we were obliged to open a passage across thick forests, through bushes, and underwood filled with briers and thorns. Sometimes we had to pass through deep marshes, in which we sunk up to the middle. After being fatigued through the day, we had the earth for our bed, or a few leaves, exposed to the wind, the rain, and all the injuries of the air." Lettr. Edifiantes, ii. 360. Dr. Brickell, in an excursion from North Carolina towards the mountains, A. D. 1730, travelled fifteen days without meeting with a human creature. Nat. Hist. of North Carolina, 389. Diego de Ordas, in attempting to make a settlement in South America, A. D. 1532, marched fifty days through a country without one inhabitant. Herrera, dec. 5. lib. i. c. 11.

Note LXII. (Page 827.)

I strongly suspect that a community of goods, and an undivided store, are known only among the rudest tribes of hunters; and that as soon as any species of agriculture or regular industry is known, the idea of an exclusive right of property to the fruits of them is introduced. I am confirmed in this opinion by accounts which I have received concerning the state of property among the Indians in very different regions of America. "The idea of the natives of Brazil concerning property is, that if any person cultivate a field, he alone ought to enjoy the produce of it, and no other has a title to pretend to it. If an individual or family go a hunting or fishing, what is caught belongs to the individual or to the family, and they communicate no part of it to any but to their cazique, or to such of their kindred as happen to be indisposed. If any person in the village come to their hut, he may sit down freely, and eat without asking liberty. But this is the consequence of their general principle of hospitality; for I never observed any partition of the increase of their fields, or the produce of the

chase, which I could consider as the result of any idea concerning a community of goods. On the contrary, they are so much attached to what they deem to be their property, that it would be extremely dangerous to encroach upon it. As far as I have seen or can learn, there is not one tribe of Indians in South America, among whom that community of goods which has been so highly extolled is known. The circumstance in the government of the Jesuits, most irksome to the Indians of Paraguay, was the community of goods which those fathers introduced. This was repugnant to the original ideas of the Indians. They were acquainted with the rights of private exclusive property, and they submitted with impatience to regulations which destroyed them." M. le Cheval. de Pinto, MS. *penes me.* "Actual possession (says a missionary who resided several years among the Indians of the Five Nations) gives a right to the soil, but whenever a possessor sees fit to quit it, another has as good right to take it as he who left it. This law, or custom, respects not only the particular spot on which he erects his house, but also his planting-ground. If a man has prepared a particular spot of ground, on which he designs in future to build or plant, no man has a right to incommode him, much less to the fruit of his labours, until it appears that he voluntarily gives up his views. But I never heard of any formal conveyance from one Indian to another in their natural state. The limits of every canton are circumscribed; that is, they are allowed to hunt as far as such a river on this hand, and such a mountain on the other. This area is occupied and improved by individuals and their families. Individuals, not the community, have the use and profit of their own labours, or success in hunting." MS. of Mr. Gideon Hawley, *penes me.*

Note LXIII. (Page 828.)

This difference of temper between the Americans and negroes is so remarkable, that it is a proverbial saying in the French islands, "Regarder un sauvage de travers, c'est le battre; le battre, c'est le tuer; battre un negre, c'est le nourrir." Tertre, ii. 490.

Note LXIV. (Page 828.)

The description of the political state of the people of Cinaloa perfectly resembles that of the inhabitants of North America. "They have neither laws nor kings (says a missionary who resided long among them) to punish any crime. Nor is there among them any species of authority, or political government, to restrain them in any part of their conduct. It is true, that they acknowledge certain caziques, who are heads of their families or villages, but their authority appears chiefly in war, and the expeditions against their enemies. This authority the caziques obtain not by hereditary right, but by their valour in war, or by the power and number of their families and relations. Sometimes they owe their pre-eminence to their eloquence in displaying their own exploits." Ribas, Hist. de las Triumph. &c. p. 11. The state of the Chiquitos in South America is nearly the same. "They have no regular form of government, or civil life, but in matters of public concern they listen to the advice of their old men, and usually follow it. The dignity of cazique is not hereditary, but conferred according to merit, as the reward of valour in war. The union among them is imperfect. Their society resembles a republic without any head, in which every man is master of himself, and, upon the least disgust, separates from those with whom he seemed to be connected." Relacion Historical de las Missiones de los Chiquitos, por P. Juan Patr. Fernandez, p. 32, 33. Thus, under very different climates, when nations are in a similar state of society, their institutions and civil government assume the same form.

Note LXV. (Page 832.)

"I have known the Indians (says a person well acquainted with their mode of life) to go a thousand miles for the purpose of revenge, in pathless woods, over hills and mountains, through huge cane-swamps, exposed to the extremities of heat and cold, the vicissitude of seasons, to hunger and thirst. Such is their over-boiling revengeful temper, that they utterly contemn all those things as imaginary trifles, if they are so happy as to get the scalp of the murderer, or enemy, to satisfy the craving ghosts of their deceased relations." Adair's Hist. of Amer. Indians, p. 150.

Note LXVI. (Page 832.)

In the account of the great war between the Algonquins and Iroquois, the achievements of Piskaret, a famous chief of the Algonquins, performed mostly by himself alone, or with one or two companions, make a capital figure. De la Potherie, i. 297, &c. Colden's Hist. of Five Nations, 125, &c.

Note LXVII. (Page 832.)

The life of an unfortunate leader is often in danger, and he is always degraded from the rank which he had acquired by his former exploits. Adair, p. 388.

Note LXVIII. (Page 832.)

As the ideas of the North Americans, with respect to the mode of carrying on war, are generally known, I have founded my observations chiefly upon the testimony of the authors who describe them. But the same maxims took place among other nations in the New World. A judicious missionary has given a view of the military operations of the people in Gran Chaco, in South America, perfectly similar to those of the Iroquois. "They are much addicted to war, (says he,) which they carry on frequently among themselves, but perpetually against the Spaniards. But they may rather be called

thieves than soldiers, for they never make head against the Spaniards, unless when they can assault them by stealth, or have guarded against any mischance by spies, who may be called indefatigable. They will watch the settlements of the Spaniards for one, two, or three years, observing by night every thing that passes with the utmost solicitude, whether they may expect resistance or not, and until they are perfectly secure of the event, they will not venture upon an attack; so that when they do give the assault, they are certain of success, and free from all danger. These spies, in order that they may not be observed, will creep on all-four like cats in the night; but if they are discovered, make their escape with much dexterity. But, although they never choose to face the Spaniards, if they be surrounded in any place whence they cannot escape, they will fight with desperate valour, and sell their lives very dear." Lozano, Descript. del Gran Chaco, p. 78.

Note LXIX. (Page 833.)

Lery, who was an eye-witness of the proceedings of the *Toupinambos*, a Brazilian tribe, in a war against a powerful nation of their enemies, describes their courage and ferocity in very striking terms. Ego cum Gallo altero, paulo curiosius, magno nostro periculo, (si enim ab hostibus capti aut lesi fuissemus, devorationi fuissemus devoti,) barbaros nostros in militiam euntes comitari volui. Hi, numero 4000 capita, cum hostibus ad littus decertârunt, tanta ferocitate, ut vel rabidos et furiosos quosque superarent. Cum primum hostes conspexere, in magnos atque editos ululatus perruperunt. Hæc gens adeo fera est et trueulenta, ut tantisper dum virium vel tantillum restat, continuo dimicent, fugamque nunquam capessant. Quod a natura illis inditum esse reor. Testor interca me, qui non semel, tum peditum tum equitum copias ingentes, in aciem instructas hic conspexi, tanta nunquam voluptate videndis peditum legionibus armis fulgentibus, quanta tum pugnantibus istis percussum fuisse. Lery, Hist. Navigat. in Brasil. ap. de Bry, iii. 207, 208, 209.

Note LXX. (Page 833.)

It was originally the practice of the Americans, as well as of other savage nations, to cut off the heads of the enemies whom they slew, and to carry them away as trophies. But as they found these cumbersome in their retreat, which they always make very rapidly, and often through a vast extent of country, they became satisfied with tearing off their scalps. This custom, though most prevalent in North America, was not unknown among the southern tribes. Lozano, p. 79.

Note LXXI. (Page 834.)

The terms of the war-song seem to be dictated by the same fierce spirit of revenge. "I go to war to revenge the death of my brothers; I shall kill; I shall exterminate; I shall burn my enemies; I shall bring away slaves; I shall devour their heart, dry their flesh, drink their blood; I shall tear off their scalps, and make cups of their skulls." Bossu's Travels through Louisiana, vol. i. p. 102. I am informed, by persons on whose testimony I can rely, that as the number of people in the Indian tribes has decreased so much, almost none of their prisoners are now put to death. It is considered as better policy to spare and to adopt them. Those dreadful scenes which I have described occur now so rarely, that missionaries and traders who have resided long among the Indians, never were witnesses to them.

Note LXXII. (Page 834.)

All the travellers who have visited the most uncivilized of the American tribes agree in this. It is confirmed by two remarkable circumstances, which occurred in the conquest of different provinces. In the expedition of Narvaez into Florida in the year 1528, the Spaniards were reduced to such extreme distress by famine, that, in order to preserve their own lives, they ate such of their companions as happened to die. This appeared so shocking to the natives, who were accustomed to devour none but prisoners, that it filled them with horror and indignation against the Spaniards. Torquemada Monarch. Ind. ii. p. 584. Naufragios de Alv. Nugnez Cabeca de Vaca, c. xiv. p. 15. During the siege of Mexico, though the Mexicans devoured with greediness the Spaniards and Tlascalans whom they took prisoners, the utmost rigour of the famine which they suffered could not induce them to touch the dead bodies of their own countrymen. Bern. Diaz del Castillo, Conquist. de la N. Espagna, p. 156.

Note LXXIII. (Page 835.)

Many singular circumstances concerning the treatment of prisoners among the people of Brazil, are contained in the narrative of Stadius, a German officer in the service of the Portuguese, published in the year 1556. He was taken prisoner by the *Toupinambos*, and remained in captivity nine years. He was often present at those horrid festivals which he describes, and was destined himself to the same cruel fate with other prisoners. But he saved his life by his extraordinary efforts of courage and address. De Bry, iii. p. 34, &c. M. de Lery, who accompanied M. de Villagagnon in his expedition to Brazil, in the year 1556, and who resided some time in that country, agrees with Stadius in every circumstance of importance. He was frequently an eye-witness of the manner in which the Brazilians treated their prisoners. De Bry, iii. 210. Several striking particulars omitted by them, are mentioned by a Portuguese author. Purch. Pilgr. iv. 1294, &c.

Note LXXIV. (Page 836.)

Though I have followed that opinion concerning the apathy of the Americans, which appeared to

me most rational, and supported by the authority of the most respectable authors, other theories have been formed with regard to it, by writers of great eminence. De Ant. Ulloa, in a late work, contends that the texture of the skin and bodily habit of the Americans is such, that they are less sensible of pain than the rest of mankind. He produces several proofs of this, from the manner in which they endure the most cruel chirurgical operations, &c. Noticias Americanas, p. 313, 314. The same observation has been made by surgeons in Brazil. An Indian, they say, never complains under pain, and will bear the amputation of a leg or an arm without uttering a single groan. MS. *penes me.*

Note LXXV. (Page 836.)

This is an idea natural to all rude nations. Among the Romans, in the early periods of their commonwealth, it was a maxim that a prisoner, "tum decessisse videtur cum captus est." Digest. lib. xlix. tit. 15. c. 18. And afterwards, when the progress of refinement rendered them more indulgent with respect to this article, they were obliged to employ two fictions of law to secure the property, and permit the return of a captive, the one by the Lex Cornelia, and the other by the Jus Postliminii. Heinec. Elem, Jur. Civ. sec. ord. Pand. ii. p. 294. Among the negroes the same ideas prevail. No ransom was ever accepted for a prisoner. As soon as one is taken in war, he is reputed to be dead; and he is so in effect to his country and his family. Voy. du Cheval. des Marchais, i. p. 369.

Note LXXVI. (Page 836.)

The people of Chili, the most gallant and high-spirited of all the Americans, are the only exception to this observation. They attack their enemies in the open field; their troops are ranged in regular order; their battalions advance to the charge, not only with courage, but with discipline. The North Americans, though many of them have substituted the European fire-arms in place of their own bows and arrows, still adhere to their ancient maxims of war, and carry it on according to their own peculiar system. But the Chilese nearly resemble the warlike nations of Europe and Asia in their military operations. Ovalle's Relation of Chili. Church. Col. iii. p. 71. Lozano's Hist. Parag. i. 144, 145.

Note LXXVII. (Page 837.)

Herrera gives a remarkable proof of this. In Yucatan, the men are so solicitous about their dress that they carry about with them mirrors, probably made of stone, like those of the Mexicans, Dec. iv. lib. iii. c. 8. in which they delight to view themselves; but the women never use them, Dec. iv. lib. x. c. 3. He takes notice that among the fierce tribe of the *Panches*, in the new kingdom of Granada, none but distinguished warriors were permitted either to pierce their lips and to wear green stones in them, or to adorn their heads with plumes of feathers, Dec. vii. lib. ix. c. 4. In some provinces of Peru, though that empire had made considerable progress in civilization, the state of women was little improved. All the toil of cultivation and domestic work was devolved upon them, and they were not permitted to wear bracelets, or other ornaments, with which the men were fond of decking themselves. Zarate, Hist. de Peru, i. p. 15, 16.

Note LXXVIII. (Page 837.)

I have ventured to call this mode of anointing and painting their bodies, the *dress* of the Americans. This is agreeable to their own idiom. As they never stir abroad if they are not completely anointed, they excuse themselves when in this situation, by saying, that they cannot appear because they are naked. Gumilla, Hist. de l'Orenoque, i. 191.

Note LXXIX. (Page 838.)

Some tribes in the province of Cinaloa, on the gulf of California, seem to be among the rudest people of America united in the social state. They neither cultivate nor sow; they have no houses in which they reside. Those in the inland country subsist by hunting; those on the sea-coast chiefly by fishing. Both depend upon the spontaneous productions of the earth, fruits, plants, and roots of various kinds. In the rainy season, as they have no habitations to afford them shelter, they gather bundles of reeds, or strong grass, and binding them together at one end, they open them at the other, and fitting them to their heads, they are covered as with a large cap, which like a pent-house throws off the rain, and will keep them dry for several hours. During the warm season, they form a shed with the branches of trees, which protects them from the sultry rays of the sun. When exposed to cold, they make large fires, round which they sleep in the open air. Historia de los Triumphos de Nuestra Sante Fe entre Gentes las mas Barbaras, &c. por P. And. Perez de Ribas, p. 7, &c.

Note LXXX. (Page 838.)

These houses resemble barns. "We have measured some which were a hundred and fifty paces long, and twenty paces broad. Above a hundred persons resided in some of them." Wilson's Account of Guiana. Purch. Pilgr. vol. iv. p. 1263. Ibid. 1291. "The Indian houses," says Mr. Barrere, "have a most wretched appearance, and are a striking image of the rudeness of early times. Their huts are commonly built on some rising ground, or on the banks of a river, huddled sometimes together, sometimes straggling, and always without any order. Their aspect is melancholy and disagreeable. One sees nothing but what is hideous and savage. The uncultivated fields have no gaiety. The silence which reigns there, unless when interrupted by the disagreeable notes of birds, or cries of wild beasts, is extremely dismal." Relat. de la France Equin. p. 146.

Note LXXXI. (Page 838.)

Some tribes in South America can send their arrows to a great distance, and with considerable force, without the aid of the bow. They make use of a hollow reed, about nine feet long, and an inch thick, which is called a *Sarbacane*. In it they lodge a small arrow, with some unspun cotton wound about its great end; this confines the air, so that they can blow it with astonishing rapidity, and a sure aim, to the distance of above a hundred paces. These small arrows are always poisoned. Fermin. Descr. de Surin. i. 55. Bancroft's Hist. of Guiana, p. 281, &c. The Sarbacane is much used in some parts of the East Indies.

Note LXXXII. (Page 838.)

I might produce many instances of this, but shall satisfy myself with one, taken from the Esquimaux. "Their greatest ingenuity (says Mr. Ellis) is shown in the structure of their bows, made commonly of three pieces of wood, each making part of the same arch, very nicely and exactly joined together. They are commonly of fir or larch; and as this wants strength and elasticity, they supply both by bracing the back of the bow with a kind of thread, or line, made of the sinews of their deer, and the bow-string of the same materials. To make them draw more stiffly, they dip them into water, which causes both the back of the bow and the string to contract, and consequently gives it the greater force; and as they practise from their youth, they shoot with very great dexterity." Voyage to Hudson's Bay, p. 138.

Note LXXXIII. (Page 839.)

Necessity is the great prompter and guide of mankind in their inventions. There is, however, such inequality in some parts of their progress, and some nations get so far the start of others in circumstances nearly similar, that we must ascribe this to some events in their story, or to some peculiarity in their situation, with which we are unacquainted. The people in the island of Otaheite, lately discovered in the South Sea, far excel most of the Americans in the knowledge and practice of the arts of ingenuity, and yet they had not invented any method of boiling water; and having no vessel that would bear the fire, they had no more idea that water could be made hot, than that it could be made solid. Voyages by Hawkesworth, i. 466. 484.

Note LXXXIV. (Page 839.)

One of these boats, which could carry nine men, weighed only sixty pounds. Gosnal. Relat. des Voy. à la Virgin. Rec. de Voy. au Nord, tom. v. p. 403.

Note LXXXV. (Page 839.)

A remarkable proof of this is produced by Ulloa. In weaving hammocks, coverlets, and other coarse cloths, which they are accustomed to manufacture, their industry has discovered no more expeditious method than to take up thread after thread, and after counting and sorting them each time, to pass the woof between them, so that in finishing a small piece of those stuffs, they frequently spend more than two years. Voyage, i. 336. Bancroft gives the same description of the Indians of Guiana, p. 255. According to Adair, the ingenuity and despatch of the North American Indians are not greater, p. 422. From one of the engravings of the Mexican paintings in Purchas, vol. iii. p. 1106. I think it probable that the people of Mexico were unacquainted with any better or more expeditious mode of weaving. A loom was an invention beyond the ingenuity of the most improved Americans. In all their works they advance so slowly, that one of their artists is two months at a tobacco-pipe with his knife before he finishes it. Adair, p. 423.

Note LXXXVI. (Page 840.)

The article of religion in P. Lafitau's Mœurs des Sauvages, extends to 347 tedious pages in quarto.

Note LXXXVII. (Page 840.)

I have referred the reader to several of the authors who describe the most uncivilized nations in America. Their testimony is uniform. That of P. Ribas concerning the people of Cinaloa, coincides with the rest. "I was extremely attentive, (says he,) during the years I resided among them, to ascertain whether they were to be considered as idolaters; and it may be affirmed with the most perfect exactness, that though among some of them there may be traces of idolatry, yet others have not the least knowledge of God, or even of any false deity, nor pay any formal adoration to the Supreme Being who exercises dominion over the world; nor have they any conception of the providence of a Creator or Governor, from whom they expect in the next life the reward of their good or the punishment of their evil deeds. Neither do they publicly join in any act of divine worship." Ribas Triumphos, &c. p. 16.

Note LXXXVIII. (Page 841.)

The people of Brazil were so much affrighted by thunder, which is frequent and awful in their country, as well as in other parts of the torrid zone, that it was not only the object of religious reverence, but the most expressive name in their language for the Deity was *Toupan*, the same by which they distinguished thunder. Piso de Medec. Brazil, p. 8. Nieuhoff. Church. Coll. ii. p. 132.

Note LXXXIX. (Page 842.)

By the account which M. Dumont, an eye-witness, gives of the funeral of the great chief of the Natchez, it appears, that the feelings of the persons who suffered on that occasion were very different. Some solicited the honour with eagerness; others laboured to avoid their doom, and several saved their lives by flying to the woods. As the Indian

Brahmins give an intoxicating draught to the women who are to be burnt together with the bodies of their husbands, which renders them insensible of their approaching fate, the Natchez obliged their victims to swallow several large pills of tobacco, which produce a similar effect. Mem. de Louis. i. 227.

Note XC. (Page 844.)

On some occasions, particularly in dances instituted for the recovery of persons who are indisposed, they are extremely licentious and indecent. De la Potherie Hist. &c. ii. p. 42. Charlev. N. Fr. iii. p. 319. But the nature of their dances is commonly such as I have described.

Note XCI. (Page 845.)

The *Othomacoas*, a tribe seated on the banks of the Orinoco, employ for the same purpose a composition which they call *Yupa*. It is formed of the seeds of an unknown plant reduced to powder, and certain shells burnt and pulverized. The effects of this when drawn up into the nostrils are so violent, that they resemble madness rather than intoxication. Gumilla, i. 286.

Note XCII. (Page 846.)

Though this observation holds true among the greater part of the southern tribes, there are some in which the intemperance of the women is as excessive as that of the men. Bancroft's Nat. Hist. of Guiana, p. 275.

Note XCIII. (Page 847.)

Even in the most intelligent writers concerning the manners of the Americans, one meets with inconsistent and inexplicable circumstances. The Jesuit Charlevoix, who, in consequence of the controversy between his order and that of the Franciscans, with respect to the talents and abilities of the North Americans, is disposed to represent their intellectual as well as moral qualities in the most favourable light, asserts, that they are engaged in continual negociations with their neighbours, and conduct these with the most refined address. At the same time he adds, "that it behoves their envoys or plenipotentiaries to exert their abilities and eloquence, for if the terms which they offer are not accepted of, they had need to stand on their guard. It frequently happens, that a blow with a hatchet is the only return given to their propositions. The envoy is not out of danger, even if he is so fortunate as to avoid the stroke; he may expect to be pursued, and if taken, to be burnt." Hist. N. Fr. iii. 251. What occurs, p. 862. concerning the manner in which the Tlascalans treated the ambassadors from Zempoalla, corresponds with the fact related by Charlevoix. Men capable of such acts of violence, seem to be unacquainted with the first principles upon which the intercourse between nations is founded; and instead of the perpetual negociations which Charlevoix mentions, it seems almost impossible that there should be any correspondence whatever among them.

Note XCIV. (Page 847.)

It is a remark of Tacitus concerning the Germans, "Gaudent muneribus, sed nec data imputant, nec acceptis obligantur." C. 21. An author who had a good opportunity of observing the principle which leads savages neither to express gratitude for favours which they had received, nor to expect any return for such as they bestowed, thus explains their ideas: "If (say they) you give me this, it is because you have no need of it yourself; and as for me, I never part with that which I think necessary to me." Memoire sur les Galibis; Hist. des Plantes de la Guiane Françoise par M. Aublet, tom. ii. p. 110.

Note XCV. (Page 851.)

And. Bernaldes, the contemporary and friend of Columbus, has preserved some circumstances concerning the bravery of the Caribbees, which are not mentioned by Don Ferdinand Columbus, or the other historians of that period, whose works have been published. A Caribbean canoe, with four men, two women, and a boy, fell in unexpectedly with the fleet of Columbus in his second voyage, as it was steering through their islands. At first they were struck almost stupid with astonishment at such a strange spectacle, and hardly moved from the spot for above an hour. A Spanish bark, with twenty-five men, advanced towards them, and the fleet gradually surrounded them, so as to cut off their communication with the shore. "When they saw that it was impossible to escape, (says the historian,) they seized their arms with undaunted resolution, and began the attack. I use the expression, *with undaunted resolution*, for they were few, and beheld a vast number ready to assault them. They wounded several of the Spaniards although they had targets, as well as other defensive armour; and even after their canoe was overset, it was with no little difficulty and danger that part of them were taken, as they continued to defend themselves, and to use their bows with great dexterity while swimming in the sea." Hist. de D. Fern. y Ysab. MS. c. 119.

Note XCVI. (Page 851.)

A probable conjecture may be formed with respect to the cause of the distinction in character between the Caribbees and the inhabitants of the larger islands. The former appear manifest to be a separate race. Their language is totally different from that of their neighbours in the large islands. They themselves have a tradition, that their ancestors came originally from some part of the continent, and having conquered and exterminated the ancient inhabitants, took possession of their lands, and of their women. Rochefort, 384. Tertre, 360. Hence they call themselves *Bana ree*, which signifies a man come from beyond sea. Labat. vi. 131. Accord-

ingly, the Caribbees still use two distinct languages, one peculiar to the men, and the other to the women. Tertre, 361. The language of the men has nothing common with that spoken in the large islands. The dialect of the women considerably resembles it. Labat. 129. This strongly confirms the tradition which I have mentioned. The Caribbees themselves imagine, that they were a colony from the *Galabis*, a powerful nation of Guiana, in South America. Tertre, 361. Rochefort, 348. But as their fierce manners approach nearer to those of the people in the northern continent, than to those of the natives of South America; and as their language has likewise some affinity to that spoken in Florida, their origin should be deduced rather from the former than from the latter. Labat. 128, &c. Herrera, dec. i. lib. ix. c. 4. In their wars, they still observe their ancient practice of destroying all the males, and preserving the women either for servitude or for breeding.

Note XCVII. (Page 851.)

Our knowledge of the events which happened in the conquest of New Spain, is derived from sources of information more original and authentic than that of any transaction in the history of America. The letters of Cortes to the emperor Charles V. are an historical monument, not only first in order of time, but of the greatest authenticity and value. As Cortes early assumed a command independent of Velasquez, it became necessary to convey such an account of his operations to Madrid, as might procure him the approbation of his sovereign.

The first of his despatches had never been made public. It was sent from Vera Cruz, July 16, 1519. As I imagined that it might not reach the emperor until he arrived in Germany, for which he set out early in the year 1520 in order to receive the imperial crown, I made diligent search for a copy of this despatch, both in Spain and in Germany, but without success. This, however, is of less consequence, as it could not contain any thing very material, being written so soon after Cortes arrived in New Spain. But, in searching for the letter from Cortes, a copy of one from the colony of Vera Cruz to the emperor has been discovered in the imperial library at Vienna. Of this I have given some account in its proper place, p. 860. The second despatch, dated October 30, 1520, was published at Seville, A. D. 1522, and the third and fourth soon after they were received. A Latin translation of them appeared in Germany, A. D. 1532. Ramusio soon after made them more generally known, by inserting them in his valuable collection. They contain a regular and minute history of the expedition, with many curious particulars concerning the policy and manners of the Mexicans. The work does honour to Cortes: the style is simple and perspicuous; but as it was manifestly his interest to represent his own actions in the fairest light, his victories are probably exaggerated, his losses diminished, and his acts of rigour and violence softened.

The next in order is the Cronica de la Nueva Espagna, by Francisco Lopez de Gomara, published A. D. 1554. Gomara's historical merit is considerable. His mode of narration is clear, flowing, always agreeable, and sometimes elegant. But he is frequently inaccurate and credulous; and as he was the domestic chaplain of Cortes after his return from New Spain, and probably composed his work at his desire, it is manifest that he labours to magnify the merit of his hero, and to conceal or extenuate such transactions as were unfavourable to his character. Of this Herrera accuses him in one instance, dec. ii. lib. iii. c. 2. and it is not once only that this is conspicuous. He writes, however, with so much freedom concerning several measures of the Spanish court, that the copies both of his Historia de las Indias, and of his Cronica, were called in by a decree of the council of the Indies, and they were long considered as prohibited books in Spain; it is only of late that licence to print them has been granted. Pinelo Biblioth. 582.

The Chronicle of Gomara induced Bernal Diaz del Castillo to compose his Historia Verdadera de la Conquista de la Nueva Espagna. He had been an adventurer in each of the expeditions to New Spain, and was the companion of Cortes in all his battles and perils. When he found that neither he himself, nor many of his fellow-soldiers, were once mentioned by Gomara, but that the fame of all their exploits was ascribed to Cortes, the gallant veteran laid hold of his pen with indignation, and composed his true history. It contains a prolix, minute, confused narrative of all Cortes's operations, in such a rude vulgar style as might be expected from an illiterate soldier. But as he relates transactions of which he was witness, and in which he performed a considerable part, his account bears all the marks of authenticity, and is accompanied with such a pleasant *naïveté*, with such interesting details, with such amusing vanity, and yet so pardonable in an old soldier who had been (as he boasts) in a hundred and nineteen battles, as renders his book one of the most singular that is to be found in any language.

Pet. Martyr ab Angleria, in a treatise De Insulis nuper inventis, added to his Decades de Rebus Oceanicis et Novo Orbe, gives some account of Cortes's expedition. But he proceeds no further than to relate what happened after his first landing. This work, which is brief and slight, seems to contain the information transmitted by Cortes in his first despatches, embellished with several particulars communicated to the author by the officers who brought the letters from Cortes.

But the book to which the greater part of modern historians have had recourse for information concerning the conquest of New Spain, is Historia de la Conquista de Mexico, por D. Antonio de Solis, first published A. D. 1684. I know no author in any language whose literary fame has risen so far

beyond his real merit. De Solis is reckoned by his countrymen one of the purest writers in the Castilian tongue; and if a foreigner may venture to give his opinion concerning a matter of which Spaniards alone are qualified to judge, he is entitled to that praise. But though his language is correct, his taste in composition is far from being just. His periods are so much laboured as to be often stiff, and sometimes tumid; the figures which he employs by way of ornament are frequently trite or improper, and his observations superficial. These blemishes, however, might easily be overlooked, if he were not defective with respect to all the great qualities of an historian. Destitute of that patient industry in research which conducts to the knowledge of truth; a stranger to that impartiality which weighs evidence with cool attention; and ever eager to establish his favourite system of exalting the character of Cortes into that of a perfect hero, exempt from error, and adorned with every virtue; he is less solicitous to discover what was true than to relate what might appear splendid. When he attempts any critical discussion, his reasonings are fallacious, and founded upon an imperfect view of facts. Though he sometimes quotes the *despatches* of Cortes, he seems not to have consulted them; and though he sets out with some censure on Gomara, he frequently prefers his authority, the most doubtful of any, to that of the other contemporary historians.

But of all the Spanish writers, Herrera furnishes the fullest and most accurate information concerning the conquest of Mexico, as well as every other transaction of America. The industry and attention with which he consulted not only the books, but the original papers and public records, which tended to throw any light upon the subject of his inquiries, were so great, and he usually judges of the evidence before him with so much impartiality and candour, that his decads may be ranked among the most judicious and useful historical collections. If, by attempting to relate the various occurrences in the New World in a strict chronological order, the arrangement of events in his work had not been rendered so perplexed, disconnected, and obscure, that it is an unpleasant task to collect from different parts of his book, and piece together the detached shreds of a story, he might justly have been ranked among the most eminent historians of his country. He gives an account of the materials from which he composed his work, Decad. 6. lib. iii. c. 19.

Note XCVIII. (Page 852.)

Cortes purposed to have gone in the train of Ovando when he set out for his government in the year 1502, but was detained by an accident. As he was attempting in a dark night to scramble up to the window of a lady's bed-chamber, with whom he carried on an intrigue, an old wall, on the top of which he had mounted, gave way, and he was so much bruised by the fall as to be unfit for the voyage. Gomara, Cronica de la Nueva Espagna, cap. 1.

Note XCIX. (Page 852.)

Cortes had two thousand pesos in the hands of Andrew Duero, and he borrowed four thousand. These sums are about equal in value to fifteen hundred pounds sterling; but as the price of every thing was extremely high in America, they made but a scanty stock when applied towards the equipment of a military expedition. Herrera, dec. 2. lib. iii. c. 2. B. Diaz, c. 20.

Note C. (Page 854.)

The names of those gallant officers, which will often occur in the subsequent story, were Juan Velasquez de Leon, Alonso Hernandez Portocarrero, Francisco de Montejo, Christoval de Olid, Juan de Escalante, Francisco de Morla, Pedro de Alvarado, Francisco de Salceda, Juan de Escobar, Gines de Nortes. Cortes himself commanded the capitana, or admiral. Francisco de Orozco, an officer formed in the wars of Italy, had the command of the artillery. The experienced Alaminos acted as chief pilot.

Note CI. (Page 854.)

In those different conflicts, the Spaniards lost only two men, but had a considerable number wounded. Though there be no occasion for recourse to any supernatural cause to account either for the greatness of their victories, or the smallness of their loss, the Spanish historians fail not to ascribe both to the patronage of St. Jago, the tutelar saint of their country, who, as they relate, fought at the head of their countrymen, and by his prowess gave a turn to the fate of the battle. Gomara is the first who mentions this apparition of St. James. It is amusing to observe the embarrassment of B. Diaz del Castillo, occasioned by the struggle between his superstition and his veracity. The former disposed him to believe this miracle, the latter restrained him from attesting it. "I acknowledge," says he, "that all our exploits and victories are owing to our Lord Jesus Christ, and that in this battle there was such a number of Indians to every one of us, that if each had thrown a handful of earth they might have buried us, if by the great mercy of God we had not been protected. It may be that the person whom Gomara mentions as having appeared on a mottled grey horse, was the glorious apostle Signor San Jago or Signor San Pedro, and that I, as being a sinner, was not worthy to see him. This I know, that I saw Francisco de Morla on such a horse, but, as an unworthy transgressor, did not deserve to see any of the holy apostles. It may have been the will of God that it was so as Gomara relates, but until I read his chronicle I never heard among any of the conquerors that such a thing had happened." Cap. 34.

Note CII. (Page 856.)

Several Spanish historians relate this occurrence in such terms as if they wished it should be believed, that the Indians, loaded with the presents, had carried them from the capital in the same short space of time that the couriers performed that journey. This is incredible, and Gomara mentions a circumstance which shows, that nothing extraordinary happened on this occasion. This rich present had been prepared for Grijalva, when he touched at the same place some months before, and was now ready to be delivered, as soon as Montezuma sent orders for that purpose. Gomara Cron. c. xxvii. p. 28.

According to B. Diaz del Castillo, the value of the silver plate representing the moon, was alone above twenty thousand pesos, about five thousand pounds sterling.

Note CIII. (Page 857.)

This private traffic was directly contrary to the instructions of Velasquez, who enjoined, that whatever was acquired by trade should be thrown into the common stock. But it appears, that the soldiers had each a private assortment of toys, and other goods proper for the Indian trade, and Cortes gained their favour by encouraging this under-hand barter. B. Diaz, c. 41.

Note CIV. (Page 861.)

Gomara has published a catalogue of the various articles of which this present consisted. Cron. c. 49. P. Martyr ab Angleria, who saw them after they were brought to Spain, and who seems to have examined them with great attention, gives a description of each, which is curious, as it conveys some idea of the progress which the Mexicans had made in several arts of elegance. De Insulis nuper inventis Liber, p. 354, &c.

Note CV. (Page 863.)

There is no circumstance in the history of the conquest of America, which is more questionable than the account of the numerous armies brought into the field against the Spaniards. As the war with the republic of Tlascala, though of short duration, was one of the most considerable which the Spaniards waged in America, the account given of the Tlascalan armies merits some attention. The only authentic information concerning this is derived from three authors. Cortes, in his second despatch to the emperor, dated at Segura de la Frontera, October 30, 1520, thus estimates the number of their troops: in the first battle 6000; in the second battle 100,000; in the third battle 150,000. Relat. ap. Ramus. iii. 228. Bernal Diaz del Castillo, who was an eye-witness, and engaged in all the actions of this war, thus reckons their numbers; in the first battle 3000, p. 43.; in the second battle 6000, ibid.; in the third battle 50,000, p. 45. Gomara, who was Cortes's chaplain after his return to Spain, and published his *Cronica* in 1552, follows the computation of Cortes, except in the second battle, where he reckons the Tlascalans at 80,000, p. 49. It was manifestly the interest of Cortes to magnify his own dangers and exploits. For it was only by the merit of extraordinary services, that he could hope to atone for his irregular conduct in assuming an independent command. B. Diaz, though abundantly disposed to place his own prowess, and that of his fellow-conquerors, in the most advantageous point of light, had not the same temptation to exaggerate; and it is probable that his account of the numbers approaches nearer to the truth. The assembling of an army of 150,000 men requires many previous arrangements, and such provisions for their subsistence as seems to be beyond the forecsight of Americans. The degree of cultivation in Tlascala does not seem to have been so great, as to have furnished such a vast army with provisions. Though this province was so much better cultivated than other regions of New Spain, that it was called the *country of bread*, yet the Spaniards in their march suffered such want, that they were obliged to subsist upon *Tunas*, a species of fruit which grows wild in the fields. Herrera, dec. ii. lib. vi. c. 5. p. 182.

Note CVI. (Page 864.)

These unhappy victims are said to be persons of distinction. It seems improbable that so great a number as fifty should be employed as spies. So many prisoners had been taken and dismissed, and the Tlascalans had sent so many messages to the Spanish quarters, that there appears to be no reason for hazarding the lives of so many considerable people, in order to procure information about the position and state of their camp. The barbarous manner in which Cortes treated a people unacquainted with the laws of war established among polished nations, appears so shocking to the later Spanish writers, that they diminish the number of those whom he punished so cruelly. Herrera says, that he cut off the hands of seven, and the thumbs of some more. Dec. ii. lib. ii. c. 8. De Solis relates, that the hands of fourteen or fifteen were cut off, and the thumbs of all the rest. Lib. ii. c. 20. But Cortes himself, Relat. p. 228. b. and after him Gomara, c. 48. affirm, that the hands of all the fifty were cut off.

Note CVII. (Page 864.)

The horses were objects of the greatest astonishment to all the people of New Spain. At first they imagined the horse and his rider, like the centaurs of the ancients, to be some monstrous animal of a terrible form; and supposing that their food was the same as that of men, brought flesh and bread to nourish them. Even after they discovered their mistake, they believed the horses devoured men in battle, and when they neighed, thought that they were demanding their prey. It was not the interest

of the Spaniards to undeceive them. Herrera, dec. ii. lib. vi. c. 11.

Note CVIII. (Page 866.)

According to Bart. de las Casas, there was no reason for this massacre, and it was an act of wanton cruelty, perpetrated merely to strike terror into the people of New Spain. Relac. de la Destruyc. p. 17, &c. But the zeal of Las Casas often leads him to exaggerate. In opposition to him, Bern. Diaz, c. 83., asserts, that the first missionaries sent into New Spain by the emperor made a judicial inquiry into this transaction; and having examined the priests and elders of Cholula, found that there was a real conspiracy to cut off the Spaniards, and that the account given by Cortes was exactly true. As it was the object of Cortes at that time, and manifestly his interest, to gain the good-will of Montezuma, it is improbable that he should have taken a step which tended so visibly to alienate him from the Spaniards, if he had not believed it to be necessary for his own preservation. At the same time the Spaniards who served in America had such contempt for the natives, and thought them so little entitled to the common rights of men, that Cortes might hold the Cholulans to be guilty upon slight and imperfect evidence. The severity of the punishment was certainly excessive and atrocious.

Note CIX. (Page 866.)

This description is taken almost literally from Bernal Diaz del Castillo, who was so unacquainted with the art of composition, as to be incapable of embellishing his narrative. He relates in a simple and rude style what passed in his own mind, and that of his fellow-soldiers, on that occasion; "and let it not be thought strange," says he, "that I should write in this manner of what then happened, for it ought to be considered, that it is one thing to relate, another to have beheld, things that were never before seen, or heard, or spoken of among men." Cap. 86. p. 64. b.

Note CX. (Page 870.)

B. Diaz del Castillo gives us some idea of the fatigue and hardships they underwent in performing this, and other parts of duty. During the nine months that they remained in Mexico, every man, without any distinction between officers and soldiers, slept on his arms in his quilted jacket and gorget. They lay on mats, or straw spread on the floor, and each was obliged to hold himself as alert as if he had been on guard. "This," adds he, "became so habitual to me, that even now in my advanced age, I always sleep in my clothes, and never in my bed. When I visit my *Encomienda*, I reckon it suitable to my rank to have a bed carried along with my other baggage, but I never go into it; but, according to custom, I lie in my clothes, and walk frequently during the night into the open air, to view the stars, as I was wont when in service." Cap. 108.

Note CXI. (Page 870.)

Cortes himself, in his second despatch to the emperor, does not explain the motives which induced him either to condemn Qualpopoca to the flames, or to put Montezuma in irons. Ramus. iii. 236. B. Diaz is silent with respect to his reasons for the former; and the only cause he assigns for the latter was, that he might meet with no interruption in executing the sentence pronounced against Qualpopoca, c. xcv. p. 75. But as Montezuma was his prisoner, and absolutely in his power, he had no reason to dread him, and the insult offered to that monarch could have no effect but to irritate him unnecessarily. Gomara supposes that Cortes had no other object than to occupy Montezuma with his own distress and sufferings, that he might give less attention to what befell Qualpopoca. Cron. c. 89. Herrera adopts the same opinion. Dec. ii. lib. viii. c. 9. But it seems an odd expedient, in order to make a person bear one injury, to load him with another that is greater. De Solis imagines, that Cortes had nothing else in view than to intimidate Montezuma, so that he might make no attempt to rescue the victims from their fate; but the spirit of that monarch was so submissive, and he had so tamely given up the prisoners to the disposal of Cortes, that he had no cause to apprehend any opposition from him. If the explanation which I have attempted to give of Cortes's proceedings on this occasion be not admitted, it appears to me, that they must be reckoned among the wanton and barbarous acts of oppression which occur too often in the history of the conquest of America.

Note CXII. (Page 871.)

De Solis asserts, lib. iv. c. 3., that the proposition of doing homage to the king of Spain came from Montezuma himself, and was made in order to induce the Spaniards to depart out of his dominions. He describes his conduct on this occasion, as if it had been founded upon a scheme of profound policy, and executed with such refined address as to deceive Cortes himself. But there is no hint or circumstance in the contemporary historians, Cortes, Diaz, or Gomara, to justify this theory. Montezuma, on other occasions, discovered no such extent of art and abilities. The anguish which he felt in performing this humbling ceremony is natural, if we suppose it to have been involuntary. But, according to the theory of De Solis, which supposes that Montezuma was executing what he himself had proposed, to have assumed an appearance of sorrow would have been preposterous, and inconsistent with his own design of deceiving the Spaniards.

Note CXIII. (Page 872.)

In several of the provinces, the Spaniards, with all their industry and influence, could collect no gold. In others, they procured only a few trinkets of small value. Montezuma assured Cortes, that the present which he offered to the king of Castile, after doing homage, consisted of all the treasure amassed by his father; and told him that he had already distributed the rest of his gold and jewels among the Spaniards. B. Diaz, c. 104. Gomara relates, that all the silver collected amounted to 500 marks. Cron. c. 93. This agrees with the account given by Cortes, that the royal fifth of silver was 100 marks. Relat. 239. B. So that the sum total of silver was only 4000 ounces, at the rate of eight ounces a mark, which demonstrates the proportion of silver to gold to have been exceedingly small.

Note CXIV. (Page 872.)

De Solis, lib. iv. c. 1., calls in question the truth of this transaction, from no better reason than that it was inconsistent with that prudence which distinguishes the character of Cortes. But he ought to have recollected the impetuosity of his zeal at Tlascala, which was no less imprudent. He asserts, that the evidence for it rests upon the testimony of B. Diaz del Castillo, of Gomara, and of Herrera. They all concur, indeed, in mentioning this inconsiderate step which Cortes took; and they had good reason to do so, for Cortes himself relates this exploit in his second despatch to the emperor, and seems to glory in it. Cort. Relat. Ramus. iii. 140. D. This is one instance, among many, of De Solis's having consulted with little attention the letters of Cortes to Charles V., from which the most authentic information with respect to his operations must be derived.

Note CXV. (Page 874.)

Herrera and De Solis suppose that Velasquez was encouraged to equip this armament against Cortes by the accounts which he received from Spain concerning the reception of the agents sent by the colony of Vera Cruz, and the warmth with which Fonseca, bishop of Burgos, had espoused his interest, and condemned the proceedings of Cortes. Herrera, dec. 2. lib. ix. c. 18. De Solis, lib. iv. c. 5. But the chronological order of events refutes this supposition. Portocarrero and Montejo sailed from Vera Cruz, July 26, 1519. Herrera, dec. 2. lib. v. c. 4. They landed at St. Lucar in October, according to Herrera, ibid. But P. Martyr, who attended the court at that time, and communicated every occurrence of moment to his correspondents day by day, mentions the arrival of these agents for the first time in December, and speaks of it as a recent event. Epist. 650. All the historians agree, that the agents of Cortes had their first audience of the emperor at Tordesillas, when he went to that town to visit his mother in his way to St. Jago de Compostella. Herrera, dec. 2. lib. v. c. 4. De Solis, lib. iv. c. 5. But the emperor set out from Valladolid for Tordesillas on the 11th of March 1520; and P. Martyr mentions his having seen at that time the presents made to Charles, Epist. 665. The armament under Narvaez sailed from Cuba in April 1520. It is manifest then that Velasquez could not receive any account of what passed in this interview at Tordesillas, previous to his hostile preparations against Cortes. His real motives seem to be those which I have mentioned. The patent appointing him *Adelantado* of New Spain, with such extensive powers, bears date November 13, 1519. Herrera, dec. 2. lib. iii. c. 11. He might receive it about the beginning of January. Gomara takes notice, that as soon as this patent was delivered to him, he began to equip a fleet and levy forces. Cron. c. 96.

Note CXVI. (Page 874.)

De Solis contends, that as Narvaez had no interpreters, he could hold no intercourse with the people of the provinces, nor converse with them in any way but by signs, and that it was equally impossible for him to carry on any communication with Montezuma. Lib. iv. c. 7. But it is upon the authority of Cortes himself that I relate all the particulars of Narvaez's correspondence, both with Montezuma and with his subjects in the maritime provinces. Relat. Ramus. iii. 244, A. C. Cortes affirms, that there was a mode of intercourse between Narvaez and the Mexicans, but does not explain how it was carried on. Bernal Diaz supplies this defect, and informs us, that the three deserters who joined Narvaez acted as interpreters, having acquired a competent knowledge of the language, c. 110. With his usual minuteness, he mentions their names and characters, and relates, in chapter 122. how they were punished for their perfidy. The Spaniards had now resided above a year among the Mexicans; and it is not surprising, that several among them should have made some proficiency in speaking their language. This seems to have been the case. Herrera, dec. 2. lib. x. c. 1. Both B. Diaz, who was present, and Herrera, the most accurate and best informed of all the Spanish writers, agree with Cortes in his account of the secret correspondence carried on with Montezuma. Dec. 2. lib. x. c. 18, 19. De Solis seems to consider it as a discredit to Cortes, his hero, that Montezuma should have been ready to engage in a correspondence with Narvaez. He supposes that monarch to have contracted such a wonderful affection for the Spaniards, that he was not solicitous to be delivered from them. After the indignity with which he had been treated, such an affection is incredible; and even De Solis is obliged to acknowledge, that it must be looked upon as one of the miracles which God had wrought to facilitate the conquest, lib. iv. c. 7. The truth is, Montezuma, however much

overawed by his dread of the Spaniards, was extremely impatient to recover his liberty.

Note CXVII. (Page 878.)

These words I have borrowed from the anonymous Account of the European Settlements in America, published by Dodsley, in two volumes 8vo; a work of so much merit, that I should think there is hardly any writer in the age who ought to be ashamed of acknowledging himself to be the author of it.

Note CXVIII. (Page 880.)

The contemporary historians differ considerably with respect to the loss of the Spaniards on this occasion. Cortes, in his second despatch to the emperor, makes the number only 150. Relat. ap. Ramus. iii. p. 249. A. But it was manifestly his interest, at that juncture, to conceal from the court of Spain the full extent of the loss which he had sustained. De Solis, always studious to diminish every misfortune that befell his countrymen, rates their loss at about two hundred men. Lib. iv. c. 19. B. Diaz affirms that they lost 870 men, and that only 440 escaped from Mexico; c. 128. p. 108. B. Palafox, bishop of Los Angeles, who seems to have inquired into the early transactions of his countrymen in New Spain with great attention, confirms the account of B. Diaz, with respect to the extent of their loss. Virtudes del Indio, p. 22. Gomara states their loss at 450 men. Cron. c. 109. Some months afterwards, when Cortes had received several reinforcements, he mustered his troops, and found them to be only 590. Relat. ap. Ramus. iii. p. 255. E. Now, as Narvaez brought 880 men into New Spain, and about 400 of Cortes's soldiers were then alive, it is evident that his loss, in the retreat from Mexico, must have been much more considerable than what he mentions. B. Diaz, solicitous to magnify the dangers and sufferings to which he and his fellow-conquerors were exposed, may have exaggerated their loss; but, in my opinion, it cannot well be estimated at less than 600 men.

Note CXIX. (Page 886.)

Some remains of this great work are still visible, and the spot where the brigantines were built and launched is still pointed out to strangers. Torquemada viewed them. Monarq. Indiana, vol. i. p. 531.

Note CXX. (Page 888.)

The station of Alvarado on the causeway of Tacuba was the nearest to the city. Cortes observes, that there they could distinctly observe what passed when their countrymen were sacrificed. Relat. ap. Ramus. iii. p. 273. E. B. Diaz, who belonged to Alvarado's division, relates what he beheld with his own eyes. C. 152. p. 148. b. 159. a. Like a man whose courage was so clear as to be above suspicion he describes with his usual simplicity the impression which this spectacle made upon him. "Before," says he, "I saw the breasts of my companions opened, their hearts yet fluttering, offered to an accursed idol, and their flesh devoured by their exulting enemies, I was accustomed to enter a battle, not only without fear, but with high spirit. But from that time I never advanced to fight the Mexicans without a secret horror and anxiety; my heart trembled at the thoughts of the death which I had seen them suffer." He takes care to add, that as soon as the combat began, his terror went off; and indeed, his adventurous bravery on every occasion is full evidence of this. B. Diaz, c. 156. p. 157. a.

Note CXXI. (Page 889.)

One circumstance in this siege merits particular notice. The account which the Spanish writers give of the numerous armies employed in the attack or defence of Mexico seems to be incredible. According to Cortes himself, he had at one time 150,000 auxiliary Indians in his service. Relat. Ramus. iii. 275. E. Gomara asserts, that they were above 200,000. Cron. c. 136. Herrera, an author of higher authority, says, they were about 200,000. Dec. 3. lib. i. c. 19. None of the contemporary writers ascertain explicitly the number of persons in Mexico during the siege. But Cortes on several occasions mentions the number of Mexicans who were slain, or who perished for want of food; and, if we may rely on those circumstances, it is probable that above two hundred thousand must have been shut up in the town. But the quantity of provisions necessary for the subsistence of such vast multitudes assembled in one place, during three months, is so great, that it requires so much foresight and arrangement to collect these, and lay them up in magazines so as to be certain of a regular supply, that one can hardly believe that this could be accomplished in a country where agriculture was so imperfect as in the Mexican empire, where there were no tame animals, and by a people naturally so improvident, and so incapable of executing a complicated plan, as the most improved Americans. The Spaniards, with all their care and attention, fared very poorly, and were often reduced to extreme distress for want of provisions. B. Diaz, p. 142. Cortes Relat. 271. D. Cortes on one occasion mentions slightly the subsistence of his army; and after acknowledging that they were often in great want, adds, that they received supplies from the people of the country, of fish, and of some fruit, which he calls the cherries of the country. Ibid. B. Diaz says, that they had cakes of maize, and serasas de la tierra; and when the season of these was over, another fruit, which he calls *Tunas;* but their most comfortable subsistence was a root which the Indians use as food, to which he gives the name of *Quilites*, p. 142. The Indian auxiliaries had one means of subsistence more than the Spaniards. They fed upon the bodies of the Mexicans whom they killed in battle. Cort. Relat.

176. C. B. Diaz confirms his relation, and adds, that when the Indians returned from Mexico to their own country, they carried with them large quantities of the flesh of the Mexicans salted or dried, as a most acceptable present to their friends, that they might have the pleasure of feeding upon the bodies of their enemies in their festivals, p. 157. De Solis, who seems to consider it as an imputation of discredit to his countrymen, that they should act in concert with auxiliaries who fed upon human flesh, is solicitous to prove that the Spaniards endeavoured to prevent their associates from eating the bodies of the Mexicans, lib. v. c. 24. But he has no authority for this from the original historians. Neither Cortes himself, nor B. Diaz, seem to have had any such scruple; and, on many occasions, they mention the Indian repasts, which were become familiar to them, without any mark of abhorrence. Even with this additional stock of food for the Indians, it was hardly possible to procure subsistence for armies amounting to such numbers as we find in the Spanish writers. Perhaps the best solution of the difficulty is, to adopt the opinion of B. Diaz del Castillo, the most artless of all the *Historiadores primitivos*. "When Gomara (says he) on some occasions relates, that there were so many thousand Indians our auxiliaries, and in others, that there were so many thousand houses in this or that town, no regard is to be paid to his enumeration, as he has no authority for it, the numbers not being in reality the fifth of what he relates. If we add together the different numbers which he mentions, that country would contain more millions than there are in Castile." C. 129. But though some considerable deduction should certainly be made from the Spanish accounts of the Mexican forces, they must have been very numerous; for nothing but an immense superiority in number could have enabled them to withstand a body of nine hundred Spaniards, conducted by a leader of such abilities as Cortes.

Note CXXII. (Page 893.)

In relating the oppressive and cruel proceedings of the conquerors of New Spain, I have not followed B. de las Casas as my guide. His account of them, Relat. de la Destruyc. p. 18, &c. is manifestly exaggerated. It is from the testimony of Cortes himself, and of Gomara, who wrote under his eye, that I have taken my account of the punishment of the Panucans, and they relate it without any disapprobation. B. Diaz, contrary to his usual custom, mentions it only in general terms, c. 162. Herrera, solicitous to extenuate this barbarous action of his countrymen, though he mentions 63 caziques, and 400 men of note, as being condemned to the flames, asserts that thirty only were burnt, and the rest pardoned. Dec. 3. lib. v. c. 7. But this is contrary to the testimony of the original historians, particularly of Gomara, whom it appears he had consulted, as he adopts several of his expressions in this passage. The punishment of Guatimozin is related by the most authentic of the Spanish writers. Torquemada has extracted from a history of Tezcuco, composed in the Mexican tongue, an account of this transaction, more favourable to Guatimozin than that of the Spanish authors. Mon. Indiana. i. 575. According to the Mexican account, Cortes had scarcely a shadow of evidence to justify such a wanton act of cruelty. B. Diaz affirms, that Guatimozin and his fellow-sufferers asserted their innocence with their last breath, and that many of the Spanish soldiers condemned this action of Cortes as equally unnecessary and unjust, p. 200. b. 201. a.

Note CXXIII. (Page 894.)

The motive for undertaking this expedition was, to punish Christoval de Olid, one of his officers, who had revolted against him, and aimed at establishing an independent jurisdiction. Cortes regarded this insurrection as of such dangerous example, and dreaded so much the abilities and popularity of its author, that in person he led the body of troops destined to suppress it. He marched, according to Gomara, three thousand miles, through a country abounding with thick forests, rugged mountains, deep rivers, thinly inhabited, and cultivated only in a few places. What he suffered from famine, from the hostility of the natives, from the climate, and from hardships of every species, has nothing in history parallel to it, but what occurs in the adventures of the other discoverers and conquerors of the New World. Cortes was employed in this dreadful service above two years; and though it was not distinguished by any splendid event, he exhibited, during the course of it, greater personal courage, more fortitude of mind, more perseverance and patience, than in any other period or scene in his life. Herrera, dec. 3. lib. vi. vii. viii. ix. Gomara, Cron. c. 163—177. B. Diaz, 174—190. Cortes, MS. *penes me*. Were one to write a life of Cortes, the account of this expedition should occupy a splendid place in it. In a general history of America, as the expedition was productive of no great event, the mention of it is sufficient.

Note CXXIV. (Page 894.)

According to Herrera, the treasure which Cortes brought with him, consisted of fifteen hundred marks of wrought plate, two hundred thousand pesos of fine gold, and ten thousand of inferior standard, many rich jewels, one in particular worth forty thousand pesos, and several trinkets and ornaments of value. Dec. 4. lib. iii. c. 8. lib. iv. c. 1. He afterwards engaged to give a portion with his daughter of a hundred thousand pesos. Gomara Cron. c. 237. The fortune which he left his sons was very considerable. But, as we have before related, the sum divided among the conquerors, on the first reduction of Mexico, was very small. There appears, then, to be some reason for suspect-

ing that the accusations of Cortes's enemics were not altogether destitute of foundation. They charged him with having applied to his own use a disproportionate share of the Mexican spoils; with having concealed the royal treasures of Montezuma and Guatimozin; with defrauding the king of his fifth; and robbing his followers of what was due to them. Herrera, dec. 3. lib. viii. c. 15. dec. 4. lib. iii. c. 8. Some of the conquerors themselves entertained suspicions of the same kind with respect to this part of his conduct. B. Diaz, c. 157.

Note CXXV. (Page 896.)

In tracing the progress of the Spanish arms in New Spain, we have followed Cortes himself as our most certain guide. His despatches to the emperor contain a minute account of his operations. But the unlettered conqueror of Peru was incapable of relating his own exploits. Our information with respect to them, and other transactions in Peru, is derived, however, from contemporary and respectable authors.

The most early account of Pizarro's transactions in Peru was published by Francisco de Xerez, his secretary. It is a simple unadorned narrative, carried down no further than the death of Atahualpa, in 1533; for the author returned to Spain in 1534, and, soon after he landed, printed at Seville his short History of the Conquest of Peru, addressed to the emperor.

Don Pedro Sancho, an officer who served under Pizarro, drew up an account of his expedition, which was translated into Italian by Ramusio, and inserted in his valuable collection, but has never been published in its original language. Sancho returned to Spain at the same time with Xerez. Great credit is due to what both these authors relate concerning the progress and operations of Pizarro; but the residence of the Spaniards in Peru had been so short, at the time when they left it, and their intercourse with the natives so slender, that their knowledge of the Peruvian manners and customs is very imperfect.

The next contemporary historian is Pedro Cieza de Leon, who published his Cronica del Peru, at Seville, in 1553. If he had finished all that he proposes in the general division of his work, it would have been the most complete history which had been published of any region in the New World. He was well qualified to execute it, having served during seventeen years in America, and having visited in person most of the provinces concerning which he had occasion to write. But only the first part of his chronicle has been printed. It contains a description of Peru, and several of the adjacent provinces, with an account of the institutions and customs of the natives, and is written with so little art, and such an apparent regard for truth, that one must regret the loss of the other parts of his work.

This loss is amply supplied by Don Augustine Zarate, who published, in 1555, his Historia del Descubrimiento y Conquesta de la Provincia del Peru. Zaratè was a man of rank and education, and employed in Peru as comptroller-general of the public revenue. His history, whether we attend to its matter or composition, is a book of considerable merit; as he had an opportunity to be well informed, and seems to have been inquisitive with respect to the manners and transactions of the Peruvians, great credit is due to his testimony.

Don Diego Fernandez published his Historia del Peru in 1571. His sole object is to relate the dissensions and civil wars of the Spaniards in that empire. As he served in a public station in Peru, and was well acquainted both with the country and with the principal actors in those singular scenes which he describes, as he possessed sound understanding and great impartiality, his work may be ranked among those of the historians most distinguished for their industry in research, or their capacity in judging with respect to the events which they relate.

The last author who can be reckoned among the contemporary historians of the conquest of Peru, is Garcilasso de la Vega, Inca. For though the first part of his work, entitled *Commentarios Reales del Origin de los Incas Reies del Peru*, was not published sooner than the year 1609, seventy-six years after the death of Atahualpa the last emperor, yet as he was born in Peru, and was the son of an officer of distinction among the Spanish conquerors, by a *Coya*, or lady of the royal race, on account of which he always took the name of inca; as he was master of the language spoken by the incas, and acquainted with the traditions of his countrymen, his authority is rated very high, and often placed above that of all the other historians. His work, however, is little more than a commentary upon the Spanish writers of the Peruvian story, and composed of quotations taken from the authors whom I have mentioned. This is the idea which he himself gives of it, lib. i. c. 10. Nor is it in the account of facts only that he follows them servilely. Even in explaining the institutions and rites of his ancestors, his information seems not to be more perfect than theirs. His explanation of the Quipos is almost the same with that of Acosta. He produces no specimen of Peruvian poetry, but that wretched one which he borrows from Blas Valera, an early missionary, whose memoirs have never been published. Lib. ii. c. 15. As for composition, arrangement, or a capacity of distinguishing between what is fabulous, what is probable, and what is true, one searches for them in vain in the commentaries of the inca. His work, however, notwithstanding its great defects, is not altogether destitute of use. Some traditions which he received from his countrymen are preserved in it. His knowledge of the Peruvian language has enabled him to correct some errors of the Spanish writers, and he has inserted in it some curious facts taken from authors whose works were never published, and are now lost.

Note CXXVI. (Page 897.)

One may form an idea both of the hardships which they endured, and of the unhealthful climate in the regions which they visited, from the extraordinary mortality that prevailed among them. Pizarro carried out 112 men, Almagro 70. In less than nine months 130 of these died. Few fell by the sword; most of them were cut off by diseases. Xerez, p. 180.

Note CXXVII. (Page 898.)

This island, says Herrera, is rendered so uncomfortable by the unwholesomeness of its climate, its impenetrable woods, its rugged mountains, and the multitude of insects and reptiles, that it is seldom any softer epithet than that of *infernal* is employed in describing it. The sun is almost never seen there, and throughout the year it hardly ever ceases to rain. Dec. 3. lib. x. c. 3. Dampier touched at this island in the year 1685: and his account of the climate is not more favourable. Vol. i. p. 172. He, during his cruise on the coast, visited most of the places where Pizarro landed, and his description of them throws light on the narrations of the early Spanish historians.

Note CXXVIII. (Page 902.)

By this time horses had multiplied greatly in the Spanish settlements on the continent. When Cortes began his expedition in the year 1518, though his armament was more considerable than that of Pizarro, and composed of persons superior in rank to those who invaded Peru, he could procure no more than sixteen horses.

Note CXXIX. (Page 902.)

In the year 1740, D. Ant. Ulloa, and D. George Juan, travelled from Guayaquil to Motupe, by the same route which Pizarro took. From the description of their journey, one may form an idea of the difficulty of his march. The sandy plains between St. Michael de Pieura and Motupe extend 90 miles, without water, without a tree, a plant, or any green thing, on a dreary stretch of burning sand. Voyage, tom. i. p. 399, &c.

Note CXXX. (Page 904.)

This extravagant and unseasonable discourse of Valverde has been censured by all historians, and with justice. But though he seems to have been an illiterate and bigoted monk, nowise resembling the good Olmedo who accompanied Cortes, the absurdity of his address to Atahualpa must not be charged wholly upon him. His harangue is evidently a translation or paraphrase of that form concerted by a junto of Spanish divines and lawyers in the year 1509, for explaining the right of their king to the sovereignty of the New World, and for directing the officers employed in America how they should take possession of any new country. See Note xxiii. The sentiments contained in Valverde's harangue must not then be imputed to the bigoted imbecility of a particular man, but to that of the age. But Gomara and Benzoni relate one circumstance concerning Valverde, which, if authentic, renders him an object, not of contempt only, but of horror. They assert, that during the whole action Valverde continued to excite the soldiers to slaughter, calling to them to strike the enemy, not with the edge, but with the points of their swords. Gom. Cron. c. 113. Benz. Histor. Nov. Orbis, lib. iii. c. 3. Such behaviour was very different from that of the Roman catholic clergy in other parts of America, where they uniformly exerted their influence to protect the Indians, and to moderate the ferocity of their countrymen.

Note CXXXI. (Page 904.)

Two different systems have been formed concerning the conduct of Atahualpa. The Spanish writers, in order to justify the violence of their countrymen, contend that all the inca's professions of friendship were feigned; and that his intention in agreeing to an interview with Pizarro at Caxamalca, was to cut off him and his followers at one blow; that for this purpose he advanced with such a numerous body of attendants, who had arms concealed under their garments, to execute this scheme. This is the account given by Xerez and Zaratè, and adopted by Herrera. But if it had been the plan of the inca to destroy the Spaniards, one can hardly imagine that he would have permitted them to march unmolested through the desert of Motupe, or have neglected to defend the passes in the mountains, where they might have been attacked with so much advantage. If the Peruvians marched to Caxamalca with an intention to fall upon the Spaniards, it is inconceivable that of so great a body of men, prepared for action, not one should attempt to make resistance, but all tamely suffer themselves to be butchered by an enemy whom they were armed to attack. Atahualpa's mode of advancing to the interview has the aspect of a peaceable procession, not of a military enterprise. He himself and his followers were, in their habits of ceremony, preceded, as on days of solemnity, by unarmed harbingers. Though rude nations are frequently cunning and false, yet, if a scheme of deception and treachery must be imputed either to a monarch, that had no great reason to be alarmed at a visit from strangers who solicited admission into his presence as friends, or to an adventurer so daring and so little scrupulous as Pizarro, one cannot hesitate in determining where to fix the presumption of guilt. Even amidst the endeavours of the Spanish writers to palliate the proceedings of Pizarro, one plainly perceives that it was his intention, as well as his interest, to seize the inca, and that he had taken measures for that purpose, previous to any suspicion of that monarch's designs.

Garcilasso de la Vega, extremely solicitous to vindicate his countrymen, the Peruvians, from the

crime of having concerted the destruction of Pizarro and his followers, and no less afraid to charge the Spaniards with improper conduct towards the inca, has framed another system. He relates, that a man of majestic form, with a long beard, and garments reaching to the ground, having appeared in a vision to Viracocha, the eighth inca, and declared that he was a child of the sun, that monarch built a temple in honour of this person, and erected an image of him, resembling as nearly as possible the singular form in which he had exhibited himself to his view. In this temple divine honours were paid to him, by the name of Viracocha. P. i. lib. iv. c. 21. lib. v. c. 22. When the Spaniards first appeared in Peru, the length of their beards, and the dress they wore, struck every person so much with their likeness to the image of Viracocha, that they supposed them to be children of the sun, who had descended from heaven to earth. All concluded, that the fatal period of the Peruvian empire was now approaching, and that the throne would be occupied by new possessors. Atahualpa himself, considering the Spaniards as messengers from heaven, was so far from entertaining any thoughts of resisting them, that he determined to yield implicit obedience to their commands. From these sentiments flowed his professions of love and respect. To those were owing the cordial reception of Soto and Ferdinand Pizarro in his camp, and the submissive reverence with which he himself advanced to visit the Spanish general in his quarters; but from the gross ignorance of Philipillo, the interpreter, the declaration of the Spaniards, and his answer to it, were so ill explained, that by their mutual inability to comprehend each other's intentions, the fatal rencounter at Caxamalca, with all its dreadful consequences, was occasioned.

It is remarkable, that no traces of this superstitious veneration of the Peruvians for the Spaniards, are to be found either in Xerez, or Sancho, or Zaratè, previous to the interview at Caxamalca; and yet the two former served under Pizarro at that time, and the latter visited Peru soon after the conquest. If either the inca himself, or his messengers, had addressed the Spaniards in the words which Garcilasso puts in their mouths, they must have been struck with such submissive declarations; and they would certainly have availed themselves of them to accomplish their own designs with greater facility. Garcilasso himself, though his narrative of the intercourse between the inca and Spaniards, preceding the rencounter at Caxamalca, is founded on the supposition of his believing them to be Viracochas, or divine beings, p. ii. lib. i. c. 17, &c. yet, with his usual inattention and inaccuracy, he admits, in another place, that the Peruvians did not recollect the resemblance between them and the god Viracocha, until the fatal disasters subsequent to the defeat at Caxamalca, and then only began to call them Viracochas, p. i. lib. v. c. 21. This is confirmed by Herrera, dec. 5. lib. ii. c. 12. In many different parts of America, if we may believe the Spanish writers, their countrymen were considered as divine beings who had descended from heaven. But in this instance, as in many which occur in the intercourse between nations whose progress in refinement is very unequal, the ideas of those who used the expression were different from the ideas of those who heard it. For such is the idiom of the Indian languages, or such is the simplicity of those who speak them, that when they see any thing with which they were formerly unacquainted, and of which they do not know the origin, they say, that it came down from heaven. Nugnez. Ram. iii. 327. C.

The account which I have given of the sentiments and proceedings of the Peruvians, appears to be more natural and consistent than either of the two preceding, and is better supported by the facts related by the contemporary historians.

According to Xerez, p. 200., two thousand Peruvians were killed. Sancho makes the number of the slain six or seven thousand. Ram. iii. 274. D. By Garcilasso's account, five thousand were massacred, p. ii. lib. i. c. 25. The number which I have mentioned, being the medium between the extremes, may probably be nearest the truth.

Note CXXXII. (Page 905.)

Nothing can be a more striking proof of this, than that three Spaniards travelled from Caxamalca to Cuzco. The distance between them is six hundred miles. In every place throughout this great extent of country, they were treated with all the honours which the Peruvians paid to their sovereigns, and even to their divinities. Under pretext of amassing what was wanting for the ransom of the inca, they demanded the plates of gold with which the walls of the temple of the Sun in Cuzco were adorned; and though the priests were unwilling to alienate those sacred ornaments, and the people refused to violate the shrine of their god, the three Spaniards, with their own hands, robbed the temple of part of this valuable treasure; and such was the reverence of the natives for their persons, that though they beheld this act of sacrilege with astonishment, they did not attempt to prevent or disturb the commission of it. Zarate, lib. ii. c. 6. Sancho ap. Ramus. iii. 375. D.

Note CXXXIII. (Page 908.)

According to Herrera, the spoil of Cuzco, after setting apart the king's *fifth*, was divided among 480 persons. Each received 4000 pesos. This amounts to 1,920,000 pesos. Dec. v. lib. vi. c. 3. But as the general, and other officers, were entitled to a share far greater than that of the private men, the sum total must have risen much beyond what I have mentioned. Gomara, c. 123. and Zarate, lib. ii. c. 8. satisfy themselves with asserting in general, that the plunder of Cuzco was of greater value than the ransom of Atahualpa.

Note CXXXIV. (Page 908.)

No expedition in the New World was conducted with more persevering courage than that of Alvarado, and in none were greater hardships endured. Many of the persons engaged in it were, like their leader, veterans who had served under Cortes, inured to all the rigour of American war. Such of my readers as have not an opportunity of perusing the striking description of their sufferings by Zaratè or Herrera, may form some idea of the nature of their march from the sea-coast to Quito, by consulting the account which D. Ant. Ulloa gives of his own journey, in 1736, nearly in the same route; Voy. tom. i. p. 178, &c. or that of M. Bouguer, who proceeded from Puerto Viejo to Quito, by the same road which Alvarado took. He compares his own journey with that of the Spanish leader, and by the comparison gives a most striking idea of the boldness and patience of Alvarado, in forcing his way through so many obstacles. Voyage du Perou, p. 28, &c.

Note CXXXV. (Page 908.)

According to Herrera, there was entered on account of the king, in gold, 155,300 pesos, and 5400 marks (each 8 ounces) of silver, besides several vessels and ornaments, some of gold, and others of silver; on account of private persons, in gold, 499,000 pesos, and 54,000 marks of silver. Dec. 5. lib. vi. c. 13.

Note CXXXVI. (Page 911.)

The Peruvians not only imitated the military arts of the Spaniards, but had recourse to devices of their own. As the cavalry were the chief objects of their terror, they endeavoured to render them incapable of acting, by means of a long thong with a stone fastened to each end. This, when thrown by a skilful hand twisted about the horse and its rider, and entangled them so as to obstruct their motions. Herrera mentions this as an invention of their own. Dec. 5. lib. viii. c. 4. But as I have observed, p. 838. this weapon is common among several barbarous tribes towards the extremity of South America; and it is more probable that the Peruvians had observed the dexterity with which they used it in hunting, and on this occasion adopted it themselves. The Spaniards were considerably annoyed by it. Herrera, ibid. Another instance of the ingenuity of the Peruvians deserves mention. By turning a river out of its channel, they overflowed a valley, in which a body of the enemy was posted, so suddenly, that it was with the utmost difficulty the Spaniards made their escape. Herrera, dec. 5. lib. viii. c. 5.

Note CXXXVII. (Page 916.)

Herrera's account of Orellana's voyage is the most minute, and apparently the most accurate. It was probably taken from the journal of Orellana himself. But the dates are not distinctly marked. His navigation down the Coca, or Napo, began early in February 1541; and he arrived at the mouth of the river on the 26th of August, having spent near seven months in the voyage. M. de la Condamine, in the year 1743, sailed from Cuenca to Para, a settlement of the Portuguese at the mouth of the river, a navigation much longer than that of Orellana, in less than four months. Voyage, p. 179. But the two adventurers were very differently provided for the voyage. This hazardous undertaking, to which ambition prompted Orellana, and to which the love of science led M. de la Condamine, was undertaken in the year 1769, by Madam Godin des Odonais, from conjugal affection. The narrative of the hardships which she suffered, of the dangers to which she was exposed, and of the disasters which befell her, is one of the most singular and affecting stories in any language, exhibiting in her conduct a striking picture of the fortitude which distinguishes the one sex, mingled with the sensibility and tenderness peculiar to the other. Lettre de M. Godin à M. de la Condamine.

Note CXXXVIII. (Page 917.)

Herrera gives a striking picture of their indigence. Twelve gentlemen, who had been officers of distinction under Almagro, lodged in the same house, and having but one cloak among them, it was worn alternately by him who had occasion to appear in public, while the rest, from the want of a decent dress, were obliged to keep within doors. Their former friends and companions were so much afraid of giving offence to Pizarro, that they durst not entertain or even converse with them. One may conceive what was the condition, and what the indignation, of men once accustomed to power and opulence, when they felt themselves poor and despised, without a roof under which to shelter their heads, while they beheld others, whose merits and services were not equal to theirs, living in splendour in sumptuous edifices. Dec. 6. lib. viii. c. 6.

Note CXXXIX. (Page 920.)

Herrera, whose accuracy entitles him to great credit, asserts, that Gonzalo Pizarro possessed domains in the neighbourhood of Chuquesaca de la Plata, which yielded him an annual revenue greater than that of the archbishop of Toledo, the best endowed see in Europe. Dec. 7. lib. vi. c. 3.

Note CXL. (Page 924.)

All the Spanish writers describe his march, and the distresses of both parties, very minutely. Zaratè observes, that hardly any parallel to it occurs in history, either with respect to the length of the retreat, or the ardour of the pursuit. Pizarro, according to his computation, followed the viceroy upwards of three thousand miles. Lib. v. c. 16. 26.

Note CXLI. (Page 928.)

It amounted, according to Fernandez, the best informed historian of that period, to one million four hundred thousand pesos. Lib. ii. c. 79.

Note CXLII. (Page 928.)

Carvajal, from the beginning, had been an advocate for an accommodation with Gasca. Finding Pizarro incapable of holding that bold course which he originally suggested, he recommended to him a timely submission to his sovereign as the safest measure. When the president's offers were first communicated to Carvajal, "By our Lady, (said he, in that strain of buffoonery which was familiar to him,) the priest issues gracious bulls. He gives them both good and cheap; let us not only accept them, but wear them as reliques about our necks." Fernandez, lib. ii. c. 63.

Note CXLIII. (Page 929.)

During the rebellion of Gonzalo Pizarro, seven hundred men were killed in battle, and three hundred and eighty were hanged or beheaded. Herrera, dec. 8. lib. iv. c. 4. Above three hundred of these were cut off by Carvajal. Fernandez, lib. ii. c. 91. Zaratè makes the number of those put to a violent death five hundred. Lib. vii. c. 1.

Note CXLIV. (Page 931.)

In my inquiries concerning the manners and policy of the Mexicans, I have received much information from a large manuscript of Don Alonso de Corita, one of the judges in the court of audience of Mexico. In the year 1553, Philip II., in order to discover the mode of levying tribute from his Indian subjects, that would be most beneficial to the crown, and least oppressive to them, addressed a mandate to all the courts of audience in America, enjoining them to answer certain queries which he proposed to them, concerning the ancient form of government established among the various nations of Indians, and the mode in which they had been accustomed to pay taxes to their kings or chiefs. In obedience to this mandate Corita, who had resided nineteen years in America, fourteen of which he passed in New Spain, composed the work of which I have a copy. He acquaints his sovereign, that he had made it an object, during his residence in America, and in all its provinces which he had visited, to inquire diligently into the manners and customs of the natives; that he had conversed for this purpose with many aged and intelligent Indians, and consulted several of the Spanish ecclesiastics, who understood the Indian languages most perfectly, particularly some of those who landed in New Spain soon after the conquest. Corita appears to be a man of some learning, and to have carried on his inquiries with the diligence and accuracy to which he pretends. Greater credit is due to his testimony from one circumstance. His work was not composed with a view to publication, or in support of any particular theory, but contains simple though full answers to queries proposed to him officially. Though Herrera does not mention him among the authors whom he had followed as guides in his History, I should suppose, from several facts of which he takes notice, as well as from several expressions which he uses, that this memorial of Corita was not unknown to him.

Note CXLV. (Page 934.)

The early Spanish writers were so hasty and inaccurate in estimating the numbers of people in the provinces and towns of America, that it is impossible to ascertain that of Mexico itself with any degree of precision. Cortes describes the extent and populousness of Mexico in general terms, which imply that it was not inferior to the greatest cities in Europe. Gomara is more explicit, and affirms, that there were 60,000 houses or families in Mexico. Cron. c. 78. Herrera adopts his opinion, Dec. 2. lib. vii. c. 13.; and the generality of writers follow them implicitly without inquiry or scruple. According to this account, the inhabitants of Mexico must have been about 300,000. Torquemada, with his usual propensity to the marvellous, asserts, that there were a hundred and twenty thousand houses or families in Mexico, and consequently about six hundred thousand inhabitants. Lib. iii. c. 23. But in a very judicious account of the Mexican empire, by one of Cortes's officers, the population is fixed at 60,000 people. Ramusio, iii. 309. A. Even by this account, which probably is much nearer the truth than any of the foregoing, Mexico was a great city.

Note CXLVI. (Page 935.)

It is to P. Torribio de Benavente that I am indebted for this curious observation. Palafox, bishop of Cuidad de la Puebla Los Angeles, confirms and illustrates it more fully. The Mexican (says he) is the only language in which a termination indicating respect, *silavas reverentiales y de cortesia*, may be affixed to every word. By adding the final syllable *zin* or *azin* to any word, it becomes a proper expression of veneration in the mouth of an inferior. If, in speaking to an equal, the word Father is to be used, it is *Tatl*, but an inferior says Tatzin. One priest speaking to another, calls him *Teopixque;* a person of inferior rank calls him *Teopixcatzin*. The name of the emperor who reigned when Cortes invaded Mexico, was *Montezuma;* but his vassals, from reverence, pronounced it *Montezumazin*. Torribio, MS. Palaf. Virtudes del Indio, p. 65. The Mexicans had not only reverential nouns, but reverential verbs. The manner in which these are formed from the verbs in common use, is explained by D. Jos. Aug. Aldama y Guevara in his Mexican Grammar, N°. 188.

Note CXLVII. (Page 936.)

From comparing several passages in Corita and Herrera, we may collect, with some degree of accuracy, the various modes in which the Mexicans contributed towards the support of government. Some persons of the first order seem to have been exempted from the payment of any tribute, and, as their only duty to the public, were bound to personal service in war, and to follow the banner of their sovereign with their vassals. 2. The immediate vassals of the crown were bound not only to personal military service, but paid a certain proportion of the produce of their lands in kind. 3. Those who held offices of honour or trust, paid a certain share of what they received in consequence of holding these. 4. Each *Capullæ*, or association, cultivated some part of the common field allotted to it, for the behoof of the crown, and deposited the produce in the royal granaries. 5. Some part of whatever was brought to the public markets, whether fruits of the earth, or the various productions of their artists and manufacturers, was demanded for the public use, and the merchants who paid this were exempted from every other tax. 6. The *Mayeques*, or *adscripti glebæ*, were bound to cultivate certain districts in every province, which may be considered as *crown lands*, and brought the increase into public storehouses. Thus the sovereign received some part of whatever was useful or valuable in the country, whether it was the natural production of the soil, or acquired by the industry of the people. What each contributed towards the support of government, seems to have been inconsiderable. Corita, in answer to one of the queries put to the audience of Mexico by Philip II., endeavours to estimate in money the value of what each citizen might be supposed to pay, and does not reckon it at more than three or four *reals*, about eighteen pence or two shillings a head.

Note CXLVIII. (Page 937.)

Cortes, who seems to have been as much astonished with this, as with any instance of Mexican ingenuity, gives a particular description of it. Along one of the causeways, says he, by which they enter the city, are conducted two conduits, composed of clay tempered with mortar, about two paces in breadth, and raised about six feet. In one of them is conveyed a stream of excellent water, as large as the body of a man, into the centre of the city, and it supplies all the inhabitants plentifully. The other is empty, that when it is necessary to clean or repair the former, the stream of water may be turned into it. As this conduit passes along two of the bridges, where there are no breaches in the causeway, through which the salt-water of the lake flows, it is conveyed over them in pipes as large as the body of an ox, then carried from the conduit to the remote quarters of the city in canoes, and sold to the inhabitants. Relat. ap. Ramus. 214. A.

Note CXLIX. (Page 937.)

In the armoury of the royal palace of Madrid are shown suits of armour, which are called Montezuma's. They are composed of thin lacquered copper-plates. In the opinion of very intelligent judges, they are evidently eastern. The forms of the silver ornaments upon them, representing dragons, &c. may be considered as a confirmation of this. They are infinitely superior, in point of workmanship, to any effort of American art. The Spaniards probably received them from the Philippine islands. The only unquestionable specimen of Mexican art, that I know of, in Great Britain, is a cup of very fine gold, which is said to have belonged to Montezuma. It weighs 5 oz. 12 dwt. Three drawings of it were exhibited to the Society of Antiquaries, June 10, 1765. A man's head is represented on this cup. On one side the full face, on the other the profile, on the third the back parts of the head. The relievo is said to have been produced by pinching the inside of the cup, so as to make the representation of a face on the outside. The features are gross, but represented with some degree of art, and certainly too rude for Spanish workmanship. This cup was purchased by Edward earl of Orford, while he lay in the harbour of Cadiz with the fleet under his command, and is now in the possession of his grandson, lord Archer. I am indebted for this information to my respectable and ingenious friend Mr. Barrington. In the sixth volume of the Archæologia, p. 107., is published an account of some masks of Terra Cotta, brought from a burying-ground on the American continent, about seventy miles from the British settlement on the Mosquito shore. They are said to be likenesses of chiefs, or other eminent persons. From the descriptions and engravings of them, we have an additional proof of the imperfect state of arts among the Americans.

Note CL. (Page 939.)

The learned reader will perceive how much I have been indebted, in this part of my work, to the guidance of the bishop of Gloucester, who has traced the successive steps by which the human mind advanced in this line of its progress, with much erudition, and greater ingenuity. He is the first, as far as I know, who formed a rational and consistent theory concerning the various modes of writing practised by nations, according to the various degrees of their improvement. Div. Legation of Moses, iii. 69, &c. Some important observations have been added by M. le President de Brosses, the learned and intelligent author of the Traité de la Formation Mecanique des Langues, tom. i. 295, &c.

As the Mexican paintings are the most curious monuments extant of the earliest mode of writing, it will not be improper to give some account of the

means by which they were preserved from the general wreck of every work of art in America, and communicated to the public. For the most early and complete collection of these published by Purchas, we are indebted to the attention of that curious inquirer, Hakluyt. Don Antonio Mendoza, viceroy of New Spain, having deemed those paintings a proper present for Charles V., the ship in which they were sent to Spain was taken by a French cruiser, and they came into the possession of Thevet, the king's geographer, who, having travelled himself into the New World, and described one of its provinces, was a curious observer of whatever tended to illustrate the manners of the Americans. On his death, they were purchased by Hakluyt, at that time chaplain of the English ambassador to the French court; and, being left by him to Purchas, were published at the desire of the learned antiquary sir Henry Spelman. Purchas, iii. 1065. They were translated from English into French by Melchizedeck Thevenot, and published in his collection of voyages, A. D. 1683.

The second specimen of Mexican picture-writing was published by Dr. Francis Gemelli Carreri, in two copper-plates. The first is a map, or representation of the progress of the ancient Mexicans on their first arrival in the country, and of the various stations in which they settled, before they founded the capital of their empire in the lake of Mexico. The second is a chronological wheel, or circle, representing the manner in which they computed and marked their cycle of fifty-two years. He received both from Don Carlos de Siguenza y Congorra, a diligent collector of ancient Mexican documents. But as it seems now to be a received opinion (founded, as far as I know, on no good evidence) that Carreri was never out of Italy, and that his famous *Giro del Mundo* is an account of a fictitious voyage, I have not mentioned these paintings in the text. They have, however, manifestly the appearance of being Mexican productions, and are allowed to be so by Boturini, who was well qualified to determine whether they were genuine or supposititious. M. Clavigero likewise admits them to be genuine paintings of the ancient Mexicans. To me they always appeared to be so, though, from my desire to rest no part of my narrative upon questionable authority, I did not refer to them. The style of painting in the former is considerably more perfect than any other specimen of Mexican design; but as the original is said to have been much defaced by time, I suspect that it has been improved by some touches from the hand of an European artist. Carreri, Churchill, iv. p. 487. The chronological wheel is a just delineation of the Mexican mode of computing time, as described by Acosta, lib. vi. c. 2. It seems to resemble one which that learned Jesuit had seen; and if it be admitted as a genuine monument, it proves that the Mexicans had artificial or arbitrary characters, which represented several things besides numbers. Each month is there represented by a symbol expressive of some work or rite peculiar to it.

The third specimen of Mexican painting was discovered by another Italian. In 1736, Lorenzo Boturino Benaduci set out for New Spain, and was led by several incidents to study the language of the Mexicans, and to collect the remains of their historical monuments. He persisted nine years in his researches, with the enthusiasm of a projector, and the patience of an antiquary. In 1746, he published at Madrid, *Idea de una Nueva Historia General de la America Septentrional*, containing an account of the result of his inquiries; and he added to it a catalogue of his American Historical Museum, arranged under thirty-six different heads. His idea of a New History appears to me the work of a whimsical credulous man. But his catalogue of Mexican maps, paintings, tribute-rolls, calendars, &c. is much larger than one could have expected. Unfortunately a ship, in which he had sent a considerable part of them to Europe, was taken by an English privateer during the war between Great Britain and Spain, which commenced in the year 1739; and it is probable that they perished by falling into the hands of ignorant captors. Boturini himself incurred the displeasure of the Spanish court, and died in an hospital at Madrid. The history, of which the *Idea*, &c. was only a *prospectus*, was never published. The remainder of his Museum seems to have been dispersed. Some part of it came into the possession of the present archbishop of Toledo, when he was primate of New Spain; and he published from it that curious tribute-roll which I have mentioned.

The only other collection of Mexican paintings, as far as I can learn, is in the imperial library at Vienna. By order of their imperial majesties, I have obtained such a specimen of these as I desired, in eight paintings made with so much fidelity, that I am informed the copies could hardly be distinguished from the originals. According to a note in this *Codex Mexicanus*, it appears to have been a present from Emmanuel king of Portugal to pope Clement VII., who died A. D. 1533. After passing through the hands of several illustrious proprietors, it fell into those of the cardinal of Saxe-Eisenach, who presented it to the emperor Leopold. These paintings are manifestly Mexican, but they are in a style very different from any of the former. An engraving has been made of one of them, in order to gratify such of my readers as may deem this an object worthy of their attention. Were it an object of sufficient importance, it might perhaps be possible, by recourse to the plates of Purchas, and the archbishop of Toledo, as a key, to form plausible conjectures concerning the meaning of this picture. Many of the figures are evidently similar. A. A. are targets and darts, almost in the same form with those published by Purchas, p. 1070, 1071, &c. B. B. are figures of temples, nearly resembling those in Purchas, p. 1109. and 1113., and in Lorenzana,

Plate II. C. is a bale of mantles, or cotton cloths, the figure of which occurs in almost every plate of Purchas and Lorenzana. E. E. E. seem to be Mexican captains in their war dress, the fantastic ornaments of which resemble the figures in Purchas, p. 1110, 1111. 2113. I should suppose this picture to be a tribute-roll, as their mode of noting numbers occurs frequently. D. D. D., &c. According to Boturini, the mode of computation by the number of knots was known to the Mexicans as well as to the Peruvians, p. 85., and the manner in which the number of units is represented in the Mexican paintings in my possession seems to confirm this opinion. They plainly resemble a string of knots on a cord or slender rope.

Since I published the former edition, Mr. Waddilove, who is still pleased to continue his friendly attention to procure me information, has discovered, in the library of the Escurial, a volume in folio, consisting of forty sheets of a kind of pasteboard, each the size of a common sheet of writing paper, with great variety of uncouth and whimsical figures of Mexican painting, in very fresh colours, and with an explanation in Spanish to most of them. The first twenty-two sheets are the signs of the months, days, &c. About the middle of each sheet are two or more large figures for the month, surrounded by the signs of the days. The last eighteen sheets are not so filled with figures. They seem to be signs of deities, and images of various objects. According to this Calendar in the Escurial, the Mexican year contained 286 days, divided into 22 months of 13 days. Each day is represented by a different sign, taken from some natural object, a serpent, a dog, a lizard, a reed, a house, &c. The signs of days in the Calendar of the Escurial are precisely the same with those mentioned by Boturini, *Idea*, &c. p. 45. But, if we may give credit to that author, the Mexican year contained 360 days, divided into 18 months of 20 days. The order of days in every month was computed, according to him, first by what he calls a *tridecennary* progression of days from one to thirteen, in the same manner as in the Calendar of the Escurial, and then by a *septenary* progression of days from one to seven, making in all twenty. In this Calendar, not only the signs which distinguish each day, but the qualities supposed to be peculiar to each month, are marked. There are certain weaknesses which seem to accompany the human mind through every stage of its progress in observation and science. Slender as was the knowledge of the Mexicans in astronomy, it appears to have been already connected with judicial astrology. The fortune and character of persons born in each month are supposed to be decided by some superior influence predominant at the time of nativity. Hence it is foretold in the Calendar, that all who are born in one month will be rich, in another warlike, in a third luxurious, &c. The pasteboard, or whatever substance it may be on which the Calendar in the Escurial is painted, seems, by Mr. Waddilove's description of it, to resemble nearly that in the imperial library at Vienna. In several particulars, the figures bear some likeness to those in the plate which I have published. The figures marked D., which induced me to conjecture that this painting might be a tribute-roll similar to those published by Purchas and the archbishop of Toledo, Mr. Waddilove supposes to be signs of days: and I have such confidence in the accuracy of his observations, as to conclude his opinion to be well founded. It appears, from the characters in which the explanations of the figures are written, that this curious monument of Mexican art has been obtained soon after the conquest of the empire. It is singular that it should never have been mentioned by any Spanish author.

Note CLI. (Page 939.)

The first was called the Prince of the Deathful Lance; the second the Divider of Men; the third the Shedder of Blood; the fourth the Lord of the Dark-house. Acosta, lib. vi. c. 25.

Note CLII. (Page 941.)

The temple of Cholula, which was deemed more holy than any in New Spain, was likewise the most considerable. But it was nothing more than a mount of solid earth. According to Torquemada, it was above a quarter of a league in circuit at the base, and rose to the height of forty fathom. Mon. Ind. lib. iii. c. 19. Even M. Clavigero acknowledges that all the Mexican temples were solid structures, or earthen mounts, and of consequence cannot be considered as any evidence of their having made any considerable progress in the art of building. Clavig. ii. 207.

From inspecting various figures of temples in the paintings engraved by Purchas, there seems to be some reason for suspecting that all their temples were constructed in the same manner. See Vol. iii. p. 1109, 1110. 1113.

Note CLIII. (Page 941.)

Not only in Tlascala, and Tepeaca, but even in Mexico itself, the houses of the people were mere huts built with turf, or mud, or the branches of trees. They were extremely low, and slight, and without any furniture but a few earthen vessels. Like the rudest Indians, several families resided under the same roof, without having any separate apartments. Herrera, Dec. 2. lib. vii. c. 13. lib. x. c. 22. Dec. 3. lib. iv. c. 17. Torquem. lib. iii. c. 23.

Note CLIV. (Page 941.)

I am informed by a person who resided long in New Spain, and visited almost every province of it, that there is not, in all the extent of that vast empire, any monument or vestige of any building more ancient than the conquest, nor of any bridge or highway, except some remains of the causeway from

Guadaloupe to that gate of Mexico by which Cortes entered the city. MS. *penes me.* The author of another account in manuscript observes, "That at this day there does not remain even the smallest vestige of the existence of any ancient Indian building public or private, either in Mexico or in any province of New Spain. I have travelled, says he, through all the countries adjacent to them, viz. New Galicia, New Biscay, New Mexico, Sonora, Cinaloa, the new kingdom of Leon, and New Santandero, without having observed any monument worth notice, except some ruins near an ancient village in the valley *de Casas Grandes*, in lat. N. 3°. 46′. long. 258°. 24′. from the island of Teneriffe, or 460 leagues N. N. W. from Mexico." He describes these ruins minutely, and they appear to be the remains of a paltry building of turf and stone, plastered over with white earth or lime. A missionary informed that gentleman, that he had discovered the ruins of another edifice similar to the former, about an hundred leagues towards N. W. on the banks of the river St. Pedro. MS. *penes me.*

These testimonies derive great credit from one circumstance, that they were not given in support of any particular system or theory, but as simple answers to queries which I had proposed. It is probable, however, that when these gentlemen assert that no ruins or monuments of any ancient work whatever are now to be discovered in the Mexican empire, they meant that there were no such ruins or monuments as conveyed any idea of grandeur or magnificence in the works of its ancient inhabitants. For it appears from the testimony of several Spanish authors, that in Otumba, Tlascala, Cholula, &c. some vestiges of ancient buildings are still visible. Villa Segnor Theatro Amer. p. 143. 308. 353. D. Fran. Ant. Lorenzana, formerly archbishop of Mexico, and now of Toledo, in his introduction to that edition of the Cartas de Relacion of Cortes, which he published at Mexico, mentions some ruins which are still visible in several of the towns through which Cortes passed in his way to the capital, p. 4, &c. But neither of these authors gives any description of them, and they seem to be so very inconsiderable, as to show only that some buildings had once been there. The large mount of earth at Cholula, which the Spaniards dignified with the name of temple, still remains, but without any steps by which to ascend, or any facing of stone. It appears now like a natural mount, covered with grass and shrubs, and possibly it was never any thing more. Torquem. lib. iii. c. 19. I have received a minute description of the remains of a temple near Cuernavaca, on the road from Mexico to Acapulco. It is composed of large stones, fitted to each other as nicely as those in the buildings of the Peruvians, which are hereafter mentioned. At the foundation it forms a square of twenty-five yards; but as it rises in height it diminishes in extent, not gradually, but by being contracted suddenly at regular distances, so that it must have resembled the figure B. in the plate. It terminated, it is said, in a spire.

Note CLV. (Page 943.)

The exaggeration of the Spanish historians, with respect to the number of human victims sacrificed in Mexico, appears to be very great. According to Gomara, there was no year in which twenty thousand human victims were not offered to the Mexican divinities, and in some years they amounted to fifty thousand. Cron. c. 229. The skulls of those unhappy persons were ranged in order in a building erected for that purpose, and two of Cortes's officers, who had counted them, informed Gomara that their number was a hundred and thirty-six thousand. Ibid. c. 82. Herrera's account is still more incredible, that the number of victims was so great, that five thousand have been sacrificed in one day, nay, on some occasions, no less than twenty thousand. Dec. iii. lib. ii. c. 16. Torquemada goes beyond both in extravagance; for he asserts that twenty thousand children, exclusive of other victims, were slaughtered annually. Mon. Ind. lib. vii. c. 21. The most respectable authority in favour of such high numbers is that of Zumurraga, the first bishop of Mexico, who, in a letter to the chapter-general of his order, A. D. 1631, asserts that the Mexicans sacrificed annually twenty thousand victims. Davila. Teatro Eccles. 126. In opposition to all these accounts, B. de las Casas observes, that if there had been such an annual waste of the human species, the country could never have arrived at that degree of populousness for which it was remarkable when the Spaniards first landed there. This reasoning is just. If the number of victims in all the provinces of New Spain had been so great, not only must population have been prevented from increasing, but the human race must have been exterminated in a short time. For besides the waste of the species by such numerous sacrifices, it is observable, that wherever the fate of captives taken in war is either certain death or perpetual slavery, as men can gain nothing by submitting speedily to an enemy, they always resist to the uttermost, and war becomes bloody and destructive to the last degree. Las Casas positively asserts, that the Mexicans never sacrificed more than fifty or a hundred persons in a year. See his dispute with Sepulveda, subjoined to his Brevissima Relacion, p. 105. Cortes does not specify what number of victims was sacrificed annually; but B. Diaz del Castillo relates that, an inquiry having been made with respect to this by the Franciscan monks who were sent into New Spain immediately after the conquest, it was found that about two thousand five hundred were sacrificed every year in Mexico. C. 207.

Note CLVI. (Page 943.)

It is hardly necessary to observe, that the Peruvian chronology is not only obscure, but repugnant

to conclusions deduced from the most accurate and extensive observations, concerning the time that elapses during each reign, in any given succession of princes. The medium has been found not to exceed twenty years, According to Acosta and Garcilasso de la Vega, Huana Capac, who died about the year 1527, was the twelfth inca. According to this rule of computing, the duration of the Peruvian monarchy ought not to have been reckoned above two hundred and forty years; but they affirm that it had subsisted four hundred years. Acosta, lib. vi. c. 19. Vega, lib. i. c. 9. By this account each reign is extended at a medium to thirty-three years, instead of twenty, the number ascertained by Sir Isaac Newton's observations; but so imperfect were the Peruvian traditions, that though the total is boldly marked, the number of years in each reign is unknown.

Note CLVII. (Page 945.)

Many of the early Spanish writers assert that the Peruvians offered human sacrifices. Xerez, p. 190. Zaratè, lib. i. c. 11. Acosta, lib. v. c. 19. But Garcilasso de la Vega contends, that though this barbarous practice prevailed among their uncivilized ancestors, it was totally abolished by the incas, and that no human victim was ever offered in any temple of the sun. This assertion, and the plausible reasons with which he confirms it, are sufficient to refute the Spanish writers, whose accounts seem to be founded entirely upon report, not upon what they themselves had observed. Vega, lib. ii. c. 4. In one of their festivals, the Peruvians offered cakes of bread moistened with blood drawn from the arms, the eyebrows, and noses of their children. Id. lib. vii. c. 6. This rite may have been derived from their ancient practice, in their uncivilized state, of sacrificing human victims.

Note CLVIII. (Page 946.)

The Spaniards have adopted both those customs of the ancient Peruvians. They have preserved some of the aqueducts or canals, made in the days of the incas, and have made new ones, by which they water every field that they cultivate. Ulloa Voyage, tom. i. 422. 477. They likewise continue to use *guano*, or the dung of sea-fowls, as manure. Ulloa gives a description of the almost incredible quantity of it in the small islands near the coast. Ibid. 481.

Note CLIX. (Page 947.)

The temple of Cayambo, the palace of the inca at Callo in the plain of Lacatunga, and that of Atun-Cannar, are described by Ulloa, tom. i. 286, &c. who inspected them with great care. M. de Condamine published a curious memoir concerning the ruins of Atun-Cannar. Mem. de l'Academie de Berlin, A. D. 1746, p. 435. Acosta describes the ruins of Cuzco, which he had examined. Lib. vi. c. 14. Garcilasso, in his usual style, gives pompous and confused descriptions of several temples and other public edifices. Lib. iii. c. 1. c. 21. lib. vi. c. 4. Don. —— Zapata, in a large treatise concerning Peru, which has not hitherto been published, communicates some information with respect to several monuments of the ancient Peruvians which have not been mentioned by other authors. MS. *penes me*, Articulo xx. Ulloa describes some of the ancient Peruvian fortifications, which were likewise works of great extent and solidity. Tom. i. 391. Three circumstances struck all those observers: the vast size of the stones which the Peruvians employed in some of their buildings. Acosta measured one, which was thirty feet long, eighteen broad, and six in thickness; and yet he adds, that in the fortress at Cuzco there were stones considerably larger. It is difficult to conceive how the Peruvians could move these, and raise them to the height even of twelve feet. The second circumstance is the imperfection of the Peruvian art, when applied to working in timber. By the patience and perseverance natural to Americans, stones may be formed into any shape, merely by rubbing one against another, or by the use of hatchets or other instruments made of stone; but with such rude tools little progress can be made in carpentry. The Peruvians could not mortise two beams together, or give any degree of union or stability to any work composed of timber. As they could not form a centre, they were totally unacquainted with the use of arches in building; nor can the Spanish authors conceive how they were able to frame a roof for those ample structures which they raised.

The third circumstance is a striking proof, which all the monuments of the Peruvians furnish, of their want of ingenuity and invention, accompanied with patience no less astonishing. None of the stones employed in those works were formed into any particular or uniform shape, which could render them fit for being compacted together in building. The Indians took them as they fell from the mountains, or were raised out of the quarries. Some were square, some triangular, some convex, some concave. Their art and industry were employed in joining them together, by forming such hollows in the one, as perfectly corresponded to the projections or risings in the other. This tedious operation, which might have been so easily abridged, by adapting the surface of the stones to each other, either by rubbing, or by their hatchets of copper, would be deemed incredible, if it were not put beyond doubt by inspecting the remains of those buildings. It gives them a very singular appearance to an European eye. There is no regular layer or stratum of building, and no one stone resembles another in dimensions or form. At the same time, by the persevering but ill-directed industry of the Indians, they are all joined with that minute nicety which I have mentioned. Ulloa made this observation concerning the form of the stones in the fortress of Atun-Cannar. Voy. i. p. 387. Pineto

gives a similar description of the fortress of Cuzco, the most perfect of all the Peruvian works. Zapata MS. *penes me.* According to M. de Condamine, there were regular strata of building in some parts of Atun-Cannar, which he remarks as singular, and as a proof of some progress in improvement.

Note CLX. (Page 948.)

The appearance of those bridges, which bend with their own weight, wave with the wind, and are considerably agitated by the motion of every person who passes along them, is very frightful at first. But the Spaniards have found them to be the easiest mode of passing the torrents in Peru, over which it would be difficult to throw more solid structures either of stone or timber. They form those hanging bridges so strong and broad, that loaded mules pass along them. All the trade of Cuzco is carried on by means of such a bridge over the river Apurimac. Ulloa, tom. i. 358. A more simple contrivance was employed in passing smaller streams: A basket, in which the traveller was placed, being suspended from a strong rope stretched across the stream, it was pushed or drawn from one side to the other. Ibid.

Note CLXI. (Page 950.)

My information with respect to those events is taken from *Noticia breve* de la expedicion militar de Sinora y Cinaloa, su exito feliz, y vantojoso estado, en que por consecuentia de ello, se han puesto ambas provincias, published at Mexico, June 17th, 1771, in order to satisfy the curiosity of the merchants, who had furnished the viceroy with money for defraying the expense of the armament. The copies of this *Noticia* are very rare in Madrid; but I have obtained one, which has enabled me to communicate these curious facts to the public. According to this account, there was found in the mine Yecorato in Cinaloa a grain of gold of twenty-two carats, which weighed sixteen marks four ounces four ochavas; this was sent to Spain as a present fit for the king, and is now deposited in the royal cabinet at Madrid.

Note CLXII. (Page 951.)

The uncertainty of geographers with respect to this point is remarkable, for Cortes seems to have surveyed its coasts with great accuracy. The archbishop of Toledo has published, from the original in the possession of the marquis del Valle, the descendant of Cortes, a map drawn in 1541, by the pilot Domingo Castillo, in which California is laid down as a peninsula, stretching out nearly in the same direction which is now given to it in the best maps; and the point where Rio Colorado enters the gulf is marked with precision. Hist. de Nueva Espagna, 327.

Note CLXIII. (Page 951.)

I am indebted for this fact to M. L'Abbé Raynal, tom. iii. 103.; and upon consulting an intelligent person, long settled on the Mosquito shore, and who has been engaged in the logwood trade, I find that ingenious author has been well informed. The logwood cut near the town of St. Francis of Campeachy is of much better quality than that on the other side of Yucatan; and the English trade in the bay of Honduras is almost at an end.

Note CLXIV. (Page 956.)

P. Torribio de Benevente, or Motolinea, has enumerated ten causes of the rapid depopulation of Mexico, to which he gives the name of the Ten Plagues. Many of these are not peculiar to that province. 1. The introduction of the small-pox. This disease was first brought into New Spain in the year 1520, by a negro slave who attended Narvaez in his expedition against Cortes. Torribio affirms, that one half of the people in the provinces visited with this distemper died. To this mortality, occasioned by the small-pox, Torquemada adds the destructive effects of two contagious distempers which raged in the year 1545 and 1576. In the former 800,000, in the latter above two millions, perished, according to an exact account taken by order of the viceroys. Mon. Ind. i. 642. The small-pox was not introduced into Peru for several years after the invasion of the Spaniards; but there, too, that distemper proved very fatal to the natives. Garcia Origen, p. 88. 2. The numbers who were killed or died of famine in their war with the Spaniards, particularly during the siege of Mexico. 3. The great famine that followed after the reduction of Mexico, as all the people engaged, either on one side or other, had neglected the cultivation of their lands. Something similar to this happened in all the other countries conquered by the Spaniards. 4. The grievous tasks imposed by the Spaniards upon the people belonging to their Repartimientos. 5. The oppressive burden of taxes which they were unable to pay, and from which they could hope for no exemption. 6. The numbers employed in collecting the gold carried down by the torrents from the mountains, who were forced from their own habitations, without any provision made for their subsistence, and subjected to all the rigour of cold in those elevated regions. 7. The immense labour of rebuilding Mexico, which Cortes urged on with such precipitate ardour as destroyed an incredible number of people. 8. The number of people condemned to servitude, under various pretexts, and employed in working the silver mines. These, marked by each proprietor with a hot iron, like his cattle, were driven in herds to the mountains. The nature of the labour to which they were subjected there, the noxious vapours of the mines, the coldness of the climate, and scarcity of food, were so fatal, that Torribio affirms the country round several of those mines, particularly near Guaxago, was covered with dead bodies, the air corrupted with their stench, and so many vultures and other vora-

cious birds hovered about for their prey, that the sun was darkened with their flight. 10. The Spaniards, in the different expeditions which they undertook, and by the civil wars which they carried on, destroyed many of the natives whom they compelled to serve them as *Tamemes*, or carriers of burdens. This last mode of oppression was particularly ruinous to the Peruvians. From the number of Indians who perished in Gonzalo Pizarro's expedition into the countries to the east of the Andes, one may form some idea of what they suffered in similar services, and how fast they were wasted by them. Torribio, MS. Corita, in his Breve y Summaria Relacion, illustrates and confirms several of Torribio's observations, to which he refers. MS. *penes me.*

Note CLXV. (Page 956.)

Even Montesquieu has adopted this idea, lib. viii. c. 18. But the passion of that great man for system sometimes rendered him inattentive to research; and from his capacity to refine, he was apt, in some instances, to overlook obvious and just causes.

Note CLXVI. (Page 956.)

A strong proof of this occurs in the testament of Isabella, where she discovers the most tender concern for the humane and mild usage of the Indians. Those laudable sentiments of the queen have been adopted into the public law of Spain, and serve as the introduction to the regulations contained under the title *Of the good treatment of the Indians.* Recopil. lib. vi. tit. x.

Note CLXVII. (Page 957.)

In the seventh *Title* of the first book of the *Recopilacion*, which contains the laws concerning the powers and functions of archbishops and bishops, almost a third part of them relates to what is incumbent upon them as guardians of the Indians, and points out the various methods in which it is their duty to interpose, in order to defend them from oppression either with respect to their persons or property. Not only do the laws commit to them this honourable and humane office, but the ecclesiastics of America actually exercise it.

Innumerable proofs of this might be produced from Spanish authors. But I rather refer to Gage, as he was no*t* disposed to ascribe any merit to the popish clergy to which they were not fully entitled. Survey, p. 142, 192, &c. Henry Hawks, an English merchant, who resided five years in New Spain previous to the year 1572, gives the same favourable account of the popish clergy. Hakluyt, iii. 466. By a law of Charles V. not only bishops, but other ecclesiastics, are empowered to inform and admonish the civil magistrates, if any Indian is deprived of his just liberty and rights; Recopilac. lib. vi. tit. vi. ley 14.; and thus were constituted legal protectors of the Indians. Some of the Spanish ecclesiastics refuse to grant absolution to such of their countrymen as possessed *Encomiendas*, and considered the Indians as slaves, or employed them in working their mines. Gonz. Davil. Teatro Eccles. i. 157.

Note CLXVIII. (Page 957.)

According to Gage, Chiapa dos Indos contains 4000 families; and he mentions it only as one of the largest Indian towns in America, p. 104.

Note CLXIX. (Page 957.)

It is very difficult to obtain an accurate account of the state of population in those kingdoms of Europe where the police is most perfect, and where science has made the greatest progress. In Spanish America, where knowledge is still in its infancy, and few men have leisure to engage in researches merely speculative, little attention has been paid to this curious inquiry. But in the year 1741, Philip V. enjoined the viceroys and governors of the several provinces in America, to make an actual survey of the people under their jurisdiction, and to transmit a report concerning their number and occupations. In consequence of this order, the Conde de Fuen-Clara, viceroy of New Spain, appointed D. Jos. Antonio de Villa Segnor y Sanchez to execute that commission in New Spain. From the reports of the magistrates in the several districts, as well as from his own observations and long acquaintance with most of the provinces, Villa Segnor published the result of his inquiries in his *Teatro Americano.* His report, however, is imperfect. Of the nine dioceses, into which the Mexican empire has been divided, he has published an account of five only, viz. the archbishopric of Mexico, the bishoprics of Puebla de los Angeles, Mechoacan, Oaxaca, and Nova Galicia. The bishoprics of Yucatan, Verapaz, Chiapa, and Guatimala, are entirely omitted, though the two latter comprehend countries in which the Indian race is more numerous than in any part of New Spain. In his survey of the extensive diocese of Nova Galicia, the situation of the different Indian villages is described, but he specifies the number of people only in a small part of it. The Indians of that extensive province, in which the Spanish dominion is imperfectly established, are not registered with the same accuracy as in other parts of New Spain. According to Villa Segnor, the actual state of population in the five dioceses above mentioned is, of Spaniards, negroes, mulattoes, and mestizos, in the dioceses of

	Families.
Mexico	105,202
Los Angeles	30,600
Mechoacan	30,840
Oaxaca	7,296
Nova Galicia	16,770
	190,708

At the rate of five to a family, the total number is 953,540.

Indian families in the diocese of Mexico	119,511
Los Angeles	88,240
Mechoacan	36,196
Oaxaca	44,222
Nova Galicia	6,222
	294,391

At the rate of five to a family, the total number is 1,471,955. We may rely with greater certainty on this computation of the number of Indians, as it is taken from the *Matricula*, or register, according to which the tribute paid by them is collected. As four dioceses of nine are totally omitted, and in that of Nova Galicia the numbers are imperfectly recorded, we may conclude that the number of Indians in the Mexican empire exceeds two millions.

The account of the number of Spaniards, &c. seems not to be equally complete. Of many places, Villa Segnor observes in general terms, that several Spaniards, negroes, and people of mixed race, reside there, without specifying their number. If, therefore, we make allowance for these, and for all who reside in the four dioceses omitted, the number of Spaniards, and of those of a mixed race, may probably amount to a million and a half. In some places Villa Segnor distinguishes between Spaniards and the inferior races of negroes, mulattoes, and mestizos, and marks their number separately. But he generally blends them together. But from the proportion observable in those places, where the number of each is marked, as well as from the account of the state of population in New Spain by other authors, it is manifest that the number of negroes and persons of a mixed race far exceeds that of Spaniards. Perhaps the latter ought not to be reckoned above 500,000 to a million of the former.

Defective as this account may be, I have not been able to procure such intelligence concerning the number of people in Peru, as might enable me to form any conjecture equally satisfying with respect to the degree of its population. I have been informed that in the year 1761, the protector of the Indians in the viceroyalty of Peru computed that 612,780 paid tribute to the king. As all females, and persons under age, are exempted from this tax in Peru, the total number of Indians ought by that account to be 2,449,120. MS. *penes me*.

I shall mention another mode, by which one may compute, or at least form a guess concerning, the state of population in New Spain and Peru. According to an account which I have reason to consider as accurate, the number of copies of the bull of Cruzada exported to Peru on each new publication, is, 1,171,953; to New Spain, 2,649,326. I am informed that but few Indians purchase bulls, and that they are sold chiefly to the Spanish inhabitants, and those of mixed race; so that the number of Spaniards, and people of a mixed race, will amount by this mode of computation to at least three millions.

The number of inhabitants in many of the towns in Spanish America may give us some idea of the extent of population, and correct the inaccurate but popular notion entertained in Great Britain concerning the weak and desolate state of their colonies. The city of Mexico contains at least 150,000 people. It is remarkable that Torquemada, who wrote his *Monarquia Indiana* about the year 1612, reckons the inhabitants of Mexico at that time to be only 7000 Spaniards and 8000 Indians. Lib. iii. c. 26. Puebla de los Angeles contains above 60,000 Spaniards, and people of a mixed race. Villa Segnor, p. 247. Guadalaxara contains above 30,000, exclusive of Indians. Id. ii. 206. Lima contains 54,000. De Cosme Bueno Descr. de Peru, 1764. Carthagena contains 25,000. Potosi contains 25,000. Bueno 1767. Popayan contains above 20,000. Ulloa, i. 287. Towns of a second class are still more numerous. The cities in the most thriving settlements of other European nations in America cannot be compared with these.

Such are the detached accounts of the number of people in several towns, which I found scattered in authors whom I thought worthy of credit. But I have obtained an enumeration of the inhabitants of the towns in the province of Quito, on the accuracy of which I can rely; and I communicate it to the public, both to gratify curiosity, and to rectify the mistaken notion which I have mentioned. St. Francisco de Quito contains between 50 and 60,000 people of all the different races. Besides the city, there are in the *Corregimiento* 29 *curas* or parishes established in the principal villages, each of which has smaller hamlets depending upon it. The inhabitants of these are mostly Indians and mestizos. St. Juan de Pasto has between 6 and 8,000 inhabitants, besides 27 dependent villages. St. Miguel de Ibarra, 7000 citizens, and ten villages. The district of Havala, between 18 and 20,000 people. The district of Tacuna, between 10 and 12,000. The district of Ambato, between 8 and 10,000, besides 16 depending villages. The city of Riobamba, between 16 and 20,000 inhabitants, and nine depending villages. The district of Chimbo, between 6 and 8000. The city of Guayaquil, from 16 to 20,000 inhabitants, and 14 depending villages. The district of Atuasi, between 5 and 6000 inhabitants, and 4 depending villages. The city of Cuenza, between 25 and 30,000 inhabitants, and 9 populous depending villages. The town of Laxa, from 8 to 10,000 inhabitants, and 14 depending villages. This degree of population, though slender if we consider the vast extent of the country, is far beyond what is commonly supposed. I have omitted to mention, in its proper place, that Quito is the only province in Spanish America that can be denominated a manufacturing country; hats, cotton stuffs, and coarse woollen cloths, are made there in such quantities as to be sufficient not only for the consumption of the province, but to furnish a considerable article for exportation into other parts of Spanish America. I

know not whether the uncommon industry of this province should be considered as the cause or the effect of its populousness. But among the ostentatious inhabitants of the New World, the passion for every thing that comes from Europe is so violent, that I am informed the manufactures of Quito are so much undervalued as to be on the decline.

Note CLXX. (Page 958.)

These are established at the following places:— St. Domingo in the island of Hispaniola, Mexico in New Spain, Lima in Peru, Panama in Tierra Firmè, Santiago in Guatimala, Guadalaxara in New Galicia, Santa Fe in the new kingdom of Granada, La Plata in the country of Los Charcas, St. Franciseo de Quito, St. Jago de Chili, Buenos Ayres. To each of these are subjected several large provinces, and some so far removed from the cities where the courts are fixed, that they can derive little benefit from their jurisdiction. The Spanish writers commonly reckon up twelve courts of audience, but they include that of Manila in the Philippine islands.

Note CLXXI. (Page 960.)

On account of the distance of Peru and Chili from Spain, and the difficulty of carrying commodities of such bulk as wine and oil across the isthmus of Panama, the Spaniards in those provinces have been permitted to plant vines and olives; but they are strictly prohibited from exporting wine or oil to any of the provinces on the Pacific ocean, which are in such a situation as to receive them from Spain. Recop. lib. i. tit. xvii. l. 15—18.

Note CLXXII. (Page 960.)

This computation was made by Benzoni A. D. 1550, fifty-eight years after the discovery of America. Hist. Novi Orbis, lib. iii. c. 21. But as Benzoni wrote with the spirit of a malcontent, disposed to detract from the Spaniards in every particular, it is probable that his calculation is considerably too low.

Note CLXXIII. (Page 961.)

My information with respect to the division and transmission of property in the Spanish colonies is imperfect. The Spanish authors do not explain this fully, and have not perhaps attended sufficiently to the effects of their own institutions and laws. Solorzano de Jure Ind. (vol. ii. lib. ii. l. 16.) explains in some measure the introduction of the tenure of *Mayorasgo*, and mentions some of its effects. Villa Segnor takes notice of a singular consequence of it. He observes, that in some of the best situations in the city of Mexico, a good deal of ground is unoccupied, or covered only with the ruins of the houses once erected upon it; and adds, that as this ground is held by right of *Mayorasgo*, and cannot be alienated, that desolation and those ruins become perpetual. Teatr. Amer. vol. i. p. 34.

Note CLXXIV. (Page 961.)

There is no law that excludes Creoles from offices either civil or ecclesiastic. On the contrary, there are many *Cedulas*, which recommend the conferring places of trust indiscriminately on the natives of Spain and America. Betancourt y Figueroa Derecho, &c. p. 5, 6. But, notwithstanding such repeated recommendations, preferment in almost every line is conferred on native Spaniards. A remarkable proof of this is produced by the author last quoted. From the discovery of America to the year 1637, three hundred and sixty-nine bishops, or archbishops, have been appointed to the different dioceses in that country, and of all that number only twelve were Creoles, p. 40. This predilection for Europeans seems still to continue. By a royal mandate, issued in 1776, the chapter of the cathedral of Mexico is directed to nominate European ecclesiastics of known merit and abilities, that the king may appoint them to supply vacant benefices. MS. *penes me.*

Note CLXXV. (Page 963.)

Moderate as this tribute may appear, such is the extreme poverty of the Indians in many provinces of America, that the exacting of it is intolerably oppressive. Pegna Itiner. par Paroches de Indios, p. 192.

Note CLXXVI. (Page 963.)

In New Spain, on account of the extraordinary merit and services of the first conquerors, as well as the small revenue arising from the country previous to the discovery of the mines of Sacatecas, the *encomiendas* were granted for three, and sometimes for four, lives. Recop. lib. vi. tit. ii. c. 14, &c.

Note CLXXVII. (Page 963.)

D. Ant. Ulloa contends, that working in mines is not noxious, and as a proof of this informs us, that many mestizos and Indians, who do not belong to any repartimiento, voluntarily hire themselves as miners; and several of the Indians, when the legal term of their service expires, continue to work in the mines of choice. *Entreten.* p. 265. But his opinion concerning the wholesomeness of this occupation is contrary to the experience of all ages; and wherever men are allured by high wages, they will engage in any species of labour, however fatiguing or pernicious it may be. D. Hern. Carillo Altamirano relates a curious fact incompatible with this opinion. Wherever mines are wrought, says he, the number of Indians decreases; but in the province of Campeachy, where there are no mines, the number of Indians has increased more than a third since the conquest of America, though neither the soil nor climate be so favourable as in Peru or Mexico. Colbert Collect. In another memorial presented to Philip III. in the year 1609, captain Juan Gonzales de Azevedo asserts, that in every

district of Peru where the Indians are compelled to labour in the mines, their numbers were reduced to the half, and in some places to the third, of what it was under the viceroyalty of Don. Fran. Toledo in 1581. Colb. Collect.

Note CLXXVIII. (Page 963.)

As labour of this kind cannot be prescribed with legal accuracy, the tasks seem to be in a great measure arbitrary, and, like the services exacted by feudal superiors *in vinea, prato, aut messe*, from their vassals, are extremely burdensome, and often wantonly oppressive. Pegna Itiner. par Parochos de Indios.

Note CLXXIX. (Page 963.)

The turn of service known in Peru by the name of *Mita* is called *Tanda* in New Spain. There it continues no longer than a week at a time. No person is called to serve at a greater distance from his habitation than 24 miles. This arrangement is less oppressive to the Indians than that established in Peru. Memorial of Hern. Carillo Altamirano. Colbert Collect.

Note CLXXX. (Page 964.)

The strongest proof of this may be deduced from the laws themselves. By the multitude and variety of regulations to prevent abuses, we may form an idea of the number of abuses that prevail. Though the laws have wisely provided that no Indian shall be obliged to serve in any mine at a greater distance from his place of residence than thirty miles; we are informed in a memorial of D. Hernan Carillo Altamirano presented to the king, that the Indians of Peru are often compelled to serve in mines at the distance of a hundred, a hundred and fifty, and even two hundred leagues from their habitation. Colbert Collect. Many mines are situated in parts of the country so barren and so distant from the ordinary habitations of the Indians, that the necessity of procuring labourers to work there has obliged the Spanish monarchs to dispense with their own regulations in several instances, and to permit the viceroys to compel the people of more remote provinces to resort to those mines. Escalona Gazophyl. Perub. lib. i. c. 16. But, in justice to them, it should be observed that they have been studious to alleviate this oppression as much as possible, by enjoining viceroys to employ every method in order to induce the Indians to settle in some part of the country adjacent to the mines. Id. ibid.

Note CLXXXI. (Page 965.)

Torquemada, after a long enumeration which has the appearance of accuracy, concludes the number of monasteries in New Spain to be four hundred. Mon. Ind. lib. xix. c. 32. The number of monasteries in the city of Mexico alone was, in the year 1745, fifty-five. Villa Segnor Teat. Amer. i. 34. Ulloa reckons up forty convents in Lima; and mentioning those for nuns, he says that a small town might be peopled out of them, the number of persons shut up there is so great. Voy. i. 429. Philip III., in a letter to the viceroy of Peru, A. D. 1620, observes, that the number of convents in Lima was so great, that they covered more ground than all the rest of the city. Solorz. lib. iii. c. 23. n. 57. Lib. iii. c. 16. Torquem. lib. xv. c. 3. The first monastery in New Spain was founded A. D. 1525, four years only after the conquest. Torq. lib. xv. c. 16.

According to Gil Gonzalez Davila, the complete establishment of the American church in all the Spanish settlements was, in the year 1649, 1 patriarch, 6 archbishops, 32 bishops, 346 prebends, 2 abbots, 5 royal chaplains, 840 convents. Teatro Ecclesiastico de las Ind. Occident. vol. i. Pref. When the order of Jesuits was expelled from all the Spanish dominions, the colleges, *professed* houses, and residences, which it possessed in the province of New Spain, were thirty, in Quito sixteen, in the new kingdom of Granada thirteen, in Peru seventeen, in Chili eighteen, in Paraguay eighteen; in all, a hundred and twelve. Collection General de Providencias hasta aqui tomadas sobre estranamento, &c. de la Compagnia, part i. p. 19. The number of Jesuits, priests, and novices in all these amounted to 2245. MS. *penes me.*

In the year 1644, the city of Mexico presented a petition to the king, praying that no new monastery might be founded, and that the revenues of those already established might be circumscribed, otherwise the religious houses would soon acquire the property of the whole country. The petitioners request likewise, that the bishops might be laid under restrictions in conferring holy orders, as there were at that time in New Spain above six thousand clergymen without any living. Id. p. 16. These abuses must have been enormous indeed, when the superstition of American Spaniards was shocked, and induced to remonstrate against them.

Note CLXXXII. (Page 966.)

This description of the manners of the Spanish clergy I should not have ventured to give upon the testimony of protestant authors alone, as they may be suspected of prejudice or exaggeration. Gage, in particular, who had a better opportunity than any protestant to view the interior state of Spanish America, describes the corruption of the church which he had forsaken, with so much of the acrimony of a new convert, that I should have distrusted his evidence, though it communicates some very curious and striking facts. But Benzoni mentions the profligacy of ecclesiastics in America at a very early period after their settlement there. Hist. lib. ii. c. 19, 20. M. Frezier, an intelligent observer, and zealous for his own religion, paints the dissolute manners of the Spanish ecclesiastics in Peru, particularly the regulars, in stronger colours than

I have employed. Voy. p. 51. 215, &c. M. Gentil confirms this account. Voy. i. 34. Correal concurs with both, and adds many remarkable circumstances. Voy. i. 61. 155. 161. I have good reason to believe that the manners of the regular clergy, particularly in Peru, are still extremely indecent. Acosta himself acknowledges that great corruption of manners had been the consequence of permitting monks to forsake the retirement and discipline of the cloister, and to mingle again with the world, by undertaking the charge of the Indian parishes. De Procur. Ind. Salute, lib. iv. c. 13, &c. He mentions particularly those vices of which I have taken notice, and considers the temptations to them as so formidable, that he leans to the opinion of those who hold that the regular clergy should not be employed as parish priests. Lib. v. c. 20. Even the advocates for the regulars admit, that many and great enormities abounded among the monks of different orders, when set free from the restraint of monastic discipline; and from the tone of their defence, one may conclude that the charge brought against them was not destitute of truth. In the French colonies the state of the regular clergy is nearly the same as in the Spanish settlements, and the same consequences have followed. M. Biet, superior of the secular priests in Cayenne, inquires, with no less appearance of piety than of candour, into the causes of this corruption, and imputes it chiefly to the exemption of regulars from the jurisdiction and censures of their diocesans; to the temptations to which they are exposed; and to their engaging in commerce. Voy. p. 320. It is remarkable, that all the authors who censure the licentiousness of the Spanish regulars with the greatest severity, concur in vindicating the conduct of the Jesuits. Formed under a discipline more perfect than that of the other monastic orders, or animated by that concern for the honour of the society which takes such full possession of every member of the order, the Jesuits, both in Mexico and Peru, it is allowed, maintained a most irreproachable decency of manners. Frezier, 223. Gentil, i. 34. The same praise is likewise due to the bishops and most of the dignified clergy. Frez. Ibid.

A volume of the Gazette de Mexico for the years 1728, 1729, 1730, having been communicated to me, I find there a striking confirmation of what I have advanced concerning the spirit of low illiberal superstition prevalent in Spanish America. From the newspapers of any nation, one may learn what are the objects which chiefly engross its attention, and which appear to it most interesting. The Gazette of Mexico is filled almost entirely with accounts of religious functions, with descriptions of processions, consecrations of churches, beatifications of saints, festivals, autos de fe, &c. Civil or commercial affairs, and even the transactions of Europe, occupy but a small corner in this magazine of monthly intelligence. From the titles of new books, which are regularly inserted in this Gazette, it appears that two-thirds of them are treatises of scholastic theology, or of monkish devotion.

Note CLXXXIII. (Page 966.)

Solorzano, after mentioning the corrupt morals of some of the regular clergy, with that cautious reserve which became a Spanish layman in touching on a subject so delicate, gives his opinion very explicitly, and with much firmness, against committing parochial charges to monks. He produces the testimony of several respectable authors of his country, both divines and lawyers, in confirmation of his opinion. De Jure Ind. ii. lib. iii. c. 16. A striking proof of the alarm excited by the attempt of the prince d'Esquilachè to exclude the regulars from parochial cures, is contained in the Colbert collection of papers. Several memorials were presented to the king by the procurators for the monastic orders, and replies were made to these in name of the secular clergy. An eager and even rancorous spirit is manifest on both sides, in the conduct of this dispute.

Note CLXXXIV. (Page 967.)

Not only the native Indians, but the *mestizos*, or children of a Spaniard and Indian, were originally excluded from the priesthood, and refused admission into any religious order. But by a law issued Sept. 28th, 1588, Philip II. required the prelates of America to ordain such mestizos born in lawful wedlock, as they should find to be properly qualified, and to permit them to take the vows in any monastery where they had gone through a regular noviciate. Recopil. lib. i. tit. vii. l. 7. Some regard seems to have been paid to this law in New Spain; but none in Peru. Upon a representation of this to Charles II. in the year 1697, he issued a new edict, enforcing the observation of it, and professing his desire to have all his subjects, Indians and mestizos as well as Spaniards, admitted to the enjoyment of the same privileges. Such, however, was the aversion of the Spaniards in America to the Indians, and their race, that this seems to have produced little effect; for in the year 1725 Philip V. was obliged to renew the injunction in a more peremptory tone. But so unsurmountable are the hatred and contempt of the Indians among the Peruvian Spaniards, that the present king has been constrained to enforce the former edicts anew, by a law published Sept. 11, 1774. Real Cedula, MS. *penes me.*

M. Clavigero has contradicted what I have related concerning the ecclesiastical state of the Indians, particularly their exclusion from the sacrament of the eucharist, and from holy orders, either as seculars or regulars, in such a manner as cannot fail to make a deep impression. He, from his own knowledge, asserts, "that in New Spain not only are Indians permitted to partake of the sacrament of the altar, but that Indian priests are so numerous that they may be counted by hundreds; and among

these have been many hundreds of rectors, canons, and doctors, and, as report goes, even a very learned bishop. At present there are many priests, and not a few rectors, among whom there have been three or four our own pupils." Vol. II. 348, &c. I owe it therefore as a duty to the public, as well as to myself, to consider each of these points with care, and to explain the reasons which induced me to adopt the opinion which I have published.

I knew that in the christian church there is no distinction of persons, but that men of every nation, who embrace the religion of Jesus, are equally entitled to every christian privilege which they are qualified to receive. I knew likewise that an opinion prevailed, not only among most of the Spanish laity settled in America, but among "many ecclesiastics, (I use the words of Herrera, dec. ii. lib. ii. c. 15.) that the Indians were not perfect or rational men, and were not possessed of such capacity as qualified them to partake of the sacrament of the altar, or of any other benefit of our religion." It was against this opinion that Las Casas contended with the laudable zeal which I have described in Books III. and VI. But as the bishop of Darien, Doctor Sepulvida, and other respectable ecclesiastics, vigorously supported the common opinion concerning the incapacity of the Indians, it became necessary, in order to determine the point, that the authority of the holy see should be interposed; and accordingly Paul III. issued a bull, A. D. 1537, in which, after condemning the opinion of those who held that the Indians, as being on a level with brute beasts, should be reduced to servitude, he declares that they were really men, and as such were capable of embracing the christian religion, and participating of all its blessings. My account of this bull, notwithstanding the cavils of M. Clavigero, must appear just to every person who takes the trouble of perusing it; and my account is the same with that adopted by Torquemada, lib. xvi. c. 25., and by Garcia, Orig. p. 311. But even after this decision, so low did the Spaniards residing in America rate the capacity of the natives, that the first council of Lima (I call it by that name on the authority of the best Spanish authors) discountenanced the admission of Indians to the holy communion. Torquem. lib. xvi. c. 20. In New Spain the exclusion of Indians from the sacrament was still more explicit. Ibid. After two centuries have elapsed, and notwithstanding all the improvement that the Indians may be supposed to have derived from their intercourse with the Spaniards during that period, we are informed by D. Ant. Ulloa, that in Peru, where, as will appear in the sequel of this note, they are supposed to be better instructed than in New Spain, their ignorance is so prodigious that very few are permitted to communicate, as being altogether destitute of the requisite capacity. Voy. i. 341, &c. Solorz. Polit. Ind. i. 203.

With respect to the exclusion of Indians from the priesthood, either as seculars or regulars, we may observe, that while it continued to be the common opinion that the natives of America, on account of their incapacity, should not be permitted to partake of the holy sacrament, we cannot suppose that they would be clothed with that sacred character which entitled them to consecrate and to dispense it. When Torquemada composed his *Monarquia Indiana*, it was almost a century after the conquest of New Spain; and yet in his time it was still the general practice to exclude Indians from holy orders. Of this we have the most satisfying evidence. Torquemada having celebrated the virtues and graces of the Indians at great length, and with all the complacency of a missionary, he starts as an objection to what he had asserted, "If the Indians really possess all the excellent qualities which you have described, why are they not permitted to assume the religious habit? Why are they not ordained priests and bishops, as the Jewish and Gentile converts were in the primitive church, especially as they might be employed with such superior advantage to other persons in the instruction of their countrymen?" Lib. xvii. c. 13.

In answer to this objection, which establishes, in the most unequivocal manner, what was the general practice at that period, Torquemada observes, that although by their natural dispositions the Indians are well fitted for a subordinate situation, they are destitute of all the qualities requisite in any station of dignity and authority; and that they are in general so addicted to drunkenness, that upon the slightest temptation one cannot promise on their behaving with the decency suitable to the clerical character. The propriety of excluding them from it, on these accounts, was, he observed, so well justified by experience, that when a foreigner of great erudition, who came from Spain, condemned the practice of the Mexican church, he was convinced of his mistake in a public disputation with the learned and most religious father D. Juan de Gaona, and his retractation is still extant. Torquemada indeed acknowledges, as M. Clavigero observes with a degree of exultation, that in his time some Indians had been admitted into monasteries; but, with the art of a disputant, he forgets to mention that Torquemada specifies only two examples of this, and takes notice that in both instances those Indians have been admitted by mistake. Relying upon the authority of Torquemada with regard to New Spain, and of Ulloa with regard to Peru, and considering the humiliating depression of the Indians in all the Spanish settlements, I concluded that they were not admitted into the ecclesiastical order, which is held in the highest veneration all over the New World.

But when M. Clavigero, upon his own knowledge, asserted facts so repugnant to the conclusion I had formed, I began to distrust it, and to wish for further information. In order to obtain this, I applied to a Spanish nobleman, high in office, and eminent for his abilities, who, on different occasions,

has permitted me to have the honour and benefit of corresponding with him. I have been favoured with the following answer: "What you have written concerning the admission of Indians into holy orders, or into monasteries, in Book VIII., especially as it is explained and limited in Note lxxxviii. of the quarto edition, is in general accurate, and conformable to the authorities which you quote. And although the congregation of the council resolved and declared, Feb. 13, A. D. 1682, that the circumstance of being an Indian, a mulatto, or mestizo, did not disqualify any person from being admitted into holy orders, if he was possessed of what is required by the canons to entitle him to that privilege; this only proves such ordinations to be legal and valid, (of which Solorzano and the Spanish lawyers and historians quoted by him, Pol. Ind. lib. ii. c. 29. were persuaded,) but it neither proves the propriety of admitting Indians into holy orders, nor what was then the common practice with respect to this; but, on the contrary, it shows that there was some doubt concerning the ordaining of Indians, and some repugnance to it.

"Since that time there have been some examples of admitting Indians into holy orders. We have now at Madrid an aged priest, a native of Tlascala. His name is D. Juan Cerilo de Castilla Aquihual Catehutle, descended of a cazique converted to christianity soon after the conquest. He studied the ecclesiastical sciences in a seminary of Puebla de los Angeles. He was a candidate, nevertheless, for ten years, and it required much interest before bishop Abren would consent to ordain him. This ecclesiastic is a man of unexceptionable character, modest, self-denied, and with a competent knowledge of what relates to his clerical functions. He came to Madrid above thirty-four years ago, with the sole view of soliciting admission for the Indians into the colleges and seminaries in New Spain, that if, after being well instructed and tried, they should find an inclination to enter into the ecclesiastical state, they might embrace it, and perform its functions with the greatest benefit to their countrymen, whom they could address in their native tongue. He has obtained various regulations favourable to his scheme, particularly that the first college which became vacant in consequence of the exclusion of the Jesuits, should be set apart for this purpose. But neither these regulations, nor any similar ones inserted in the laws of the Indies, have produced any effect, on account of objections and representations from the greater part of persons of chief consideration employed in New Spain. Whether their opposition be well founded or not, is a problem difficult to resolve, and towards the solution of which several distinctions and modifications are requisite.

"According to the accounts of this ecclesiastic, and the information of other persons who have resided in the Spanish dominions in America, you may rest assured that in the kingdom Tierra Firmè no such thing is known as either an Indian secular priest or monk; and that in New Spain there are very few ecclesiastics of Indian race. In Peru, perhaps, the number may be greater, as in that country there are more Indians who possess the means of acquiring such a learned education as is necessary for persons who aspire to the clerical character."

Note CLXXXV. (Page 968.)

Uztariz, an accurate and cautious calculator, seems to admit, that the quantity of silver which does not pay duty may be stated thus high. According to Herrera, there was not above a third of what was extracted from Potosi that paid the king's fifth. Dec. 8. lib. ii. c. 15. Solorzano asserts likewise, that the quantity of silver which is fraudulently circulated, is far greater than that which is regularly stamped, after paying the fifth. De Ind. Jure, vol. ii. lib. v. p. 846.

Note CLXXXVI. (Page 969.)

When the mines of Potosi were discovered in the year 1545, the veins were so near the surface, that the ore was easily extracted, and so rich that it was refined with little trouble and at a small expense, merely by the action of fire. The simple mode of refining by fusion alone continued until the year 1574, when the use of mercury in refining silver, as well as gold, was discovered. Those mines having been wrought without interruption for two centuries, the veins are now sunk so deep, that the expense of extracting the ore is greatly increased. Besides this, the richness of the ore, contrary to what happens in most other mines, has become less as the vein continued to dip. The vein has likewise diminished to such a degree, that one is amazed that the Spaniards should persist in working it. Other rich mines have been successively discovered; but in general the value of the ores has decreased so much, while the expense of extracting them has augmented, that the court of Spain in the year 1736 reduced the duty payable to the king from a *fifth* to a *tenth*. All the quicksilver used in Peru is extracted from the famous mine of Guancabelica, discovered in the year 1563. The crown has reserved the property of this mine to itself; and the persons who purchase the quicksilver pay not only the price of it, but likewise a *fifth*, as a duty to the king. But in the year 1761 this duty on quicksilver was abolished, on account of the increase of expense in working mines. Ulloa, Entretenimientos, xii—xv. Voyage, i. p. 505. 523. In consequence of this abolition of the *fifth*, and some subsequent abatements of price, which became necessary on account of the increasing expense of working mines, quicksilver, which was formerly sold at eighty pesos the quintal, is now delivered by the king at the rate of sixty pesos. Campomanes. Educ. Popul. ii. 132. note. The duty on gold is reduced to a *twentieth*, or five per cent. Any of my readers, who are desirous of being acquainted with the mode in which the Spaniards conduct the working of their mines,

and the refinement of the ore, will find an accurate description of the ancient method by Acosta, lib. iv. c. 1—13. and of their more recent improvements in the metallurgic art, by Gamboa Comment. a las ordenanz. de Minas, c. 22.

Note CLXXXVII. (Page 970.)

Many remarkable proofs occur of the advanced state of industry in Spain at the beginning of the sixteenth century. The number of cities in Spain was considerable, and they were peopled far beyond the proportion that was common in other parts of Europe. The causes of this I have explained, Hist. of Charles V. p. 355. Wherever cities are populous, that species of industry which is peculiar to them increases; artificers and manufacturers abound. The effect of the American trade in giving activity to these is manifest, from a singular fact. In the year 1545, while Spain continued to depend on its own industry for the supply of its colonies, so much work was bespoke from the manufacturers, that it was supposed they could hardly finish it in less than six years. Campom. i. 406. Such a demand must have put much industry in motion, and have excited extraordinary efforts. Accordingly, we are informed, that in the beginning of Philip II.'s reign, the city of Seville alone, where the trade with America centred, gave employment to no fewer than 16,000 looms in silk or woollen work, and that above 130,000 persons had occupation in carrying on these manufactures. Campom. ii. 472. But so rapid and pernicious was the operation of the causes which I shall enumerate, that before Philip III. ended his reign, the looms in Seville were reduced to 400. Uztariz, c. 7.

Since the publication of the first edition, I have the satisfaction to find my ideas concerning the early commercial intercourse between Spain and her colonies confirmed and illustrated by D. Bernardo Ward, of the Junta de Comercio at Madrid, in his *Proyecto Economico*, part ii. c. i. "Under the reign of Charles V. and Philip II." says he, "the manufacturers of Spain and of the Low Countries subject to her dominion were in a most flourishing state. Those of France and England were in their infancy. The republic of the United Provinces did not then exist. No European power but Spain had colonies of any value in the New World. Spain could supply her settlements there with the productions of her own soil, the fabrics wrought by the hands of her own artisans, and all she received in return for these, belonged to herself alone. Then the exclusion of foreign manufactures was proper, because it might be rendered effectual. Then Spain might lay heavy duties upon goods exported to America, or imported from it, and might impose what restraints she deemed proper upon a commerce entirely in her own hands. But when time and successive revolutions had occasioned an alteration in all those circumstances, when the manufactures of Spain began to decline, and the demands of America were supplied by foreign fabrics, the original maxims and regulations of Spain should have been accommodated to the change in her situation. The policy that was wise at one period became absurd in the other."

Note CLXXXVIII. (Page 972.)

No bale of goods is ever opened, no chest of treasure is examined. Both are received on the credit of the persons to whom they belong; and only one instance of fraud is recorded, during the long period in which trade was carried on with this liberal confidence. All the coined silver that was brought from Peru to Porto-bello in the year 1654 was found to be adulterated, and to be mingled with a fifth part of base metal. The Spanish merchants, with sentiments suitable to their usual integrity, sustained the whole loss, and indemnified the foreigners by whom they were employed. The fraud was detected, and the treasurer of the revenue in Peru, the author of it, was publicly burnt. B. Ulloa Retablis. de Manuf. &c. liv. ii. p. 102.

Note CLXXXIX. (Page 973.)

Many striking proofs occur of the scarcity of money in Spain. Of all the immense sums which have been imported from America, the amount of which I shall afterwards have occasion to mention, Moncada asserts, that there did not remain in Spain, in 1619, above two hundred millions of *pesos*, one half in coined money, the other in plate and jewels, Restaur. de Espagna, disc. iii. c. 1. Uztariz, who published his valuable work, in 1724, contends, that in money, plate, and jewels, there did not remain an hundred million. Theor. &c. c. 3. Campomanes, on the authority of a remonstrance from the community of merchants in Toledo to Philip III. relates, as a certain proof how scarce cash had become, that persons who lent money received a third part of the sum which they advanced as interest and premium. Educ. Popul. i. 417.

Note CXC. (Page 974.)

The account of the mode in which the factors of the South-sea company conducted the trade in the fair of Porto-bello, which was opened to them by the Assiento, I have taken from Don Dion. Alcedo y Herrera, president of the court of audience in Quito, and governor of that province. Don Dionysio was a person of such respectable character for probity and discernment, that his testimony in any point would be of much weight; but greater credit is due to it in this case, as he was an eye witness of the transactions which he relates, and was often employed in detecting and authenticating the frauds which he describes. It is probable, however, that his representation, being composed at the commencement of the war which broke out between Great Britain and Spain, in the year 1739, may, in some instances, discover a portion of the acrimonious spirit natural at that juncture. His detail of facts is curious; and even English authors confirm

it in some degree, by admitting both that various frauds were practised in the transactions of the annual ship, and that the contraband trade from Jamaica, and other British colonies, was become enormously great. But for the credit of the English nation it may be observed, that those fraudulent operations are not to be considered as deeds of the company, but as the dishonourable arts of their factors and agents. The company itself sustained a considerable loss by the Assiento trade. Many of its servants acquired immense fortunes. Anderson Chronol. deduct. ii. 388.

Note CXCI. (Page 976.)

Several facts with respect to the institution, the progress, and the effects of this company, are curious, and but little known to English readers. Though the province of Venezuela, or Caraccas, extends four hundred miles along the coast, and is one of the most fertile in America; it was so much neglected by the Spaniards, that during the twenty years prior to the establishment of the company, only five ships sailed from Spain to that province; and during sixteen years, from 1706 to 1722, not a single ship arrived from the Caraccas in Spain. Noticias de Real Campania de Caraccas, p. 28. During this period Spain must have been supplied almost entirely with a large quantity of cacao, which it consumes, by foreigners. Before the erection of the company, neither tobacco nor hides were imported from Caraccas into Spain. Id. p. 115. Since the commercial operations of the company begun in the year 1731, the importation of cacao into Spain has increased amazingly. During thirty years subsequent to 1701, the number of *fanegas* of cacao (each a hundred and ten pounds) imported from Caraccas was 643,215. During eighteen years subsequent to 1731, the number of *fanegas* imported was 869,247: and if we suppose the importation to be continued in the same proportion during the remainder of thirty years, it will amount to 1,448,746 *fanegas*, which is an increase of 805,531 *fanegas*. Id. p. 148. During eight years subsequent to 1756, there have been imported into Spain by the company 88,482 *arrobas* (each twenty-five pounds) of tobacco; and hides to the number of 177,354. Id. 161. Since the publication of the Noticias de Campania, in 1765, its trade seems to be on the increase. During five years subsequent to 1769, it has imported 179,156 *fanegas* of cacao into Spain, 36,208 *arrobas* of tobacco, 75,496 hides, and 221,432 pesos in specie. Campomanes, ii. 162. The last article is a proof of the growing wealth of the colony. It receives cash from Mexico in return for the cacao, with which it supplies that province, and this it remits to Spain, or lays out in purchasing European goods. But, besides this, the most explicit evidence is produced, that the quantity of cacao raised in the province is double to what it yielded in 1731; the number of its live stock is more than treble, and its inhabitants much augmented. The revenue of the bishop, which arises wholly from tithes, has increased from eight to twenty thousand pesos. Notic. p. 69. In consequence of the augmentation of the quantity of cacao imported into Spain, its price has decreased from eighty pesos for the *fanega* to forty. Id. 61. Since the publication of the first edition, I have learned that Guyana, including all the extensive provinces situated on the banks of the Orinoco, the islands of Trinidad and Margarita, are added to the countries with which the company of Caraccas had liberty of trade by their former charters. Real Cedula, Nov. 19, 1776. But I have likewise been informed, that the institution of this company has not been attended with all the beneficial effects which I have ascribed to it. In many of its operations the illiberal and oppressive spirit of monopoly is still conspicuous. But in order to explain this, it would be necessary to enter into minute details, which are not suited to the nature of this work.

Note CXCII. (Page 977.)

This first experiment made by Spain of opening a free trade with any of her colonies, has produced effects so remarkable, as to merit some further illustration. The towns to which this liberty has been granted, are Cadiz and Seville, for the province of Andalusia; Alicant and Carthagena, for Valencia and Murcia; Barcelona, for Catalonia and Aragon; Santander, for Castile; Corugna, for Galicia; and Gijon, for Asturias. Append, ii. à la Educ. Popul. p. 41. These are either the ports of chief trade in their respective districts, or those most conveniently situated for the exportation of their respective productions. The following facts give a view of the increase of trade in the settlements to which the new regulations extend. Prior to the allowance of free trade, the duties collected in the custom-house at the Havannah were computed to be 104,208 pesos annually. During the five years preceding 1774, they rose at a medium to 308,000 pesos a year. In Yucatan, the duties have arisen from 8000 to 15,000. In Hispaniola, from 2500 to 5600. In Porto Rico, from 1200 to 7000. The total value of goods imported from Cuba into Spain was reckoned, in 1774, to be 1,500,000 pesos. Educ. Popul. i. 450, &c.

Note CXCIII. (Page 979.)

The two treatises of Don Pedro Rodriguez Campomanes, *Fiscal del real consejo y Supremo*, (an office in rank and power nearly similar to that of Attorney-general in England,) and director of the royal academy of History, the one intitled Discurso sobre el Fomento de la Industria Popular; the other, Discurso sobre la Education Popular de los Artesanos y su Fomento; the former published in 1774, and the latter in 1775, afford a striking proof of this. Almost every point of importance with respect to interior police, taxation, agriculture, manufactures, and trade, domestic as well as foreign, is examined in the course of these works; and there are not

many authors, even in the nations most eminent for commercial knowledge, who have carried on their inquiries with a more thorough knowledge of those various subjects, and a more perfect freedom from vulgar and national prejudices, or who have united more happily the calm researches of philosophy with the ardent zeal of a public-spirited citizen. These books are in high estimation among the Spaniards; and it is a decisive evidence of the progress of their own ideas, that they are capable of relishing an author whose sentiments are so liberal.

Note CXCIV. (Page 980.)

The galeon employed in that trade, instead of the six hundred tons to which it is limited by law, Recop. lib. xlv. l. 15., is commonly from twelve hundred to two thousand tons burden. The ship from Acapulco, taken by lord Anson, instead of the 500,000 pesos permitted by law, had on board 1,313,843 pesos, besides uncoined silver equal in value to 43,611 pesos more. Anson's Voyage, 384.

Note CXCV. (Page 981.)

The price paid for the bull varies according to the rank of different persons. Those in the lowest order, who are servants or slaves, pay two reals of plate, or one shilling; other Spaniards pay eight reals, and those in public office, or who hold encomiendas, sixteen reals. Solorz. de Jure Ind. vol. ii. lib. iii. c. 25. According to Chilton, an English merchant who resided long in the Spanish settlements, the bull of Cruzado bore a higher price in the year 1570, being then sold for four reals at the lowest. Hakluyt, iii. 461. The price seems to have varied at different periods. That exacted for the bulls issued in the last *Predicacion* will appear from the ensuing table, which will give some idea of the proportional numbers of the different classes of citizens in New Spain and Peru.

There were issued for New Spain—

Bulls at 10 pesos each	4
at 2 pesos each	22,601
at 1 peso each	164,220
at 2 reals each	2,462,500
	2,649,325

For Peru—

at 16 pesos 4½ reals each	3
at 3 pesos 3 reals each	14,202
at 1 peso 5½ reals	78,822
at 4 reals	410,325
at 3 reals	668,601
	1,171,953

Note CXCVI. (Page 981.)

As Villa Segnor, to whom we are indebted for this information contained in his Teatro Americano, published in Mexico A. D. 1746, was accomptant-general in one of the most considerable departments of the royal revenue, and by that means had access to proper information, his testimony with respect to this point merits great credit. No such accurate detail of the Spanish revenues in any part of America has hitherto been published in the English language; and the particulars of it may appear curious and interesting to some of my readers.

From the bull of Cruzado, published every two years, there arises an annual revenue in pesos,	150,000
From the duty on silver	700,000
From the duty on gold	60,000
From tax on cards	70,000
From tax on Pulque, a drink used by the Indians	161,000
From tax on stamped paper	41,000
From ditto on ice	15,522
From ditto on leather	2,500
From ditto on gunpowder	71,550
From ditto on salt	32,000
From ditto on copper of Mechochan	1,000
From ditto on alum	6,500
From ditto on Juego de los gallos	21,100
From the half of ecclesiastical annats	49,000
From royal ninths of bishoprics, &c.	68,800
From the tribute of Indians	650,000
From Alcavala, or duty on sale of goods	721,875
From the Almajorifasgo, custom-house	373,333
From the mint	357,500
	3,552,680

This sum amounts to 819,161*l.* sterling; and if we add to it the profit accruing from the sale of 5000 quintals of quicksilver, imported from the mines of Almaden, in Spain, on the king's account, and what accrues from the *Averia*, and some other taxes which Villa Segnor does not estimate, the public revenue in New Spain may well be reckoned above a million pounds sterling money. Teat. Mex. vol. i. p. 38, &c. According to Villa Segnor, the total produce of the Mexican mines amounts at a medium to eight millions of pesos in silver annually, and to 5912 marks of gold. Id. p. 44. Several branches of the revenue have been explained in the course of the history; some which there was no occasion of mentioning, require a particular illustration. The right to the *tithes* in the New World is vested in the crown of Spain, by a bull of Alexander VI. Charles V. appointed them to be applied in the following manner: One fourth is allotted to the bishop of the diocese, another fourth to the dean and chapter, and other officers of the cathedral. The remaining half is divided into nine equal parts. Two of these, under the denomination of *los dos Novenos reales*, are paid to the crown, and constitute a branch of the royal revenue. The other seven parts are applied to the maintenance of the parochial clergy, the building and support of churches, and other pious uses. Recopil. lib. i. tit. xvi. Ley, 23, &c. Avendano Thesaur. Indic. vol. i. p. 184.

The *Alcavala* is a duty levied by an excise on the

sale of goods. In Spain it amounts to ten per cent. In America to four per cent. Solorzano, Polit. Indiana, lib. vi. c. 8. Avendano, vol. i. 186.

The *Almajorifasco*, or custom paid in America on goods imported and exported, may amount on an average to fifteen per cent. Recopil. lib. viii. tit. xiv. Ley, 1. Avendano, vol. i. 188.

The *Averia*, or tax paid on account of convoys to guard the ships sailing to and from America, was first imposed when sir Francis Drake filled the New World with terror by his expedition to the South sea. It amounts to two per cent. on the value of goods. Avendano, vol. i. p. 189. Recopil. lib. ix. tit. ix. Ley, 43, 44.

I have not been able to procure any accurate detail of the several branches of revenue in Peru, later than the year 1614. From a curious manuscript containing a state of that viceroyalty in all its departments, presented to the marquis of Montes-Claros by Fran. Lopez Caravantes, accomptant-general in the tribunal of Lima, it appears that the public revenue, as nearly as I can compute the value of money in which Caravantes states his accounts, amounted in ducats at 4s. 11d. to . 2,372,768

Expenses of government . .	1,242,992
Net free revenue	1,129,776
The total in sterling money . . .	£583,303
Expenses of government . . .	305,568
Net free revenue	277,735

But several articles appear to be omitted in this computation, such as the duty on stamped paper, leather, ecclesiastical annats, &c., so that the revenue of Peru may be well supposed equal to that of Mexico.

In computing the expense of government in New Spain, I may take that of Peru as a standard. There the annual establishment for defraying the charge of administration exceeds one half of the revenue collected, and there is no reason for supposing it to be less in New Spain.

I have obtained a calculation of the total amount of the public revenue of Spain from America and the Philippines, which, as the reader will perceive from the two last articles, is more recent than any of the former.

Alcavalas (Excise) and Aduanas (Customs), &c. in pesos fuertes	2,500,000
Duties on gold and silver . . .	3,000,000
Bull of Cruzado	1,000,000
Tribute of the Indians . . .	2,000,000
By sale of quicksilver	300,000
Paper exported on the king's account, and sold in the royal warehouses .	300,000
Stamped paper, tobacco, and other small duties	1,000,000
Duty on coinage of, at the rate of one real de la Plata for each mark . .	300,000
From the trade of Acapulco, and the coasting trade from province to province	500,000
Assiento of negroes	200,000
From the trade of *Mathe*, or herb of Paraguay, formerly monopolized by the Jesuits	500,000
From other revenues formerly belonging to that order	400,000
Total	12,000,000
Total in sterling money	£2, 700,000
Deduct half, as the expense of administration, and there remains net free revenue	£1,350,000

Note CXCVII. (Page 981.)

An author long conversant in commercial speculation has computed, that from the mines of New Spain alone the king receives annually, as his fifth, the sum of two millions of our money. Harris, Collect. of Voy. ii. p. 164. According to this calculation, the total produce of the mines must be ten millions sterling; a sum so exorbitant, and so little corresponding with all accounts of the annual importation from America, that the information on which it is founded must evidently be erroneous. According to Campomanes, the total product of the American mines may be computed at thirty millions of pesos, which, at four shillings and sixpence a peso, amounts to £7,425,000 sterling, the king's fifth of which (if that were regularly paid) would be £1,485,000. But from this sum must be deducted what is lost by a fraudulent withholding of the fifth due to the crown, as well as the sum necessary for defraying the expense of administration. Educ. Popular. vol. ii. p. 131, note. Both these sums are considerable.

Note CXCVIII. (Page 981.)

According to Bern. de Ulloa, all foreign goods exported from Spain to America pay duties of various kinds, amounting in all to more than 25 per cent. As most of the goods with which Spain supplies her colonies are foreign, such a tax upon a trade so extensive must yield a considerable revenue. Retablis. de Manuf. & du Commerce d'Esp. p. 150. He computes the value of goods exported annually from Spain to America to be about two millions and a half sterling. P. 97.

Note CXCIX. (Page 982.)

The marquis de Serralvo, according to Gage, by a monopoly of salt, and by embarking deeply in the Manilla trade, as well as in that to Spain, gained annually a million of ducats. In one year he remitted a million of ducats to Spain, in order to purchase from the Condé Olivares, and his creatures, a prolongation of his government, p. 61. He was successful in his suit, and continued in office from 1624 to 1635, double the usual time.

AN HISTORICAL DISQUISITION

CONCERNING

ANCIENT INDIA.

PREFACE.

THE perusal of Major Rennell's Memoir for illustrating his Map of Indostan, one of the most valuable geographical treatises that has appeared in any age or country, gave rise to the following work. It suggested to me the idea of examining more fully than I had done in the introductory book to my History of America, into the knowledge which the ancients had of India, and of considering what is certain, what is obscure, and what is fabulous, in the accounts of that country which they have handed down to us. In undertaking this inquiry, I had originally no other object than my own amusement and instruction: but in carrying it on, and consulting with diligence the authors of antiquity, some facts, hitherto unobserved, and many which had not been examined with proper attention, occurred; new views opened; my ideas gradually extended and became more interesting; until, at length, I imagined that the result of my researches might prove amusing and instructive to others, by exhibiting such a view of the various modes in which intercourse with India had been carried on from the earliest times, as might show how much that great branch of commerce has contributed, in every age, to increase the wealth and power of the nations which possessed it.

Thus the Historical Disquisition which I now lay before the reader was begun and completed. What degree of merit it possesses, the public must determine. My grateful recollection of the favourable manner in which my other works have been received, naturally increases the solicitude with which I wait for its decision concerning this which I now publish.

When I first turned my thoughts to this subject, I was so fully aware of the disadvantage under which I laboured in undertaking to describe countries of which I had not any local knowledge, that I have been at the utmost pains to guard against any errors which this might occasion. I have consulted, with persevering industry, the works of all the authors I could procure, who have given any account of India; I have never formed any decided opinion, which was not supported by respectable authority: and as I have the good fortune to reckon among the number of my friends some gentlemen who have filled important stations, civil and military, in India, and who have visited many different parts of it, I had recourse frequently to them, and from their conversation learned things which I could not have found in books. Were it proper to mention their names, the public would allow that, by their discernment and abilities, they are fully entitled to the confidence which I have placed in them.

In the progress of the work, I became sensible of my own deficiency with respect to another point. In order to give an accurate idea of the imperfection both of the theory and practice of navigation among the ancients, and to explain, with scientific precision, the manner in which they ascertained the position of places, and calculated their longitude and latitude, a greater portion of mathematical knowledge was requisite, than my attention to other studies had permitted me to acquire. What I wanted, the friendship of my ingenious and respectable colleague, Mr. Playfair, professor of Mathematics, has supplied; and I have been enabled by him to elucidate all the points I have mentioned, in a manner which, I am confident, will afford my readers complete satisfaction. To him, likewise, I am indebted for the construction of two maps * necessary for illustrating this Disquisition, which without his assistance I could not have undertaken.

I have adhered, in this work, to an arrangement I followed in my former compositions, and to which the public has been long accustomed. I have kept historical narrative as much separate as possible from scientific and critical discussions, by reserving the latter for notes and illustrations. I flatter myself that I may claim, without presumption, the merit of having examined with diligence what I submit to public inspection, and of having referred, with scrupulous accuracy, to the authors from whom I have derived information.

COLLEGE OF EDINBURGH,
May 10, 1791.

* Published in the first (quarto) edition.

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AN HISTORICAL DISQUISITION

CONCERNING

ANCIENT INDIA.

SECTION I.

Intercourse with India, from the earliest times until the conquest of Egypt by the Romans.

WHOEVER attempts to trace the operations of men in remote times, and to mark the various steps of their progress in any line of exertion, will soon have the mortification to find, that the period of authentic history is extremely limited. It is little more than three thousand years since the books of Moses, the most ancient and only genuine record of what passed in the early ages of the world, were composed. Herodotus, the most ancient heathen historian whose works have reached us, flourished a thousand years later. If we push our inquiries concerning any point beyond the æra where written history commences, we enter upon the region of conjecture, of fable, and of uncertainty. Upon that ground I will neither venture myself, nor endeavour to conduct my readers. In my researches concerning the intercourse between the eastern and western regions of the earth, and concerning the progress of that great branch of trade, which in every age has contributed so conspicuously towards raising the people who carried it on to wealth and power, I shall confine myself within the precincts I have marked out. Wherever the inspired writers, intent upon higher objects, mention occasionally any circumstance that tends to illustrate the subject of my inquiries, I shall attend to it with reverence. Whatever other writers relate, I shall examine with freedom, and endeavour to ascertain the degree of credit to which they are entitled.

The original station allotted to man by his Creator, was in the mild and fertile regions of the East. There the human race began its career of improvement; and from the remains of sciences which were anciently cultivated, as well as of arts which were anciently exercised, in India, we may conclude it to be one of the first countries in which men made any considerable progress in that career. The wisdom of the East was early celebrated,[a] and its productions were early in request among distant nations.[b] The intercourse, however, between different countries was carried on at first entirely by land. As the people of the East appear soon to have acquired complete dominion over the useful animals,[c] they could early undertake the long and toilsome journeys which it was necessary to make, in order to maintain this intercourse; and by the provident bounty of Heaven, they were furnished with a beast of burthen, without whose aid it would have been impossible to accomplish them. The camel, by its persevering strength, by its moderation in the use of food, and the singularity of its internal structure which enables it to lay in a stock of water sufficient for several days, put it in their power to convey bulky commodities through those deserts which must be traversed by all who travel from any of the countries west of the Euphrates towards India.—Trade was carried on in this manner, particularly by the nations near to the Arabian gulf, from the earliest period to which historical information reaches. Distant journeys, however, would be undertaken at first only occasionally, and by a few adventurers. But by degrees, from attention to their mutual safety and comfort, numerous bodies of merchants assembled at stated times, and forming a temporary association, (known afterwards by the name of a Caravan,) governed by officers of their own choice, and subject to regulations of which experience had taught them the utility, they performed journeys of such extent and duration, as appear astonishing to nations not accustomed to this mode of carrying on commerce.

But, notwithstanding every improvement that could be made in the manner of conveying the productions of one country to another by land, the inconveniences which attended it were obvious and unavoidable. It was often dangerous; always expensive, and tedious, and fatiguing. A method of communication more easy and expeditious was sought, and the ingenuity of man gradually discovered, that the rivers, the arms of the sea, and even the ocean itself, were destined to open and facilitate intercourse with the various regions of the earth,

a 1 Kings iv. 30. b Gen. xxxvii. 25. c Gen. xii. 16. xxiv. 10, 11.

between which they appear, at first view, to be placed as insuperable barriers. Navigation, however, and ship-building, (as I have observed in another work,[d]) are arts so nice and complicated, that they require the talents as well as experience of many successive ages, to bring them to any degree of perfection. From the raft or canoe, which first served to carry a savage over the river that obstructed him in the chase, to the construction of a vessel capable of conveying a numerous crew, or a considerable cargo of goods, to a distant coast, the progress of improvement is immense. Many efforts would be made, many experiments would be tried, and much labour as well as ingenuity would be employed, before this arduous and important undertaking could be accomplished.

Even after some improvement was made in ship-building, the intercourse of nations with each other by sea was far from being extensive. From the accounts of the earliest historians we learn, that navigation made its first efforts in the Mediterranean and the Arabian gulf, and in them the first active operations of commerce were carried on. From an attentive inspection of the position and form of these two great inland seas, these accounts appear to be highly probable. These seas lay open the continents of Europe, Asia, and Africa, and spreading to a great extent along the coasts of the most fertile and most early civilized countries in each, seem to have been destined by nature to facilitate their communication with one another. We find, accordingly, that the first voyages of the Egyptians and Phenicians, the most ancient navigators mentioned in history, were made in the Mediterranean. Their trade, however, was not long confined to the countries bordering upon it. By acquiring early possession of ports on the Arabian gulf, they extended the sphere of their commerce, and are represented as the first people of the West who opened a communication by sea with India.

In that account of the progress of navigation and discovery which I prefixed to the History of America, I considered with attention the maritime operations of the Egyptians and Phenicians; a brief review of them here, as far as they relate to their connexion with India, is all that is requisite for illustrating the subject of my present inquiries. With respect to the former of these people, the information which history affords is slender, and of doubtful authority. The fertile soil and mild climate of Egypt produced the necessaries and comforts of life in such profusion, as to render its inhabitants so independent of other countries, that it became early an established maxim in their policy to renounce all intercourse with foreigners. In consequence of this, they held all seafaring persons in detestation, as impious and profane, and fortifying their harbours, they denied strangers admission into them.[e]

The enterprising ambition of Sesostris, disdaining the restraints imposed upon it by these contracted ideas of his subjects, prompted him to render the Egyptians a commercial people; and in the course of his reign he so completely accomplished this, that (if we may give credit to some historians) he was able to fit out a fleet of four hundred ships in the Arabian gulf, which conquered all the countries stretching along the Erythrean sea to India. At the same time his army, led by himself, marched through Asia, and subjected to his dominion every part of it as far as to the banks of the Ganges; and crossing that river, advanced to the eastern ocean.[f] But these efforts produced no permanent effect, and appear to have been so contrary to the genius and habits of the Egyptians, that, on the death of Sesostris, they resumed their ancient maxims, and many ages elapsed before the commercial connexion of Egypt with India came to be of such importance as to merit any notice in this disquisition.[g]

The history of the early maritime operations of Phenicia is not involved in the same obscurity with those of Egypt. Every circumstance in the character and situation of the Phenicians was favourable to the commercial spirit. The territory which they possessed was neither large nor fertile. It was from commerce only that they could derive either opulence or power. Accordingly, the trade carried on by the Phenicians of Sidon and Tyre was extensive and adventurous; and, both in their manners and policy, they resemble the great commercial states of modern times, more than any people in the ancient world. Among the various branches of their commerce, that with India may be regarded as one of the most considerable and most lucrative. As by their situation on the Mediterranean, and the imperfect state of navigation, they could not attempt to open a direct communication with India by sea; the enterprising spirit of commerce prompted them to wrest from the Idumæans some commodious harbours towards the bottom of the Arabian gulf. From these they held a regular intercourse with India on the one hand, and with the eastern and southern coasts of Africa on the other. The distance, however, from the Arabian gulf to Tyre was considerable, and rendered the conveyance of goods to it by land-carriage so tedious and expensive, that it became necessary for them to take possession of Rhinocolura, the nearest port in the Mediterranean to the Arabian gulf. Thither all the commodities brought from India were conveyed over land by a route much shorter, and more practicable, than that by which the productions of the East were carried at a subsequent period from the opposite shore of the Arabian gulf to the Nile.[h] At Rhinocolura they were reshipped, and transported by an easy navigation to Tyre, and distributed through the world. This, as it is the earliest route of communication with India of which we have any authentic description, had so

d Hist. of America, p. 727.
e Diodor. Sicul. lib. i. p. 78. edit. Wesselingi. Amst. 1746. Strab. Geog. lib. xvii. p. 1142. A. edit. Casaub. Amst. 1707.

f Diod. Sic. lib. i. p. 64.
g See Note I.
h Diod. Sic. lib. i. p. 70. Strab. lib. xvi. p. 1128. A.

many advantages over any ever known before the modern discovery of a new course of navigation to the East, that the Phenicians could supply other nations with the productions of India in greater abundance, and at a cheaper rate, than any people of antiquity. To this circumstance, which, for a considerable time, secured to them a monopoly of that trade, was owing, not only the extraordinary wealth of individuals, which rendered the "merchants of Tyre princes, and her traffickers the honourable of the earth,"[i] but the extensive power of the state itself, which first taught mankind to conceive what vast resources a commercial people possess, and what great exertions they are capable of making.[k]

The Jews, by their vicinity to Tyre, had such an opportunity of observing the wealth which flowed into that city from the lucrative commerce carried on by the Phenicians from their settlements on the Arabian gulf, as incited them to aim at obtaining some share of it. This they effected under the prosperous reigns of David and Solomon, partly by the conquests which they made of a small district in the land of Edom, that gave them possession of the harbours of Elath and Esiongeber on the Red sea, and partly by the friendship of Hiram, king of Tyre, who enabled Solomon to fit out fleets, which, under the direction of Phenician pilots, sailed to Tarshish and Ophir.[l] In what region of the earth we should search for these famous ports which furnished the navy of Solomon with the various commodities enumerated by the sacred historians, is an inquiry that has long exercised the industry of learned men. They were early supposed to be situated in some part of India, and the Jews were held to be one of the nations which traded with that country. But the opinion more generally adopted is, that Solomon's fleets, after passing the straits of Babelmandeb, held their course along the south-west coast of Africa, as far as the kingdom of Sofala, a country celebrated for its rich mines of gold and silver, (from which it has been denominated the Golden Sofala by oriental writers,)[m] and abounding in all the other articles which composed the cargoes of the Jewish ships. This opinion, which the accurate researches of M. D'Anville rendered highly probable,[n] seems now to be established with the utmost certainty by a late learned traveller; who, by his knowledge of the monsoons in the Arabian gulf, and his attention to the ancient mode of navigation, both in that sea and along the African coast, has not only accounted for the extraordinary length of time which the fleets of Solomon took in going and returning, but has shown, from circumstances mentioned concerning the voyage, that it was not made to any place in India.[o] The Jews, then, we may conclude, have no title to be reckoned among the nations which carried on intercourse with India by sea; and if, from deference to the sentiments of some respectable authors, their claim were to be admitted, we know with certainty, that the commercial effort which they made in the reign of Solomon was merely a transient one, and that they quickly returned to their former state of unsocial seclusion from the rest of mankind.

From collecting the scanty information which history affords, concerning the most early attempts to open a commercial intercourse with India, I now proceed with more certainty and greater confidence, to trace the progress of communication with that country, under the guidance of authors who recorded events nearer to their own times, and with respect to which they had received more full and accurate intelligence.

The first establishment of any foreign power in India which can be ascertained by evidence meriting any degree of credit, is that of the Persians; and even of this we have only a very general and doubtful account. Darius, the son of Hystaspes, though raised to the throne of Persia by chance or by artifice, possessed such active and enterprising talents as rendered him worthy of that high station. He examined the different provinces of his kingdom more diligently than any of his predecessors, and explored regions of Asia formerly little known.[p] Having subjected to his dominion many of the countries which stretched south-east from the Caspian sea towards the river Oxus, his curiosity was excited to acquire a more extensive and accurate knowledge of India, on which they bordered. With this view he appointed Scylax of Caryandra to take the command of a squadron fitted out at Caspatyrus, in the country of Pactya, (the modern Pehkely,) towards the upper part of the navigable course of the river Indus, and to fall down its stream until he should reach the ocean. This Scylax performed, though it should seem with much difficulty, and notwithstanding many obstacles; for he spent no less than two years and six months in conducting his squadron from the place where he embarked, to the Arabian gulf.[q] The account which he gave of the populousness, fertility, and high cultivation of that region of India through which his course lay, rendered Darius impatient to become master of a country so valuable. This he soon accomplished; and though his conquests in India seem not to have extended beyond the district watered by the Indus, we are led to form a high idea of its opulence, as well as of the number of its inhabitants, in ancient times, when we learn that the tribute which he levied from it was near a third part of the whole revenue of the Persian monarchy.[r] But neither this voyage of Scylax, nor the conquests of Darius, to which it gave rise, diffused any general knowledge of India. The Greeks, who were the only enlightened race of men at that time in Europe, paid but little

i Isaiah xxiii. 8.
k See Note II.
l 1 Kings ix. 26; x. 22.
m Notices des MSS. du Roi, tom. ii. p. 40.
n Dissert. sur le Pays d'Ophir, Mem. de Literat. tom. xxx. p. 83, &c.
o Bruce's Travels, book ii. ch. 4.
p Herodot. lib. iv. c. 44.
q Id. c. 42. 44.
r Id. lib. iii. c. 90—96. See Note III.

attention to the transactions of the people whom they considered as barbarians, especially in countries far remote from their own; and Scylax had embellished the narrative of his voyage with so many circumstances manifestly fabulous,[s] that he seems to have met with the just punishment to which persons who have a notorious propensity to what is marvellous are often subjected, of being listened to with distrust, even when they relate what is exactly true.

About an hundred and sixty years after the reign of Darius Hystaspes, Alexander the Great undertook his expedition into India. The wild sallies of passion, the indecent excesses of intemperance, and the ostentatious displays of vanity too frequent in the conduct of this extraordinary man, have so degraded his character, that the pre-eminence of his merit, either as a conqueror, a politician, or a legislator, has seldom been justly estimated. The subject of my present inquiry leads me to consider his operations only in one light, but it will enable me to exhibit a striking view of the grandeur and extent of his plans. He seems, soon after his first successes in Asia, to have formed the idea of establishing an universal monarchy, and aspired to the dominion of the sea, as well as of the land. From the wonderful efforts of the Tyrians in their own defence, when left without any ally or protector, he conceived a high opinion of the resources of maritime power, and of the wealth to be derived from commerce, especially that with India, which he found engrossed by the citizens of Tyre. With a view to secure this commerce, and to establish a station for it preferable in many respects to that of Tyre, as soon as he completed the conquest of Egypt he founded a city near one of the mouths of the Nile, which he honoured with his own name; and with such admirable discernment was the situation of it chosen, that Alexandria soon became the greatest trading city in the ancient world; and, notwithstanding many successive revolutions in empire, continued, during eighteen centuries, to be the chief seat of commerce with India.[t] Amidst the military operations to which Alexander was soon obliged to turn his attention, the desire of acquiring the lucrative commerce which the Tyrians had carried on with India, was not relinquished. Events soon occurred, that not only confirmed and added strength to this desire, but opened to him a prospect of obtaining the sovereignty of those regions which supplied the rest of mankind with so many precious commodities.

After his final victory over the Persians, he was led in pursuit of the last Darius, and of Bessus, the murderer of that unfortunate monarch, to traverse that part of Asia which stretches from the Caspian sea beyond the river Oxus. He advanced towards the east as far as Maracanda,[u] then a city of some note, and destined in a future period, under the modern name of Samarcand, to be the capital of an empire not inferior to his own either in extent or in power. In a progress of several months through provinces hitherto unknown to the Greeks, in a line of march often approaching near to India, and among people accustomed to much intercourse with it, he learned many things concerning the state of a country[x] that had been long the object of his thoughts and wishes,[y] which increased his desire of invading it. Decisive and prompt in all his resolutions, he set out from Bactria, and crossed that ridge of mountains which, under various denominations, forms the Stony Girdle (if I may use an expression of the Oriental geographers) which encircles Asia, and constitutes the northern barrier of India.

The most practicable avenue to every country, it is obvious, must be formed by circumstances in its natural situation, such as the defiles which lead through mountains, the course of rivers, and the places where they may be passed with the greatest ease and safety. In no place of the earth is this line of approach marked and defined more conspicuously, than on the northern frontier of India; insomuch that the three great invaders of this country, Alexander, Tamerlane, and Nadir Shah, in three distant ages, and with views and talents extremely different, advanced by the same route, with very little deviation. Alexander had the merit of having first discovered the way. After passing the mountains he encamped at Alexandria Paropamisana, not far from the mountains denominated the Indian Caucasus by his historians, now known by the name of Hindoo Kho;[z] and having subdued or conciliated the nations seated on the north-west bank of the Indus, he crossed the river at Taxila, now Attock,[a] where its stream is so tranquil that a bridge can be thrown over it with greater ease than at any other place.

After passing the Indus, Alexander marched forward in the road which leads directly to the Ganges, and the opulent provinces to the south-east, now comprehended under the general name of Indostan. But, on the banks of the Hydaspes, known in modern times by the name of the Betah or Chelum, he was opposed by Porus, a powerful monarch of the country, at the head of a numerous army. The war with Porus, and the hostilities in which he was successively engaged with other Indian princes, led him to deviate from his original route, and to turn more towards the south-west. In carrying on these operations, Alexander marched through one of the richest and best peopled countries of India, now called the Panjab, from the five great rivers by which it is watered; and as we know that this march was performed in the rainy season, when even Indian armies cannot keep the field, it gives

s Philostr. Vita Apoll. lib. iii. c. 47. and Note 3d of Olearius Tzetzet. Chiliad. vii. vers. 630.
t Hist. of America, p. 731.
x Strabo, xv. p. 1021. A.
u Arrian, iii. c. 30.
y Arrian, iv. c. 15.
z In the second edition of his Memoir, Major Rennel gives the modern names of the Hydaspes, with some variation in their orthography, *Behut* and *Jhylam*.
a Rennell, Mem. p. 92. See Note IV.

a high idea both of Alexander's persevering spirit, and of the extraordinary vigour and hardiness of constitution, which soldiers, in ancient times, derived from the united effects of gymnastic exercise and military discipline. In every step of his progress, objects no less striking than new presented themselves to Alexander. The magnitude of the Indus,[b] even after he had seen the Nile, the Euphrates, and the Tigris, must have filled him with surprise. No country he had hitherto visited was so populous and well cultivated, or abounded in so many valuable productions of nature and of art, as that part of India through which he had led his army. But when he was informed in every place, and probably with exaggerated description, how much the Indus was inferior to the Ganges, and how far all that he had hitherto beheld was surpassed in the happy regions through which that great river flows, it is not wonderful that his eagerness to view and to take possession of them should have prompted him to assemble his soldiers, and to propose that they should resume their march towards that quarter, where wealth, dominion, and fame awaited them. But they had already done so much, and had suffered so greatly, especially from incessant rains and extensive inundations, that their patience as well as strength were exhausted,[c] and with one voice they refused to advance further. In this resolution they persisted with such sullen obstinacy, that Alexander, though possessed in the highest degree of every quality that gains an ascendant over the minds of military men, was obliged to yield, and to issue orders for marching back to Persia.[d]

The scene of this memorable transaction was on the banks of the Hyphasis, the modern Beyah, which was the utmost limit of Alexander's progress in India. From this it is manifest, that he did not traverse the whole extent of the Panjab. Its south-west boundary is formed by a river anciently known by the name of Hysudrus, and now by that of the Setlege, to which Alexander never approached nearer than the southern bank of the Hyphasis, where he erected twelve stupendous altars, which he intended as a monument of his exploits, and which (if we may believe the biographer of Apollonius Tyanæus) were still remaining, with legible inscriptions, when that fantastic sophist visited India, three hundred and seventy-three years after Alexander's expedition.[e] The breadth of the Panjab, from Ludhana on the Setlege to Attock on the Indus, is computed to be two hundred and fifty-nine geographical miles, in a straight line ; and Alexander's march, computed in the same manner, did not extend above two hundred miles. But, both as he advanced and returned, his troops were so spread over the country, and often acted in so many separate divisions, and all his movements were so exactly measured and delineated by men of science, whom he kept in pay for the purpose, that he acquired a very extensive and accurate knowledge of that part of India.[f]

When, upon his return, he reached the banks of the Hydaspes, he found that the officers to whom he had given it in charge to build and collect as many vessels as possible, had executed his orders with such activity and success, that they had assembled a numerous fleet. As, amidst the hurry of war, and the rage of conquest, he never lost sight of his pacific and commercial schemes, the destination of his fleet was to sail down the Indus to the ocean, and from its mouth to proceed to the Persian gulf, that a communication by sea might be opened with India and the centre of his dominions.

The conduct of this expedition was committed to Nearchus, an officer equal to that important trust. But as Alexander was ambitious to acquire fame of every kind, and fond of engaging in new and splendid undertakings, he himself accompanied Nearchus in his navigation down the river. The armament was indeed so great and magnificent, as deserved to be commanded by the conqueror of Asia. It was composed of an army of a hundred and twenty thousand men, and two hundred elephants, and of a fleet of near two thousand vessels, various in burden and form ;[g] on board of which one-third of the troops embarked, while the remainder marching in two divisions, one on the right, and the other on the left, of the river, accompanied them in their progress. As they advanced, the nations on each side were either compelled or persuaded to submit. Retarded by the various operations in which this engaged him, as well as by the slow navigation of such a fleet as he conducted, Alexander was above nine months before he reached the ocean.[h]

Alexander's progress in India, in this line of direction, was far more considerable than that which he made by the route we formerly traced ; and when we attend to the various movements of his troops, the number of cities which they took, and the different states which they subdued, he may be said not only to have viewed, but to have explored, the countries through which he passed. This part of India has been so little frequented by Europeans in later times, that neither the position of places, nor their distances, can be ascertained with the same accuracy as in the interior provinces, or even in the Panjab. But from the researches of major Rennell, carried on with no less discernment than industry, the distance of that place on the Hydaspes where Alexander fitted out his fleet from the ocean cannot be less than a thousand British miles. Of this extensive region a considerable portion, particularly the upper Delta, stretching from the capital of the ancient Malli, now Moultan, to Patala, the modern Tatta, is distinguished for its fertility and population.[i]

Soon after he reached the ocean, Alexander, satis-

b Strabo, lib. xv. p. 1027. C. & note 5. Casaub.
c See Note V.
d Arrian, v. c. 24, 25.
e Philostr. Vita Apollon. lib. ii. c. 43. edit. Olear. Lips. 1709
f Plin. Nat. Hist. lib. vi. c. 17.
g See Note VI.
h Strabo, lib. xv. p. 1014.
i Rennell, Mem. 68, &c.

fied with having accomplished this arduous undertaking, led his army by land back to Persia. The command of the fleet, with a considerable body of troops on board of it, he left to Nearchus, who, after a coasting voyage of seven months, conducted it safely up the Persian gulf into the Euphrates.[k]

In this manner did Alexander first open the knowledge of India to the people of Europe, and an extensive district of it was surveyed with greater accuracy than could have been expected from the short time he remained in that country. Fortunately an exact account, not only of his military operations, but of every thing worthy of notice in the countries where they were carried on, was recorded in the Memoirs or Journals of three of his principal officers, Ptolemy the son of Lagus, Aristobulus, and Nearchus. The two former have not, indeed, reached our times; but it is probable that the most important facts which they contained are preserved, as Arrian professes to have followed them as his guides in his History of the Expedition of Alexander;[l] a work which, though composed long after Greece had lost its liberty, and in an age when genius and taste were on the decline, is not unworthy the purest times of Attic literature.

With respect to the general state of India, we learn from these writers, that in the age of Alexander, though there was not established in it any powerful empire, resembling that which in modern times stretched its dominion from the Indus almost to Cape Comorin, it was, even then, formed into monarchies of considerable extent. The king of the Prasij was prepared, on the banks of the Ganges, to oppose the Macedonians, with an army of twenty thousand cavalry, two hundred thousand infantry, two thousand armed chariots, and a great number of elephants.[m] The territory of which Alexander constituted Porus the sovereign, is said to have contained seven distinct nations, and no fewer than two thousand towns.[n] Even in the most restricted sense that can be given to the vague indefinite appellations of *nations* and *towns*, an idea is conveyed of a very great degree of population. As the fleet sailed down the river, the country on each side was found to be in no respect inferior to that of which the government was committed to Porus.

It was likewise from the memoirs of the same officers that Europe derived its first authentic information concerning the climate, the soil, the productions, and the inhabitants of India; and in a country where the manners, the customs, and even the dress of the people, are almost as permanent and invariable as the face of nature itself, it is wonderful how exactly the descriptions given by Alexander's officers delineate what we now behold in India, at the distance of two thousand years. The stated change of seasons, now known by the name of *Monsoons*; the periodical rains; the swelling of the rivers; the inundations which these occasion; the appearance of the country during their continuance, are particularly mentioned and described. No less accurate are the accounts which they have given of the inhabitants, their delicate and slender form, their dark complexion, their black uncurled hair, their garments of cotton, their living entirely upon vegetable food, their division into separate tribes or *casts*, the members of which never intermarry, the custom of wives burning themselves with their deceased husbands, and many other particulars, in all which they perfectly resemble the modern Hindoos. To enter into any detail with respect to these in this place would be premature; but as the subject, though curious and interesting, will lead unavoidably into discussions not well suited to the nature of an historical work, I shall reserve my ideas concerning it for an Appendix, to be annexed to this Disquisition; and hope they may contribute to throw some additional light upon the origin and nature of the commerce with India.

Much as the Western world was indebted for its knowledge of India to the expedition of Alexander, it was only a small portion of that vast continent which he explored. His operations did not extend beyond the modern province of Lahore, and the countries on the banks of the Indus from Moultan to the sea. These, however, were surveyed with that degree of accuracy which I have already described; and it is a circumstance not unworthy of notice, that this district of India which Europeans first entered, and with which they were best acquainted in ancient times, is now less known than almost any part of that continent,[o] neither commerce nor war, to which, in every age, geography is chiefly indebted for its improvement, having led any nation of Europe to frequent or explore it.

If an untimely death had not put a period to the reign of the Macedonian hero, India, we have reason to think, would have been more fully explored by the ancients, and the European dominion would have been established there two thousand years sooner. When Alexander invaded India, he had something more in view than a transient incursion. It was his object to annex that extensive and opulent country to his empire; and though the refractory spirit of his army obliged him, at that time, to suspend the prosecution of his plan, he was far from relinquishing it. To exhibit a general view of the measures which he adopted for this purpose, and to point out their propriety and probable success, is not foreign from the subject of this Disquisition, and will convey a more just idea than is usually entertained, of the original genius and extent of political wisdom which distinguished this illustrious man.

When Alexander became master of the Persian empire, he early perceived, that with all the power

k Plin. Nat. Hist. lib. vi. c. 23. See Note VII.
l Arrian, lib. i. in proëmio.
m Diod. Sicul. lib. xvii. p. 232.
n Arrian, lib. vi. c. 2.
o Rennell's Mem. 114.

of his hereditary dominions, reinforced by the troops which the ascendant he had acquired over the various states of Greece might enable him to raise there, he could not hope to retain in subjection territories so extensive and populous; that to render his authority secure and permanent, it must be established in the affection of the nations which he had subdued, and maintained by their arms; and that, in order to acquire this advantage, all distinctions between the victors and vanquished must be abolished, and his European and Asiatic subjects must be incorporated and become one people, by obeying the same laws, and by adopting the same manners, institutions, and discipline.

Liberal as this plan of policy was, and well adapted to accomplish what he had in view, nothing could be more repugnant to the ideas and prejudices of his countrymen. The Greeks had such a high opinion of the pre-eminence to which they were raised by civilization and science, that they seem hardly to have acknowledged the rest of mankind to be of the same species with themselves. To every other people they gave the degrading appellation of barbarians, and, in consequence of their own boasted superiority, they asserted a right of dominion over them in the same manner (to use their own expression) as the soul has over the body, and men have over irrational animals. Extravagant as this pretension may now appear, it found admission, to the disgrace of ancient philosophy, into all the schools. Aristotle, full of this opinion, in support of which he employs arguments more subtle than solid,[p] advised Alexander to govern the Greeks like subjects and the barbarians as slaves; to consider the former as companions, the latter as creatures of an inferior nature.[q] But the sentiments of the pupil were more enlarged than those of his master, and his experience in governing men taught the monarch what the speculative science of the philosopher did not discover. Soon after the victory at Arbela, Alexander himself, and, by his persuasion, many of his officers, assumed the Persian dress, and conformed to several of their customs. At the same time he encouraged the Persian nobles to imitate the manners of the Macedonians, to learn the Greek language, and to acquire a relish for the beauties of the elegant writers in that tongue, which were then universally studied and admired. In order to render the union more complete, he resolved to marry one of the daughters of Darius, and chose wives for a hundred of his principal officers in the most illustrious Persian families. Their nuptials were celebrated with great pomp and festivity, and with high exultation of the conquered people. In imitation of them, above ten thousand Macedonians, of inferior rank, married Persian women, to each of whom Alexander gave nuptial presents, as a testimony of his approbation of their conduct.[r]

But assiduously as Alexander laboured to unite his European and Asiatic subjects by the most indissoluble ties, he did not trust entirely to the success of that measure for the security of his new conquests. In every province which he subdued, he made choice of proper stations, where he built and fortified cities, in which he placed garrisons composed partly of such of the natives as conformed to the Grecian manners and discipline, and partly of such of his European subjects as were worn out with the fatigues of service, and wished for repose and a permanent establishment. These cities were numerous, and served not only as a chain of posts to keep open the communication between the different provinces of his dominions, but as places of strength to overawe and curb the conquered people. Thirty thousand of his new subjects, who had been disciplined in these cities, and armed after the European fashion, appeared before Alexander in Susa, and were formed by him into that compact solid body of infantry, known by the name of the phalanx, which constituted the strength of a Macedonian army. But in order to secure entire authority over this new corps, as well as to render it more effective, he appointed that every officer in it intrusted with command, either superior or subaltern, should be European. As the ingenuity of mankind naturally has recourse in similar situations to the same expedients, the European powers, who now in their Indian territories employ numerous bodies of the natives in their service, have, in forming the establishment of these troops, adopted the same maxims; and, probably without knowing it, have modelled their battalions of Sepoys upon the same principles as Alexander did his phalanx of Persians.

The further Alexander pushed his conquests from the banks of the Euphrates, which may be considered as the centre of his dominions, he found it necessary to build and to fortify a greater number of cities. Several of these to the east and south of the Caspian sea are mentioned by ancient authors; and in India itself he founded two cities on the banks of the Hydaspes, and a third on the Acesines, both navigable rivers, which, after uniting their streams, fall into the Indus.[s] From the choice of such situations it is obvious that he intended, by means of these cities, to keep open a communication with India, not only by land, but by sea. It was chiefly with a view to the latter of these objects, (as I have already observed,) that he examined the navigation of the Indus with so much attention. With the same view, on his return to Susa, he in person surveyed the course of the Euphrates and Tigris, and gave directions to remove the cataracts or dams, which the ancient monarchs of Persia, induced by a peculiar precept of their religion, which enjoined them to guard with the utmost care against defiling any of the elements, had constructed near

p Aristot. Polit. i. c. 3—7.
q Plut. de Fortuna Alex. Orat. i. p. 302. vol. vii. edit. Reiske. Strabo, lib. i. p. 116. A.

r Arrian, lib. vii. c. 4. Plut. de Fort. Alex. p. 304. See Note VIII.
s See Note IX.

the mouths of these rivers, in order to shut out their subjects from any access to the ocean.[t] By opening the navigation in this manner, he proposed, that the valuable commodities of India should be conveyed from the Persian gulf into the interior parts of his Asiatic dominions, while by the Arabian gulf they should be carried to Alexandria, and distributed to the rest of the world.

Grand and extensive as these schemes were, the precautions employed, and the arrangements made for carrying them into execution, were so various and so proper, that Alexander had good reason to entertain sanguine hopes of their proving sueeessful. At the time when the mutinous spirit of his soldiers obliged him to relinquish his operations in India, he was not thirty years of age complete. At this enterprising period of life, a prince of a spirit so active, persevering, and indefatigable, must have soon found means to resume a favourite measure on which he had been long intent. If he had invaded India a second time, he would not, as formerly, have been obliged to force his way through hostile and unexplored regions, opposed at every step by nations and tribes of barbarians whose names had never reached Greece. All Asia, from the shores of the Ionian sea to the banks of the Hyphasis, would then have been subject to his dominion; and through that immense stretch of country he had established such a chain of cities, or fortified stations,[u] that his armies might have continued their march with safety, and have found a regular succession of magazines provided for their subsistence. Nor would it have been difficult for him to bring into the field forces sufficient to have achieved the conquest of a country so populous and extensive as India. Having armed and disciplined his subjects in the East like Europeans, they would have been ambitious to imitate and to equal their instructors, and Alexander might have drawn recruits, not from his scanty domains in Macedonia and Greece, but from the vast regions of Asia, which, in every age, has covered the earth, and astonished mankind with its numerous armies. When at the head of such a formidable power he had reached the confines of India, he might have entered it under circumstances very different from those in his first expedition. He had secured a firm footing there, partly by means of the garrisons that he left in the three cities which he had built and fortified, and partly by his alliance with Taxiles and Porus. These two Indian princes, won by Alexander's humanity and beneficence, which, as they were virtues seldom displayed in the ancient mode of carrying on war, excited of course a higher degree of admiration and gratitude, had continued steady in their attachment to the Macedonians. Reinforced by their troops, and guided by their information as well as by the experience which he had acquired in his former campaigns, Alexander must have made rapid progress in a country, where every invader, from his time to the present age, has proved successful.

But this and all his other splendid schemes were terminated at once by his untimely death. In consequence of that, however, events took place, which illustrate and confirm the justness of the preceding speculations and conjectures by evidence the most striking and satisfactory. When that great empire, which the superior genius of Alexander had kept united and in subjection, no longer felt his superintending control, it broke into pieces, and its various provinces were seized by his principal officers, and parcelled out among them. From ambition, emulation, and personal animosity, they soon turned their arms against one another; and as several of the leaders were equally eminent for political abilities and for military skill, the contest was maintained long, and carried on with frequent vicissitudes of fortune. Amidst the various convulsions and revolutions which these occasioned, it was found that the measures of Alexander for the preservation of his conquests had been concerted with such sagacity, that, upon the final restoration of tranquillity, the Macedonian dominion continued to be established in every part of Asia, and not one province had shaken off the yoke. Even India, the most remote of Alexander's conquests, quietly submitted to Pytho the son of Agenor, and afterwards to Seleucus, who successively obtained dominion over that part of Asia. Porus and Taxiles, notwithstanding the death of their benefactor, neither declined submission to the authority of the Macedonians, nor made any attempt to recover independence.

During the contests for power and superiority among the successors of Alexander, Seleucus, who, in every effort of enterprising ambition, was inferior to none of them, having rendered himself master of all the provinces of the Persian empire comprehended under the name of Upper Asia, considered those countries of India which had been subdued by Alexander, as belonging to that portion of the Macedonian empire of which he was now the sovereign. Seleucus, like all the officers formed under Alexander, entertained such high ideas of the advantages which might be derived from a commercial intercourse with India, as induced him to march into that country, partly with a view of establishing his own authority there, and partly in order to curb Sandracottus, who having lately acquired the sovereignty of the Prasij, a powerful nation on the banks of the Ganges, threatened to attack the Macedonians, whose Indian territories bordered on his dominions. Unfortunately, no account of this expedition, which seems to have been splendid and successful, has reached our times. All we know of it is, that he advanced considerably beyond the utmost boundary of Alexander's progress in India,[x]

t Arrian, lib. vi. c. 7. Strabo, lib. xvi. p. 1074, &c. See Note X.
u See Note XI.

x See Note XII.

and would probably have proceeded much further, if he had not been constrained to stop short in his career, in order to oppose Antigonus, who was preparing to invade his dominions at the head of a formidable army. Before he began his march towards the Euphrates, he concluded a treaty with Sandraeottus; in consequence of which, that monarch quietly retained the kingdom he had acquired. But the powers and possessions of the Macedonians seem to have remained unimpaired during the reign of Seleucus, which terminated forty-two years after the death of Alexander.

With a view of cultivating a friendly intercourse with Sandracottus, Seleucus made choice of Megasthenes, an officer, who, from his having accompanied Alexander in his expedition into India, had some knowledge of the state of the country, and the manners of its inhabitants, and sent him as his ambassador to Palibothra.[y] In this famous capital of the Prasij, situated on the banks of the Ganges, Megasthenes resided several years, and was probably the first European who ever beheld that mighty river, far superior to any of the ancient continent in magnitude,[z] and no less distinguished by the fertility of the countries through which it flows. This journey of Megasthenes to Palibothra made Europeans acquainted with a large extent of country, of which they had not hitherto any knowledge; for Alexander did not advance further towards the south-east than that part of the river Hydraotes or Raûvee, where the modern city of Lahore is situated; and Palibothra, the site of which, as it is a capital position in the geography of ancient India, I have investigated with the utmost attention, appears to me the same with that of the modern city of Allahabad, at the confluence of the two great rivers, Jumna and Ganges.[a] As the road from Lahore to Allahabad runs through some of the most cultivated and opulent provinces of India, the more the country was explored, the idea of its value rose higher. Accordingly, what Megasthenes observed during his progress to Palibothra, and his residence there, made such an impression upon his own mind, as induced him to publish an ample account of India, in order to make his countrymen more thoroughly acquainted with its importance. From his writings the ancients seem to have derived almost all their knowledge of the interior state of India, and from comparing the three most ample accounts of it, by Diodorus Siculus, Strabo, and Arrian, they appear manifestly, from their near resemblance, to be a transcript of his words. But, unfortunately, Megasthenes was so fond of the marvellous, that he mingled with the truths which he related many extravagant fictions; and to him may be traced up the fabulous tales of men with ears so large that they could wrap themselves up in them, of others with a single eye, without mouths, without noses, with long feet, and toes turned backwards; of people only three spans in height, of wild men with heads in the shape of a wedge, of ants as large as foxes that dug up gold, and many other things no less wonderful.[b] The extracts from his narrative which have been transmitted to us by Strabo, Arrian, and other writers, seem not to be entitled to credit, unless when they are supported by internal evidence, and confirmed by the testimony of other ancient authors, or when they coincide with the experience of modern times. His account, however, of the dimensions and geography of India, is curious and accurate. His description of the power and opulence of the Prasij perfectly resembles that which might have been given of some of the greater states in the modern Indostan, before the establishment of the Mahomedan or European power in India, and is consonant to the accounts which Alexander had received concerning that people. He was informed, as has been already mentioned, that they were prepared to oppose him on the banks of the Ganges, with an army consisting of twenty thousand cavalry, two hundred thousand infantry, and two thousand armed chariots;[c] and Megasthenes relates, that he had an audience of Sandracottus in a place where he was encamped with an army of four hundred thousand men.[d] The enormous dimensions which he assigns to Palibothra, of no less than ten miles in length, and two in breadth, and surrounded by walls in which there were five hundred and seventy towers, and sixty-four gates, would probably have been ranked by Europeans among the wonders which he delighted to relate, if they were not now well acquainted with the rambling manner in which the cities of India were built, and did not know with certainty, that both in former and in the present times, it might boast of cities still more extensive.[e]

This embassy of Megasthenes to Sandracottus, and another of Diamachus to his son and successor Allitrochidas, are the last transactions of the Syrian monarchs with India, of which we have any account.[f] Nor can we either fix with accuracy the time, or describe the manner, in which their possessions in India were wrested from them. It is probable that they were obliged to abandon that country soon after the death of Seleueus.[g]

But though the great monarchs of Syria lost, about this period, those provinces in India which had been subject to their dominions, the Greeks, in a smaller kingdom composed of some fragments of Alexander's empire, still maintained an intercourse with India, and even made some considerable acquisition of territory there. This was the kingdom of Bactria, originally subject to Seleucus, but wrested from his son or grandson, and rendered an independent state, about sixty-nine years after the death of Alexander. Concerning the transactions of this kingdom, we must rest satisfied with gleaning a few imperfect hints in ancient authors. From

y Strabo, lib. ii. p. 121, &c. Arrian. Hist. Ind. passim.
z See Note XIII.
a See Note XIV.
b Strabo, lib. xx. 1032. A. 1037. C.
c Diod. Sicul. lib. xvii. p. 232. Q. Curt. lib. ix. c. 2.
d Strabo, lib. xv. p. 1035. C.
e Rennell, Mem. 49, 50.
f See Note XV.
g Justin. lib. xv. c. 4.

them we learn that its commerce with India was great; that the conquests of the Bactrian kings in that country were more extensive than those of Alexander himself, and particularly that they recovered possession of the district near the mouth of the Indus, which he had subdued.[h] Each of the six princes who reigned in Bactria carried on military operations in India with such success, that they penetrated far into the interior part of the country, and, proud of the conquests which they had made, as well as of the extensive dominions over which they reigned, some of them assumed the lofty title of *Great King*, which distinguished the Persian monarchs in the days of their highest splendour. But we should not have known how long this kingdom of Bactria subsisted, or in what manner it terminated, if M. de Guignes had not called in the historians of China to supply the defects of the Greek and Roman writers. By them we are informed, that about one hundred and twenty-six years before the christian æra, a powerful horde of Tartars, pushed from their native seats on the confines of China, and obliged to move towards the west by the pressure of a more numerous body that rolled on behind them, passed the Jaxartes, and pouring in upon Bactria, like an irresistible torrent, overwhelmed that kingdom, and put an end to the dominion of the Greeks[i] there, after it had been established near one hundred and thirty years.[k]

From this time until the close of the fifteenth century, when the Portuguese, by doubling the Cape of Good Hope, opened a new communication with the East, and carried their victorious arms into every part of India, no European power acquired territory, or established its dominion there. During this long period, of more than sixteen hundred years, all schemes of conquest in India seem to have been totally relinquished, and nothing more was aimed at by any nation, than to secure an intercourse of trade with that opulent country.

It was in Egypt that the seat of this intercourse was established; and it is not without surprise that we observe how soon and how regularly the commerce with the East came to be carried on by that channel in which the sagacity of Alexander destined it to flow. Ptolemy, the son of Lagus, as soon as he took possession of Egypt, established the seat of government in Alexandria. By some exertions of authority, and many acts of liberality, but chiefly by the frame of his mild and equal administration, he drew such a number of inhabitants to this favourite residence, that it soon became a populous and wealthy city. As Ptolemy deserved and had possessed the confidence of Alexander more perfectly than any of his officers, he knew well that his chief object in founding Alexandria was to secure the advantages arising from the trade with India. A long and prosperous reign was favourable to the prosecution of that object, and though ancient authors have not enabled us to trace the steps which the first Ptolemy took for this purpose, we have a striking evidence of his extraordinary attention to naval affairs, in his erecting a light-house on the island of Pharos, at the mouth of the harbour of Alexandria,[l] a work of such magnificence as to be reckoned one of the seven wonders of the world. With respect to the commercial arrangements of his son Ptolemy Philadelphus, we have more perfect information. In order to bring the trade with India (which began to revive at Tyre, its ancient station) to centre in Alexandria,[m] he set about forming a canal, an hundred cubits in breadth, and thirty cubits in depth, between Arsinoe on the Red sea, not far from the situation of the modern Suez, and the Peleusiac or eastern branch of the Nile, by means of which the productions of India might have been conveyed to that capital wholly by water. But either on account of some danger apprehended from completing it, that work was never finished; or from the slow and dangerous navigation towards the northern extremity of the Red sea, this canal was found to be of so little use, that in order to facilitate the communication with India, he built a city on the west coast of that sea, almost under the Tropic, to which he gave the name of Berenice.[n] This new city soon became the staple of the trade with India.[o] From Berenice the goods were transported by land to Coptos, a city three miles distant from the Nile, but which had a communication with that river by a navigable canal, of which there are still some remains,[p] and thence carried down the stream to Alexandria. The distance between Berenice and Coptos was, according to Pliny, two hundred and fifty-eight Roman miles, and the road lay through the desert of Thebais, almost entirely destitute of water. But the attention of a powerful monarch made provision for supplying this want, by searching for springs; and wherever these were found he built inns, or more probably in the eastern style caravanseras, for the accommodation of merchants.[q] In this channel the intercourse between the East and West continued to be carried on during two hundred and fifty years, as long as Egypt remained an independent kingdom.

The ships destined for India took their departure from Berenice, and sailing, according to the ancient mode of navigation, along the Arabian shore to the promontory Syagrus, (now Cape Rasalgate,) held their course along the coast of Persia, either directly to Pattala, (now Tatta,) at the head of the lower Delta of the Indus, or to some other emporium on the west coast of India. To this part of India, which Alexander had visited and subdued, the commerce under the protection of the Egyptian monarchs seems to have been confined for a con-

h Strabo, lib. xi. 785. D. lib. xv. 1006. B. Justin. lib. xli. c. 4. Bayer, Hist. Regni Græcor. Bactriani, passim.
i Mem. de Literat. tom. xxv. p. 17, &c.
k See Note XVI.
l Strabo, lib. xvii. p. 1140. C.
m Ibid. lib. xvi. 1089. A.
n Strabo, lib. xvii. 1156. D. Plin. Nat. Hist. lib. vi. c. 29.
o See Note XVII.
p D'Anville, Mem. de l'Egypte, p. 21.
q Strabo, lib. xvii. p. 1157. D. 1169.

siderable time. Afterwards a more convenient course was followed, and from Cape Rasalgate vessels sailed in a direct course to Zizerus. This, according to M. de Montesquieu,[r] was the kingdom of Sigertis, on the sea-coast adjacent to the mouth of the Indus, conquered by the Greek monarchs of Bactria; according to major Rennell,[s] it was a port on the northern part of the Malabar coast. Ancient authors have not conveyed such information as will enable us to pronounce with certainty which of these two opposite opinions is best founded. Nor can we point out with accuracy what were the other ports in India which the merchants from Berenice frequented, when that trade was first opened. As they sailed in vessels of small burden, which crept timidly along the coast, it is probable that their voyages were circumscribed within very narrow limits, and that, under the Ptolemies, no considerable progress was made in the discovery of India.[t]

From this monopoly of the commerce by sea between the East and West, which Egypt long enjoyed, it derived that extraordinary degree of opulence and power for which it was conspicuous. In modern times, acquainted with the vigilant and enterprising activity of commercial rivalship, there is hardly any circumstance in ancient story which appears more surprising, than that the sovereigns of Egypt should have been permitted to engross this lucrative trade without competition, or any attempt to wrest it out of their hands; especially as the powerful monarchs of Syria might, from the Persian gulf, have carried on an intercourse with the same parts of India, by a shorter and safer course of navigation. Different considerations seem to have induced them so tamely to relinquish all the obvious advantages of this commerce. The kings of Egypt, by their attention to maritime affairs, had formed a powerful fleet, which gave them such decided command of the sea, that they could have crushed with ease any rival in trade. No commercial intercourse seems ever to have been carried on by sea between Persia and India. The Persians had such an insuperable aversion to that element, or were so much afraid of foreign invasion, that their monarchs (as I have already observed) obstructed the navigation of the great rivers, which gave access to the interior parts of the country, by artificial works. As their subjects, however, were no less desirous than the people around them to possess the valuable productions and elegant manufactures of India, these were conveyed to all the parts of their extensive dominions by land carriage. The commodities destined for the supply of the northern provinces, were transported on camels from the banks of the Indus to those of the Oxus, down the stream of which they were carried to the Caspian sea, and distributed, partly by land carriage, and partly by navigable rivers, through the different countries, bounded on one hand by the Caspian, and on the other by the Euxine sea.[u] The commodities of India intended for the southern and interior provinces, proceeded by land from the Caspian gates to some of the great rivers, by which they were circulated through every part of the country. This was the ancient mode of intercourse with India, while the Persian empire was governed by its native princes; and it has been observed in every age, that when any branch of commerce has got into a certain channel, although it may be neither the most proper nor the most commodious one, it requires long time, and considerable efforts, to give it a different direction.[x]

To all these reasons for suffering the monarchs of Egypt to continue in the undisturbed possession of the trade with India by sea, another may be added. Many of the ancients, by an error in geography extremely unaccountable, and in which they persisted, notwithstanding repeated opportunities of obtaining more accurate information, believed the Caspian sea to be a branch of the great northern ocean, and the kings of Syria might hope by that means to open a communication with Europe, and to circulate through it the valuable productions of the East, without intruding into those seas, the navigation of which the Egyptian monarchs seemed to consider as their exclusive right. This idea had been early formed by the Greeks, when they became masters of Asia. Seleucus Nicator, the first and most sagacious of the Syrian kings, at the time when he was assassinated, entertained thoughts of forming a junction between the Caspian and Euxine seas by a canal;[y] and if this could have been effected, his subjects, besides the extension of their trade in Europe, might have supplied all the countries in the north of Asia, on the coast of the Euxine sea, as well as many of those which stretch eastward from the Caspian, with the productions of India. As those countries, though now thinly inhabited by a miserable race of men, destitute of industry and of wealth, were in ancient times extremely populous, and filled with great and opulent cities, this must have been considered as a branch of commerce of such magnitude and value, as to render the securing of it an object worthy the attention of the most powerful monarch.

But while the monarchs of Egypt and Syria laboured with emulation and ardour to secure to their subjects all the advantages of the Indian trade, a power arose in the West which proved fatal to both. The Romans, by the vigour of their military institutions, and the wisdom of their political conduct, having rendered themselves masters of all Italy and Sicily, soon overturned the rival republic of Carthage, subjected Macedonia and Greece, extended their dominion over Syria, and at last turned their victorious arms against Egypt, the only kingdom remaining of those established by the successors of Alexander the

A. C. 55.

r L'Esprit des Loix, lib. xxi. c. 7.
s Introduct. p. xxxvii.
t See Note XVIII.

u Strabo, lib. xii. 776. D. Plin. Nat. Hist. lib. vi. c. 17.
x See Note XIX.
y Plin. Nat. Hist. lib. vi. c. 11.

Great. After a series of events which belong not to the subject of this Disquisition, Egypt was annexed to the Roman empire, and reduced into the form of a Roman province by Augustus. Aware of its great importance, he, with that provident sagacity which distinguishes his character, not only reserved it as one of the provinces subject immediately to imperial authority, but by various precautions, well known to every scholar, provided for its security. This extraordinary solicitude seems to have proceeded not only from considering Egypt as one of the chief granaries on which the capital depended for subsistence, but as the seat of that lucrative commerce which had enabled its ancient monarchs to amass such enormous wealth as excited the admiration and envy of other princes, and produced, when brought into the treasury of the empire, a considerable alteration, both in the value of property and the state of manners, in Rome itself.

A. C. 30.

SECTION II.

Intercourse with India, from the establishment of the Roman dominion in Egypt, to the conquest of that kingdom by the Mahomedans.

Upon the conquest of Egypt by the Romans, and the reduction of that kingdom to a province of their empire, the trade with India continued to be carried on in the same mode under their powerful protection; Rome, enriched with the spoils and the tribute of almost all the known world, had acquired a taste for luxuries of every kind. Among people of this description, the productions of India have always been held in the highest estimation. The capital of the greatest empire ever established in Europe, filled with citizens who had now no occupation but to enjoy and dissipate the wealth accumulated by their ancestors, demanded every thing elegant, rare, or costly, which that remote region could furnish, in order to support its pomp, or heighten its pleasures. To supply this demand, new and extraordinary efforts became requisite, and the commerce with India increased to a degree, which (as I have observed in another place [a]) will appear astonishing even to the present age, in which that branch of trade has been extended far beyond the practice or conception of any former period.

Besides the Indian commodities imported into the capital of the empire from Egypt, the Romans received an additional supply of them by another mode of conveyance. From the earliest times, there seems to have been some communication between Mesopotamia, and other provinces on the banks of the Euphrates, and those parts of Syria and Palestine which lay near the Mediterranean. The migration of Abram from Ur of the Chaldees to Sichem in the land of Canaan, is an instance of this.[b] The journey through the desert which separated these countries, was much facilitated by its affording one station abounding with water, and capable of cultivation. As the intercourse increased, the possession of this station became an object of so much importance, that Solomon, when he turned his attention towards the extension of commerce among his subjects, built a fenced city there.[c] Its Syrian name of *Tadmor* in the wilderness, and its Greek one of *Palmyra*, are both descriptive of its situation in a spot adorned with palm-trees. This is not only plentifully supplied with water, but surrounded by a portion of fertile land, which (though of no great extent) renders it a delightful habitation in the midst of barren sands and an inhospitable desert. Its happy position, at the distance of eighty-five miles from the river Euphrates, and about one hundred and seventeen miles from the nearest coast of the Mediterranean,[d] induced its inhabitants to enter with ardour into the trade of conveying commodities from one of these to the other. As the most valuable productions of India, brought up the Euphrates from the Persian gulf, are of such small bulk as to bear the expense of a long land-carriage, this trade soon became so considerable that the opulence and power of Palmyra increased rapidly. Its government was of the form which is best suited to the genius of a commercial city, republican; and from the peculiar advantages of its situation, as well as the spirit of its inhabitants, it long maintained its independence, though surrounded by powerful and ambitious neighbours. Under the Syrian monarchs descended from Seleucus it attained to its highest degree of splendour and wealth, one great source of which seems to have been the supplying their subjects with Indian commodities. When Syria submitted to the irresistible arms of Rome, Palmyra continued upwards of two centuries a free state, and its friendship was courted with emulation and solicitude by the Romans, and their rivals for empire, the Parthians. That it traded with both, and particularly that from it Rome, as well as other parts of the empire, received the productions of India, we learn from Appian, an author of good credit.[e] But in tracing the progress of the commerce of the ancients with the East, I should not have ventured, upon his single testimony, to mention this among the channels of note in which it was carried on, if a singular discovery, for which we are indebted to the liberal curiosity and enterprising spirit of our own countrymen, did not confirm and illustrate what he relates. Towards the close of the last century, some gentlemen of the English factory at Aleppo, incited by what they heard in the East concerning the wonderful ruins of Palmyra, ven-

a See Hist. of America, p. 733.
b Gen. xi. xii.
c 1 Kings ix. 18. 2 Chron. viii. 4.
d In a former edition, I stated the distance of Palmyra from the Euphrates at sixty miles, and from the Mediterranean at two hundred and three miles. Into these errors I was led by M. D'Anville, who, in his Memoire sur l'Euphrate et le Tigris, a work published in old age, did not retain his wonted accuracy. From information communicated by major Rennell, I have substituted the true distances.
e Appian. de Bello Civil. lib. v. p. 1070. edit. Tollii.

tured, notwithstanding the fatigue and danger of a journey through the desert, to visit them. To their astonishment they beheld a fertile spot of some miles in extent arising like an island out of a vast plain of sand, covered with the remains of temples, portieoes, aqueducts, and other publie works, which in magnifieence and splendour, and some of them in elegance, were not unworthy of Athens or of Rome in their most prosperous state. Allured by their description of them, about sixty years thereafter, a party of more enlightened travellers, having reviewed the ruins of Palmyra with greater attention and more scientific skill, declared that what they beheld there exceeded the most exalted ideas which they had formed concerning it.[f]

From both these aceounts, as well as from recollecting the extraordinary degree of power to which Palmyra had attained, when Egypt, Syria, Mesopotamia, and a considerable part of Asia Minor were conquered by its arms; when Odenatus, its chief magistrate, was decorated with the imperial purple, and Zenobia contended for the dominion of the East with Rome under one of its most warlike emperors, it is evident that a state which could derive little importance from its original territory, must have owed its aggrandizement to the opulence acquired by extensive commerce. Of this the Indian trade was undoubtedly the most eonsiderable and most luerative branch. But it is a cruel mortifieation, in searching for what is instructive in the history of past times, to find that the exploits of eonquerors who have desolated the earth, and the freaks of tyrants who have rendered nations unhappy, are recorded with minute and often disgusting aeeuracy, while the discovery of useful arts, and the progress of the most beneficial branches of commerce, are passed over in silence, and suffered to sink into oblivion.

After the eonquest of Palmyra by Aurelian, trade never revived there. At present a few miserable huts of beggarly Arabs are scattered in the courts of its statcly temples, or deform its elegant portieoes; and exhibit a humiliating contrast to its ancient magnifieence.

But while the merehants of Egypt and Syria exerted their activity in order to supply the increasing demands of Rome for Indian commodities, and vied with each other in their efforts, the eagerness of gain (as Pliny observes) brought India itself nearer to the rest of the world. In the course of their voyages to that country, the Greek and Egyptian pilots could not fail to observe the regular shifting of the periodieal winds or monsoons, and how steadily they continued to blow during one part of the year from the east, and during the other from the west. Encouraged by attending to this circumstanee, Hippalus, the eommander of a ship engaged in the Indian trade, ventured, about fourseore years after Egypt was annexed to the Roman empire, to relinquish the slow and eireuitous course which I have described, and stretching boldly from the mouth of the Arabian gulf across the ocean, was carried by the western monsoon to Musiris, a harbour in that part of India now known by the name of the Malabar coast.

This route to India was held to be a discovery of such importance, that in order to perpetuate the memory of the inventor, the name of Hippalus was given to the wind whieh enabled him to perform the voyage.[g] As this was one of the greatest efforts of navigation in the ancient world, and opened the best communieation by sea between the East and West that was known for fourteen hundred years, it merits a particular description. Fortunately Pliny has enabled us to give it with a degree of accuracy, which can seldom be attained in tracing the naval or commercial operations of the ancients. From Alexandria (he observes) to Juliopolis is two miles; there the cargo destined for India is embarked on the Nile, and is carried to Coptos, which is distant three hundred and three miles, and the voyage is usually accomplished in twelve days. From Coptos goods are conveyed by land carriage to Berenice on the Arabian gulf, halting at different stations regulated according to the convenieney of watering. The distance between these cities is two hundred and fifty-eight miles. On account of the heat, the caravan travels only during the night, and the journey is finished on the twelfth day. From Berenice ships take their departure about midsummer, and in thirty days reach Ocelis (Gella) at the mouth of the Arabian gulf, or Cane (Cape Fartaque) on the coast of Arabia Felix. Thence they sail, in forty days, to Musiris, the first emporium in India. They begin their voyage homewards early in the Egyptian month Thibi, which answers to our Deeember; they sail with a north-east wind, and, when they enter the Arabian gulf, meet with a south or south-west wind, and thus complete the voyage in less than a year.[h]

The aeeount which Pliny gives of Musiris, and of Barace, another harbour not far distant, which was likewise frequented by the ships from Berenice, as being both so incommodious for trade on account of the shallowness of the ports, that it became necessary to discharge and take in the cargoes in small boats, does not enable us to fix their position with perfect accuracy. This description applies to many ports on the Malabar coast; but, from two eireumstances mentioned by him, one, that they are not far distant from Cottonara, the country which produces pepper in great abundance; and the other, that in sailing towards them, the course lay near Nitrias, the station of the pirates; I adopt the opinion of major Rennell, that they were situated somewhere between Goa and Tellicherry, and that probably the modern Meerzaw or Merjee is the Musiris of the ancients, and Barcelore their Baraee.[i]

As in these two ports was the prineipal staple of

f Wood's Ruins of Palmyra, p. 37
g Perip. Mar. Erythr. p. 32.

h Plin. Nat. Hist. lib. vi. c. 23. See Note XX.
i Introd. p. xxxvii

the trade between Egypt and India, when in its most flourishing state, this seems to be the proper place for inquiring into the nature of the commerce which the ancients, particularly the Romans, carried on with that country, and for enumerating the commodities most in request which they imported from it. But as the operations of commerce, and the mode of regulating it, were little attended to in those states of antiquity of whose transactions we have any accurate knowledge, their historians hardly enter into any detail concerning a subject of such subordinate importance in their political system; and it is mostly from brief hints, detached facts, and incidental observations, that we can gather information concerning it.[k]

In every age it has been a commerce of luxury, rather than of necessity, which has been carried on between Europe and India. Its elegant manufactures, spices, and precious stones, are neither objects of desire to nations of simple manners, nor are such nations possessed of wealth sufficient to purchase them. But at the time the Romans became masters of the Indian trade, they were not only (as has already been observed) in that stage of society when men are eager to obtain every thing that can render the enjoyment of life more exquisite, or add to its splendour, but they had acquired all the fantastic tastes formed by the caprice and extravagance of wealth. They were, of consequence, highly delighted with those new objects of gratification with which India supplied them in such abundance. The productions of that country, natural as well as artificial, seem to have been much the same in that age as in the present. But the taste of the Romans in luxury differed in many respects, from that of modern times; and, of course, their demands from India differed considerably from ours.

In order to convey an idea of their demands as complete as possible, I shall, in the first place, make some observations on the three great articles of general importation from India. 1. Spices and aromatics. 2. Precious stones and pearls. 3. Silk. And then I shall give some account (as far as I can venture to do it from authentic information) of the assortment of cargoes, both outward and homeward bound, for the vessels fitted out at Berenice to different ports of India.

I. Spices and aromatics. From the mode of religious worship in the heathen world; from the incredible number of their deities, and of the temples consecrated to them; the consumption of frankincense and other aromatics, which were used in every sacred function, must have been very great. But the vanity of men occasioned a greater consumption of these fragrant substances than their piety. It was the custom of the Romans to burn the bodies of their dead; and they deemed it a display of magnificence to cover, not only the body, but the funeral pile on which it was laid, with the most costly spices. At the funeral of Sylla, two hundred and ten burdens of spices were strewed upon the pile. Nero is reported to have burnt a quantity of cinnamon and cassia at the funeral of Poppæa, greater than the countries from which it was imported produced in one year. We consume in heaps these precious substances with the carcases of the dead (says Pliny): We offer them to the gods only in grains.[l] It was not from India, I am aware, but from Arabia, that aromatics were first imported into Europe; and some of them, particularly frankincense, were productions of that country. But the Arabians were accustomed, together with spices of native growth, to furnish foreign merchants with others of higher value, which they brought from India, and the regions beyond it. The commercial intercourse of the Arabians with the eastern parts of Asia, was not only early, but considerable. By means of their trading caravans, they conveyed into their own country all the valuable productions of the East, among which spices held a chief place. In every ancient account of Indian commodities, spices and aromatics of various kinds form a principal article.[m] Some authors assert that the greater part of those purchased in Arabia were not the growth of that country, but brought from India.[n] That this assertion was well founded, appears from what has been observed in modern times. The frankincense of Arabia, though reckoned the peculiar and most precious production of the country, is much inferior in quality to that imported into it from the East; and it is chiefly with the latter that the Arabians at present supply the extensive demands of various provinces of Asia for this commodity.[o] It is upon good authority, then, that I have mentioned the importation of spices as one of the most considerable branches of ancient commerce with India. In the Augustan age, an entire street in Rome seems to have been occupied by those who sold frankincense, pepper, and other aromatics.[p]

II. Precious stones, together with which pearls may be classed, seem to be the article next in value imported by the Romans from the East. As these have no pretension to be of any real use, their value arises entirely from their beauty and their rarity, and even when estimated most moderately, is always high. But among nations far advanced in luxury, when they are deemed not only ornaments, but marks of distinction, the vain and the opulent vie so eagerly with one another for the possession of them, that they rise in price to an exorbitant and almost incredible height. Diamonds, though the art of cutting them was imperfectly known to the ancients, held a high place in estimation among them, as well as among us. The comparative value of other precious stones varied according to the diversity of tastes and the caprice of fashion. The immense number of them mentioned by Pliny, and

k See Note XXI.
l Nat. Hist. lib. xii. c. 18.
m Peripl. Mar. Eryth. p. 22. 28. Strabo, lib. ii. p. 156. A. lib. xv. p. 1018. A.
n Strabo, lib. xvii. p. 1129. C.
o Neibuhr, Descript. de l'Arabie, tom. i. p. 126.
p Hor. lib. ii. epist. 1.

the laborious care with which he describes and arranges them,[q] will astonish, I should suppose, the most skilful lapidary or jeweller of modern times, and shows the high request in which they were held by the Romans.

But among all the articles of luxury, the Romans seem to have given the preference to pearls.[r] Persons of every rank purchased them with eagerness; they were worn on every part of dress; and there is such a difference, both in size and in value, among pearls, that while such as were large and of superior lustre adorned the wealthy and the great, smaller ones and of inferior quality gratified the vanity of persons in more humble stations of life. Julius Cæsar presented Servilia, the mother of Brutus, with a pearl, for which he paid forty-eight thousand four hundred and fifty-seven pounds. The famous pearl ear-rings of Cleopatra were in value one hundred and sixty-one thousand four hundred and fifty-eight pounds.[s] Precious stones, it is true, as well as pearls, were found not only in India, but in many different countries, and all were ransacked in order to gratify the pride of Rome. India, however, furnished the chief part, and its productions were allowed to be most abundant, diversified, and valuable.

III. Another production of India in great demand at Rome, was silk; and when we recollect the variety of elegant fabrics into which it may be formed, and how much these have added to the splendour of dress and furniture, we cannot wonder at its being held in such estimation by luxurious people. The price it bore was exorbitant; but it was deemed a dress too expensive and too delicate for men,[t] and was appropriated wholly to women of eminent rank and opulence. This, however, did not render the demand for it less eager, especially after the example of the dissolute Elagabalus introduced the use of it among the other sex, and accustomed men to the disgrace (as the severity of ancient ideas accounted it) of wearing this effeminate garb. Two circumstances concerning the traffic of silk among the Romans merit observation. Contrary to what usually takes place in the operations of trade, the more general use of that commodity seems not to have increased the quantity imported, in such proportion as to answer the growing demand for it, and the price of silk was not reduced during the course of two hundred and fifty years from the time of its being first known in Rome. In the reign of Aurelian, it still continued to be valued at its weight in gold. This, it is probable, was owing to the mode in which that commodity was procured by the merchants of Alexandria. They had no direct intercourse with China, the only country in which the silk-worm was then reared, and its labour rendered an article of commerce. All the silk which they purchased in the different ports of India that they frequented, was brought thither in ships of the country; and either from some defect of skill in managing the silk-worm, the produce of its ingenious industry among the Chinese was scanty, or the intermediate dealers found greater advantage in furnishing the market of Alexandria with a small quantity at a high price, than to lower its value by increasing the quantity. The other circumstance which I had in view is more extraordinary, and affords a striking proof of the imperfect communication of the ancients with remote nations, and of the slender knowledge which they had of their natural productions or arts. Much as the manufactures of silk were admired, and often as silk is mentioned by the Greek and Roman authors, they had not, for several centuries after the use of it became common, any certain knowledge either of the countries to which they were indebted for this favourite article of elegance, or of the manner in which it was produced. By some, silk was supposed to be a fine down adhering to the leaves of certain trees or flowers; others imagined it to be a delicate species of wool or cotton; and even those who had learned that it was the work of an insect, show, by their descriptions, that they had no distinct idea of the manner in which it was formed.[u] It was in consequence of an event that happened in the sixth century of the christian æra, of which I shall hereafter take notice, that the real nature of silk became known in Europe.

The other commodities usually imported from India will be mentioned in the account, which I now proceed to give, of the cargoes sent out and brought home in the ships employed in the trade with that country. For this we are indebted to the circumnavigation of the Erythræan sea, ascribed to Arrian, a curious though short treatise, less known than it deserves to be, and which enters into some details concerning commerce, to which there is nothing similar in any ancient writer. The first place in India, in which the ships from Egypt, while they followed[l] the ancient course of navigation, were accustomed to trade, was Patala in the river Indus. They imported into it woollen cloth of a slight fabric, linen in chequer-work, some precious stones, and some aromatics unknown in India, coral, storax, glass vessels of different kinds, some wrought silver, money, and wine. In return for these, they received spices of various kinds, sapphires, and other gems, silk stuffs, silk thread, cotton cloths,[x] and black pepper. But a far more considerable emporium on the same coast was Barygaza, and on that account the author whom I follow here describes its situation, and the mode of approaching it, with great minuteness and accuracy. Its situation corresponds entirely with that of Baroach, on the great river Nerbuddah, down the stream of which, or by land-carriage from the great city of Tagara across high mountains,[y] all the productions of the interior country were conveyed to it. The articles of im-

q Nat. Hist. lib. xxxvii. r See Note XXII.
s Plin. Nat. Hist. lib. ix. c. 35. See Note XXIII.
t Tacit. Annal. lib. ii. c. 33. u See Note XXIV.
x See Note XXV. y See Note XXVI.

portation and exportation in this great mart were extensive and various. Besides these already mentioned, our author enumerates among the former, Italian, Greek, and Arabian wines, brass, tin, lead, girdles or sashes of curious texture, melilot, white glass, red arsenic, black lead, gold and silver coin. Among the exports he mentions the onyx, and other gems, ivory, myrrh, various fabrics of cotton, both plain and ornamented with flowers, and long pepper.[z] At Musiris, the next emporium of note on that coast, the articles imported were much the same as at Barygaza; but as it lay nearer to the eastern parts of India, and seems to have had much communication with them, the commodities exported from it were more numerous and more valuable. He specifies particularly pearls in great abundance and of extraordinary beauty, a variety of silk stuffs, rich perfumes, tortoise-shell, different kinds of transparent gems, especially diamonds, and pepper in large quantities, and of the best quality.[a]

The justness of the account given by this author of the articles imported from India, is confirmed by a Roman law, in which the Indian commodities subject to the payment of duties are enumerated.[b] By comparing these two accounts, we may form an idea tolerably exact of the nature and extent of the trade with India in ancient times.

As the state of society and manners among the natives of India, in the earliest period in which they are known, nearly resembled what we observe among their descendants in the present age; their wants and demands were, of course, much the same. The ingenuity of their own artists was so able to supply these, that they stood little in need of foreign manufactures or productions, except some of the useful metals which their own country did not furnish in sufficient quantity; and then, as now, it was mostly with gold and silver that the luxuries of the East were purchased. In two particulars, however, our importations from India differ greatly from those of the ancients. The dress, both of the Greeks and Romans, was almost entirely woollen, which, by their frequent use of the warm bath, was rendered abundantly comfortable. Their consumption of linen and cotton cloths was much inferior to that of modern times, when these are worn by persons in every rank of life. Accordingly, a great branch of modern importation from that part of India with which the ancients were acquainted, is in *piece-goods;* comprehending, under that mercantile term, the immense variety of fabrics which Indian ingenuity has formed of cotton. But as far as I have observed, we have no authority that will justify us in stating the ancient importation of these to be in any degree considerable.

In modern times, though it continues still to be chiefly a commerce of luxury that is carried on with India, yet, together with the articles that minister to it, we import, to a considerable extent, various commodities which are to be considered merely as the materials of our domestic manufactures. Such are the cotton-wool of Indostan, the silk of China, and the saltpetre of Bengal. But in the accounts of ancient importations from India, raw silk and silk-thread excepted, I find nothing mentioned that could serve as the materials of any home manufacture. The navigation of the ancients never having extended to China, the quantity of unwrought silk with which they were supplied, by means of the Indian traders, appears to have been so scanty, that the manufacture of it could not make an addition of any moment to their domestic industry.

After this succinct account of the commerce carried on by the ancients in India, I proceed to inquire what knowledge they had of the countries beyond the ports of Musiris and Barace, the utmost boundary towards the east to which I have hitherto traced their progress. The author of the circumnavigation of the Erythræan sea, whose accuracy of description justifies the confidence with which I have followed him for some time, seems to have been little acquainted with that part of the coast which stretches from Barace towards the south. He mentions, indeed, cursorily, two or three different ports, but gives no intimation that any of them were staples of the commerce with Egypt. He hastens to Comar, or Cape Comorin, the southermost point of the Indian peninsula; and his description of it is so accurate, and so conformable to its real state, as shows his information concerning it to have been perfectly authentic.[c] Near to this he places the pearl fishery of Colchos, the modern Kilkare, undoubtedly the same with that now carried on by the Dutch in the strait which separates the island of Ceylon from the continent; as adjacent to this he mentions three different ports, which appear to have been situated on the east side of the peninsula, now known by the name of the Coromandel coast. He describes these as *emporia*, or stations of trade;[d] but from an attentive consideration of some circumstances in his account of them, I think it probable that the ships from Berenice did not sail to any of these ports, though they were supplied, as he informs us, with the commodities brought from Egypt, as well as with the productions of the opposite coast of the peninsula; but these seem to have been imported in *country ships*.[e] It was likewise in vessels of their own, varying in form and burden, and distinguished by different names, some of which he mentions, that they traded with the Golden Chersonesus, or kingdom of Malacca, and the countries near the Ganges. Not far from the mouth of that river he places an island, which he describes as situated under the rising sun, and as the last region in the East that was inhabited.[f] Of all these parts of India, the author of the circumnavigation appears to have had very slender knowledge, as is manifest, not only from what he mentions concern-

z Peripl. Mar. Erythr. p. 28.
a Ibid. 31, 32.
b Digest. lib. xxxix. tit. 4. § 16. De publicanis et vectigalibus.
c Peripl. p. 33. D'Anville, Ant. de l'Inde, 118, &c.
d Peripl. p. 34.
e Τοπικα πλοια.
f Peripl. p. 36

ing this imaginary island, and from his not attempting to describe them, but from his relating with the credulity and love of the marvellous which always accompany and characterize ignorance, that these remote regions were peopled with cannibals, and men of uncouth and monstrous forms.[h]

I have been induced to bestow this attention in tracing the course delineated in the circumnavigation of the Erythræan sea, because the author of it is the first ancient writer to whom we are indebted for any knowledge of the eastern coast of the great peninsula of India, or of the countries which lie beyond it. To Strabo, who composed his great work on geography in the reign of Augustus, India, particularly the most eastern parts of it, was little known. He begins his description of it with requesting the indulgence of his readers, on account of the scanty information he could obtain with respect to a country so remote, which Europeans had seldom visited, and many of them transiently only, in the functions of military service. He observes, that even commerce had contributed little towards an accurate investigation of the country, as few of the merchants from Egypt, and the Arabian gulf, had ever sailed as far as the Ganges; and from men so illiterate, intelligence that merited a full degree of confidence could scarcely be expected. His descriptions of India, particularly its interior provinces, are borrowed almost entirely from the memoirs of Alexander's officers, with some slender additions from more recent accounts, and these so few in number, and sometimes so inaccurate, as to furnish a striking proof of the small progress which the ancients had made, from the time of Alexander, in exploring that country. When an author, possessed of such discernment and industry as Strabo, who visited in person several distant regions, that he might be able to describe them with greater accuracy, relates, that the Ganges enters the ocean by one mouth,[i] we are warranted in concluding, that in his time there was either no direct navigation carried on to that great river by the traders from the Arabian gulf, or that this voyage was undertaken so seldom, that science had not then derived much information from it.

The next author, in order of time, from whom we receive any account of India, is the elder Pliny, who flourished about fifty years later than Strabo. As in the short description of India given in his Natural History, he follows the same guides with Strabo, and seems to have had no knowledge of the interior country, but what he derived from the memoirs of the officers who served under Alexander and his immediate successors, it is unnecessary to examine his description minutely. He has added, however, two valuable articles, for which he was indebted to more recent discoveries. The one is the account of the new course of navigation from the Arabian gulf to the coast of Malabar, the nature and importance of which I have already explained. The other is a description of the island of Taprobana, which I shall consider particularly, after inquiring into what Ptolemy has contributed towards our knowledge of the ancient state of the Indian continent.

Though Ptolemy, who published his works about fourscore years after Pliny, seems to have been distinguished for his persevering industry, and talent for arrangement, rather than for an inventive genius; geography has been more indebted to him for its improvement, than to any other philosopher. Fortunately for that science, in forming his general system of geography, he adopted the ideas, and imitated the practice, of Hipparchus, who lived near four hundred years before his time. That great philosopher was the first who attempted to make a catalogue of the stars. In order to ascertain their position in the heavens with accuracy, he measured their distance from certain circles of the spheres, computing it by degrees, either from east to west, or from north to south. The former was denominated the longitude of the star, the latter its latitude. This mode he found to be of such utility in his astronomical researches, that he applied it with no less happy effect to geography; and it is a circumstance worthy of notice, that it was by observing and describing the heavens, men were first taught to measure and delineate the earth with exactness. This method of fixing the position of places, invented by Hipparchus, though known to the geographers between his time and that of Ptolemy, and mentioned both by Strabo[k] and by Pliny,[l] was not employed by any of them. Of this neglect the most probable account seems to be, that as none of them were astronomers, they did not fully comprehend all the advantages geography might derive from this invention.[m] These Ptolemy, who had devoted a long life to the improvement of astronomy, theoretical as well as practical, perfectly discerned, and as in both Hipparchus was his guide, he, in his famous treatise on geography, described the different parts of the earth according to their longitude and latitude. Geography was thus established upon its proper principles, and intimately connected with astronomical observations and mathematical science. This work of Ptolemy soon rose high in estimation among the ancients.[n] During the middle ages, both in Arabia and in Europe, the decisions of Ptolemy, in every thing relating to geography, were submitted to with an assent as implicit as was yielded to those of Aristotle in all other departments of science. On the revival of a more liberal spirit of inquiry in the sixteenth century, the merit of Ptolemy's improvements in geography was examined and recognised; that scientific language which he first rendered general, continues to be used, and the position of places is still ascertained in the

h Peripl. p. 35.
i Strabo, lib. xv. 1011. C.
k Lib. ii.
l Nat. Hist. lib. ii. c. 12. 26. 70.
m See Note XXVII.
n See Note XXVIII.

same distinct and compendious manner, by specifying their longitude and latitude.

Not satisfied with adopting the general principles of Hipparchus, Ptolemy emulated him in the application of them; and, as that philosopher had arranged all the constellations, he ventured upon what was no less arduous, to survey all the regions of the earth which were then known, and with minute and bold decision he fixed the longitude and latitude of the most remarkable places in each of them. All his determinations, however, are not to be considered as the result of actual observation, nor did Ptolemy publish them as such. Astronomical science was confined, at that time, to a few countries. A considerable part of the globe was little visited, and imperfectly described. The position of a small number of places only had been fixed with any degree of accuracy. Ptolemy was therefore obliged to consult the itineraries and surveys of the Roman empire, which the political wisdom of that great state had completed[o] with immense labour and expense. Beyond the precincts of the empire, he had nothing on which he could rely, but the journals and reports of travellers. Upon these all his conclusions were founded; and as he resided in Alexandria at a time when the trade from that city to India was carried on to its utmost extent, this situation might have been expected to afford him the means of procuring ample information concerning it. But either from the imperfect manner in which that country was explored in his time, or from his placing too much confidence in the reports of persons who had visited it with little attention or discernment,[p] his general delineation of the form of the Indian continent is the most erroneous that has been transmitted to us from antiquity. By an astonishing mistake, he has made the peninsula of India stretch from the Sinus Barygazenus, or gulf of Cambay, from west to east, instead of extending, according to its real direction, from north to south.[q] This error will appear the more unaccountable, when we recollect that Megasthenes had published a measurement of the Indian peninsula, which approaches near to its true dimensions; and that this had been adopted, with some variations, by Erastosthenes, Strabo, Diodorus Siculus, and Pliny, who wrote prior to the age of Ptolemy.[r]

Although Ptolemy was led to form such an erroneous opinion concerning the general dimensions of the Indian continent, his information with respect to the country in detail, and the situation of particular places, was more accurate; and he is the first author possessed of such knowledge as enabled him to trace the sea-coast, to mention the most noted places situated upon it, and to specify the longitude and latitude of each from Cape Comorin eastward, to the utmost boundary of ancient navigation. With regard to some districts, particularly along the east side of the peninsula as far as the mouth of the Ganges, the accounts which he had received seem to have been so far exact, as to correspond more nearly perhaps with the actual state of the country, than the descriptions which he gives of any other part of India. M. D'Anville, with his usual industry and discernment, has considered the principal stations as they are fixed by him, and finds that they correspond to Kilkare, Negapatam, the mouth of the river Cauveri, Masulipatam, Point Gordeware, &c. It is foreign to the object of this Disquisition to enter into such a minute detail; but in several instances we may observe, that not only the conformity of position, but the similarity of ancient and modern names, is very striking. The great river Cauveri is by Ptolemy named Chaberis; Arcot, in the interior country, is Arcati Regia; and probably the whole coast has received its present name of Coromandel from *Sor Mandulam*, or the kingdom of Soræ, which is situated upon it.[s]

In the course of one hundred and thirty-six years, which elapsed from the death of Strabo to that of Ptolemy, the commercial intercourse with India was greatly extended; the latter geographer had acquired such an accession of new information concerning the Ganges, that he mentions the names of six different mouths of that river, and describes their positions. His delineation, however, of that part of India which lies beyond the Ganges, is not less erroneous in its general form, than that which he gave of the peninsula, and bears as little resemblance to the actual position of those countries. He ventures, nevertheless, upon a survey of them, similar to that which he had made of the other great division of India, which I have already examined. He mentions the places of note along the coast, some of which he distinguishes as *emporia;* but whether that name was given to them on account of their being staples of trade to the natives, in their traffic carried on from one district of India to another, or whether they were ports to which vessels from the Arabian gulf resorted directly, is not specified. The latter I should think to be the idea which Ptolemy means to convey; but those regions of India were so remote, and, from the timid and slow course of ancient navigation, were probably so little frequented, that his information concerning them is extremely defective, and his descriptions more obscure, more inaccurate, and less conformable to the real state of the country, than in any part of his geography. That peninsula to which he gives the name of the Golden Chersonesus, he delineates as if it stretched directly from north to south, and fixes the latitude of Sabana Emporium, its southern extremity, three degrees beyond the line. To the east of this peninsula he places what he calls the Great bay, and in the most remote part of it the station of Catigara, the utmost boundary of navigation in ancient times, to which he assigns

o See Note XXIX.
p Geogr. lib. i. c. 17.
q See Note XXX.
r Strabo, lib. xv. 1010. B. Arrian, Hist. Indiæ, c. 3, 4. Diod. Sicul. lib. ii. 148. Plin. Nat. Hist. lib. vi. c. 21. See Note XXXI.
s Ptolem. Geogr. lib. vii. c. 1. D'Anville, Antiq. de l'Inde, 127, &c.

no less than eight degrees and a half of southern latitude. Beyond this he declares the earth to be altogether unknown, and asserts that the land turns thence to the westward, and stretches in that direction until it joins the promontory of Prassum in Ethiopia, which, according to his idea, terminated the continent of Africa to the south.[t] In consequence of this error, no less unaccountable than enormous, he must have believed the Erythræan sea, in its whole extent from the coast of Africa to that of Cambodia, to be a vast basin, without any communication with the ocean.[u]

Out of the confusion of those wild ideas, in which the accounts of ignorant or fabulous travellers have involved the geography of Ptolemy, M. D'Anville has attempted to bring order; and, with much ingenuity, he has formed opinions with respect to some capital positions, which have the appearance of being well founded. The peninsula of Malacca is, according to him, the Golden Chersonesus of Ptolemy; but instead of the direction which he has given it, we know that it bends some degrees towards the east, and that Cape de Romania, its southern extremity, is more than a degree to the north of the line. The gulf of Siam he considers as the Great bay of Ptolemy, but the position on the east side of that bay, corresponding to Catigara, is actually as many degrees to the north of the equator, as he supposed it to be south of it. Beyond this he mentions an inland city, to which he gives the name of Thinæ or Sinæ Metropolis. The longitude which he assigns to it, is one hundred and eighty degrees from his first meridian in the Fortunate Island, and is the utmost point towards the east to which the ancients had advanced by sea. Its latitude he calculates to be three degrees south of the line. If, with M. D'Anville, we conclude the situation of Sin-hoa, in the western part of the kingdom of Cochin-China, to be the same with Sinæ Metropolis, Ptolemy has erred in fixing its position no less than fifty degrees of longitude, and twenty degrees of latitude.[x]

These errors of Ptolemy concerning the remote parts of Asia, have been rendered more conspicuous by a mistaken opinion of modern times engrafted upon them. Sinæ, the most distant station mentioned in his geography, has such a near resemblance in sound to China, the name by which the greatest and most civilized empire in the East is known to Europeans, that, upon their first acquaintance with it, they hastily concluded them to be the same; and of consequence it was supposed that China was known to the ancients, though no point seems to be more ascertained, than that they never advanced by sea beyond that boundary which I have allotted to their navigation.

Having thus traced the discoveries of India which the ancients made by sea, I shall next examine what additional knowledge of that country they acquired from their progress by land. It appears (as I have formerly related) that there was a trade carried on early with India through the provinces that stretch along its northern frontier. Its various productions and manufactures were transported by land-carriage into the interior parts of the Persian dominions, or were conveyed, by means of the navigable rivers which flow through the Upper Asia, to the Caspian sea, and from that to the Euxine. While the successors of Selcucus retained the dominion of the East, this continued to be the mode of supplying their subjects with the commodities of India. When the Romans had extended their conquests so far that the Euphrates was the eastern limit of their empire, they found this trade still established; and as it opened to them a new communication with the East, by means of which they received an additional supply of luxuries for which they had acquired the highest relish, it became an object of their policy to protect and encourage it. As the progress of the caravans or companies of merchants, which travelled towards the countries whence they received the most valuable manufactures, particularly those of silk, was often interrupted, and rendered dangerous by the Parthians, who had acquired possession of all the provinces which extended from the Caspian sea to that part of Scythia or Tartary which borders on China, the Romans endeavoured to render this intercourse more secure by a negociation with one of the monarchs of that great empire. Of this singular transaction there is, indeed, no vestige in the Greek or Roman writers; our knowledge of it is derived entirely from the Chinese historians, by whom we are informed that Antoun, (the emperor Marcus Antoninus,) the king of the people of the Western ocean, sent an embassy with this view to Oun-ti, who reigned over China in the hundred and sixty-sixth year of the christian æra.[y] What was the success of this attempt is not known, nor can we say whether it facilitated such an intercourse between these two remote nations as contributed towards the supply of their mutual wants. The design certainly was not unworthy of the enlightened emperor of Rome to whom it is ascribed.

It is evident, however, that in prosecuting this trade with China, a considerable part of the extensive countries to the east of the Caspian sea must have been traversed; and though the chief inducement to undertake those distant journeys was gain, yet, in the course of ages, there must have mingled among the adventurers persons of curiosity and abilities, who could turn their attention from commercial objects to those of more general concern. From them such information was procured, and subjected to scientific discussion, as enabled Ptolemy to give a description of those inland and remote re-

t Ptolem. Geogr. lib. vii. c. 3. 5. D'Anville, Ant. de l'Inde, 187.
u See Note XXXII.
x Ptolem. Geogr. lib. vii. c. 3. D'Anville, Limites du Monde connu des Anciens au-delà du Gange. Mem. de Literat. xxxii. 604, &c. Ant. de l'Inde, Supplem. i. 161, &c. See Note XXXIII.

y Mémoire sur les Liaisons et le Commerce des Romains, avec les Tartares et les Chinois, par M. de Guignes. Mem. de Literat. xxxii. 355, &c.

gions of Asia,[z] fully as accurate as that of several countries, of which, from their vicinity, he may have been supposed to have received more distinct accounts. The furthest point towards the east, to which his knowledge of this part of Asia extended, is Sera Metropolis, which, from various circumstances, appears to have been in the same situation with Kant-cheou, a city of some note in Chen-si, the most westerly province of the Chinese empire. This he places in the longitude of one hundred and seventy-seven degrees fifteen minutes, near three degrees to the west of Sinæ Metropolis, which he had described as the utmost limit of Asia discovered by sea. Nor was Ptolemy's knowledge of this district of Asia confined only to that part of it through which the caravans may be supposed to have proceeded directly in their route eastward; he had received likewise some general information concerning various nations towards the north, which, according to the position that he gives them, occupied parts of the great plain of Tartary, extending considerably beyond Lassa, the capital of Thibet, and the residence of the Dalai Lama.

The latitudes of several places in this part of Asia are fixed by Ptolemy with such uncommon precision, that we can hardly doubt of their having been ascertained by actual observation. Out of many instances of this I shall select three, of places situated in very different parts of the country under review. The latitude of Nagara, on the river Cophenes, (the modern Attock,) is, according to Ptolemy, thirty-two degrees and thirty minutes; which coincides precisely with the observation of an eastern geographer quoted by M. D'Anville.[a] The latitude of Maracanda, or Samarcand, as fixed by him, is thirty-nine degrees fifteen minutes. According to the astronomical tables of Ulug Beg, the grandson of Timur, whose royal residence was in that city, it is thirty-nine degrees thirty-seven minutes.[b] The latitude of Sera Metropolis, in Ptolemy, is thirty-eight degrees fifteen minutes; that of Kant-cheou, as determined by the Jesuit missionaries, is thirty-nine degrees. I have enumerated these striking examples of the coincidence of his calculations with those established by modern observations, for two reasons: one, because they clearly prove that these remote parts of Asia had been examined with some considerable degree of attention; the other, because I feel great satisfaction, after having been obliged to mention several errors and defects in Ptolemy's geography, in rendering justice to a philosopher, who has contributed so much towards the improvement of that science. The facts which I have produced afford the strongest evidence of the extent of his information, as well as the justness of his conclusions concerning countries, with which, from their remote situation, we might have supposed him to be least acquainted.

Hitherto I have confined my researches concerning the knowledge which the ancients had of India, to the continent; I return now to consider the discoveries which they had made of the islands situated in various parts of the ocean with which it is surrounded, and begin, as I proposed, with Taprobane, the greatest and most valuable of them. This island lay so directly in the course of navigators who ventured beyond Cape Comorin, especially when, according to the ancient mode of sailing, they seldom ventured far from the coast, that its position, one should have thought, must have been determined with the utmost precision. There is, however, hardly any point in the geography of the ancients more undecided and uncertain. Prior to the age of Alexander the Great, the name of Taprobane was unknown in Europe. In consequence of the active curiosity with which he explored every country that he subdued or visited, some information concerning it seems to have been obtained. From his time almost every writer on geography has mentioned it; but their accounts of it are so various, and often so contradictory, that we can scarcely believe them to be describing the same island. Strabo, the earliest writer now extant, from whom we have any particular account of it, affirms that it was as large as Britain, and situated at the distance of seven days', according to some reports, and according to others, of twenty days' sailing from the southern extremity of the Indian peninsula; from which, contrary to what is known to be its real position, he describes it as stretching towards the west above five hundred stadia.[c] Pomponius Mela, the author next in order of time, is uncertain whether he should consider Taprobane as an island, or as the beginning of another world; but as no person, he says, had ever sailed round it, he seems to incline towards the latter opinion.[d] Pliny gives a more ample description of Taprobane, which, instead of bringing any accession of light, involves every thing relating to it in additional obscurity. After enumerating the various and discordant opinions of the Greek writers, he informs us, that ambassadors were sent by a king of that island to the emperor Claudius, from whom the Romans learned several things concerning it which were formerly unknown, particularly that there were five hundred towns in the island, and that in the centre of it there was a lake three hundred and seventy-five miles in circumference. These ambassadors were astonished at the sight of the Great Bear and the Pleiades, being constellations which did not appear in their sky; and were still more amazed when they beheld their shadows point towards the north, and the sun rise on their left hand, and set on their right. They affirmed, too, that in their country the moon was never seen until the eighth day after the change, and continued to be visible only to the sixteenth.[e] It is surprising to find an author so intelligent as Pliny relating all these circumstances without ani-

z Lib. vi. c. 11—18.
a Ecclaircissements, &c. English Translation, p. 10.
b Tab. Geogr. ap. Hudson, Geogr. Minores, iii. 145.
c Strabo, lib. ii. 124. B. 180. B. 192. A. lib. xv. 1012. B.
d De Situ Orbis, lib. iii. c. 7.
e Nat. Hist. lib. vi. c. 22.

madversion, and particularly that he does not take notice, that what the ambassadors reported concerning the appearance of the moon could not take place in any region of the earth.

Ptolemy, though so near to the age of Pliny, seems to have been altogether unacquainted with his description of Taprobane, or with the embassy to the emperor Claudius. He places that island opposite to Cape Comorin, at no great distance from the continent, and delineates it as stretching from north to south no less than fifteen degrees, two of which he supposes to be south of the equator; and, if his representation of its dimensions had been just, it was well entitled, from its magnitude, to be compared with Britain.[f] Agathemerus, who wrote after Ptolemy, and was well acquainted with his geography, considers Taprobane as the largest of all islands, and assigns to Britain only the second place.[g]

From this diversity of the descriptions given by ancient writers, it is not surprising that the moderns should have entertained very different sentiments with respect to the island in the Indian ocean, which was to be considered with the Taprobane of the Greeks and Romans. As both Pliny and Ptolemy describe it as lying in part to the south of the equator, some learned men maintain Sumatra to be the island which corresponds to this description. But the great distance of Sumatra from the peninsula of India does not accord with any account which the Greek or Roman writers have given of the situation of Taprobane, and we have no evidence that the navigation of the ancients ever extended so far as Sumatra. The opinion more generally received is, that the Taprobane of the ancients is the island of Ceylon; and not only its vicinity to the continent of India, but the general form of the island, as delineated by Ptolemy, as well as the position of several places in it, mentioned by him, establish this opinion (notwithstanding some extraordinary mistakes, of which I shall afterwards take notice) with a great degree of certainty.

The other islands to the east of Taprobane, mentioned by Ptolemy, might be shown (if such a detail were necessary) to be the Andaman and Nicobar islands in the gulf of Bengal.

After this long, and, I am afraid, tedious investigation of the progress made by the ancients in exploring the different parts of India, and after tracing them as far as they advanced towards the east, either by sea or land, I shall offer some general remarks concerning the mode in which their discoveries were conducted, and the degree of confidence with which we may rely on the accounts of them, which could not have been offered with the same advantage until this investigation was finished.

The art of delineating maps, exhibiting either the figure of the whole earth, as far as it had been explored, or that of particular countries, was known to the ancients; and without the use of them to assist the imagination, it was impossible to have formed a distinct idea either of the one or the other. Some of these maps are mentioned by Herodotus and other early Greek writers. But no maps prior to those which were formed in order to illustrate the geography of Ptolemy, have reached our times, in consequence of which it is very difficult to conceive what was the relative situation of the different places mentioned by the ancient geographers, unless when it is precisely ascertained by measurement.[h] As soon, however, as the mode of marking the situation of each place, by specifying its longitude and latitude, was introduced, and came to be generally adopted, every position could be described in compendious and scientific terms. But still the accuracy of this new method, and the improvement which geography derived from it, depends upon the mode in which the ancients estimated the latitude and longitude of places.

Though the ancients proceeded in determining the latitude and longitude of places upon the same principles with the moderns, yet it was by means of instruments very inferior in their construction to those now used, and without the same minute attention to every circumstance that may affect the accuracy of an observation, an attention of which long experience only can demonstrate the necessity. In order to ascertain the latitude of any place, the ancients observed the meridian altitude of the sun, either by means of the shadow of a perpendicular gnomon, or by means of an astrolabe, from which it was easy to compute how many degrees and minutes the place of observation was distant from the equator. When neither of these methods could be employed, they inferred the latitude of any place from the best accounts which they could procure of the length of its longest day.

With respect to determining the longitude of any place, they were much more at a loss, as there was only one set of celestial phenomena to which they could have recourse. These were the eclipses of the moon (for those of the sun were not then so well understood as to be subservient to the purposes of geography): the difference between the time at which an eclipse was observed to begin or to end at two different places, gave immediately the difference between the meridians of those places. But the difficulty of making those observations with accuracy, and the impossibility of repeating them often, rendered them of so little use in geography, that the ancients, in determining longitudes, were obliged, for the most part, to have recourse to actual surveys, or to the vague information which was to be obtained from the reckonings of sailors, or the itineraries of travellers.

But though the ancients, by means of the operations which I have mentioned, could determine the position of places with a considerable degree of accuracy at land, it is very uncertain whether or

f Ptol. lib. vii. c. 4. D'Anville, Ant. de l'Inde, p. 142.
g Lib. ii. c. 8. apud Hudson. Geogr. Minor. vol. ii.

h See Note XXXIV.

not they had any proper mode of determining this at sea. The navigators of antiquity seem rarely to have had recourse to astronomical observation. They had no instruments suited to a movable and unsteady observatory; and though, by their practice of landing frequently, they might in some measure have supplied that defect, yet no ancient author, as far as I know, has given an account of any astronomical observation made by them during the course of their voyages. It seems to be evident from Ptolemy, who employs some chapters in showing how geography may be improved, and its errors may be rectified, from the reports of navigators,[i] that all their calculations were founded solely upon reckoning, and were not the result of observation. Even after all the improvements which the moderns have made in the science of navigation, this mode of computing by reckoning is known to be so loose and uncertain, that, from it alone, no conclusion can be deduced with any great degree of precision. Among the ancients, this inaccuracy must have been greatly augmented, as they were accustomed in their voyages, instead of steering a direct course which might have been more easily measured, to a circuitous navigation along the coast; and were unacquainted with the compass, or any other instrument by which its bearings might have been ascertained. We find, accordingly, the position of many places which we may suppose to have been determined at sea, fixed with little exactness. When, in consequence of an active trade, the ports of any country were much frequented, the reckonings of different navigators may have served, in some measure, to correct each other, and may have enabled geographers to form their conclusions with a nearer approximation to truth. But in remote countries, which have neither been the seat of military operations, nor explored by caravans travelling frequently through them, every thing is more vague and undefined, and the resemblance between the ancient descriptions of them, and their actual figure, is often so faint that it can hardly be traced. The latitude of places, too, as might be expected, was in general much more accurately known by the ancients than their longitude. The observations by which the former was determined are simple, made with ease, and are not liable to much error. The other cannot be ascertained precisely, without more complex operations, and the use of instruments much more perfect than any that the ancients seem to have possessed.[k] Among the vast number of places, the position of which is fixed by Ptolemy, I know not if he approaches as near to truth in the longitude of any one, as he has done in fixing the latitude of the three cities which I formerly mentioned as a striking, though not singular, instance of his exactness.

These observations induce me to adhere to an opinion which I proposed in another place,[l] that the Greeks and Romans, in their commercial intercourse with India, were seldom led, either by curiosity or the love of gain, to visit the more eastern parts of it. A variety of particulars occur to confirm this opinion. Though Ptolemy bestows the appellation of *Emporia* on several places situated on the coast which stretches from the eastern mouth of the Ganges to the extremity of the Golden Chersonesus, it is uncertain whether, from his having given them this name, we are to consider them as harbours frequented by ships from Egypt, or merely by vessels of the country. Beyond the Golden Chersonesus, it is remarkable that he mentions one *Emporium* only,[m] which plainly indicates the intercourse with this region of India to have been very inconsiderable. Had voyages from the Arabian gulf to those countries of India been as frequent as to have entitled Ptolemy to specify so minutely the longitude and latitude of the great number of places which he mentions, he must, in consequence of this, have acquired such information as would have prevented several great errors into which he has fallen. Had it been usual to double Cape Comorin, and to sail up the bay of Bengal to the mouth of the Ganges, some of the ancient geographers would not have been so uncertain, and others so widely mistaken, with respect to the situation and magnitude of the island of Ceylon. If the merchants of Alexandria had often visited the ports of the Golden Chersonesus, and of the Great bay, Ptolemy's descriptions of them must have been rendered more correspondent to their real form, nor could he have believed several places to lie beyond the line, which are in truth some degrees on this side of it.

But though the navigation of the ancients may not have extended to the further India, we are certain that various commodities of that country were imported into Egypt, and thence were conveyed to Rome, and to other parts of the empire. From circumstances which I have already enumerated, we are warranted in concluding, that these were brought in vessels of the country to Musiris, and to the other ports on the Malabar coast, which were, at that period, the staples of trade with Egypt. In a country of such extent as India, where the natural productions are various, and greatly diversified by art and industry, an active domestic commerce, both by sea and by land, must have early taken place among its different provinces. Of this we have some hints in ancient authors; and where the sources of information are so few and so scanty, we must rest satisfied with hints. Among the different classes, or casts, into which the people of India were divided, merchants are mentioned as one;[n] from which we may conclude trade to have been one of the established occupations of men in that country. From the author of the Circumnavigation of the Erythræan Sea, we learn that the inhabitants of the Coromandel coast traded in vessels of their own with those of

i Lib. i. c. 7—14.
l Hist. of America, p. 732.
k See Note XXXV.
m Lib. vii. c. 2.
n Plin. Nat. Hist. lib. vi. c. 22.

Malabar; that the interior trade of Barygaza was considerable; and that there was, at all seasons, a number of country ships to be found in the harbour of Musiris.[o] By Strabo we are informed, that the most valuable productions of Taprobane were carried to different *Emporia* of India.[p] In this way the traders from Egypt might be supplied with them, and thus could finish their voyages within the year, which must have been protracted much longer if they had extended as far towards the east as is generally supposed.

From all this it appears to be probable, that Ptolemy derived the information concerning the eastern parts of India, upon which he founds his calculations, not so much from any direct and regular intercourse between Egypt and these countries, as from the reports of a few adventurers, whom an enterprising spirit, or the love of gain, prompted to proceed beyond the usual limits of navigation.

Though, from the age of Ptolemy, the trade with India continued to be carried on in its former channel, and both Rome, the ancient capital of the empire, and Constantinople, the new seat of government, were supplied with the precious commodities of that country by the merchants of Alexandria, yet, until the reign of the emperor Justinian, we have no new information concerning the intercourse with the East by sea, or the progress which was made in the discovery of its remote regions. Under Justinian, Cosmas, an Egyptian merchant, in the course of his traffic, made some voyages to India, whence he acquired the surname of Indicopleustes; but afterwards, by a transition not uncommon in that superstitious age, he renounced all the concerns of this life, and assumed the monastic character. In the solitude and leisure of a cell, he composed several works, one of which, dignified by him with the name of *Christian Topography*, has reached us. The main design of it is, to combat the opinion of those philosophers who assert the earth to be of a spherical figure, and to prove that it is an oblong plane, of twelve thousand miles in length from east to west, and of six thousand miles in breadth from north to south, surrounded by high walls, covered by the firmament as with a canopy or vault; that the vicissitude of day and night was occasioned by a mountain of prodigious height, situated in the extremities of the north, round which the sun moved; that when it appeared on one side of this mountain, the earth was illuminated, when concealed on the other side, the earth was left involved in darkness.[q] But amidst those wild reveries, more suited to the credulity of his new profession than to the sound sense characteristic of that in which he was formerly engaged, Cosmas seems to relate what he himself had observed in his travels, or what he had learned from others, with great simplicity and regard for truth.

He appears to have been well acquainted with the west coast of the Indian peninsula, and names several places situated upon it; he describes it as the chief seat of the pepper trade, and mentions Male, in particular, as one of the most frequented ports on that account.[r] From Male, it is probable that this side of the continent has derived its modern name of Malabar; and the cluster of islands contiguous to it, that of the Maldives. From him too we learn, that the island of Taprobane, which he supposes to lie at an equal distance from the Persian gulf on the west, and the country of the Sinæ on the east, had become, in consequence of this commodious situation, a great staple of trade; that into it were imported the silk of the Sinæ, and the precious spices of the eastern countries, which were conveyed thence to all parts of India, to Persia, and to the Arabian gulf. To this island, he gives the name of Sieledіba,[s] nearly the same with that of Selendib, or Serendib, by which it is still known all over the East.

To Cosmas we are also indebted for the first information of a new rival to the Romans in trade having appeared in the Indian seas. The Persians, after having overturned the empire of the Parthians, and re-established the line of their ancient monarchs, seem to have surmounted entirely the aversion of their ancestors to maritime exertion, and made early and vigorous efforts in order to acquire a share in the lucrative commerce with India. All its considerable ports were frequented by traders from Persia, who, in return for some productions of their own country in request among the Indians, received the precious commodities, which they conveyed up the Persian gulf, and by means of the great rivers Euphrates and Tigris, distributed them through every province of their empire. As the voyage from Persia to India was much shorter than that from Egypt, and attended with less expense and danger, the intercourse between the two countries increased rapidly. A circumstance is mentioned by Cosmas which is a striking proof of this. In most of the cities of any note in India he found christian churches established, in which the functions of religion were performed by priests ordained by the archbishop of Seleucia, the capital of the Persian empire, and who continued subject to his jurisdiction.[t] India appears to have been more thoroughly explored at this period than it was in the age of Ptolemy, and a greater number of strangers seem to have been settled there. It is remarkable, however, that according to the account of Cosmas, none of these strangers were accustomed to visit the eastern regions of Asia, but rested satisfied with receiving their silk, their spices, and other valuable productions, as they were imported into Ceylon, and conveyed thence to the various marts of India.[u]

The frequency of open hostilities between the emperors of Constantinople and the monarchs of

o Perip. Mar. Erythr. 34. 30. p Lib. ii. 124. B.
q Cosmas, ap. Montfaucon Collect. Patrum, ii. 113, &c. 138.
r Cosm. lib. ii. p. 138. lib. xi. 337. s Lib. xi. 336.
t Lib. iii. 178. u Lib. xi. 337.

Persia, together with the increasing rivalship of their subjects in the trade with India, gave rise to an event which produced a considerable change in the nature of that commerce. As the use of silk, both in dress and furniture, became gradually more general in the court of the Greek emperors, who imitated and surpassed the sovereigns of Asia in splendour and magnificence; and as China, in which, according to the concurring testimony of Oriental writers, the culture of silk was originally known,[x] still continued to be the only country which produced that valuable commodity; the Persians, improving the advantages which their situation gave them over the merchants from the Arabian gulf, supplanted them in all the marts of India to which silk was brought by sea from the East. Having it likewise in their power to molest or to cut off the caravans, which, in order to procure a supply for the Greek empire, travelled by land to China, through the northern provinces of their kingdom, they entirely engrossed that branch of commerce. Constantinople was obliged to depend on the rival power for an article which luxury viewed and desired as essential to elegance. The Persians, with the usual rapacity of monopolists, raised the price of silk to such an exorbitant height,[y] that Justinian, eager not only to obtain a full and certain supply of a commodity which was become of indispensable use, but solicitous to deliver the commerce of his subjects from the exactions of his enemies, endeavoured, by means of his ally, the christian monarch of Abyssinia, to wrest some portion of the silk trade from the Persians.

A. D. 55. In this attempt he failed; but when he least expected it, he, by an unforeseen event, attained, in some measure, the object which he had in view. Two Persian monks having been employed as missionaries in some of the christian churches, which were established (as we are informed by Cosmas) in different parts of India, had penetrated into the country of the Seres or China. There they observed the labours of the silk-worm, and became acquainted with all the arts of man in working up its productions into such a variety of elegant fabrics. The prospect of gain, or perhaps an indignant zeal, excited by seeing this lucrative branch of commerce engrossed by unbelieving nations, prompted them to repair to Constantinople. There they explained to the emperor the origin of silk, as well as the various modes of preparing and manufacturing it, mysteries hitherto unknown, or very imperfectly understood, in Europe; and encouraged by his liberal promises, they undertook to bring to the capital a sufficient number of those wonderful insects, to whose labours man is so much indebted. This they accomplished by conveying the eggs of the silk-worm in a hollow cane. They were hatched by the heat of a dunghill, fed with the leaves of a wild mulberry-tree, and they multiplied and worked in the same manner as in those climates where they first became objects of human attention and care.[z] Vast numbers of these insects were soon reared in different parts of Greece, particularly in the Peloponnesus. Sicily afterwards undertook to breed silk-worms with equal success, and was imitated from time to time in several towns of Italy. In all these places extensive manufactures were established and carried on with silk of domestic production. The demand for silk from the East diminished of course, the subjects of the Greek emperors were no longer obliged to have recourse to the Persians for a supply of it, and a considerable change took place in the nature of the commercial intercourse between Europe and India.[a]

SECTION III.

Intercourse with India, from the conquest of Egypt by the Mahomedans, to the discovery of the passage by the Cape of Good Hope, and the establishment of the Portuguese dominion in the East.

About fourscore years after the death of Justinian, an event happened, which occasioned a revolution still more considerable in the intercourse of Europe with the East. Mahomet, by publishing a new religion, seems to have animated his countrymen with a new spirit, and to have called forth latent passions and talents into exertion. The greatest part of the Arabians, satisfied from the earliest times with national independence and personal liberty, tended their camels, or reared their palm-trees, within the precincts of their own peninsula, and had little intercourse with the rest of mankind, unless when they sallied out to plunder a caravan, or to rob a traveller. In some districts, however, they had begun to add the labours of agriculture, and the business of commerce, to the occupations of pastoral life.[b] These different orders of men, when prompted by the enthusiastic ardour with which the exhortations and example of Mahomet inspired them, displayed at once all the zeal of missionaries, and the ambition of conquerors. They spread the doctrine of their prophet, and extended the dominion of his successors, from the shores of the Atlantic to the frontier of China, with a rapidity of success to which there is nothing similar in the history of mankind. Egypt was one of their earliest conquests; and as they settled in that inviting country, and kept possession of it, the Greeks were excluded from all intercourse with Alexandria, to which they had long resorted as the chief mart of Indian goods. Nor was this the only effect which the progress of the Mahomedan arms had upon the commerce of Europe with India. Prior to their invasion of Egypt, the Arabians had subdued the great kingdom of Persia, and added it

A. D. 610.

x Herbelot, Biblioth. Orient. art. *Harir.*
y Procop. Hist. Arcan. c. 25.

z Procop. de Bello Gothic. lib. iv. c. 17.
a See Note XXXVI.
b Sale's Koran, Prelim. Disc. p. 32, 33.

to the empire of their caliphs. They found their new subjects engaged in prosecuting that extensive trade with India, and the country to the east of it, the commencement and progress of which in Persia I have already mentioned; and they were so sensible of the great advantages derived from it, that they became desirous to partake of them. As the active powers of the human mind, when roused to vigorous exertions in one line, are most capable of operating with force in other directions; the Arabians, from impetuous warriors, soon became enterprising merchants. They continued to carry on the trade with India in its former channel from the Persian gulf, but it was with that ardour which characterizes all the early efforts of Mahomet's followers. In a short time they advanced far beyond the boundaries of ancient navigation, and brought many of the most precious commodities of the East directly from the countries which produced them. In order to engross all the profit arising from the sale of them, the caliph Omar,[b] a few years after the conquest of Persia, founded the city of Bassora, on the western banks of the great stream formed by the junction of the Euphrates and Tigris, with a view of securing the command of these two rivers, by which goods imported from India were conveyed into all parts of Asia. With such discernment was the situation chosen, that Bassora soon became a place of trade hardly inferior to Alexandria.

This general information with respect to the trade of the Arabians with India, which is all that can be derived from the historians of that period, is confirmed and illustrated by the Relation of a Voyage from the Persian Gulf towards the East, written by an Arabian merchant in the year of the christian æra eight hundred and fifty-one, about two centuries after Persia was subjected to the caliphs, and explained by the commentary of another Arabian, who had likewise visited the eastern parts of Asia.[c] This curious Relation, which enables us to fill up a chasm in the history of mercantile communication with India, furnishes materials for describing more in detail the extent of the Arabian discoveries in the East, and the manner in which they made them.

Though some have imagined that the wonderful property of the magnet, by which it communicates such virtue to a needle or slender rod of iron, as to make it point towards the poles of the earth, was known in the East long before it was observed in Europe, it is manifest, both from the Relation of the Mahomedan merchant, and from much concurring evidence, that not only the Arabians, but the Chinese, were destitute of this faithful guide, and that their mode of navigation was not more adventurous than that of the Greeks and Romans.[d] They steered servilely along the coast, seldom stretching out to sea so far as to lose sight of land; and as they shaped their course in this timid manner, their mode of reckoning was defective, and liable to the same errors which I observed in that of the Greeks and Romans.[e]

Notwithstanding these disadvantages, the progress of the Arabians towards the east extended far beyond the gulf of Siam, the boundary of European navigation. They became acquainted with Sumatra, and the other islands of the great Indian Archipelago, and advanced as far as the city of Canton in China. Nor are these discoveries to be considered as the effect of the enterprising curiosity of individuals; they were owing to a regular commerce carried on from the Persian gulf with China, and all the intermediate countries. Many Mahomedans, imitating the example of the Persians described by Cosmas Indicopleustes, settled in India and the countries beyond it. They were so numerous in the city of Canton, that the emperor (as the Arabian authors relate) permitted them to have a Cadi or judge of their own sect, who decided controversies among his countrymen by their own laws, and presided in all the functions of religion.[f] In other places proselytes were gained to the Mahomedan faith, and the Arabian language was understood and spoken in almost every sea-port of any note. Ships from China and different places of India traded in the Persian gulf,[g] and by the frequency of mutual intercourse, all the nations of the East became better acquainted with each other.[h]

A striking proof of this is the new information concerning China and India we receive from the two authors I have mentioned. They point out the situation of Canton, now so well known to Europeans, with a considerable degree of exactness. They take notice of the general use of silk among the Chinese. They are the first who mention their celebrated manufacture of porcelain, which, on account of its delicacy and transparency, they compare to glass.[i] They describe the tea-tree, and the mode of using its leaves; and from the great revenue which was levied (as they inform us) from the consumption of it, tea seems to have been as universally the favourite beverage of the Chinese in the ninth century, as it is at present.[k]

Even with respect to those parts of India which the Greeks and Romans were accustomed to visit, the Arabians had acquired more perfect information. They mention a great empire established on the Malabar coast, governed by monarchs whose authority was paramount to that of every power in India. These monarchs were distinguished by the appellation of *Balchara*, a name yet known in India,[l] and it is probable that the Samorin, or emperor of Calicut, so frequently mentioned in the accounts of the first voyages of the Portuguese to India, possessed some portion of their dominions. They celebrate the extraordinary progress which the Indians had made in astronomical knowledge; a

b Herbel. Biblioth. Orient. artic. *Basrah.* Abul. Pharas. Hist. Dynast. p. 113.
c See Note XXXVII.
d Relation, p. 2. 8, &c.
e Renaudot. Inquiry into the time when the Mahomedans first entered China, p. 143.
f Relation, 7. Remarks, p. 19. Inquiry, p. 171, &c.
g See Note XXXVIII.
h Relation, p. 8.
i See Note XXXIX.
k Relation, p. 21. 25.
l Herbelot, artic. *Hend* & *Belhar.*

circumstance which seems to have been little known to the Greeks and Romans, and assert that in this branch of science they were far superior to the most enlightened nations of the East, on which account their sovereign was denominated the king of wisdom.[m] Other peculiarities in the political institutions, the mode of judicial proceedings, the pastimes and the superstitions of the Indians, particularly the excruciating mortifications and penances of the faquirs, might be produced as proofs of the superior knowledge which the Arabians had acquired of the manners of that people.

The same commercial spirit, or religious zeal, which prompted the Mahomedans of Persia to visit the remotest regions of the East, animated the christians of that kingdom. The Nestorian churches planted in Persia, under the protection first of its native sovereigns, and afterwards of its conquerors the caliphs, were numerous, and governed by respectable ecclesiastics. They had early sent missionaries into India, and established churches in different parts of it, particularly, as I have formerly related, in the island of Ceylon. When the Arabians extended their navigation as far as China, a more ample field, both for their commerce and their zeal, opened to their view. If we may rely on the concurring evidence of christian authors, in the East as well as in the West, confirmed by the testimony of the two Mahomedan travellers, their pious labours were attended with such success, that in the ninth and tenth centuries the number of christians in India and China was very considerable.[n] As the churches in both these countries received all their ecclesiastics from Persia, where they were ordained by the *Catholicos*, or Nestorian Primate, whose supremacy they acknowledged, this became a regular channel of intercourse and intelligence; and to the combined effect of all these circumstances, we are indebted for the information we receive from the two Arabian writers,[o] concerning those regions of Asia which the Greeks and Romans never visited.

But while both the Mahomedan and christian subjects of the caliphs continued to extend their knowledge of the East, the people of Europe found themselves excluded almost entirely from any intercourse with it. To them the great port of Alexandria was now shut, and the new lords of the Persian gulf, satisfied with supplying the demand for Indian commodities in their own extensive dominions, neglected to convey them, by any of the usual channels, to the trading towns on the Mediterranean. The opulent inhabitants of Constantinople, and other great cities of Europe, bore this deprivation of luxuries, to which they had been long accustomed, with such impatience, that all the activity of commerce was exerted, in order to find a remedy for an evil which they deemed intolerable. The difficulties which were to be surmounted in order to accomplish this, afford the most striking proof of the high estimation in which the commodities of the East were held at that time. The silk of China was purchased in Chensi, the westernmost province of that empire, and conveyed thence by a caravan, in a march of eighty or a hundred days, to the banks of the Oxus, where it was embarked, and carried down the stream of that river to the Caspian. After a dangerous voyage across that sea, and ascending the river Cyrus as far as it is navigable, it was conducted by a short land-carriage of five days to the river Phasis,[p] which falls into the Euxine or Black sea. Thence, by an easy and well known course, it was transported to Constantinople. The conveyance of commodities from that region of the East, now known by the name of Indostan, was somewhat less tedious and operose. They were carried from the banks of the Indus by a route early frequented, and which I have already described, either to the river Oxus, or directly to the Caspian, from which they held the same course to Constantinople.

It is obvious, that only commodities of small bulk, and of considerable value, could bear the expense of such a mode of conveyance; and in regulating the price of those commodities, not only the expense, but the risk and danger of conveying them, were to be taken into account. In their journey across the vast plain extending from Samarcand to the frontier of China, caravans were exposed to the assaults and depredations of the Tartars, the Huns, the Turks, and other roving tribes which infest the north-east of Asia, and which have always considered the merchant and traveller as their lawful prey; nor were they exempt from insult and pillage in their journey from the Cyrus to the Phasis, through the kingdom of Colchis, a country noted, both in ancient and in modern times, for the thievish disposition of its inhabitants. Even under all these disadvantages, the trade with the East was carried on with ardour. Constantinople became a considerable mart of Indian and Chinese commodities, and the wealth which flowed into it in consequence of this, not only added to the splendour of that great city, but seems to have retarded, for some time, the decline of the empire of which it was the capital.

As far as we may venture to conjecture, from the imperfect information of contemporary historians, it was chiefly by the mode of conveyance which I have described, perilous and operose as it was, that Europe was supplied with the commodities of the East, during more than two centuries. Throughout that period the christians and Mahomedans were engaged in almost uninterrupted hostilities, prosecuted with all the animosity which rivalship for power, heightened by religious zeal, naturally excites. Under circumstances which occasioned such alienation, commercial intercourse could hardly subsist, and the merchants of Christendom either did not resort at all to Alexandria and the ports of Syria, the ancient staples for the commodities of the East, after they were in possession of the Mahomedans; or if the love of gain, surmounting their

m Relation, p. 37. 58.

n See Note XL.

o Relation, p. 39.

p Plin. Nat. Hist. lib. vi. c. 17.

abhorrence of the infidels, prompted them to visit the marts which they had long frequented, it was with much caution and distrust.

While the difficulties of procuring the productions of the East were thus augmented, the people of Europe became more desirous of obtaining them. About this time some cities of Italy, particularly Amalphi and Venice, having acquired a greater degree of security or independence than they formerly possessed, began to cultivate the arts of domestic industry with an ardour and ingenuity uncommon in the middle ages. The effect of these exertions was such an increase of wealth, as created new wants and desires, and formed a taste for elegance and luxury, which induced them to visit foreign countries in order to gratify it. Among men in this stage of their advancement, the productions of India have always been held in high estimation, and from this period they were imported into Italy in larger quantities, and came into more general use. Several circumstances which indicate this revival of a commercial spirit, are collected by the industrious Muratori, and from the close of the seventh century, an attentive observer may discern faint traces of its progress.[q]

Even in enlightened ages, when the transactions of nations are observed and recorded with the greatest care, and the store of historical materials seems to be abundantly ample, so little attention has been paid to the operations of commerce, that every attempt towards a regular deduction of them has been found an undertaking of the utmost difficulty. The æra, however, to which I have conducted this Disquisition, is one of the periods in the annals of mankind concerning which history furnishes most scanty information. As it was chiefly in the Greek empire, and in some cities of Italy, that any efforts were made to procure the commodities of India, and the other regions of the East, it is only from the historians of those countries we can expect to find any account of that trade. But from the age of Mahomet, until the time when the Comneni ascended the throne of Constantinople, a period of more than four centuries and a half, the Byzantine history is contained in meagre chronicles, the compilers of which seldom extended their views beyond the intrigues in the palace, the factions in the theatre, or the disputes of theologians. To them the monkish annalists of the different states and cities of Italy, during the same period, are, if possible, far inferior in merit; and in the early accounts of those cities which have been most celebrated for their commercial spirit, we search with little success for the origin or nature of that trade by which they first rose to eminence.[r] It is manifest, however, from the slightest attention to the events which happened in the seventh and eighth centuries, that the Italian states, while their coasts were continually infested by the Mahomedans, who had made some settlements there, and had subjected Sicily almost entirely to their dominion, could not trade with much confidence and security in Egypt and Syria. With what implacable hatred christians viewed Mahomedans, as the disciples of an impostor, is well known; and as all the nations which professed the christian faith, both in the East and West, had mingled the worship of angels and saints with that of the Supreme Being, and had adorned their churches with pictures and statues; the true Moslems considered themselves as the only asserters of the unity of God, and beheld christians of every denomination with abhorrence, as idolaters. Much time was requisite to soften this mutual animosity, so far as to render intercourse in any degree cordial.

Meanwhile a taste for the luxuries of the East continued not only to spread in Italy, but, from imitation of the Italians, or from some improvement in their own situation, the people of Marseilles and other towns of France on the Mediterranean, became equally fond of them. But the profits exacted by the merchants of Amalphi or Venice, from whom they received those precious commodities, were so exorbitant as prompted them to make some effort to supply their own demands. With this view, they not only opened a trade with Constantinople, but ventured at times to visit the ports of Egypt and Syria.[s] This eagerness of the Europeans, on the one hand, to obtain the productions of India, and on the other hand, considerable advantages which both the caliphs and their subjects derived from the sale of them, induced both so far to conceal their reciprocal antipathy, as to carry on a traffic manifestly for their common benefit. How far this traffic extended, and in what mode it was conducted by these new adventurers, the scanty information which can be gathered from contemporary writers does not enable me to trace with accuracy. It is probable, however, that this communication would have produced insensibly its usual effect, of familiarizing and reconciling men of hostile principles and discordant manners to one another, and a regular commerce might have been established gradually between christians and Mahomedans, upon such equal terms, that the nations of Europe might have received all the luxuries of the East by the same channels in which they were formerly conveyed to them, first by the Tyrians, then by the Greeks of Alexandria, next by the Romans, and at last by the subjects of the Constantinopolitan empire.

But whatever might have been the influence of this growing correspondence, it was prevented from operating with full effect by the Crusades, or expeditions for the recovery of the Holy Land, which, during two centuries, occupied the professors of the two rival religions, and contributed to alienate them more than ever from each other. I have, in another work,[t] contemplated mankind while under the dominion of this phrensy, the most singular,

q Antiquit. Ital. medij Ævi. ii. 400. 408. 410. 883. 885. 894. Rer. Ital. Script. ii. 487. Histoire du Commerce de la Russie, par M. Scherer, tom. i. p. 11, &c.

r See Note XLI.

s Mem. de Literat. tom. xxxvii. p. 467, &c. 483.

t Hist. of Charles V. p. 316.

perhaps, and the longest continued, of any that occurs in the history of our species; and I pointed out such effects of it upon government, upon property, upon manners and taste, as were suited to what were then the objects of my inquiry. At present my attention is confined to observe the commercial consequences of the Crusades, and how far they contributed to retard or to promote the conveyance of Indian commodities into Europe.

To fix an idea of peculiar sanctity to that country which the Author of our religion selected as the place of his residence while on earth, and in which he accomplished the redemption of mankind, is a sentiment so natural to the human mind, that, from the first establishment of christianity, the visiting of the holy places in Judea was considered as an exercise of piety, tending powerfully to awaken and to cherish a spirit of devotion. Through succeeding ages, the practice continued and increased in every part of Christendom. When Jerusalem was subjected to the Mahomedan empire, and danger was added to the fatigue and expense of a distant pilgrimage, the undertaking was viewed as still more meritorious. It was sometimes enjoined as a penance to be performed by heinous transgressors. It was more frequently a duty undertaken with voluntary zeal, and in both cases it was deemed an expiation for all past offences. From various causes, which I have elsewhere enumerated,[u] these pious visits to the Holy Land multiplied amazingly during the tenth and eleventh centuries. Not only individuals in the lower and middle ranks of life, but persons of superior condition, attended by large retinues, and numerous caravans of opulent pilgrims, resorted to Jerusalem.

In all their operations, however, men have a wonderful dexterity in mingling some attention to interest with those functions which seem to be most purely spiritual. The Mahomedan caravans, which, in obedience to the injunctions of their religion, visit the holy temple of Mecca, are not composed, as I shall hereafter explain more fully, of devout pilgrims only, but of merchants, who, both in going and returning, are provided with such an assortment of goods, that they carry on a considerable traffic.[x] Even the faquirs of India, whose wild enthusiasm seems to elevate them above all solicitude about the concerns of this world, have rendered their frequent pilgrimages subservient to their interest, by trading in every country through which they travel.[y] In like manner it was not by devotion alone that such numerous bands of christian pilgrims were induced to visit Jerusalem. To many of them commerce was the chief motive of undertaking that distant voyage; and, by exchanging the productions of Europe for the more valuable commodities of Asia, particularly those of India, which at that time were diffused through every part of the caliph's dominions, they enriched themselves, and furnished their countrymen with such an additional supply of eastern luxuries, as augmented their relish for them.[z]

But how faint soever the lines may be, which, prior to the Crusades, mark the influence of the frequent pilgrimages to the East upon commerce, they became so conspicuous after the commencement of these expeditions, as to meet the eye of every observer. Various circumstances concurred towards this, from an enumeration of which it will appear, that by attending to the progress and effects of the Crusades, considerable light is thrown upon the subject of my inquiries. Great armies, conducted by the most illustrious princes and nobles of Europe, and composed of men of the most enterprising spirit in all the kingdoms of it, marched towards Palestine, through countries far advanced beyond those which they left, in every species of improvement. They beheld the dawn of prosperity in the republics of Italy, which had begun to vie with each other in the arts of industry, and in their efforts to engross the lucrative commerce with the East. They next admired the more advanced state of opulence and splendour in Constantinople, raised to a pre-eminence above all the cities then known by its extensive trade, particularly that which it carried on with India and the countries beyond it. They afterwards served in those provinces of Asia through which the commodities of the East were usually conveyed, and became masters of several cities which had been staples of that trade. They established the kingdom of Jerusalem, which subsisted near two hundred years. They took possession of the throne of the Greek empire, and governed it above half a century. Amidst such a variety of events and operations, the ideas of the fierce warriors of Europe gradually opened and improved; they became acquainted with the policy and arts of the people whom they subdued; they observed the sources of their wealth, and availed themselves of all this knowledge. Antioch and Tyre, when conquered by the crusaders, were flourishing cities, inhabited by opulent merchants, who supplied all the nations trading in the Mediterranean with the productions of the East,[a] and as far as can be gathered from incidental occurrences, mentioned by the historians of the holy war, who, being mostly priests and monks, had their attention directed to objects very different from those relating to commerce, there is reason to believe, that both in Constantinople, while subject to the Franks, and in the ports of Syria acquired by the christians, the long established trade with the East continued to be protected and encouraged.

But though commerce may have been only a secondary object with the martial leaders of the Crusades, engaged in perpetual hostilities with the Turks on one hand, and with the soldans of Egypt on the other, it was the primary object with the as-

u Hist. of Charles V. p. 380, *Note* xiii.
x Viagi di Ramusio, vol. i. p. 151, 152.
y See Note XLII.

z Gul. Tyr. lib. xvii. c. 4. p. 933. ap. Gesta Dei per Francos.
a Gul. Tyr. lib. xiii. c. 5. Alb. Aquens. Hist. Hieros. ap Gesta Dei vol. i. p. 247.

sociates, in conjunction with whom they carried on their operations. Numerous as the armies were which assumed the cross, and enterprising as the fanatical zeal was with which they were animated, they could not have accomplished their purpose, or even have reached the seat of their warfare, without securing the assistance of the Italian states. None of the other European powers could either furnish a sufficient number of transports to convey the armies of the crusaders to the coast of Dalmatia, whence they marched to Constantinople, the place of general rendezvous; or were able to supply them with military stores and provisions in such abundance as to enable them to invade a distant country. In all the successive expeditions, the fleets of the Genoese, of the Pisans, or of the Venetians, kept on the coast as the armies advanced by land, and supplying them from time to time with whatever was wanting, engrossed all the profits of a branch of commerce, which, in every age, has been extremely lucrative. It was with all the interested attention of merchants, that the Italians afforded their aid. On the reduction of any place in which they found it for their interest to settle, they obtained from the crusaders valuable immunities of different kinds; freedom of trade; an abatement of the usual duties paid for what was imported and exported, or a total exemption from them; the property of entire suburbs in some cities, and of extensive streets in others, and a privilege granted to every person who resided within their precincts, or who traded under their protection, of being tried by their own laws, and by judges of their own appointment.[b] In consequence of so many advantages, we can trace, during the progress of the Crusades, a rapid increase of wealth and of power in all the commercial states of Italy. Every port open to trade was frequented by their merchants, who, having now engrossed entirely the commerce of the East, strove with such active emulation to find new markets for the commodities which it furnished, that they extended a taste for them to many parts of Europe, in which they had hitherto been little known.

Two events happened, prior to the termination of the holy war, which, by acquiring to the Venetians and Genoese the possession of several provinces in the Greek empire, enabled them to supply Europe more abundantly with all the productions of the East. The first was the conquest of Constantinople in the year one thousand two hundred and four, by the Venetians, and the leaders of the fourth Crusade. An account of the political interests and intrigues which formed this alliance, and turned the hallowed arms destined to deliver the holy city from the dominion of infidels, against a christian monarch, is foreign from the design of this Disquisition. Constantinople was taken by storm, and plundered by the confederates. An earl of Flanders was placed on the imperial throne. The dominions which still remained subject to the successors of Constantine were divided into four parts, one of which being allotted to the new emperor, for supporting the dignity and expense of government, an equal partition of the other three was made between the Venetians and the chiefs of the Crusade. The former, who, both in concerting and in conducting this enterprise, kept their eyes steadily fixed on what might be most for the emolument of their commerce, secured the territories of greatest value to a trading people. They obtained some part of the Peloponnesus, at that time the seat of flourishing manufactures, particularly of silk. They became masters of several of the largest and best cultivated islands in the Archipelago, and established a chain of settlements, partly military and partly commercial, extending from the Adriatic to the Bosphorus.[c] Many Venetians settled in Constantinople, and without obstruction from their warlike associates, little attentive to the arts of industry, they engrossed the various branches of trade which had so long enriched that capital. Two of these particularly attracted their attention; the silk trade, and that with India. From the reign of Justinian, it was mostly in Greece, and some of the adjacent islands, that silk-worms, which he first introduced into Europe, were reared. The product of their labours was manufactured into stuffs of various kinds, in many cities of the empire. But it was in Constantinople, the seat of opulence and luxury, that the demand for a commodity of such high price was greatest, and there, of consequence, the commerce of silk naturally centred. In assorting cargoes for the several ports in which they traded, the Venetians had for some time found silk to be an essential article, as it continued to grow more and more into request in every part of Europe. By the residence of so many of their citizens in Constantinople, and by the immunities granted to them, they not only procured silk in such abundance, and on such terms, as enabled them to carry on trade more extensively, and with greater profit than formerly, but they became so thoroughly acquainted with every branch of the silk manufacture, as induced them to attempt the establishment of it in their own dominions. The measures taken for this purpose by individuals, as well as the regulations framed by the state, were concerted with so much prudence, and executed with such success, that in a short time the silk fabrics of Venice vied with those of Greece and Sicily, and contributed both to enrich the republic, and to enlarge the sphere of its commerce. At the same time the Venetians availed themselves of the influence which they had acquired in Constantinople, in order to improve their Indian trade. The capital of the Greek empire, besides the means of being supplied with the productions of the East, which it enjoyed in com-

b Hist. of Charles V. p. 317.
c Danduli Chronic. ap. Murat. Script. Rer. Ital. vol. xii. p. 328. Mar. Sanuto Vite de Duchi di Venez. Murat. vol. xxii. p. 532.

mon with the other commercial cities of Europe, received a considerable portion of them by a channel peculiar to itself. Some of the most valuable commodities of India and China were conveyed over-land, by routes which I have described, to the Black sea, and thence by a short navigation to Constantinople. To this market, the best stored of any except Alexandria, the Venetians had now an easy access, and the goods which they purchased there made an addition of great consequence to what they were accustomed to acquire in the ports of Egypt and Syria. Thus, while the Latin empire in Constantinople subsisted, the Venetians possessed such advantages over all their rivals, that their commerce extended greatly, and it was chiefly from them every part of Europe received the commodities of the East.

The other event which I had in view, was the subversion of the dominion of the Latins in Constantinople, and the re-establishment of the imperial family on the throne. This was effected after a period of fifty-seven years, partly by a transient effort of vigour, with which indignation at a foreign yoke animated the Greeks, and partly by the powerful assistance which they received from the republic of Genoa. The Genoese were so sensible of the advantages which the Venetians, their rivals in trade, derived from their union with the Latin emperors of Constantinople, that, in order to deprive them of these, they surmounted the most deep-rooted prejudices of their age, and combined with the schismatic Greeks to dethrone a monarch protected by the papal power, setting at defiance the thunders of the Vatican, which at that time made the greatest princes tremble. This undertaking, bold and impious as it was then deemed, proved successful. In recompence for their signal services, the gratitude or weakness of the Greek emperor, among other donations, bestowed upon the Genoese Pera, the chief suburb of Constantinople, to be held as a fief of the empire, together with such exemption from the accustomed duties on goods imported and exported, as gave them a decided superiority over every competitor in trade. With the vigilant attention of merchants, the Genoese availed themselves of this favourable situation. They surrounded their new settlement in Pera with fortifications. They rendered their factories on the adjacent coast places of strength.[c] They were masters of the harbour of Constantinople more than the Greeks themselves. The whole trade of the Black sea came into their hands; and not satisfied with this, they took possession of part of the Chersonesus Taurica, the modern Crimea, and rendered Caffa, its principal town, the chief seat of their trade with the East, and the port in which all its productions, conveyed to the Black sea by the different routes I have formerly described, were landed.[d]

c Niceph. Gregor. lib. xi. c. 1. § 6. lib. xvii. c. 1. § 2.
d Folieta Hist. Genuens. ap. Græv. Thes. Antiq. Ital. i. 387.

In consequence of this revolution, Genoa became the greatest commercial power in Europe; and if the enterprising industry and intrepid courage of its citizens had been under the direction of wise domestic policy, it might have long held that rank. But never was there a contrast more striking, than between the internal administration of the two rival republics of Venice and Genoa. In the former, government was conducted with steady systematic prudence; in the latter, it was consistent in nothing but a fondness for novelty, and a propensity to change. The one enjoyed a perpetual calm, the other was agitated with all the storms and vicissitudes of faction. The increase of wealth which flowed into Genoa from the exertions of its merchants, did not counterbalance the defects in its political constitution; and even in its most prosperous state we may discern the appearance of symptoms which foreboded a diminution of its opulence and power.

As long, however, as the Genoese retained the ascendant which they had acquired in the Greek empire, the Venetians felt their commercial transactions with it to be carried on upon such unequal terms, that their merchants visited Constantinople seldom, and with reluctance; and in order to procure the commodities of the East in such quantities as were demanded in the various parts of Europe which they were accustomed to supply, they were obliged to resort to the ancient staples of that trade. Of these Alexandria was the chief, and the most abundantly supplied, as the conveyance of Indian goods by land through Asia, to any of the ports of the Mediterranean, was often rendered impracticable by the incursions of Turks, Tartars, and other hordes, which successively desolated that fertile country, or contended for the dominion of it. But under the military and vigorous government of the soldans of the Mamelukes, security and order were steadily maintained in Egypt, and trade, though loaded with heavy duties, was open to all. In proportion to the progress of the Genoese in engrossing the commerce of Constantinople and the Black sea,[e] the Venetians found it more and more necessary to enlarge their transactions with Alexandria.

But such an avowed intercourse with infidels being considered, in that age, as unbecoming the character of christians, the senate of Venice, in order to silence its own scruples, or those of its subjects, had recourse to the infallible authority of the pope, who was supposed to be possessed of power to dispense with the rigorous observation of the most sacred laws, and obtained permission from him to fit out annually a specified number of ships for the ports of Egypt and of Syria.[f] Under this sanction the republic concluded a treaty of commerce with the soldans of Egypt, on equitable terms; in consequence of which the senate appointed one consul to reside in Alexandria, and

De Marinis de Genuens. Dignit. ib. 1486. Niceph. Greg. lib. xiii. c. 12. Murat. Annal. d'Ital. lib. vii. c. 351. See Note XLIII.
e See Note XLIV. f See Note XLV.

another in Damascus, in a public character, and to exercise a mercantile jurisdiction, authorized by the soldans. Under their protection, Venetian merchants and artisans settled in each of these cities. Ancient prejudiecs and antipathies were forgotten, and their mutual interests established, for the first time, a fair and open trade between christians and Mahomedans.[g]

While the Venetians and Genoese were alternately making those extraordinary efforts, in order to engross all the advantages of supplying Europe with the productions of the East, the republic of Florence, originally a commercial democracy, applied with such persevering vigour to trade, and the genius of the people, as well as the nature of their institutions, were so favourable to its progress, that the state advanced rapidly in power, and the people in opulence. But as the Florentines did not possess any commodious sea-port, their active exertions were directed chiefly towards the improvement of their manufactures and domestic industry. About the beginning of the fourteenth century, the Florentine manufactures of various kinds, particularly those of silk and woollen cloth, appear from the enumeration of a well informed historian, to have been very considerable.[h] The connexion which they formed in different parts of Europe, by furnishing them with the productions of their own industry, led them to engage in another branch of trade, that of banking. In this they soon became so eminent, that the money transactions of almost every kingdom in Europe passed through their hands, and in many of them they were intrusted with the collection and administration of the public revenues. In consequence of the activity and success with which they conducted their manufactures and money transactions, the former always attended with certain though moderate profit, the latter lucrative in a high degree, at a period when neither the interest of money, nor the premium on bills of exchange, were settled with accuracy, Florence became one of the first cities in Christendom, and many of its citizens extremely opulent. Cosmo di Medici, the head of a family which rose from obscurity by its success in trade, was reckoned the most wealthy merchant ever known in Europe;[i] and in acts of public munificence, as well as of private generosity, in the patronage of learning, and in the encouragement of useful and elegant arts, no monarch of the age could vie with him. Whether the Medici, in their first mercantile transactions, carried on any commerce with the East, I have not been able to discover.[k] It is more probable, I should think, that their trade was confined to the same articles with that of their countrymen. But

A. D. 1405.

as soon as the commonwealth, by the conquest of Pisa, had acquired a communication with the ocean, Cosmo di Medici, who had the chief direction of its affairs, endeavoured to procure for his country a share in that lucrative commerce which had raised Venice and Genoa so far above all the other Italian states. With this view ambassadors were sent to Alexandria, in order to prevail with the

A. D. 1425.

soldan to open that and the other ports of his dominions to the subjects of the republic, and to admit them to a participation in all the commercial privileges which were enjoyed by the Venetians. The negociation terminated with such success, that the Florentines seem to have obtained some share in the Indian trade;[l] and soon after this period, we find spices enumerated among the commodities imported by the Florentines into England.[m]

In some parts of this Disquisition concerning the nature and course of trade with the East, I have been obliged to grope my way, and often under the guidance of very feeble lights. But as we are now approaching to the period when the modern ideas, with respect to the importance of commerce, began to unfold, and attention to its progress and effects became a more considerable object of policy, we may hope to carry on what researches yet remain to be made, with greater certainty and precision. To this growing attention we are indebted for the account which Marino Sanudo, a Venetian nobleman, gives of the Indian trade, as carried on by his countrymen, about the beginning of the fourteenth century. They were supplied, as he informs us, with the productions of the East in two different ways. Those of small bulk and high value, such as cloves, nutmegs, mace, gems, pearls, &c. were conveyed from the Persian gulf up the Tigris to Bassora, and thence to Bagdat, from which they were carried to some port on the Mediterranean. All more bulky goods, such as pepper, ginger, cinnamon, &c., together with some portion of the more valuable articles, were conveyed by the ancient route to the Red sea, and thence across the desert, and down the Nile, to Alexandria. The goods received by the former route were, as Sanudo observes, of superior quality, but from the tediousness and expense of a distant land carriage, the supply was often scanty, nor can he conceal (though contrary to a favourite project which he had in view when he wrote the treatise to which I refer) that, from the state of the countries through which the caravans passed, this mode of conveyance was frequently precarious and attended with danger.[n]

It was in Alexandria only that the Venetians found always a certain and full supply of Indian goods; and as these were conveyed thither chiefly by water carriage, they might have purchased them at a moderate price, if the soldans had not imposed upon them duties which amounted to a third part of their full value. Under this and every other disadvantage, however, it was necessary to procure

g Sandi Storia Civile Veneziana, lib. v. c. 15. p. 248, &c.
h Giov. Villani Hist. Florent. ap. Murat. Script. Rer. Ital. vol. xiii. p. 823. Dell' Istorie Florentine, di Scip. Ammirato, lib. iv. p. 151. lib. viii. p. 299.
i Fr. Mich. Brutus Hist. Flor. p. 37. 62. Chron. Eugubinum ap. Murat. Script. Rer. Ital. vol. xiv. p. 1007. Denina Revol. d'Italie, tom. vi. p. 263, &c.
k See Note XLVI.
l See Note XLVII.
m Hakluyt, vol. i. p. 193.
n Mar. Sanuti Secreta Fidelium Crucis, p. 22, &c. ap. Bongarsium.

them, as from many concurring circumstances, particularly a more extensive intercourse established among the different nations of Europe, the demand for them continued to increase greatly during the fourteenth century. By the irruptions of the various hostile tribes of barbarians, who took possession of the greater part of Europe, that powerful bond by which the Romans had united together all the people of their vast empire was entirely dissolved, and such discouragement was given to the communication of one nation with another, as would appear altogether incredible, if the evidence of it rested wholly upon the testimony of historians, and were not confirmed by what is still more authentic, the express enactment of laws. Several statutes of this kind, which disgrace the jurisprudence of almost every European nation, I have enumerated and explained in another work.[o] But when the wants and desires of men multiplied, and they found that other countries could furnish the means of supplying and gratifying them, the hostile sentiments which kept nations at a distance from each other abated, and mutual correspondence gradually took place. From the time of the Crusades, which first brought people, hardly known to one another, to associate, and to act in concert during two centuries, in pursuit of one common end, several circumstances had co-operated towards accelerating this general intercourse. The people around the Baltic, hitherto dreaded and abhorred by the rest of Europe as pirates and invaders, assumed more pacific manners, and began now to visit their neighbours as merchants. Occurrences foreign from the subject of the present inquiry, united them together in the powerful commercial confederacy so famous in the middle ages, under the name of the Hanseatic League, and led them to establish the staple of their trade with the southern parts of Europe in Bruges. Thither the merchants of Italy, particularly those of Venice, resorted; and in return for the productions of the East, and the manufactures of their own country, they received not only the naval stores and other commodities of the north, but a considerable supply of gold and silver from the mines in various provinces of Germany, the most valuable and productive of any known at that time in Europe.[p] Bruges continued to be the great mart or storehouse of European trade during the period to which my inquiries extend. A regular communication, formerly unknown, was kept up there among all the kingdoms into which our continent is divided, and we are enabled to account for the rapid progress of the Italian states in wealth and power, by observing how much their trade, the source from which both were derived, must have augmented upon the vast increase in the consumption of Asiatic goods, when all the extensive countries towards the north-east of Europe were opened for their reception.

o Hist. of Charles V. p. 408.
p Zimmerman's Polit. Survey of Europe, p. 102.
q Sanuto, p. 23.

During this prosperous and improving state of Indian commerce, Venice received from one of its citizens such new information concerning the countries which produced the precious commodities that formed the most valuable article of its trade, as gave an idea of their opulence, their population, and their extent, which rose far above all the former conceptions of Europeans. From the time that the Mahomedans became masters of Egypt, as no christian was permitted to pass through their dominions to the East,[q] the direct intercourse of Europeans with India ceased entirely. The account of India by Cosmas Indicopleustes in the sixth century, is, as far as I know, the last which the nations of the West received from any person who had visited that country. But about the middle of the thirteenth century, the spirit of commerce, now become more enterprising, and more eager to discover new routes which led to wealth, induced Marco Polo, a Venetian of a noble family, after trading for some time in many of the opulent cities of the Lesser Asia, to penetrate into the more eastern parts of that continent, as far as to the court of the Great Khan on the frontier of China. During the course of twenty-six years, partly employed in mercantile transactions, and partly in conducting negociations with which the Great Khan intrusted him, he explored many regions of the East which no European had ever visited.

He describes the great kingdom of Cathay, the name by which China is still known in many parts of the East,[r] and travelled through it from Chambalu, or Peking, on its northern frontier, to some of its most southern provinces. He visited different parts of Indostan, and is the first who mentions Bengal and Guzzerat, by their present names, as great and opulent kingdoms. Besides what he discovered on his journeys by land, he made more than one voyage in the Indian ocean, and acquired some information concerning an island which he calls Zipangri, or Cipango, probably Japan. He visited in person Java, Sumatra, and several islands contiguous to them, the island of Ceylon, and the coast of Malabar, as far as the gulf of Cambay, to all which he gives the names that they now bear. This was the most extensive survey hitherto made of the East, and the most complete description of it ever given by any European; and, in an age which had hardly any knowledge of those regions but what was derived from the geography of Ptolemy, not only the Venetians, but all the people of Europe, were astonished at the discovery of immense countries open to their view beyond what had hitherto been reputed the utmost boundary of the earth in that quarter.[s]

But while men of leisure and speculation occupied themselves with examining the discoveries of Marco Polo, which gave rise to conjectures and theories productive of most important consequences, an event happened that drew the attention of all Europe, and had a most conspicuous effect upon

r Herbelot Bib. Orient. artic. *Khathai*. Stewart, Account of Thibet, Phil. Trans. lxvii. 474. Voyage of A. Jinkinson, Hakluyt, i. 333.
s See Note XLVIII.

the course of that trade, the progress of which I am endeavouring to trace.

A. D. 1453. The event to which I allude, is the final conquest of the Greek empire by Mahomet II., and the establishing the seat of the Turkish government in Constantinople. The immediate effect of this great revolution was, that the Genoese residing in Pera, involved in the general calamity, were obliged not only to abandon that settlement, but all those which they had made on the adjacent sea-coast, after they had been in their pos-

A. D. 1474. session near two centuries. Not long after, the victorious arms of the sultan expelled them from Caffa, and every other place which they held in the Crimea.[t] Constantinople was no longer a mart open to the nations of the West for Indian commodities, and no supply of them could now be obtained but in Egypt and the ports of Syria, subject to the soldans of the Mamelukes. The Venetians, in consequence of the protection and privileges which they had secured by their commercial treaty with those powerful princes, carried on trade in every part of their dominions with such advantage, as gave them a superiority over every competitor. Genoa, which had long been their most formidable rival, humbled by the loss of its possessions in the East, and weakened by domestic dissensions, declined so fast, that it was obliged to court foreign protection, and submitted alternately to the dominion of the dukes of Milan and the kings of France. In consequence of this diminution of their political power, the commercial exertions of the Genoese became less vigorous. A feeble attempt which they made to recover that share of the Indian trade which they had formerly enjoyed, by offering to enter into treaty with the soldans of Egypt upon terms similar to those which had been granted to the Venetians, proved unsuccessful; and during the remainder of the fifteenth century, Venice supplied the greater part of Europe with the productions of the East, and carried on trade to an extent far beyond what had been known in those times.

The state of the other European nations was extremely favourable to the commercial progress of the Venetians. England, desolated by the civil wars which the unhappy contest between the houses of York and Lancaster excited, had hardly begun to turn its attention towards those objects and pursuits to which it is indebted for its present opulence and power. In France, the fatal effects of the English arms and conquests were still felt, and the king had neither acquired power, nor the people inclination, to direct the national genius and activity to the arts of peace. The union of the different kingdoms of Spain was not yet completed; some of its most fertile provinces were still under the dominion of the Moors, with whom the Spanish monarchs waged perpetual war; and, except by the Catalans, little attention was paid to foreign trade. Portugal, though it had already entered upon that career of discovery which terminated with most splendid success, had not yet made such progress in it as to be entitled to any high rank among the commercial states of Europe. Thus the Venetians, almost without rival or competitor, except from some of the inferior Italian states, were left at liberty to concert and to execute their mercantile plans; and their trade with the cities of the Hanseatic League, which united the north and south of Europe, and which hitherto had been common to all the Italians, was now engrossed, in a great measure, by them alone.

While the increasing demand for the productions of Asia induced all the people of Europe to court intercourse with the Venetians so eagerly, as to allure them, by various immunities, to frequent their sea-ports, we may observe a peculiarity in their mode of carrying on trade with the East which distinguishes it from what has taken place in other countries in any period of history. In the ancient world, the Tyrians, the Greeks who were masters of Egypt, and the Romans, sailed to India in quest of those commodities with which they supplied the people of the West. In modern times, the same has been the practice of the Portuguese, the Dutch, the English, and, after their example, of other European nations. In both periods loud complaints have been made, that in carrying on this trade every state must be drained of the precious metals, which, in the course of it, flow incessantly from the West to the East, never to return. From whatever loss might have been occasioned by this gradual but unavoidable diminution of their gold and silver, (whether a real or only an imaginary loss, it is not incumbent upon me in this place to inquire or to determine,) the Venetians were in a great measure exempted. They had no direct intercourse with India. They found in Egypt, or in Syria, warehouses filled with all the commodities of the East, imported by the Mahomedans; and from the best accounts we have, with respect to the nature of their trade, they purchased them more frequently by barter than with ready money. Egypt, the chief mart for Indian goods, though a most fertile country, is destitute of many things requisite in an improved state of society, either for accommodation or for ornament. Too limited in extent, and too highly cultivated to afford space for forests; too level to have mines of the useful metals; it must be supplied with timber for building, with iron, lead, tin, and brass, by importation from other countries. The Egyptians, while under the dominion of the Mamelukes, seem not themselves to have traded in the ports of any christian state, and it was principally from the Venetians that they received all the articles which I have enumerated. Besides these, the ingenuity of the Venetian artists furnished a variety of manufactures of woollen cloths, silk stuffs of various fabric, camblets, mirrors, arms, ornaments of gold and silver, glass, and many other

t Folieta Hist. Genu. 602. 626. Murat. Annali d'Ital. ix, 451.

articles, for all which they found a ready market in Egypt and Syria. In return, they received from the merchants of Alexandria, spices of every kind, drugs, gems, pearls, ivory, cotton and silk, unwrought as well as manufactured, in many different forms, and other productions of the East, together with several valuable articles of Egyptian growth or fabric. In Aleppo, Baruth, and other cities, besides the proper commodities of India brought thither by land, they added to their cargoes the carpets of Persia, the rich wrought silks of Damascus, still known by the name taken from that city, and various productions of art and nature peculiar to Syria, Palestine, and Arabia. If at any time their demand for the productions of the East went beyond what they could procure in exchange for their own manufactures, that trade with the cities of the Hanseatic League which I have mentioned, furnished them, from the mines of Germany, with a regular supply of gold and silver, which they could carry with advantage to the markets of Egypt and Syria.

From a propensity, remarkable in all commercial states, to subject the operations of trade to political regulation and restraint, the authority of the Venetian government seems to have been interposed, both in directing the importation of Asiatic goods, and in the mode of circulating them among the different nations of Europe. To every considerable staple in the Mediterranean a certain number of large vessels, known by the name of *Galeons* or *Caracks*, was fitted out on the public account,[u] and returned loaded with the richest merchandise, the profit arising from the sale of which must have been no slender addition to the revenue of the republic. Citizens, however, of every class, particularly persons of noble families, were encouraged to engage in foreign trade, and whoever employed a vessel of a certain burden for this purpose, received a considerable bounty from the state.[x] It was in the same manner, partly in ships belonging to the public, and partly in those of private traders, that the Venetians circulated through Europe the goods imported from the East, as well as the produce of their own dominions and manufactures.

There are two different ways by which we may come at some knowledge of the magnitude of those branches of commerce carried on by the Venetians. The one, by attending to the great variety and high value of the commodities which they imported into Bruges, the storehouse from which the more northern nations of Europe were supplied. A full enumeration of these is given by a well-informed author, in which is contained almost every article deemed in that age essential to accommodation or to elegance.[y] The other, by considering the effects of the Venetian trade upon the cities admitted to a participation of its advantages. Never did wealth appear more conspicuously in the train of commerce. The citizens of Bruges, enriched by it, displayed in their dress, their buildings, and mode of living, such magnificence as even to mortify the pride and excite the envy of royalty.[z] Antwerp, when the staple was removed thither, soon rivalled Bruges in opulence and splendour. In some cities of Germany, particularly in Augsburg, the great mart for Indian commodities in the interior parts of that extensive country, we meet with early examples of such large fortunes accumulated by mercantile industry, as raised the proprietors of them to high rank and consideration in the empire.

From observing this remarkable increase of opulence in all the places where the Venetians had an established trade, we are led to conclude, that the profit accruing to themselves from the different branches of it, especially that with the East, must have been still more considerable. It is impossible, however, without information much more minute than that to which we have access, to form an estimate of this with accuracy; but various circumstances may be produced to establish, in general, the justness of this conclusion. From the first revival of a commercial spirit in Europe, the Venetians possessed a large share of the trade with the East. It continued gradually to increase, and during a great part of the fifteenth century they had nearly a monopoly of it. This was productive of consequences attending all monopolies. Wherever there is no competition, and the merchant has it in his power to regulate the market, and to fix the price of the commodities which he vends, his gains will be exorbitant. Some idea of their magnitude, during several centuries, may be formed by attending to the rate of the premium or interest then paid for the use of money. This is undoubtedly the most exact standard by which to measure the profit arising from the capital stock employed in commerce; for, according as the interest of money is high or low, the gain acquired by the use of it must vary, and become excessive or moderate. From the close of the eleventh century to the commencement of the sixteenth, the period during which the Italians made their chief commercial exertions, the rate of interest was extremely high. It was usually twenty per cent.; sometimes above that; and so late as the year one thousand five hundred, it had not sunk below ten or twelve per cent. in any part of Europe.[a] If the profits of a trade so extensive as that of the Venetians corresponded to this high value of money, it could not fail of proving a source of great wealth, both public and private.[b] The condition of Venice, accordingly, during the period under review, is described by writers of that age, in terms which are not applicable to that of any other country in Europe. The revenues of the republic, as well as the wealth amassed by individuals, exceeded whatever was elsewhere known. In the magnificence of their houses, in richness of furniture, in profusion of plate, and in every thing which contributed either

u Sabellicus, Hist. Rer. Venet. dec. iv. lib. iii. p. 868. Denina Revol. d'Italie, tom. vi. 340.
x Sandi Stor. Civ. Venez. lib. viii. 891.
y Lud. Guicciardini Descript. de Paesi Bassi, p. 173.
z See Note XLIX.
a Hist. of Charles V. p. 410.
b See Note L.

towards elegance or parade in their mode of living, the nobles of Venice surpassed the state of the greatest monarchs beyond the Alps. Nor was all this display the effect of an ostentatious and inconsiderate dissipation; it was the natural consequence of successful industry, which, having accumulated wealth with ease, is entitled to enjoy it in splendour.[c]

Never did the Venetians believe the power of their country to be more firmly established, or rely with greater confidence on the continuance and increase of its opulence, than towards the close of the fifteenth century, when two events (which they could neither foresee nor prevent) happened, that proved fatal to both. The one was the discovery of America. The other was the opening a direct course of navigation to the East Indies by the Cape of Good Hope. Of all occurrences in the history of the human race, these are undoubtedly among the most interesting; and as they occasioned a remarkable change of intercourse among the different quarters of the globe, and finally established those commercial ideas and arrangements which constitute the chief distinction between the manners and policy of ancient and of modern times, an account of them is intimately connected with the subject of this Disquisition, and will bring it to that period which I have fixed upon for its boundary. But as I have related the rise and progress of these discoveries at great length in another work,[d] a rapid view of them is all that is requisite in this place.

The admiration or envy with which the other nations of Europe beheld the power and wealth of Venice, led them naturally to inquire into the causes of this pre-eminence; and among these, its lucrative commerce with the East appeared to be by far the most considerable. Mortified with being excluded from a source of opulence, which to the Venetians had proved so abundant, different countries had attempted to acquire a share of the Indian trade. Some of the Italian states endeavoured to obtain admission into the ports of Egypt and Syria, upon the same terms with the Venetians; but either by the superior interest of the Venetians in the court of the soldans, their negociations for that purpose were rendered unsuccessful; or from the manifold advantages which merchants, long in possession of any branch of trade, have in a competition with new adventurers, all their exertions did not produce effects of any consequence.[e] In other countries, various schemes were formed with the same view. As early as the year one thousand four hundred and eighty, the inventive and enterprising genius of Columbus conceived the idea of opening a shorter and more certain communication with India, by holding a direct westerly course towards those regions, which, according to Marco Polo and other travellers, extended eastward far beyond the utmost limits of Asia known to the Greeks or Romans. This scheme, supported by arguments deduced from a scientific acquaintance with cosmography, from his own practical knowledge of navigation, from the reports of skilful pilots, and from the theories and conjectures of the ancients, he proposed first to the Genoese, his countrymen, and next to the king of Portugal, into whose service he had entered. It was rejected by the former from ignorance, and by the latter with circumstances most humiliating to a generous mind. By perseverance, however, and address, he at length induced the most wary and least adventurous court in Europe to undertake the execution of his plan; and Spain, as the reward of this deviation from its usual cautious maxims, had the glory of discovering a new world, hardly inferior in magnitude to a third part of the habitable globe. Astonishing as the success of Columbus was, it did not fully accomplish his own wishes, or conduct him to those regions of the East, the expectation of reaching which was the original object of his voyage. The effects, however, of his discoveries were great and extensive. By giving Spain the possession of immense territories, abounding in rich mines, and many valuable productions of nature, several of which had hitherto been deemed peculiar to India, wealth began to flow so copiously into that kingdom, and thence was so diffused over Europe, as gradually awakened a general spirit of industry, and called forth exertions, which alone must have soon turned the course of commerce into new channels.

But this was accomplished more speedily, as well as more completely, by the other great event which I mentioned, the discovery of a new route of navigation to the East by the Cape of Good Hope. When the Portuguese, to whom mankind are indebted for opening this communication between the most remote parts of the habitable globe, undertook their first voyage of discovery, it is probable that they had nothing further in view than to explore those parts of the coast of Africa which lay nearest to their own country. But a spirit of enterprise, when roused and put in motion, is always progressive; and that of the Portuguese, though slow and timid in its first operations, gradually acquired vigour, and prompted them to advance along the western shore of the African continent, far beyond the utmost boundary of ancient navigation in that direction. Encouraged by success, this spirit became more adventurous, despised dangers which formerly appalled it, and surmounted difficulties which it once deemed insuperable. When the Portuguese found in the torrid zone, which the ancients had pronounced to be uninhabitable, fertile countries, occupied by numerous nations, and perceived that the continent of Africa, instead of extending in breadth towards the west, according to the opinion of Ptolemy, appeared to contract itself and to bend eastwards, more extensive prospects opened to their view, and inspired them with hopes of reaching India, by continuing to hold the same course which they had so long pursued.

After several unsuccessful attempts to accomplish

c See Note LI.

d Hist. of America, Books I. and II.

e See Note LII.

what they had in view, a small squadron sailed from the Tagus, under the command of Vasco de Gama, an officer of rank, whose abilities and courage fitted him to conduct the most difficult and arduous enterprises. From unacquaintance, however, with the proper season and route of navigation in that vast ocean through which he had to steer his course, his voyage was long and dangerous. At length he doubled that promontory, which for several years had been the object of terror and of hope to his countrymen. From that, after a prosperous navigation along the south-east of Africa, he arrived at the city of Melinda, and had the satisfaction of discovering there, as well as at other places where he touched, people of a race very different from the rude inhabitants of the western shore of that continent, which alone the Portuguese had hitherto visited. These he found to be so far advanced in civilization, and acquaintance with the various arts of life, that they carried on an active commerce, not only with the nations on their own coast, but with remote countries of Asia. Conducted by their pilots (who held a course with which experience had rendered them well acquainted) he sailed across the Indian ocean, and landed at Calicut, on the coast of Malabar, on the twenty-second of May, one thousand four hundred and ninety-eight, ten months and two days after his departure from the port of Lisbon.

The Samorin, or monarch of the country, astonished at this unexpected visit of an unknown people, whose aspect, and arms, and manners, bore no resemblance to any of the nations accustomed to frequent his harbours, and who arrived in his dominions by a route hitherto deemed impracticable, received them, at first, with that fond admiration which is often excited by novelty. But in a short time, as if he had been inspired with foresight of all the calamities now approaching India by this fatal communication opened with the inhabitants of Europe, he formed various schemes to cut off Gama and his followers. But from every danger to which he was exposed, either by the open attacks or secret machinations of the Indians, the Portuguese admiral extricated himself with singular prudence and intrepidity, and at last sailed from Calicut with his ships loaded, not only with the commodities peculiar to that coast, but with many of the rich productions of the eastern parts of India.

On his return to Lisbon, he was received with the admiration and gratitude due to a man, who, by his superior abilities and resolution, had conducted to such a happy issue an undertaking of the greatest importance, which had long occupied the thoughts of his sovereign, and excited the hopes of his fellow-subjects.[f] Nor did this event interest the Portuguese alone. No nation in Europe beheld it with unconcern. For although the discovery of a new world, whether we view it as a display of genius in the person who first conceived an idea of that undertaking which led mankind to the knowledge of it, whether we contemplate its influence upon science by giving a more complete knowledge of the globe which we inhabit, or whether we consider its effects upon the commercial intercourse of mankind, be an event far more splendid than the voyage of Gama, yet the latter seems originally to have excited more general attention. The former, indeed, filled the minds of men with astonishment; it was some time, however, before they attained such a sufficient knowledge of that portion of the earth now laid open to their view, as to form any just idea, or even probable conjecture, with respect to what might be the consequences of communication with it. But the immense value of the Indian trade, which both in ancient and in modern times had enriched every nation by which it was carried on, was a subject familiar to the thoughts of all intelligent men, and they at once perceived that the discovery of this new route of navigation to the East must occasion great revolutions, not only in the course of commerce, but in the political state of Europe.

What these revolutions were most likely to be, and how they would operate, were points examined with particular attention in the cities of Lisbon and of Venice, but with feelings very different. The Portuguese, founding upon the rights which, in that age, priority of discovery, confirmed by a papal grant, were supposed to confer, deemed themselves entitled to an exclusive commerce with the countries which they had first visited, began to enjoy, by anticipation, all the benefits of it, and to fancy that their capital would soon be what Venice then was, the great storehouse of eastern commodities to all Europe, and the seat of opulence and power. On the first intelligence of Gama's successful voyage, the Venetians, with the quick-sighted discernment of merchants, foresaw the immediate consequence of it to be the ruin of that lucrative branch of commerce which had contributed so greatly to enrich and aggrandize their country; and they observed this with more poignant concern, as they were apprehensive that they did not possess any effectual means of preventing, or even retarding, its operation.

The hopes and fears of both were well founded. The Portuguese entered upon the new career opened to them with activity and ardour, and made exertions, both commercial and military, far beyond what could have been expected from a kingdom of such inconsiderable extent. All these were directed by an intelligent monarch, capable of forming plans of the greatest magnitude with calm systematic wisdom, and of prosecuting them with unremitting perseverance. The prudence and vigour of his measures, however, would have availed little without proper instruments to carry them into execution. Happily for Portugal, the discerning eye of Emanuel selected a succession of officers to take the supreme command in India, who, by their enterprising valour, military skill, and political sagacity,

f Asia de Joao de Barros, dec. i. lib. iv. c. 11. Castagneda, Hist. de l'Inde, trad. en François. liv. i. c. 2—28.

accompanied with disinterested integrity, public spirit, and love of their country, have a title to be ranked with the persons most eminent for virtue and abilities in any age or nation. Greater things perhaps were achieved by them than were ever accomplished in so short a time. Before the close of Emanuel's reign, twenty-four years only after the voyage of Gama, the Portuguese had rendered themselves masters of the city of Malacca, in which the great staple of trade carried on among the inhabitants of all those regions in Asia which Europeans have distinguished by the general name of the East Indies, was then established. To this port, situated nearly at an equal distance from the eastern and western extremities of these countries, and possessing the command of that strait by which they keep communication with each other, the merchants of China, of Japan, of every kingdom on the continent, of the Moluccas, and all the islands in the Archipelago, resorted from the east; and those of Malabar, of Ceylon, of Coromandel, and of Bengal, from the west.[g] This conquest secured to the Portuguese great influence over the interior commerce of India, while, at the same time, by their settlements at Goa and Diu, they were enabled to engross the trade of the Malabar coast, and to obstruct greatly the long established intercourse of Egypt with India by the Red sea. Their ships frequented every port in the East where valuable commodities were to be found, from the Cape of Good Hope to the river of Canton; and along this immense stretch of coast, extending upwards of four thousand leagues,[h] they had established, for the convenience or protection of trade, a chain of forts or factories. They had likewise taken possession of stations most favourable to commerce along the southern coast of Africa, and in many of the islands which lie between Madagascar and the Moluccas. In every part of the East they were received with respect, in many they had acquired the absolute command. They carried on trade there without rival or control; they prescribed to the natives the terms of their mutual intercourse; they often set what price they pleased on goods which they purchased; and were thus enabled to import from Indostan and the regions beyond it, whatever is useful, rare, or agreeable, in greater abundance, and of more various kinds, than had been known formerly in Europe.

Not satisfied with this ascendant which they had acquired in India, the Portuguese early formed a scheme, no less bold than interested, of excluding all other nations from participating of the advantages of commerce with the East. In order to effect this, it was necessary to obtain possession of such stations in the Arabian and Persian gulfs, as might render them masters of the navigation of these two inland seas, and enable them both to obstruct the ancient commercial intercourse between Egypt and India, and to command the entrance of the great rivers, which facilitated the conveyance of Indian goods, not only through the interior provinces of Asia, but as far as Constantinople. The conduct of the measures for this purpose was committed to Alphonso Albuquerque, the most eminent of all the Portuguese generals who distinguished themselves in India. After the utmost efforts of genius and valour, he was able to accomplish one-half only of what the ambition of his countrymen had planned. By wresting the island of Ormuz, which commanded the mouth of the Persian gulf, from the petty princes, who, as tributaries to the monarchs of Persia, had established their dominion there, he secured to Portugal that extensive trade with the East which the Persians had carried on for several centuries. In the hands of the Portuguese, Ormuz soon became the great mart from which the Persian empire, and all the provinces of Asia to the west of it, were supplied with the productions of India; and a city which they built on that barren island, destitute of water, was rendered one of the chief seats of opulence, splendour, and luxury in the Eastern World.[i]

The operations of Albuquerque in the Red sea were far from being attended with equal success. Partly by the vigorous resistance of the Arabian princes, whose ports he attacked, and partly by the damage his fleet sustained in a sea of which the navigation is remarkably difficult and dangerous, he was constrained to retire without effecting any settlement of importance.[k] The ancient channel of intercourse with India by the Red sea still continued open to the Egyptians; but their commercial transactions in that country were greatly circumscribed and obstructed, by the influence which the Portuguese had acquired in every port to which they were accustomed to resort.

In consequence of this, the Venetians soon began to feel that decrease of their own Indian trade which they had foreseen and dreaded. In order to prevent the further progress of this evil, they persuaded the soldan of the Mamelukes, equally alarmed with themselves at the rapid success of the Portuguese in the East, and no less interested to hinder them from engrossing that commerce, which had so long been the chief source of opulence both to the monarchs and to the people of Egypt, to enter into a negociation with the pope and the king of Portugal. The tone which the soldan assumed in this negociation was such as became the fierce chief of a military government. After stating his exclusive right to the trade with India, he forewarned Julius II. and Emanuel, that if the Portuguese did not relinquish that new course of navigation by which they had penetrated into the Indian ocean, and cease from encroaching on that commerce which from time immemorial had been carried on between the east of Asia and his dominions, he would put to

g Decad. de Carros, dec. i. liv. viii. c. 1. Osor. de Reb. Eman. lib. vii. 213, &c.
h Hist. Gener. des Voyages, tom. i. p. 140.
i Osorius de Reb. gestis Eman. lib. x. p. 274, &c. Tavernier's Travels, book v. c. 23. Kæmpfer Amœnit. Exot. p. 756, &c.
k Osorius, lib. ix. p. 248, &c.

death all the christians in Egypt, Syria, and Palestine, burn their churches, and demolish the holy sepulchre itself.[l] This formidable threat, which, during several centuries, would have made all Christendom tremble, seems to have made so little impression, that the Venetians, as the last expedient, had recourse to a measure which, in that age, was deemed not only reprehensible but impious. They incited the soldan to fit out a fleet in the Red sea, and to attack those unexpected invaders of a gainful monopoly, of which he and his predecessors had long enjoyed undisturbed possession. As Egypt did not produce timber proper for building ships of force, the Venetians permitted the soldan to cut it in their forests of Dalmatia, whence it was conveyed to Alexandria, and then carried partly by water and partly by land to Suez. There twelve ships of war were built, on board of which a body of Mamelukes was ordered to serve, under the command of an officer of merit. These new enemies, far more formidable than the natives of India with whom the Portuguese had hitherto contended, they encountered with undaunted courage, and after some conflicts, they entirely ruined the squadron, and remained masters of the Indian ocean.[m]

Soon after this disaster, the dominion of the Mamelukes was overturned, and Egypt, Syria, and Palestine were subjected to the Turkish empire by the victorious arms of Selim I. Their mutual interest quickly induced the Turks and Venetians to forget ancient animosities, and to co-operate towards the ruin of the Portuguese trade in India. With this view Selim confirmed to the Venetians the extensive commercial privileges which they had enjoyed under the government of the Mamelukes, and published an edict permitting the free entry of all the productions of the East, imported directly from Alexandria, into every part of his dominions, and imposing heavy duties upon such as were brought from Lisbon.[n]

But all these were unavailing efforts against the superior advantages which the Portuguese possessed in supplying Europe with the commodities of the East, in consequence of having opened a new mode of communication with it. At the same time, the Venetians, brought to the brink of ruin by the fatal league of Cambray, which broke the power and humbled the pride of the republic, were incapable of such efforts for the preservation of their commerce, as they might have made in the more vigorous age of their government, and were reduced to the feeble expedients of a declining state. Of this there is a remarkable instance in an offer made by them to the king of Portugal, in the year one thousand five hundred and twenty-one, to purchase at a stipulated price all the spices imported into Lisbon, over and above what might be requisite for the consumption of his own subjects. If Emanuel had been so inconsiderate as to close with this proposal, Venice would have recovered all the benefit of the gainful monopoly which she had lost. But the offer met with the reception that it merited, and was rejected without hesitation.[o]

The Portuguese, almost without obstruction, continued their progress in the East, until they established there a commercial empire; to which, whether we consider its extent, its opulence, the slender power by which it was formed, or the splendour with which the government of it was conducted, there had hitherto been nothing comparable in the history of nations. Emanuel, who laid the foundation of this stupendous fabric, had the satisfaction to see it almost completed. Every part of Europe was supplied by the Portuguese with the productions of the East; and if we except some inconsiderable quantity of them, which the Venetians still continued to receive by the ancient channels of conveyance, our quarter of the globe had no longer any commercial intercourse with India, and the regions of Asia beyond it, but by the Cape of Good Hope.

Though from this period the people of Europe have continued to carry on their trade with India by sea, yet a considerable portion of the valuable productions of the East is still conveyed to other regions of the earth by land carriage. In tracing the progress of trade with India, this branch of it is an object of considerable magnitude, which has not been examined with sufficient attention. That the ancients should have had recourse frequently to the tedious and expensive mode of transporting goods by land, will not appear surprising, when we recollect the imperfect state of navigation among them: the reason of this mode of conveyance being not only continued, but increased, in modern times, demands some explanation.

If we inspect a map of Asia, we cannot fail to observe that the communication throughout all the countries of that great continent to the west of Indostan and China, though opened in some degree towards the south by the navigable rivers Euphrates and Tigris, and towards the north by two inland seas, the Euxine and Caspian, must be carried on in many extensive provinces wholly by land. This, as I have observed, was the first mode of intercourse between different countries, and during the infancy of navigation it was the only one. Even after that art had attained some degree of improvement, the conveyance of goods by the two rivers formerly mentioned, extended so little way into the interior country, and the trade of the Euxine and Caspian seas was so often obstructed by the barbarous nations scattered along their shores, that partly on that account, and partly from the adherence of mankind to ancient habits, the commerce of the various provinces of Asia, particularly that with India and

l Osorius de rebus Eman. lib. iv. p. 110. edit. 1580. Asia de Barros, decad. i. lib. viii. c. 2.
m Asia de Barros, dec. ii. lib. ii. c. 6. Lafitau, Hist. de Découvertes des Portugais, i. 292, &c. Osor. lib. iv. p. 120.
n Sandi Stor. Civ. Venez. part ii. 901. part iii. 432.
o Osor. de reb. Eman. lib. xii. 265.

the regions beyond it, continued to be conducted by land.

The same circumstances which induced the inhabitants of Asia to carry on such a considerable part of their commerce with each other in this manner, operated with still more powerful effect in Africa. That vast continent, which little resembles the other divisions of the earth, is not penetrated with inland seas, like Europe and Asia, or by a chain of lakes like North America, or opened by rivers (the Nile alone excepted) of extended navigation. It forms one uniform, continuous surface, between the various parts of which there could be no intercourse from the earliest times, but by land. Rude as all the people of Africa are, and slender as the progress is which they have made in the arts of life, such a communication appears to have been early opened and always kept up. How far it extended in the more early periods to which my researches have been directed, and by what different routes it was carried on, I have not sufficient information to determine with accuracy. It is highly probable, that, from time immemorial, the gold, the ivory, the perfumes, both of the southern parts of Africa and of its more northern districts, were conveyed either to the Arabian gulf or to Egypt, and exchanged for the spices and other productions of the East.

The Mahomedan religion, which spread with amazing rapidity over all Asia, and a considerable part of Africa, contributed greatly towards the increase of commercial intercourse by land in both these quarters of the globe, and has given it additional vigour, by mingling with it a new principle of activity, and by directing it to a common centre. Mahomet enjoined all his followers to visit once in their lifetime the Caaba, or square building in the temple of Mecca, the immemorial object of veneration among his countrymen, not only on account of its having been chosen (according to their tradition) to be the residence of man at his creation,[p] but because it was the first spot on this earth which was consecrated to the worship of God:[q] in order to preserve continually upon their minds a sense of obligation to perform this duty, he directed that in all the multiplied acts of devotion which his religion prescribes, true believers should always turn their faces towards that holy place.[r] In obedience to a precept solemnly enjoined and sedulously inculcated, large caravans of pilgrims assemble annually in every country where the Mahomedan faith is established. From the shores of the Atlantic on one hand, and from the most remote regions of the East on the other, the votaries of the prophet advance to Mecca. Commercial ideas and objects mingle with those of devotion; the numerous camels[s] of each caravan are loaded with those commodities of every country which are of easiest carriage and most ready sale. The holy city is crowded, not only with zealous devotees, but with opulent merchants. During the few days they remain there, the fair of Mecca is the greatest, perhaps, on the face of the earth. Mercantile transactions are carried on in it to an immense value, of which the despatch, the silence, the mutual confidence and good faith in conducting them, are the most unequivocal proof. The productions and manufactures of India form a capital article in this great traffic, and the caravans on their return disseminate them through every part of Asia and Africa. Some of these are deemed necessary, not only to the comfort, but to the preservation, of life, and others contribute to its elegance and pleasure. They are so various as to suit the taste of mankind in every climate, and in different stages of improvement; and are in high request among the rude natives of Africa, as well as the more luxurious inhabitants of Asia. In order to supply their several demands, the caravans return loaded with the muslins and chintzes of Bengal and the Deccan, the shawls of Cachemire, the pepper of Malabar, the diamonds of Golconda, the pearls of Kilcare, the cinnamon of Ceylon, the nutmeg, cloves, and mace of the Moluccas, and an immense number of other Indian commodities.

Besides these great caravans, formed partly by respect for a religious precept, and partly with a view to extend a lucrative branch of commerce, there are other caravans, and these not inconsiderable, composed entirely of merchants, who have no object but trade. These, at stated seasons, set out from different parts of the Turkish and Persian dominions, and proceeding to Indostan, and even to China, by routes which were anciently known, they convey by land carriage the most valuable commodities of these countries to the remote provinces of both empires. It is only by considering the distance to which large quantities of these commodities are carried, and frequently across extensive deserts, which, without the aid of camels, would have been impassable, that we can form any idea of the magnitude of the trade with India by land, and are led to perceive, that in a Disquisition concerning the various modes of conducting this commerce, it is well entitled to the attention which I have bestowed in endeavouring to trace it.[t]

SECTION IV.

General Observations.

THUS I have endeavoured to describe the progress of trade with India, both by sea and by land, from the earliest times in which history affords any authentic information concerning it, until an entire revolution was made in its nature, and the mode of carrying it on, by that great discovery which I ori-

p Abul-Ghazi Bayadur Khan, Hist. Gen. des Tatars. p. 15.
q Ohsson Tableau General de l'Empire Othoman, tom. iii. p. 150, &c. 289. edit. 8vo.

r Herbelot Biblioth. Orient. artic. *Caaba* & *Kehlah*.
s See Note LIII.
t See Note LIV.

ginally fixed as the utmost boundary of my inquiries. Here, then, this Disquisition might have been terminated. But as I have conducted my readers to that period when a new order of ideas, and new arrangements of policy, began to be introduced into Europe, in consequence of the value and importance of commerce being so thoroughly understood, that in almost every country the encouragement of it became a chief object of public attention; as we have now reached that point whence a line may be drawn which marks the chief distinction between the manners and political institutions of ancient and modern times, it will render the work more instructive and useful, to conclude it with some general observations, which naturally arise from a survey of both, and a comparison of the one with the other. These observations, I trust, will be found not only to have an intimate connexion with the subject of my researches, and to throw additional light upon it; but will serve to illustrate many particulars in the general history of commerce, and to point out effects or consequences of various events, which have not been generally observed, or considered with that attention which they merited.

I. After viewing the great and extensive effects of finding a new course of navigation to India by the Cape of Good Hope, it may appear surprising to a modern observer, that a discovery of such importance was not made, or even attempted, by any of the commercial states of the ancient world. But in judging with respect to the conduct of nations in remote times, we never err more widely, than when we decide with regard to it, not according to the ideas and views of their age, but of our own. This is not perhaps more conspicuous in any instance, than in that under consideration. It was by the Tyrians, and by the Greeks, who were masters of Egypt, that the different people of Europe were first supplied with the productions of the East. From the account that has been given of the manner in which they procured these, it is manifest that they had neither the same inducements with modern nations to wish for any new communication with India, nor the same means of accomplishing it. All the commercial transactions of the ancients with the East were confined to the ports on the Malabar coast, or extended, at furthest, to the island of Ceylon. To these staples the natives of all the different regions in the eastern parts of Asia brought the commodities which were the growth of their several countries, or the product of their ingenuity, in their own vessels, and with them the ships from Tyre and from Egypt completed their investments. While the operations of their Indian trade were carried on within a sphere so circumscribed, the conveyance of a cargo by the Arabian gulf, notwithstanding the expense of land carriage, either from Elath to Rhinocolura, or across the desert to the Nile, was so safe and commodious, that the merchants of Tyre and Alexandria had little reason to be solicitous for the discovery of any other. The situation of both these cities, as well as that of the other considerable commercial states of antiquity, was very different from that of the countries to which, in later times, mankind have been indebted for keeping up intercourse with the remote parts of the globe. Portugal, Spain, England, Holland, which have been most active and successful in this line of enterprise, all lie on the Atlantic ocean, (in which every European voyage of discovery must commence,) or have immediate access to it. But Tyre was situated at the eastern extremity of the Mediterranean, Alexandria not far from it; Rhodes, Athens, Corinth, which came afterwards to be ranked among the most active trading cities of antiquity, lay considerably advanced towards the same quarter in that sea. The commerce of all these states was long confined within the precincts of the Mediterranean; and in some of them, never extended beyond it. The Pillars of Hercules, or the Straits of Gibraltar, were long considered as the utmost boundary of navigation. To reach this was deemed a signal proof of naval skill; and before any of these states could give a beginning to an attempt towards exploring the vast unknown ocean which lay beyond it, they had to accomplish a voyage (according to their ideas) of great extent and much danger. This was sufficient to deter them from engaging in an arduous undertaking, from which, even if attended with success, their situation prevented their entertaining hopes of deriving great advantage.[a]

But could we suppose the discovery of a new passage to India to have become an object of desire or pursuit to any of these states, their science as well as practice of navigation was so defective, that it would have been hardly possible for them to attain it. The vessels which the ancients employed in trade were so small, as not to afford stowage for provisions sufficient to subsist a crew during a long voyage. Their construction was such, that they could seldom venture to depart far from land, and their mode of steering along the coast (which I have been obliged to mention often) so circuitous and slow, that from these as well as from other circumstances which I might have specified, we may pronounce a voyage from the Mediterranean to India, by the Cape of Good Hope, to have been an undertaking beyond their power to accomplish, in such a manner as to render it, in any degree, subservient to commerce. To this decision, the account preserved by Herodotus, of a voyage performed by some Phenician ships employed by a king of Egypt, which, taking their departure from the Arabian gulf, doubled the southern promontory of Africa, and arrived, at the end of three years, by the straits of Gades, or Gibraltar, at the mouth of the Nile,[c] can hardly be considered as repugnant; for several writers of the greatest eminence among the ancients, and most distinguished for their proficiency in the knowledge of geography,

a See Note LV.

b Goguet Orig. des Loix, des Arts, &c. ii. 303. 329. c Lib. iv. c. 42.

regarded this account rather as an amusing tale than the history of a real transaction; and either entertained doubts concerning the possibility of sailing round Africa, or absolutely denied it.[d] But if what Herodotus relates concerning the course held by these Phenician ships had ever been received by the ancients with general assent, we can hardly suppose that any states could have been so wildly adventurous as to imagine that a voyage, which it required three years to complete, could be undertaken with a prospect of commercial benefit.

II. The rapid progress of the moderns in exploring India, as well as the extensive power and valuable settlements which they early acquired there, mark such a distinction between their mode of conducting naval operations, and that of the ancients, as merits to be considered and explained with attention. From the reign of the first Ptolemy to the conquest of Egypt by the Mahomedans, Europe had been supplied with the productions of the East by the Greeks of Alexandria, by the Romans while they were masters of Egypt, and by the subjects of the emperors of Constantinople, when that kingdom became a province of their dominions. During this long period, extending almost to a thousand years, none of those people, the most enlightened, undoubtedly, in the ancient world, ever advanced by sea further towards the east than the gulf of Siam, and had no regular established trade but with the ports on the coast of Malabar, or those in the island of Ceylon. They attempted no conquests in any part of India, they made no settlements, they erected no forts. Satisfied with an intercourse merely commercial, they did not aim at acquiring any degree of power or dominion in the countries where they traded, though it seems to be probable that they might have established it without much opposition from the natives, a gentle effeminate people, with whom, at that time, no foreign and more warlike race was mingled. But the enterprising activity of the Portuguese was not long confined within the same limits; a few years after the arrival at Calecut, they advanced towards the east, into regions unknown to the ancients. The kingdoms of Cambodia, Cochin-China, Tonquin, the vast empire of China, and all the fertile islands in the great Indian Archipelago, from Sumatra to the Philippines, were discovered, and the Portuguese, though opposed in every quarter by the Mahomedans of Tartar or Arabian origin settled in many parts of India, enemies much more formidable than the natives, established there that extensive influence and dominion which I have formerly described.

Of this remarkable difference between the progress and operations of the ancients and moderns in India, the imperfect knowledge of the former, with respect both to the theory and practice of navigation, seems to have been the principal cause. From the coast of Malabar to the Philippines, was a voyage of an extent far beyond any that the ancients were accustomed to undertake, and according to their manner of sailing, must have required a great length of time to perform it. The nature of their trade with India was such, that they had not (as has been formerly observed) the same inducements with the moderns to prosecute discovery with ardour; and, according to the description given of the vessels in which the merchants of Alexandria carried on their trade from the Arabian gulf, they appear to have been very unfit for that purpose. On all these accounts the ancients remained satisfied with a slender knowledge of India; and influenced by reasons proceeding from the same cause, they attempted neither conquest or settlement there. In order to accomplish either of these, they must have transported a considerable number of men into India. But, from the defective structure of their ships, as well as from the imperfection of their art in navigating them, the ancients seldom ventured to convey a body of troops to any distance by sea. From Berenice to Musiris was to them, even after Hippalus had discovered the method of steering a direct course, and when their naval skill had attained to its highest state of improvement, a voyage of no less than seventy days. By the ancient route along the coast of Persia, a voyage from the Arabian gulf to any part of India must have been of greater length, and accomplished more slowly. As no hostile attack was ever made upon India by sea, either by the Greek monarchs of Egypt, though the two first of them were able and ambitious princes, or by the most enterprising of the Roman emperors, it is evident that they must have deemed it an attempt beyond their power to execute. Alexander the Great, and, in imitation of him, his successors, the monarchs of Syria, were the only persons in the ancient world who formed any idea of establishing their dominion in any part of India; but it was with armies led thither by land that they hoped to achieve this.

III. The sudden effect of opening a direct communication with the East, in lowering the price of Indian commodities, is a circumstance that merits observation. How compendious soever the ancient intercourse with India may appear to have been, it was attended with considerable expense. The productions of the remote parts of Asia, brought to Ceylon, or to the ports on the Malabar coast, by the natives, were put on board the ships which arrived from the Arabian gulf. At Berenice they were landed, and carried by camels two hundred and fifty-eight miles to the banks of the Nile. There they were again embarked, and conveyed down the river to Alexandria, whence they were despatched to different markets. The addition to the price of goods by such a multiplicity of operations must have been considerable, especially when the rate chargeable on each operation was fixed by monopolists, subject to no control. But, after the passage to India by the Cape of Good Hope was dis-

d Polyb. lib. iii. p. 193. edit. Casaub. Plin. Nat. Hist. lib. ii. c. 6. Ptol. Geogr. lib. iv. c. 9. See Note LVI.

covered, its various commodities were purchased at first hand in the countries of which they were the growth or manufacture. In all these, particularly in Indostan and in China, the subsistence of man is more abundant than in any other part of the earth. The people live chiefly upon rice, the most prolific of all grains; population, of consequence, is so great, and labour so extremely cheap, that every production of nature or of art is sold at a very low price. When these were shipped in different parts of India, they were conveyed directly to Lisbon, by a navigation, long indeed, but uninterrupted and safe, and thence circulated through Europe. The carriage of mercantile goods by water is so much less expensive than by any other mode of conveyance, that as soon as the Portuguese could import the productions of India in sufficient quantities to supply the demands of Europe, they were able to afford them at such a reduced price, that the competition of the Venetians ceased almost entirely, and the full stream of commerce flowed in its natural direction towards the cheapest market. In what proportion the Portuguese lowered the price of Indian commodities, I cannot ascertain with precision, as I have not found in contemporary writers sufficient information with respect to that point. Some idea, however, of this, approaching perhaps near to accuracy, may be formed from the computations of Mr. Munn, an intelligent English merchant. He has published a table of the prices paid for various articles of goods in India, compared with the prices for which they were sold in Aleppo, from which the difference appears to be nearly as three to one; and he calculates, that, after a reasonable allowance for the expense of the voyage from India, the same goods may be sold in England at half the price which they bear in Aleppo. The expense of conveying the productions of India up the Persian gulf to Bassora, and thence either through the Great or Little Desert to Aleppo, could not, I should imagine, differ considerably from that by the Red sea to Alexandria. We may therefore suppose, that the Venetians might purchase them from the merchants of that city at nearly the same rate for which they were sold in Aleppo; and when we add to this, what they must have charged as their own profit in all the markets which they frequented, it is evident that the Portuguese might afford to reduce the commodities of the East to a price below that which has been mentioned, and might supply every part of Europe with them more than one-half cheaper than formerly. The enterprising schemes of the Portuguese monarchs were accomplished sooner, as well as more completely, than in the hour of most sanguine hope they could have presumed to expect; and, early in the sixteenth century, their subjects became possessed of a monopoly of the trade with India, founded upon the only equitable title, that of furnishing its productions in greater abundance, and at a more moderate price.

IV. We may observe, that, in consequence of a more plentiful supply of Indian goods, and at a cheaper rate, the demand for them increased rapidly in every part of Europe. To trace the progress of this in detail, would lead me far beyond the period which I have fixed as the limit of this Disquisition, but some general remarks concerning it will be found intimately connected with the subject of my inquiries. The chief articles of importation from India, while the Romans had the direction of the trade with that country, have been formerly specified. But upon the subversion of their empire, and the settlement of the fierce warriors of Scythia and Germany in the various countries of Europe, the state of society, as well as the condition of individuals, became so extremely different, that the wants and desires of men were no longer the same. Barbarians, many of them not far advanced in their progress beyond the rudest state of social life, had little relish for those accommodations, and that elegance, which are so alluring to polished nations. The curious manufactures of silk, the precious stones and pearls of the East, which had been the ornament and pride of the wealthy and luxurious citizens of Rome, were not objects of desire to men, who, for a considerable time after they took possession of their new conquests, retained the original simplicity of their pastoral manners. They advanced, however, from rudeness to refinement in the usual course of progression which nations are destined to hold, and an increase of wants and desires requiring new objects to gratify them, they began to acquire a relish for some of the luxuries of India. Among these they had a singular predilection for the spiceries and aromatics which that country yields in such a variety and abundance. Whence their peculiar fondness for these arose, it is not of importance to inquire. Whoever consults the writers of the middle ages, will find many particulars which confirm this observation. In every enumeration of Indian commodities which they give, spices are always mentioned as the most considerable and precious article.[e] In their cookery, all dishes were highly seasoned with them. In every entertainment of parade, a profusion of them was deemed essential to magnificence. In every medical prescription they were principal ingredients.[f] But considerable as the demand for spices had become, the mode in which the nations of Europe had hitherto been supplied with them was extremely disadvantageous. The ships employed by the merchants of Alexandria never ventured to visit those remote regions which produce the most valuable spices, and before they could be circulated through Europe, they were loaded with the accumulated profits received by four or five different hands through which they had passed.

e Jac. de Vitriac. Hist. Hieros. ap Bongars. 1. p. 1099. Wilh. Tyr. lib. xii. c. 23.

f Du Cange. Glossar. verb. *Aromata, Species.* Henry's Hist. of Great Brit. vol. iv. p. 597, 598.

But the Portuguese, with a bolder spirit of navigation, having penetrated into every part of Asia, took in their cargo of spices in the places where they grew, and could afford to dispose of them at such a price, that, from being an expensive luxury, they became an article of such general use as greatly augmented the demand for them. An effect similar to this may be observed with respect to the demand for other commodities imported from India, upon the reduction of their price by the Portuguese. From that period a growing taste for Asiatic luxuries may be traced in every country of Europe, and the number of ships fitted out for that trade at Lisbon continued to increase every year.[g]

V. Lucrative as the trade with India was, and had long been deemed, it is remarkable that the Portuguese were suffered to remain in the undisturbed and exclusive possession of it, during the course of almost a century. In the ancient world, though Alexandria, from the peculiar felicity of its situation, could carry on an intercourse with the East by sea, and circulated its productions through Europe with such advantage as gave it a decided superiority over every rival; yet various attempts (which have been described in their proper places) were made, from time to time, to obtain some share in a commerce so apparently beneficial. From the growing activity of the commercial spirit in the sixteenth century, as well as from the example of the eager solicitude with which the Venetians and Genoese exerted themselves alternately to shut out each other from any share in the Indian trade, it might have been expected that some competitor would have arisen to call in question the claim of the Portuguese to an exclusive right to traffic with the East, and to wrest from them some portion of it. There were, however, at that time, some peculiar circumstances in the political state of all those nations in Europe, whose intrusion, as rivals, the Portuguese had reason to dread, which secured to them the quiet enjoyment of their monopoly of Indian commerce, during such a long period. From the accession of Charles V. to the throne, Spain was either so much occupied in a multiplicity of operations in which it was engaged by the ambition of that monarch, and of his son Philip II., or so intent on prosecuting its own discoveries and conquests in the New World, that although, by the successful enterprise of Magellan, its fleets were unexpectedly conducted by a new course to that remote region of Asia which was the seat of the most gainful and alluring branch of trade carried on by the Portuguese, it could make no considerable effort to avail itself of the commercial advantages which it might have derived from that event. By the acquisition of the crown of Portugal, in the year one thousand five hundred and eighty, the kings of Spain, instead of the rivals, became the protectors of the Portuguese trade, and the guardians of all its exclusive rights. Throughout the sixteenth century, the strength and resources of France were so much wasted by the fruitless expeditions of their monarchs into Italy, by their unequal contest with the power and policy of Charles V., and by the calamities of the civil wars which desolated the kingdom upwards of forty years, that it could neither bestow much attention upon objects of commerce, nor engage in any scheme of distant enterprise. The Venetians, how sensibly soever they might feel the mortifying reverse of being excluded, almost entirely, from the Indian trade, of which their capital had been formerly the chief seat, were so debilitated and humbled by the league of Cambray, that they were no longer capable of engaging in any undertaking of magnitude. England, weakened (as was formerly observed) by the long contest between the houses of York and Lancaster, and just beginning to recover its proper vigour, was restrained from active exertion, during one part of the sixteenth century, by the cautious maxims of Henry VII.; and wasted its strength, during another part of it, by engaging inconsiderately in the wars between the princes on the continent. The nation, though destined to acquire territories in India more extensive and valuable than were ever possessed by any European power, had no such presentiment of its future eminence there, as to take an early part in the commerce or transactions of that country, and a great part of the century elapsed before it began to turn its attention towards the East.

A. D. 1521.

While the most considerable nations in Europe found it necessary, from the circumstances which I have mentioned, to remain inactive spectators of what passed in the East, the Seven United Provinces of the Low Countries, recently formed into a small state, still struggling for political existence, and yet in the infancy of its power, ventured to appear in the Indian ocean as the rivals of the Portuguese; and, despising their pretensions to an exclusive right of commerce with the extensive countries to the eastward of the Cape of Good Hope, invaded that monopoly which they had hitherto guarded with such jealous attention. The English soon followed the example of the Dutch, and both nations, at first by the enterprising industry of private adventurers, and afterwards by the more powerful efforts of trading companies, under the protection of public authority, advanced with astonishing ardour and success in this new career opened to them. The vast fabric of power which the Portuguese had erected in the East (a superstructure much too large for the basis on which it had to rest) was almost entirely overturned, in as short time, and with as much facility, as it had been raised. England and Holland, by driving them from their most valuable settlements, and seizing the most lucrative branches of their trade, have attained to that pre-eminence in naval power and commercial opulence, by which they are distinguished among the nations of Europe.

VI. The coincidence, in point of time, of the

[g] See Note LVII.

discoveries made by Columbus in the west, and those of Gama in the east, is a singular circumstance, which merits observation, on account of the remarkable influence of those events in forming or strengthening the commercial connexion of the different quarters of the globe with each other. In all ages, gold and silver, particularly the latter, have been the commodities exported with the greatest profit to India. In no part of the earth do the natives depend so little upon foreign countries, either for the necessaries or luxuries of life. The blessings of a favourable climate and fertile soil, augmented by their own ingenuity, afford them whatever they desire. In consequence of this, trade with them has always been carried on in one uniform manner, and the precious metals have been given in exchange for their peculiar productions, whether of nature or art. But when the communication with India was rendered so much more easy, that the demand for its commodities began to increase far beyond what had been formerly known, if Europe had not been supplied with the gold and silver which it was necessary to carry to the markets of the East from sources richer and more abundant than her own barren and impoverished mines, she must either have abandoned the trade with India altogether, or have continued it with manifest disadvantage. By such a continual drain of gold and silver, as well as by the unavoidable waste of both in circulation and in manufactures, the quantity of those metals must have gone on diminishing, and their value would have been so much enhanced, that they could not have continued long to be of the same utility in the commercial transactions between the two countries. But before the effects of this diminution could be very sensibly felt, America opened her mines, and poured in treasures upon Europe in the most copious stream to which mankind ever had access. This treasure, in spite of innumerable anxious precautions to prevent it, flowed to the markets where the commodities necessary for supplying the wants or gratifying the luxury of the Spaniards, were to be found; and from that time to the present, the English and Dutch have purchased the productions of China and Indostan, with silver brought from the mines of Mexico and Peru. The immense exportation of silver to the East, during the course of two centuries, has not only been replaced by the continual influx from America, but the quantity of it has been considerably augmented, and at the same time the proportional rate of its value in Europe and in India has varied so little, that it is chiefly with silver that many of the capital articles imported from the East are still purchased.

While America contributed in this manner to facilitate and extend the intercourse of Europe with Asia, it gave rise to a traffic with Africa, which, from slender beginnings, has become so considerable, as to form the chief bond of commercial connexion with that continent. Soon after the Portuguese had extended their discoveries on the coast of Africa beyond the river Senegal, they endeavoured to derive some benefit from their new settlements there, by the sale of slaves. Various circumstances combined in favouring the revival of this odious traffic. In every part of America, of which the Spaniards took possession, they found that the natives, from the feebleness of their frame, from their indolence, or from the injudicious manner of treating them, were incapable of the exertions requisite either for working mines, or for cultivating the earth. Eager to find hands more industrious and efficient, the Spaniards had recourse to their neighbours the Portuguese, and purchased from them negro slaves. Experience soon discovered that they were men of a more hardy race, and so much better fitted for enduring fatigue, that the labour of one negro was computed to be equal to that of four Americans;[h] and from that time the number employed in the New World has gone on increasing with rapid progress. In this practice, no less repugnant to the feelings of humanity than to the principles of religion, the Spaniards have unhappily been imitated by all the nations of Europe who have acquired territories in the warmer climates of the New World. At present the number of negro slaves in the settlements of Great Britain and France in the West Indies, exceeds a million; and as the establishment of servitude has been found, both in ancient and in modern times, extremely unfavourable to population, it requires an annual importation from Africa of at least fifty-eight thousand to keep up the stock.[i] If it were possible to ascertain, with equal exactness, the number of slaves in the Spanish dominions, and in North America, the total number of negro slaves might be well reckoned at as many more.

Thus the commercial genius of Europe, which has given it a visible ascendant over the three other divisions of the earth, by discerning their respective wants and resources, and by rendering them reciprocally subservient to one another, has established an union among them, from which it has derived an immense increase of opulence, of power, and of enjoyments.

VII. Though the discovery of a New World in the west, and the opening of a more easy and direct communication with the remote regions of the east, co-operated towards extending the commerce and adding to the enjoyments of Europe, a remarkable difference may be observed, with respect both to the time and the manner in which they produced these effects. When the Portuguese first visited the different countries of Asia, stretching from the coast of Malabar to China, they found them possessed by nations highly civilized, which had made considerable progress in elegant as well as useful arts, which were accustomed to intercourse with strangers, and well acquainted with all the ad-

h Hist. of America, p. 794.

i Report of Lords of the Privy-Council, A. D. 1788.

vantages of commerce. But when the Spaniards began to explore the New World, which they discovered, the aspect which it presented to them was very different. The islands were inhabited by naked savages, so unacquainted with the simplest and most necessary arts of life, that they subsisted chiefly on the spontaneous productions of a fertile soil and genial climate. The continent appeared to be a forest of immense extent, along the coast of which were scattered some feeble tribes, not greatly superior to the islanders in industry or improvement. Even its two large monarchies, which have been dignified with the appellation of civilized states, had not advanced so far beyond their countrymen, as to be entitled to that name. The inhabitants both of Mexico and Peru, unacquainted with the useful metals, and destitute of the address requisite for acquiring such command of the inferior animals as to derive any considerable aid from their labour, had made so little progress in agriculture, the first of all arts, that one of the greatest difficulties with which the small number of Spaniards who overturned those highly extolled empires had to struggle, was how to procure in them what was sufficient for their subsistence.

It was, of consequence, with a very different spirit that the intercourse with two countries, resembling each other so little in their degree of improvement, was begun and carried on. The Portuguese, certain of finding in the East, not only the productions with which the bountiful hand of nature has enriched that part of the globe, but various manufactures which had long been known and admired in Europe, engaged in this alluring trade with the greatest eagerness. The encouragement of it their monarchs considered as a chief object of government, towards which they directed all the power of the kingdom, and roused their subjects to such vigorous exertions in the prosecution of it, as occasioned that astonishing rapidity of progress which I have described. The sanguine hopes with which the Spaniards entered upon their career of discovery, met not with the same speedy gratification. From the industry of the rude inhabitants of the New World, they did not receive a single article of commerce. Even the natural productions of the soil and climate, when not cherished and multiplied by the fostering and active hand of man, were of little account. Hope, rather than success, incited them to persist in extending their researches and conquests; and as government derived little immediate benefit from these, it left the prosecution of them chiefly to private adventurers, by whose enterprising activity, more than by any effort of the state, the most valuable possessions of Spain in America were acquired. Instead of the instantaneous and great advantages which the Portuguese derived from their discoveries, above half a century elapsed before the Spaniards reaped any benefit of consequence from their conquests, except the small quantities of gold which the islanders were compelled to collect, and the plunder of the gold and silver employed by the Mexicans and Peruvians, as ornaments of their persons and temples, or as utensils of sacred or domestic use. It was not until the discovery of the mines of Potosi in Peru, in the year one thousand five hundred and forty-five, and of those of Sacotecas in Mexico, soon after, that the Spanish territories in the New World brought a permanent and valuable addition of wealth and revenue to the mother country.

Nor did the trade with India differ more from that with America, in respect of the particular circumstances which I have explained, than in respect to the manner of carrying it on, after it grew to be a considerable object of political attention. Trade with the East was a simple mercantile transaction, confined to the purchase either of the natural productions of the country, such as spices, precious stones, pearls, &c. or of the manufactures which abounded among an industrious race of men, such as silk and cotton stuffs, porcelain, &c. Nothing more was requisite in conducting this trade, than to settle a few skilful agents in proper places, to prepare a proper assortment of goods for completing the cargoes of ships as soon as they arrived from Europe, or at the utmost to acquire the command of a few fortified stations, which might secure them admission into ports where they might careen in safety, and find protection from the insults of any hostile power. There was no necessity of making any attempt to establish colonies, either for the cultivation of the soil, or the conduct of manufactures. Both these remained, as formerly, in the hands of the natives.

But as soon as that wild spirit of enterprise, which animated the Spaniards who first explored and subdued the New World, began to subside, and when, instead of roving as adventurers from province to province in quest of gold and silver, they seriously turned their thoughts towards rendering their conquests beneficial by cultivation and industry, they found it necessary to establish colonies in every country which they wished to improve. Other nations imitated their example in the settlements which they afterwards made in some of the islands, and on the continent of North America. Europe, after having desolated the New World, began to repeople it, and under a system of colonization (the spirit and regulations of which it is not the object of this Disquisition to explain) the European race has multiplied there amazingly. Every article of commerce imported from the New World, if we except the furs and skins purchased from the independent tribes of hunters in North America, and from a few tribes in a similar state on the southern continent, is the produce of the industry of Europeans settled there. To their exertions, or to those of hands which they have taught or compelled to labour, we are indebted for sugar, rum, cotton, tobacco, indigo, rice, and even the gold and silver extracted from the bowels of the earth. Intent on those lucrative branches of industry, the inhabitants

of the New World pay little attention to those kinds of labour which occupy a considerable part of the members of other societies, and depend, in some measure, for their subsistence, and entirely for every article of elegance and luxury, upon the ancient continent. Thus the Europeans have become manufacturers for America, and their industry has been greatly augmented by the vast demands for supplying the wants of extensive countries, the population of which is continually increasing. Nor is the influence of this demand confined solely to the nations which have a more immediate connexion with the American colonies; it is felt in every part of Europe that furnishes any article exported to them, and gives activity and vigour to the hand of the artisan in the inland provinces of Germany, as well as to those in Great Britain and other countries, which carry on a direct trade with the New World.

But while the discovery and conquest of America is allowed to be one principal cause of that rapid increase of industry and wealth, which is conspicuous in Europe during the two last centuries, some timid theorists have maintained, that throughout the same period Europe has been gradually impoverished, by being drained of its treasure in order to carry on its trade with India. But this apprehension has arisen from inattention to the nature and use of the precious metals. They are to be considered in two different lights; either as the signs which all civilized nations have agreed to employ, in order to estimate or represent the value both of labour and of all commodities, and thus to facilitate the purchase of the former and the conveyance of the latter from one proprietor to another; or gold and silver may be viewed as being themselves commodities, or articles of commerce, for which some equivalent must be given by such as wish to acquire them. In this light the exportation of the precious metals to the East should be regarded; for, as the nation by which they are exported must purchase them with the produce of its own labour and ingenuity, this trade must contribute, though not in the same obvious and direct manner as that with America, towards augmenting the general industry and opulence of Europe. If England, as the price of Mexican and Peruvian dollars which are necessary for carrying on its trade with India, must give a certain quantity of its woollen or cotton cloth, or hard-ware, then the hands of an additional number of manufacturers are rendered active, and work to a certain amount must be executed, for which, without this trade, there would not have been any demand. The nation reaps all the benefit arising from a new creation of industry. With the gold and silver which her manufacturers have purchased in the West, she is enabled to trade in the markets of the East, and the exportation of treasure to India, which has been so much dreaded, instead of impoverishing, enriches the kingdom.

k M. L'Abbé Raynal.

VIII. It is to the discovery of the passage to India by the Cape of Good Hope, and to the vigour and success with which the Portuguese prosecuted their conquests and established their dominion there, that Europe has been indebted for its preservation from the most illiberal and humiliating servitude that ever oppressed polished nations. For this observation I am indebted to an author, whose ingenuity has illustrated, and whose eloquence has adorned, the History of the Settlements and Commerce of Modern Nations in the East and West Indies;[k] and it appears to me so well founded as to merit more ample investigation. A few years after the first appearance of the Portuguese in India, the dominion of the Mamelukes was overturned by the irresistible power of the Turkish arms, and Egypt and Syria were annexed as provinces to the Ottoman empire. If after this event the commercial intercourse with India had continued to be carried on in its ancient channels, the Turkish sultans, by being masters of Egypt and Syria, must have possessed the absolute command of it, whether the productions of the East were conveyed by the Red sea to Alexandria, or were transported by land-carriage from the Persian gulf to Constantinople and the ports of the Mediterranean. The monarchs who were then at the head of this great empire, were neither destitute of abilities to perceive the preeminence to which this would have elevated them, nor of ambition to aspire to it. Selim, the conqueror of the Mamelukes, by confirming the ancient privileges of the Venetians in Egypt and Syria, and by his regulations concerning the duties on Indian goods, which I have already mentioned, early discovered his solicitude to secure all the advantages of commerce with the East to his own dominions. The attention of Solyman the Magnificent, his successor, seems to have been equally directed towards the same object. More enlightened than any monarch of the Ottoman race, he attended to all the transactions of the European states, and had observed the power as well as opulence to which the republic of Venice had attained by engrossing the commerce with the East. He now beheld Portugal rising towards the same elevation by the same means. Eager to imitate and to supplant them, he formed a scheme suitable to his character for political wisdom, and the appellation of *Institutor of Rules*, by which the Turkish historians have distinguished him, and established, early in his reign, a system of commercial laws in his dominions, by which he hoped to render Constantinople the great staple of Indian trade, as it had been in the prosperous ages of the Greek empire.[l] For accomplishing this scheme, however, he did not rely on the operation of laws alone; he fitted out about the same time a formidable fleet in the Red sea, under the conduct of a confidential officer, with such a body of janizaries on board of it, as he deemed sufficient not only to drive the Portu-

A. D. 1538.

l Paruta Hist. Venet. l. vii. p. 589. Sandi Stor. Civil. Venez. p. ii. p. 901.

guese out of all their new settlements in India, but to take possession of some commodious station in that country, and to erect his standard there. The Portuguese, by efforts of valour and constancy entitled to the splendid success with which they were crowned, repulsed this powerful armament in every enterprise it undertook, and compelled the shattered remains of the Turkish fleet and army to return with ignominy to the harbours from which they had taken their departure with the most sanguine hopes of terminating the expedition in a very different manner.[m] Solyman, though he never relinquished the design of expelling the Portuguese from India, and of acquiring some establishment there, was so occupied, during the remainder of his reign, by the multiplicity of arduous operations in which an insatiable ambition involved him, that he never had leisure to resume the prosecution of it with vigour.

If either the measures of Selim had produced the effect which he expected, or if the more adventurous and extensive plan of Solyman had been carried into execution, the command of the wealth of India, together with such a marine as the monopoly of trade with that country has, in every age, enabled the power which possessed it to create and maintain, must have brought an accession of force to an empire already formidable to mankind, that would have rendered it altogether irresistible. Europe, at that period, was not in a condition to have defended itself against the combined exertions of such naval and military power, supported by commercial wealth, and under the direction of a monarch whose comprehensive genius was able to derive from each its peculiar advantages, and to employ all with the greatest effect. Happily for the human race, the despotic system of Turkish government, founded on such illiberal fanaticism as has extinguished science in Egypt, in Assyria, and in Greece, its three favourite mansions in ancient times, was prevented from extending its dominion over Europe, and from suppressing liberty, learning, and taste, when beginning to make successful efforts to revive there, and again to bless, to enlighten, and to polish mankind.

m Asia de Barros, dec. iv. lib. x. c. 1, &c.

APPENDIX.

I SHALL now endeavour to fulfil an engagement which I came under,[a] to make some observations upon the genius, the manners, and institutions of the people of India, as far as they can be traced from the earliest ages to which our knowledge of them extends. Were I to enter upon this wide field with an intention of surveying its whole extent; were I to view each object which it presents to a philosophical inquirer, under all its different aspects, it would lead me into researches and speculations, not only of immense length, but altogether foreign from the subject of this Disquisition. My inquiries and reflections shall therefore be confined to what is intimately connected with the design of this work. I shall collect the facts which the ancients have transmitted to us concerning the institutions peculiar to the natives of India, and by comparing them with what we now know of that country, endeavour to deduce such conclusions as tend to point out the circumstances which have induced the rest of mankind, in every age, to carry on commercial intercourse to so great an extent with that country.

Of this intercourse there are conspicuous proofs in the earliest periods concerning which history affords information. Not only the people contiguous to India, but remote nations, seem to have been acquainted, from time immemorial, with its commodities, and to have valued them so highly, that in order to procure them they undertook fatiguing, expensive, and dangerous journeys. Whenever men give a decided preference to the commodities of any particular country, this must be owing either to its possessing some valuable natural productions peculiar to its soil and climate, or to some superior progress which its inhabitants have made in industry, art, and elegance. It is not to any peculiar excellence in the natural productions of India that we must ascribe entirely the predilection of ancient nations for its commodities; for, pepper excepted, an article, it must be allowed, of great importance, they are little different from those of other tropical countries; and Ethiopia or Arabia might have fully supplied the Phenicians, and other trading people of antiquity, with the spices, the perfumes, the precious stones, the gold and silver, which formed the principal articles of their commerce.

Whoever, then, wishes to trace the commerce with India to its source, must search for it, not so much in any peculiarity of the natural productions of that country, as in the superior improvement of its inhabitants. Many facts have been transmitted to us, which, if they are examined with proper attention, clearly demonstrate, that the natives of India were not only more early civilized, but had made greater progress in civilization, than any other people. These I shall endeavour to enumerate, and to place them in such a point of view as may serve both to throw light upon the institutions, manners, and arts of the Indians, and to account for the eagerness of all nations to obtain the productions of their ingenious industry.

By the ancient heathen writers, the Indians were reckoned among those races of men which they denominated *Autochthones* or *Aborigines*, whom they considered as natives of the soil, whose origin could not be traced.[b] By the inspired writers, the wisdom of the East (an expression which is to be understood as a description of their extraordinary progress in science and arts) was early celebrated.[c] In order to illustrate and confirm these explicit testimonies concerning the ancient and high civilization of the inhabitants of India, I shall take a view of their rank and condition as individuals; of their civil policy; of their laws and judicial proceedings; of their useful and elegant arts; of their sciences; and of their religious institutions; as far as information can be gathered from the accounts of the Greek and Roman writers, compared with what still remains of their ancient acquirements and institutions.

I. From the most ancient accounts of India we learn, that the distinction of ranks and separation of professions were completely established there. This is one of the most undoubted proofs of a society considerably advanced in its progress. Arts in the early stages of social life are so few and so simple, that each man is sufficiently master of them all, to gratify every demand of his own limited desires. A savage can form his bow, point his arrows, rear his hut, and hollow his canoe, without calling in the aid of any hand more skilful than his own.[d] But when time has augmented the wants of men, the productions of art become so complicated in their

a See page 1090.

b Diod. Sic. lib. ii. p. 151.

c 1 Kings iv. 31.

d Hist. of Amer. p. 934.

structure, or so curious in their fabric, that a particular course of education is requisite towards forming the artist to ingenuity in contrivance and expertness in execution. In proportion as refinement spreads, the distinction of professions increases, and they branch out into more numerous and minute subdivisions. Prior to the records of authentic history, and even before the most remote æra to which their own traditions pretend to reach, this separation of professions had not only taken place among the natives of India, but the perpetuity of it was secured by an institution, which must be considered as the fundamental article in the system of their policy. The whole body of the people was divided into four orders or casts. The members of the first, deemed the most sacred, had it for their province to study the principles of religion; to perform its functions; and to cultivate the sciences. They were the priests, the instructors, and philosophers of the nation. The members of the second order were intrusted with the government and defence of the state. In peace, they were its rulers and magistrates; in war, they were the generals who commanded its armies, and the soldiers who fought its battles. The third was composed of husbandmen and merchants; and the fourth of artisans, labourers, and servants. None of these can ever quit his own cast, or be admitted into another.[e] The station of every individual is unalterably fixed; his destiny is irrevocable; and the walk of life is marked out, from which he must never deviate. This line of separation is not only established by civil authority, but confirmed and sanctioned by religion, and each order or cast is said to have proceeded from the divinity in such a different manner, that to mingle and confound them would be deemed an act of most daring impiety.[f] Nor is it between the four different tribes alone that such insuperable barriers are fixed; the members of each cast adhere invariably to the professions of their forefathers. From generation to generation, the same families have followed, and will always continue to follow, one uniform line of life.

Such arbitrary arrangements of the various members which compose a community, seem, at first view, to be adverse to improvement either in science or in arts; and by forming around the different orders of men artificial barriers, which it would be impious to pass, tend to circumscribe the operations of the human mind within a narrower sphere than nature has allotted to them. When every man is at full liberty to direct his efforts toward those objects and that end which the impulse of his own mind prompts him to prefer, he may be expected to attain that high degree of eminence to which the uncontrolled exertions of genius and industry naturally conduct. The regulations of Indian policy, with respect to the different orders of men, must necessarily, at some times, check genius in its career, and confine to the functions of an inferior cast talents fitted to shine in a higher sphere. But the arrangements of civil government are made, not for what is extraordinary, but for what is common; not for the few, but for the many. The object of the first Indian legislators was to employ the most effectual means of providing for the subsistence, the security, and happiness of all the members of the community over which they presided. With this view they set apart certain races of men for each of the various professions and arts necessary in a well ordered society, and appointed the exercise of them to be transmitted from father to son in succession. This system, though extremely repugnant to the ideas which we, by being placed in a very different state of society, have formed, will be found, upon attentive inspection, better adapted to attain the end in view, than a careless observer, at first sight, is apt to imagine. The human mind bends to the law of necessity, and is accustomed not only to accommodate itself to the restraints which the condition of its nature, or the institutions of its country, impose, but to acquiesce in them. From his entrance into life, an Indian knows the station allotted to him, and the functions to which he is destined by his birth. The objects which relate to these are the first that present themselves to his view. They occupy his thoughts, or employ his hands; and, from his earliest years, he is trained to the habit of doing with ease and pleasure that which he must continue through life to do. To this may be ascribed that high degree of perfection conspicuous in many of the Indian manufactures; and though veneration for the practices of their ancestors may check the spirit of invention, yet, by adhering to these, they acquire such an expertness and delicacy of hand, that Europeans, with all the advantages of superior science, and the aid of more complete instruments, have never been able to equal the exquisite execution of their workmanship. While this high improvement of their more curious manufactures excited the admiration and attracted the commerce of other nations, the separation of professions in India, and the early distribution of the people into classes, attached to particular kinds of labour, secured such abundance of the more common and useful commodities, as not only supplied their own wants, but ministered to those of the countries around them.

To this early division of the people into casts, we must likewise ascribe a striking peculiarity in the state of India; the permanence of its institutions, and the immutability in the manners of its inhabitants. What now is in India always was there, and is likely still to continue: neither the ferocious violence and illiberal fanaticism of its Mahomedan conquerors, nor the power of its European masters, have effected any considerable alteration.[g] The same distinctions of condition take place, the same

e Ayeen Akbery, iii. 81, &c. Sketches relating to the History, &c. of the Hindoos, p. 107, &c.

f See Note LVIII.

g See Note LIX.

arrangements in civil and domestic society remain, the same maxims of religion are held in veneration, and the same sciences and arts are cultivated. Hence, in all ages, the trade with India has been the same; gold and silver have uniformly been carried thither in order to purchase the same commodities with which it now supplies all nations; and from the age of Pliny to the present times, it has been always considered and execrated as a gulf which swallows up the wealth of every other country, that flows incessantly towards it, and from which it never returns.[h] According to the accounts which I have given of the cargoes anciently imported from India, they appear to have consisted of nearly the same articles with those of the investments in our own times; and whatever difference we may observe in them seems to have arisen, not so much from any diversity in the nature of the commodities which the Indians prepared for sale, as from a variety in the tastes or in the wants of the nations which demanded them.

II. Another proof of the early and high civilization of the people of India, may be deduced from considering their political constitution and form of government. The Indians trace back the history of their own country through an immense succession of ages, and assert, that all Asia, from the mouth of the Indus on the west, to the confines of China on the east, and from the mountains of Thibet on the north, to Cape Comorin on the south, formed a vast empire, subject to one mighty sovereign, under whom ruled several hereditary princes and rajahs. But their chronology, which measures the life of man in ancient times by thousands of years, and computes the length of the several periods, during which it supposes the world to have existed, by millions, is so wildly extravagant as not to merit any serious discussion. We must rest satisfied, then, until some more certain information is obtained with respect to the ancient history of India, with taking the first accounts of that country, which can be deemed authentic, from the Greeks who served under Alexander the Great. They found kingdoms of considerable magnitude established in that country. The territories of Porus and of Taxiles comprehended a great part of the Panjab, one of the most fertile and best cultivated countries in India. The kingdom of the Prasij, or Gandaridæ, stretched to a great extent on both sides of the Ganges. All the three, as appears from the ancient Greek writers, were powerful and populous.

This description of the partition of India into states of such magnitude, is alone a convincing proof of its having advanced far in civilization. In whatever region of the earth there has been an opportunity of observing the progress of men in social life, they appear at first in small independent tribes or communities. Their common wants prompt them to unite; and their mutual jealousies, as well as the necessity of securing subsistence, compel them to drive to a distance every rival who might encroach on those domains which they consider as their own. Many ages elapse before they coalesce, or acquire sufficient foresight to provide for the wants, or sufficient wisdom to conduct the affairs, of a numerous society, even under the genial climate and in the rich soil of India, more favourable perhaps to the union and increase of the human species than any other part of the globe; the formation of such extensive states as were established in that country when first visited by Europeans, must have been a work of long time; and the members of them must have been long accustomed to exertions of useful industry.

Though monarchical government was established in all the countries of India to which the knowledge of the ancients extended, the sovereigns were far from possessing uncontrolled or despotic power. No trace, indeed, is discovered there, of any assembly, or public body, the members of which, either in their own right or as representatives of their fellow-citizens, could interpose in enacting laws, or in superintending the execution of them. Institutions destined to assert and guard the rights belonging to men in social state, how familiar soever the idea may be to the people of Europe, never formed a part of the political constitution in any great Asiatic kingdom. It was to different principles that the natives of India were indebted for restrictions which limited the exercise of regal power. The rank of individuals was unalterably fixed, and the privileges of the different casts were deemed inviolable. The monarchs of India, who were all taken from the second of the four classes formerly described, which is intrusted with the functions of government and exercise of war, behold among their subjects an order of men far superior to themselves in dignity, and so conscious of their own pre-eminence, both in rank and in sanctity, that they would deem it degradation and pollution if they were to eat of the same food with their sovereign.[i] Their persons are sacred, and even for the most heinous crimes they cannot be capitally punished; their blood must never be shed.[k] To men in this exalted station monarchs must look up with respect, and reverence them as the ministers of religion and the teachers of wisdom. On important occasions, it is the duty of sovereigns to consult them, and to be directed by their advice. Their admonitions, and even their censures, must be received with submissive respect. This right of the Brahmins to offer their opinion with respect to the administration of public affairs was not unknown to the ancients;[l] and in some accounts preserved in India of the events which happened in their own country, princes are mentioned, who, having violated the privileges of the casts, and disregarded

h See Note LX.
i Orme's Dissert. vol. i p. 4. Sketches, &c. p. 113.

k Code of Gentoo Laws, c. xxi. § 10. p. 275, 283, &c.
l Strabo, lib. xv. p. 1029. C.

the remonstrances of the Brahmins, were deposed by their authority, and put to death.[m]

While the sacred rights of the Brahmins opposed a barrier against the encroachments of regal power on the one hand, it was circumscribed on the other by the ideas which those who occupied the highest stations in society entertained of their own dignity and privileges. As none but the members of the cast next in rank to that which religion has rendered sacred, could be employed in any function of the state, the sovereigns of the extensive kingdoms anciently established in India, found it necessary to intrust them with the superintendence of the cities and provinces too remote to be under their own immediate inspection. In these stations they often acquired such wealth and influence that offices conferred during pleasure, continued hereditarily in their families, and they came gradually to form an intermediate order between the sovereign and his subjects; and, by the vigilant jealousy with which they maintained their own dignity and privileges, they constrained their rulers to respect them, and to govern with moderation and equity.

Nor were the benefits of these restraints upon the power of the sovereign confined wholly to the two superior orders in the state; they extended, in some degree, to the third class, employed in agriculture. The labours of that numerous and useful body of men are so essential to the preservation and happiness of society, that the greatest attention was paid to render their condition secure and comfortable. According to the ideas which prevailed among the natives of India, (as we are informed by the first Europeans who visited their country,) the sovereign is considered as the sole universal proprietor of all the land in his dominions, and from him is derived every species of tenure by which his subjects can hold it. These lands were let out to the farmers who cultivated them at a stipulated rent, amounting usually to a fourth part of their annual produce paid in kind.[n] In a country where the price of work is extremely low, and where the labour of cultivation is very inconsiderable, the earth yielding its productions almost spontaneously, where subsistence is amazingly cheap, where few clothes are needed, and houses are built and furnished at little expense, this rate cannot be deemed exorbitant or oppressive. As long as the husbandman continued to pay the established rent, he retained possession of the farm, which descended, like property, from father to son.

These accounts, given by ancient authors, of the condition and tenure of the renters of land in India, agree so perfectly with what now takes place, that it may be considered almost as a description of the present state of its cultivation. In every part of India where the native Hindoo princes retain dominion, the *Ryots*, the modern name by which the renters of land are distinguished, hold their possessions by a lease, which may be considered as perpetual, and at a rate fixed by ancient surveys and valuations. This arrangement has been so long established, and accords so well with the ideas of the natives, concerning the distinctions of casts, and the functions allotted to each, that it has been inviolably maintained in all the provinces subject either to Mahomedans or Europeans; and, to both, it serves as the basis on which their whole system of finance is founded.[o] In a more remote period, before the original institutions of India were subverted by foreign invaders, the industry of the husbandmen, on which every member of the community depended for subsistence, was as secure as the tenure by which he held his lands was equitable. Even war did not interrupt his labours or endanger his property. It was not uncommon, we are informed, that while two hostile armies were fighting a battle in one field, the peasants were ploughing or reaping in the next field in perfect tranquillity.[p] These maxims and regulations of the ancient legislators of India have a near resemblance to the system of those ingenious speculators on political economy in modern times, who represent the produce of land as the sole source of wealth in every country; and who consider the discovery of this principle, according to which they contend that the government of nations should be conducted, as one of the greatest efforts of human wisdom. Under a form of government which paid such attention to all the different orders of which the society is composed, particularly the cultivators of the earth, it is not wonderful that the ancients should describe the Indians as a most happy race of men; and that the most intelligent modern observers should celebrate the equity, the humanity, and mildness of Indian policy. A Hindoo rajah, as I have been informed by persons well acquainted with the state of India, resembles more a father presiding in a numerous family of his own children, than a sovereign ruling over inferiors, subject to his dominion. He endeavours to secure their happiness with vigilant solicitude; they are attached to him with the most tender affection and inviolable fidelity. We can hardly conceive men to be placed in any state more favourable to their acquiring all the advantages derived from social union. It is only when the mind is perfectly at ease, and neither feels nor dreads oppression, that it employs its active powers in forming numerous arrangements of police, for securing its enjoyments and increasing them. Many arrangements of this nature, the Greeks, though accustomed to their own institutions, the most perfect at that time in Europe, observed, and admired among the Indians, and mention them as instances of high civilization and improvement. There were established among the Indians three distinct classes of officers, one of which had it in charge to inspect agriculture and every kind of country work. They

m Account of the Qualities requisite in a Magistrate, prefixed by the Pundits to the Code of Gentoo Laws, p. cii. and cxvi.

n Strabo, lib. xv. p. 1030. A. Diod. Sic. lib. ii. p. 53.

o See Note LXI.

p Strabo, lib. xv. p. 1030. A.

measured the portions of land allotted to each renter. They had the custody of the *Tanks*, or public reservoirs of water, without a regular distribution of which, the fields in a torrid climate cannot be rendered fertile. They marked out the course of the highways, along which, at certain distances, they erected stones, to measure the road and direct travellers.[q] To officers of a second class was committed the inspection of the police in cities: their functions, of course, were many and various; some of which only I shall specify. They appropriated houses for the reception of strangers; they protected them from injury, provided for their subsistence, and when seized with any disease, they appointed physicians to attend them; and, on the event of their death, they not only buried them with decency, but took charge of their effects, and restored them to their relations. They kept exact registers of births and of deaths. They visited the public markets, and examined weights and measures. The third class of officers superintended the military department; but, as the objects to which their attention was directed are foreign from the subject of my inquiries, it is unnecessary to enter into any detail with respect to them.[r]

As manners and customs in India descend almost without variation from age to age, many of the peculiar institutions which I have enumerated still subsist there. There is still the same attention to the construction and preservation of tanks, and the distribution of their waters. The direction of roads, and placing stones along them, is still an object of police. *Choultries*, or houses built for the accommodation of travellers, are frequent in every part of the country, and are useful as well as noble monuments of Indian munificence and humanity. It is only among men in the most improved state of society, and under the best forms of government, that we discover institutions similar to those which I have described; and many nations have advanced far in their progress, without establishing arrangements of police equally perfect.

III. In estimating the progress which any nation has made in civilization, the object that merits the greatest degree of attention, next to its political constitution, is the spirit of the laws and nature of the forms by which its judicial proceedings are regulated. In the early and rude ages of society, the few disputes with respect to property which arise, are terminated by the interposition of the old men, or by the authority of the chiefs in every small tribe or community; their decisions are dictated by their own discretion, or founded on plain and obvious maxims of equity. But as the controversies multiply, cases similar to such as have been formerly determined must recur, and the awards upon these grow gradually into precedents, which serve to regulate future judgments. Thus, long before the nature of property is defined by positive statutes, or any rules prescribed concerning the mode of acquiring or conveying it, there is gradually formed, in every state, a body of customary or common law, by which judicial proceedings are directed, and every decision conformable to it is submitted to with reverence, as the result of the accumulated wisdom and experience of ages.

In this state the administration of justice seems to have been in India when first visited by Europeans. Though the Indians, according to their account, had no written laws, but determined every controverted point by recollecting what had been formerly decided,[s] they assert that justice was dispensed among them with great accuracy, and that crimes were most severely punished.[t] But in this general observation is contained all the intelligence which the ancients furnish concerning the nature and forms of judicial proceedings in India. From the time of Megasthenes, no Greek or Roman of any note appears to have resided long enough in the country, or to have been so much acquainted with the customs of the natives, as to be capable of entering into any detail with respect to a point of so great importance in their policy. Fortunately, the defects of their information have been amply supplied by the more accurate and extensive researches of the moderns. During the course of almost three centuries, the number of persons who have resorted from Europe to India has been great. Many of them, who have remained long in the country, and were persons of liberal education and enlarged minds, have lived in such familiar intercourse with the natives, and acquired so competent a knowledge of their languages, as enabled them to observe their institutions with attention, and to describe them with fidelity. Respectable as their authority may be, I shall not, in what I offer for illustrating the judicial proceedings of the Hindoos, rest upon it alone, but shall derive my information from sources higher and more pure.

Towards the middle of the sixteenth century, Akber, the sixth in descent from Tamerlane, mounted the throne of Indostan. He is one of the few sovereigns entitled to the appellation both of Great and Good, and the only one of Mahomedan race whose mind appears to have risen so far above all the illiberal prejudices of that fanatical religion in which he was educated, as to be capable of forming a plan worthy of a monarch who loved his people, and was solicitous to render them happy. As, in every province of his extensive dominions, the Hindoos formed the great body of his subjects, he laboured to acquire a perfect knowledge of their religion, their sciences, their laws, and institutions; in order that he might conduct every part of his government, particularly the administration of justice, in a manner as much accommodated as possible to their own ideas.[u] In this generous undertaking he was seconded with zeal by his vizier Abul Fazel, a minister whose understanding was not less en-

q See Note LXII.
r Strabo, lib. xv. p. 1034. A. &c. Diod. Sicul. lib. ii. p. 154.
s Strabo, lib. xv. 1035. D.
t Diod. Sicul. lib. ii. p. 154.
u See Note LXIII.

lightened than that of his master. By their assiduous researches, and consultation of learned men,[x] such information was obtained as enabled Abul Fazel to publish a brief compendium of Hindoo jurisprudence in the Ayeen Akbery,[y] which may be considered as the first genuine communication of its principles to persons of a different religion. About two centuries afterwards, the illustrious example of Akber was imitated and surpassed by Mr. Hastings, the governor-general of the British settlements in India. By his authority, and under his inspection, the most eminent Pundits, or Brahmins learned in the laws of the provinces over which he presided, were assembled at Calcutta; and, in the course of two years, compiled, from their most ancient and approved authors, sentence by sentence, without addition or diminution, a full code of Hindoo laws;[z] which is, undoubtedly, the most valuable and authentic elucidation of Indian policy and manners that has been hitherto communicated to Europe.

A. D. 1773.

According to the Pundits, some of the writers upon whose authority they found the decrees which they have inserted in the code, lived several millions of years before their time;[a] and they boast of having a succession of expounders of their laws from that period to the present. Without entering into any examination of what is so extravagant, we may conclude, that the Hindoos have in their possession treatises concerning the laws and jurisprudence of their country, of more remote antiquity than are to be found in any other nation. The truth of this depends not upon their own testimony alone, but it is put beyond doubt by one circumstance, that all these treatises are written in the Sanskreet language, which has not been spoken for many ages in any part of Indostan, and is now understood by none but the most learned Brahmins. That the Hindoos were a people highly civilized, at the time when their laws were composed, is most clearly established by internal evidence contained in the Code itself. Among nations beginning to emerge from barbarism, the regulations of law are extremely simple, and applicable only to a few obvious cases of daily occurrence. Men must have been long united in a social state, their transactions must have been numerous and complex, and judges must have determined an immense variety of controversies to which these give rise, before the system of law becomes so voluminous and comprehensive as to direct the judicial proceedings of a nation far advanced in improvement. In that early age of the Roman republic when the laws of the Twelve Tables were promulgated, nothing more was required than the laconic injunctions which they contain for regulating the decisions of courts of justice; but, in a later period, the body of civil law, ample as its contents are, was found hardly sufficient for that purpose. To the jejune brevity of the Twelve Tables, the Hindoo Code has no resemblance; but with respect to the number and variety of points it considers, it will bear a comparison with the celebrated Digest of Justinian, or with the systems of jurisprudence in nations most highly civilized. The articles of which the Hindoo Code is composed, are arranged in natural and luminous order. They are numerous and comprehensive, and investigated with that minute attention and discernment which are natural to a people distinguished for acuteness and subtilty of understanding, who have been long accustomed to the accuracy of judicial proceedings, and acquainted with all the refinements of legal practice. The decisions concerning every point (with a few exceptions occasioned by local prejudices and peculiar customs) are founded upon the great and immutable principles of justice, which the human mind acknowledges and respects, in every age, and in all parts of the earth. Whoever examines the whole work, cannot entertain a doubt of its containing the jurisprudence of an enlightened and commercial people. Whoever looks into any particular title, will be surprised with a minuteness of detail and nicety of distinction, which, in many instances, seem to go beyond the attention of European legislation; and it is remarkable, that some of the regulations which indicate the greatest degree of refinement, were established in periods of the most remote antiquity. "In the first of the sacred law tracts, (as is observed by a person to whom oriental literature, in all its branches, has been greatly indebted,) which the Hindoos suppose to have been revealed by Menu, some millions of years ago, there is a curious passage on the legal interest of money, and the limited rate of it in different cases, with an exception in regard to adventures at sea; an exception which the sense of mankind approves, and which commerce absolutely requires, though it was not before the reign of Charles I. that our English jurisprudence fully admitted it in respect of maritime contracts."[b] It is likewise worthy of notice, that though the natives of India have been distinguished in every age for the humanity and mildness of their disposition, yet such is the solicitude of their lawgivers to preserve the order and tranquillity of society, that the punishments which they inflict on criminals are (agreeably to an observation of the ancients already mentioned) extremely rigorous. "Punishment (according to a striking personification in the Hindoo Code) is the magistrate; punishment is the inspirer of terror; punishment is the nourisher of the subjects; punishment is the defender from calamity; punishment is the guardian of those that sleep; punishment, with a black aspect and a red eye, terrifies the guilty."[c]

IV. As the condition of the ancient inhabitants of India, whether we consider them as individuals or as members of society, appears from the pre-

x Ayeen Akbery, A. vol. iii. p. 95.
z Preface to the Code, p. x.
y Ibid. p. 197, &c.
a Ibid. p. xxxviii.

b Sir W. Jones's Third Discourse, Asiat. Research. p. 423.
c Code, ch. xxi. § 8.

ceding investigation to have been extremely favourable to the cultivation of useful and elegant arts; we are naturally led to inquire, whether the progress which they actually made in them was such as might have been expected from a people in that situation. In attempting to trace this progress, we have not the benefit of guidance equal to that which conducted our researches concerning the former articles of inquiry. The ancients, from their slender acquaintance with the interior state of India, have been able to communicate little information with respect to the arts cultivated there; and though the moderns, during their continued intercourse with India for three centuries, have had access to observe them with great attention, it is of late only, that by studying the languages now and formerly spoken in India, and by consulting and translating their most eminent authors, they have begun to enter into that path of inquiry which leads with certainty to a thorough knowledge of the state of arts cultivated in that country.

One of the first arts which human ingenuity aimed at improving, beyond what mere necessity requires, was that of building. In the brief remarks which the subject of my inquiries leads me to make on the progress of this art in India, I shall confine my attention wholly to those of highest antiquity. The most durable monuments of human industry are public buildings. The productions of art, formed for the common purposes of life, waste and perish in using them; but works destined for the benefit of posterity subsist through ages, and it is according to the manner in which these are executed, that we form a judgment with respect to the degree of power, skill, and improvement to which the people by whom they were erected had attained. In every part of India monuments of high antiquity are found. These are of two kinds, such as were consecrated to the offices of religion, or fortresses built for the security of the country. In the former of these, to which Europeans, whatever their structure may be, give the general name of *Pagodas*, we may observe a diversity of style, which both marks the gradual progress of architecture, and throws light on the general state of arts and manners in different periods. The most early pagodas appear to have been nothing more than excavations in mountainous parts of the country, formed probably in imitation of the natural caverns to which the first inhabitants of the earth retired for safety during the night, and where they found shelter from the inclemency of the seasons. The most celebrated, and, as there is reason to believe, the most ancient of all these, is the pagoda in the island Elephanta, at no great distance from Bombay. It has been hewn by the hands of man out of a solid rock, about half way up a high mountain, and formed into a spacious area, nearly 120 feet square. In order to support the roof, and the weight of the mountain that lies above it, a number of massy pillars, and of a form not inelegant, have been cut out of the same rock, at such regular distances, as on the first entrance presents to the eye of the spectator an appearance both of beauty and of strength. Great part of the inside is covered with human figures in high relief, of gigantic size as well as singular forms, and distinguished by a variety of symbols, representing, it is probable, the attributes of the deities whom they worshipped, or the actions of the heroes whom they admired. In the isle of Salsette, still nearer to Bombay, are excavations in a similar style, hardly inferior in magnificence, and destined for the same religious purposes.

These stupendous works are of such high antiquity, that as the natives cannot, either from history or tradition, give any information concerning the time in which they were executed, they universally ascribe the formation of them to the power of superior beings. From the extent and grandeur of these subterraneous mansions, which intelligent travellers compare to the most celebrated monuments of human power and art in any part of the earth, it is manifest that they could not have been formed in that stage of social life where men continue divided into small tribes, unaccustomed to the efforts of persevering industry. It is only in states of considerable extent, and among people long habituated to subordination, and to act with concert, that the idea of such magnificent works is conceived, or the power of accomplishing them can be found.

That some such powerful state was established in India at the time when the excavations in the islands of Elephanta and Salsette were formed, is not the only conclusion to be drawn from a survey of them; and the style in which the sculptures with which they are adorned is executed, indicates a considerable improvement in art at that early period. Sculpture is the imitative art in which man seems to have made the first trial of his own talents. But even in those countries where it has attained to the highest degree of perfection, its progress has been extremely slow. Whoever has attended to the history of this art in Greece, knows how far removed the first rude essay to represent the human form was from any complete delineation of it.[d] But the different groupes of figures which still remain entire in the pagoda of Elephanta, however low they must rank if they be compared with the more elegant works of Grecian or even Etruscan artists, are finished in a style considerably superior to the hard inexpressive manner of the Egyptians, or to the figures in the celebrated palace of Persepolis. In this light they have appeared to persons abundantly qualified to appreciate their merit, and from different drawings, particularly those of Niebuhr, a traveller equally accurate in observing and faithful in describing, we must form a favourable opinion of the state of arts in India at that period.

It is worthy of notice, that although several of the figures in the caverns at Elephanta be so differ-

d Winkelman's Hist. de l'Art. chez les Anciens, tom. i. p. 32, &c.

ent from those now exhibited in the pagodas as objects of veneration, that some learned Europeans have imagined they represent the rites of a religion more ancient than that now established in Indostan, yet by the Hindoos themselves the caverns are considered as hallowed places of their own worship, and they still resort thither to perform their devotions, and honour the figures there, in the same manner with those in their own pagodas. In confirmation of this, I have been informed by an intelligent observer, who visited this subterraneous sanctuary in the year 1782, that he was accompanied by a sagacious Brahmin, a native of Benares, who, though he had never been in it before that time, recognised at once all the figures, was well acquainted with the parentage, education, and life of every deity or human personage there represented, and explained with fluency the meaning of the various symbols by which the images were distinguished. This may be considered as a clear proof that the system of mythology now prevalent in Benares, is not different from that delineated in the caverns of Elephanta. Mr. Hunter, who visited Elephanta in the year 1784, seems to consider the figures there as representing deities who are still objects of worship among the Hindoos.[e] One circumstance serves to confirm the justness of this opinion. Several of the most conspicuous personages in the groupes at Elephanta are decorated with the *Zennar*, the sacred string or cord peculiar to the order of Brahmins, an authentic evidence of the distinction of casts having been established in India at the time when these works were finished.

2. Instead of caverns, the original places of worship, which could be formed only in particular situations, the devotion of the people soon began to raise temples in honour of their deities in other parts of India. The structure of these was at first extremely simple. They were pyramids of large dimension, and had no light within but what came from a small door. After having been long accustomed to perform all the rites of religion in the gloom of caverns, the Indians were naturally led to consider the solemn darkness of such a mansion as sacred. Some pagodas in this first style of building still remain in Indostan. Drawings of two of these at Deogur, and of a third near Tanjore in the Carnatic, all fabrics of great antiquity, have been published by Mr. Hodges,[f] and though they are rude structures, they are of such magnitude as must have required the power of some considerable state to rear them.

3. In proportion to the progress of the different countries of India in opulence and refinement, the structure of their temples gradually improved. From plain buildings they became highly ornamented fabrics, and, both by their extent and magnificence, are monuments of the power and taste of the people by whom they were erected. In this highly finished style there are pagodas of great antiquity in different parts of Indostan, particularly in the southern provinces, which were not exposed to the destructive violence of Mahomedan zeal.[g] In order to assist my readers in forming such an idea of these buildings as may enable them to judge with respect to the early state of arts in India, I shall briefly describe two, of which we have the most accurate accounts. The entry to the pagoda of Chillambrum, near Porto Novo, on the Coromandel coast, held in high veneration on account of its antiquity, is by a stately gate under a pyramid an hundred and twenty-two feet in height, built with large stones above forty feet long, and more than five feet square, and all covered with plates of copper, adorned with an immense variety of figures neatly executed. The whole structure extends one thousand three hundred and thirty-two feet in one direction, and nine hundred and thirty-six in another. Some of the ornamental parts are finished with an elegance entitled to the admiration of the most ingenious artists.[h] The pagoda of Seringham, superior in sanctity to that of Chillambrum, surpasses it as much in grandeur; and fortunately I can convey a more perfect idea of it by adopting the words of an elegant and accurate historian.[i] This pagoda is situated about a mile from the western extremity of the island of Seringham, formed by the division of the great river Caveri into two channels. "It is composed of seven square enclosures, one within the other, the walls of which are twenty-five feet high, and four thick. These enclosures are three hundred and fifty feet distant from one another, and each has four large gates, with a high tower; which are placed, one in the middle of each side of the enclosure, and opposite to the four cardinal points. The outward wall is near four miles in circumference, and its gateway to the south is ornamented with pillars, several of which are single stones thirty-three feet long, and nearly five in diameter; and those which form the roof are still larger: in the inmost enclosures are the chapels. About half a mile to the east of Seringham, and nearer to the Caveri than the Coleroon, is another large pagoda, called Jembikisma; but this has only one enclosure. The extreme veneration in which Seringham is held, arises from a belief that it contains that identical image of the god Wistchnu, which is used to be worshipped by the god Brahma. Pilgrims from all parts of the peninsula come here to obtain absolution, and none come without an offering of money; and a large part of the revenue of the island is allotted for the maintenance of the Brahmins who inhabit the pagoda; and these, with their families, formerly composed a multitude of not less than forty thousand souls, maintained, without labour, by the liberality of superstition. Here, as in all the other great pagodas of India, the Brahmins live in a subordina-

e Archæologia, vol. vii. p. 286, &c.
f No. VI.
g See Note LXIV.

h Mem. de Literat. tom. xxxii. p. 44, &c. Voy. de M. Sonnerat, tom. i. p. 217.
i Orme's Hist. of Milit. Transact. of Indostan, vol. i. p. 178.

tion which knows no resistance, and slumber in a voluptuousness which knows no wants."

The other species of public buildings which I mentioned, were those erected for the defence of the country. From the immense plains of Indostan there arise, in different parts, eminences and rocks formed by nature to be places of strength. Of these the natives early took possession, and, fortifying them with works of various kinds, rendered them almost impregnable stations. There seems to have been, in some distant age, a period of general turbulence and danger in India, when such retreats were deemed essentially necessary to public safety; for among the duties of magistrates prescribed by the Pundits, one is, "that he shall erect a strong fort in the place where he chooses to reside; and shall build a wall on all the four sides of it, with towers and battlements, and shall make a full ditch around it. Of these fortresses several remain, which, both from the appearance of the buildings, and from the tradition of the natives, must have been constructed in very remote times. Mr. Hodges has published views of three of these, one of Chunar Gur, situated upon the river Ganges, about sixteen miles above the city of Benares;[l] the second, of Gwallior, about eighty miles to the south of Algra;[m] the third, of Bidjegur, in the territory of Benares,[n] They are all, particularly Gwallior, works of considerable magnitude and strength. The fortresses in Bengal, however, are not to be compared with several in the Deccan. Asseergur, Burhampour, and Dowlatabad, are deemed by the natives to be impregnable;[o] and I am assured by a good judge, that Asseergur is indeed a most stupendous work, and so advantageously situated, that it would be extremely difficult to reduce it by force. Adoni, of which Tippoo Sultaun lately rendered himself master, is not inferior to any of them, either in strength or importance.[p]

Nor is it only from surveying their public works that we are justified in asserting the early proficiency of the Indians in elegant and useful arts: we are led to form the same conclusion by a view of those productions of their ingenuity, which were the chief articles of their trade with foreign nations. Of these, the labours of the Indian loom and needle have, in every age, been the most celebrated; and fine linen is conjectured, with some probability, to have been called by the ancients *Sindon*, from the name of the river Indus or Sindus, near which it was wrought in the highest perfection.[q] The cotton manufactures of India seem anciently to have been as much admired as they are at present, not only for their delicate texture, but for the elegance with which some of them are embroidered, and the beautiful colour of the flowers with which others are adorned. From the earliest period of European intercourse with India, that country has been distinguished for the number and excellence of the substances for dyeing various colours, with which it abounded.[r] The dye of the deep blue colour in highest estimation among the Romans, bore the name of *Indicum*.[s] From India, too, the substance used in dyeing a bright red colour, seems to have been imported;[t] and it is well known, that both in the cotton and silk stuffs which we now receive from India, the blue and the red are the colours of most conspicuous lustre and beauty. But however much the ancients may have admired these productions of Indian art, some circumstances, which I have already mentioned, rendered their demand for the cotton manufactures of India far inferior to that of modern times; and this has occasioned the information concerning them which we receive from the Greek and Roman writers to be very imperfect. We may conclude, however, from the wonderful resemblance of the ancient state of India to the modern, that, in every period, the productions of their looms were as various as beautiful. The ingenuity of the Indians in other kinds of workmanship, particularly in metals and in ivory, is mentioned with praise by ancient authors, but without any particular description of their nature.[u] Of these early productions of Indian artists, there are now some specimens in Europe, from which it appears that they were acquainted with the method of engraving upon the hardest stones and gems; and, both in the elegance of their designs and in neatness of execution, had arrived at a considerable degree of excellence. An ingenious writer maintains, that the art of engraving on gems was probably an Indian invention, and certainly was early improved there; and he supports this opinion by several plausible arguments.[x] The Indian engraved gems of which he has published descriptions, appear to be the workmanship of a very remote period, as the legends on them are in the Sanskreet language.[y]

But it is not alone from the improved state of mechanic arts in India, that we conclude its inhabitants to have been highly civilized; a proof of this, still more convincing, may be deduced from the early and extraordinary productions of their genius in the fine arts. This evidence is rendered more interesting, by being derived from a source of knowledge which the laudable curiosity of our countrymen has opened to the people of Europe within these few years. That all the science and literature possessed by the Brahmins, were contained in books written in a language understood by a few only of the most learned among them, is a fact which has long been known; and all the Europeans settled in India during three centuries, have complained that the Brahmins obstinately refused to instruct any person in this language. But at length,

k Introd. to Code of Gentoo Laws. p. cxi.
l No. I. m No. II.
n No. III.
o Rennell, Mem. p. 133. 139.
p Historical and Political View of the Deccan, p. 13.
q Sir Wm. Jones's Third Discourse, p. 428.
r Strabo, lib. xv. p. 1013. A. 1024. B.
s Plin. Nat. Hist. lib. xxxv. c. 6. § 27.
t Salmasius Exercit. Plinianæ in Solin. 18, &c. 810. Salmasius de Homonymis Hyles Jatrica, c. 107. See Note LXV.
u Strabo, lib. xv. p. 1044. B. Dionys. Perieges, ver. 1016.
x Raspe's Introd. to Tassie's Descript. Catal. of Engraved Gems, &c. p. xii. &c.
y Ibid. vol. i. p. 74. vol. ii. plate xiii.

by address, mild treatment, and a persuasion that the earnestness with which instruetion was solieited, proeeeded not from any intention of turning their religion into derision, but from a desire of aequiring a perfeet knowledge of their sciences and literature, the scruples of the Brahmins have been overcome. Several British gentlemen are now completely masters of the Sanskreet language. The mysterious veil, formerly deemed impenetrable, is removed; and in the course of five years, the euriosity of the publie has been gratified by two publications as singular as they were unexpeeted. The one is a translation by Mr. Wilkins, of an Episode from the *Mahabarat*, an epie poem in high estimation among the Hindoos, composed aeeording to their aeeount by Kreeshna Dwypayen Veias, the most eminent of all their Brahmins, above three thousand years before the ehristian æra. The other is *Sacontala*, a dramatie poem, written about a century before the birth of Christ, translated by sir W. Jones. I shall endeavour to give my readers sueh a view of the subjeet and eomposition of eaeh of these, as may enable them to estimate, in some measure, the degree of merit whieh they possess.

The Mahabarat is a voluminous poem, eonsisting of upwards of four hundred thousand lines. Mr. Wilkins has translated more than a third of it; but only a short episode, entitled Baghvat-Geeta, is hitherto published, and from this specimen we must form an opinion with respeet to the whole. The subjeet of the poem is a famous eivil war between two branches of the royal house of Bhaurat. When the forces on eaeh side were formed in the field, and ready to deeide the eontest by the sword, Arjoon, the favourite and pupil of the god Kreeshna, who aeeompanied him in this hour of danger, requested of him to eause his ehariot to advance between the two hostile armies. He looked at both armies, and beheld on either side, none but grandsires, uneles, eousins, tutors, sons, and brothers, near relations or bosom friends; and when he had gazed for a while, and saw these prepared for the fight, he was seized with extreme pity and compunetion, and uttered his sorrow in the following words:—"Having beheld, O *Kreeshna!* my kindred thus waiting anxious for the fight, my members fail me, my eountenanee withereth, the hair standeth on end upon my body, and all my frame trembleth with horror; even *Gandeev*, my bow, eseapeth from my hand, and my skin is parehed and dried up.—When I have destroyed my kindred, shall I longer look for happiness? I wish not for vietory, *Kreeshna;* I want not dominion; I want not pleasure; for what is dominion and the enjoyments of life, or even life itself, when those for whom dominion, pleasure, and enjoyment were to be coveted, have abandoned life and fortune, and stand here in the field ready for the battle. Tutors, sons and fathers, grandsires and grandsons, uncles, nephews, cousins, kindred, and friends! Although they would kill me, I wish not to fight them; no not even for the dominion of the three regions of the universe, mueh less for this little earth."[z] In order to remove his scruples, Kreeshna informs him what was the duty of a prince of the Chehteree or military east, when called to aet in sueh a situation, and incites him to perform it by a variety of moral and philosophieal arguments, the nature of whieh I shall have oeeasion to eonsider particularly in another part of this Dissertation. In this dialogue between Kreeshna and his pupil, there are several passages which give a high idea of the genius of the poet. The speeeh of Arjoon I have quoted, in whieh he expresses the anguish of his soul, must have struek every reader as beautiful and pathetie; and I shall afterwards produee a deseription of the Supreme Being, and of the reverence wherewith he should be worshipped, which is sublime. But while these exeite our admiration, and eonfirm us in the belief of a high degree of civilization in that eountry where sueh a work was produced, we are surprised at the defect of taste and of art in the manner of introducing this Episode. Two powerful armies are drawn up in battle-array, eager for the fight; a young hero and his instructor are deseribed as standing in a ehariot of war between them; that surely was not the moment for teaching him the principles of philosophy, and delivering eighteen leetures of metaphysies and theology.

With regard, however, both to the dramatie and epic poetry of the Hindoos, we labour under the disadvantage of being obliged to form an opinion from a single speeimen of each, and that of the latter, too, (as it is only a part of a large work,) an imperfeet one. But if, from sueh scanty materials, we may venture upon any decision, it must be, that of the two the drama seems to have been eondueted with the most eorreet taste. This will appear from the observations which I now proceed to make upon Saeontala.

It is only to nations eonsiderably advaneed in refinement, that the drama is a favourite entertainment. The Greeks had been for a good time a polished people; Alcæus and Sappho had eomposed their Odes, and Thales and Anaximander had opened their sehools, before tragedy made its first rude essay in the eart of Thespis; and a good time elapsed before it attained to any eonsiderable degree of exeellenee. From the drama of Saeontala, then, we must form an advantageous idea of the state of improvement in that soeiety to whose taste it was suited. In estimating its merit, however, we must not apply to it rules of eritieism drawn from the literature and taste of nations with whieh its author was altogether unaequainted; we must not expeet the unities of the Greek theatre; we must not measure it by our own standard of propriety. Allowanee must be made for loeal eustoms, and singular manners, arising from a state of domestie soeiety, an order of civil poliey, and a system of religious opinions, very different from those established in Europe.

z Baghvat-Geeta, p. 30, 31.

Sacontola is not a regular drama, but, like some of the plays early exhibited on the Spanish and English theatres, is a history in dialogue, unfolding events which happened in different places, and during a series of years. When viewed in this light, the fable is in general well arranged, many of the incidents are happily chosen, and the vicissitudes in the situation of the principal personages are sudden and unexpected. The unravelling of the piece, however, though some of the circumstances preparatory to it be introduced with skill, is at last brought about by the intervention of superior beings, which has always a bad effect, and discovers some want of art. But as Sacontala was descended of a celestial nymph, and under the protection of a holy hermit, this heavenly interposition may appear less marvellous, and is extremely agreeable to the oriental taste. In many places of this drama it is simple and tender, in some pathetic ; in others there is a mixture of comic with what is more serious. Of each examples might be given. I shall select a few of the first, both because simplicity and tenderness are the characteristic beauties of the piece, and because they so little resemble the extravagant imagery and turgid style conspicuous in almost all the specimens of oriental poetry which have hitherto been published.

Sacontala, the heroine of the drama, a princess of high birth, had been educated by a holy hermit in a hallowed grove, and had passed the early part of her life in rural occupations and pastoral innocence. When she was about to quit this beloved retreat, and repair to the court of a great monarch, to whom she had been married, Cana, her foster-father, and her youthful companions, thus bewailed their own loss, and expressed their wishes for her happiness, in a strain of sentiment and language perfectly suited to their pastoral character.

" Hear, O ye trees of this hallowed forest, hear and proclaim that Sacontala is going to the palace of her wedded lord ; she who drank not, though thirsty, before you were watered ; she who cropped not, through affection for you, one of your fresh leaves, though she would have been pleased with such an ornament for her locks ; she whose chief delight was in the season when your branches are spangled with flowers !"

Chorus of wood nymphs.—" May her way be attended with prosperity ! May propitious breezes sprinkle, for her delight, the odoriferous dust of rich blossoms ! May pools of clear water, green with the leaves of the lotos, refresh her as she walks ! and may shady branches be her defence from the scorching sun-beams !"

Sacontala, just as she was departing from the grove, turns to Cana : " Suffer me, venerable father, to address this Madhavi-creeper, whose red blossoms inflame the grove."—*Cana.* " My child, I know thy affection for it."—*Sacont.* " O most radiant of shining plants, receive my embraces, and return them with thy flexible arms ! From this day, though removed at a fatal distance, I shall for ever be thine. —O beloved father, consider this creeper as myself ! " As she advances, she again addresses Cana : " Father ! when yon female antelope, who now moves slowly from the weight of the young ones with which she is pregnant, shall be delivered of them, send me, I beg, a kind message with tidings of her safety.—Do not forget."—*Cana.* " My beloved, I will not forget it."—*Sacontala.* [*stopping*] " Ah ! what is it that clings to the skirts of my robe and detains me !"—*Cana.* " It is thy adopted child, the little fawn, whose mouth, when the sharp points of Cusa grass had wounded it, has been so often smeared by thee with the healing oil of Ingudi ; who has been so often fed by thee with a handful of Synmaka grains, and now will not leave the footsteps of his protectress."——*Sacont.* " Why dost thou weep, tender fawn, for me, who must leave our common dwelling-place ?—As thou wast reared by me when thou hadst lost thy mother, who died soon after thy birth, so will my foster-father attend thee, when we are separated, with anxious care.—Return, poor thing, return —we must part." [*She bursts into tears.*]——*Cana.* " Thy tears, my child, ill suit the occasion ; we shall all meet again ; be firm ; see the direct road before thee, and follow it. When the big tear lurks beneath thy beautiful eye-lashes, let thy resolution check its first efforts to disengage itself.—In thy passage over this earth, where the paths are now high, now low, and the true path seldom distinguished, the traces of thy feet must needs be unequal ; but virtue will press thee right onward."[a]

From this specimen of the Indian drama, every reader of good taste, I should imagine, will be satisfied, that it is only among a people of polished manners and delicate sentiments that a composition so simple and correct could be produced or relished. I observe one instance in this drama of that wild extravagance so frequent in oriental poetry. The monarch, in replacing a bracelet which had dropped from the arm of Sacontala, thus addresses her : " Look, my darling, this is the new moon which left the firmament in honour of superior beauty, and having descended on your enchanting wrist, hath joined both its horns round it in the shape of a bracelet."[b] But this is the speech of an enraptured young man to his mistress, and in every age and nation exaggerated praise is expected from the mouth of lovers. Dramatic exhibitions seem to have been a favourite amusement of the Hindoos as well as of other civilized nations. " The tragedies, comedies, farces, and musical pieces of the Indian theatre, would fill as many volumes as that of any nation in ancient or modern Europe. They are all in verse where the dialogue is elevated, and in prose where it is familiar ; the men of rank and learning are represented speaking pure Sanskreet, and the women Praerit, which is little more than the language

a Act IV. p. 47, &c.

b Act III. p. 36.

of the Brahmins, melted down by a delicate articulation to the softness of Italian; while the low persons of the drama speak the vulgar dialects of the several provinces which they are supposed to inhabit."[c]

V. The attainments of the Indians in science furnish an additional proof of their early civilization. By every person who has visited India in ancient or modern times, its inhabitants, either in transactions of private business, or in the conduct of political affairs, have been deemed not inferior to the people of any nation in sagacity or in acuteness of understanding. From the application of such talents to the cultivation of science, an extraordinary degree of proficiency might have been expected. The Indians were, accordingly, early celebrated on that account, and some of the most eminent of the Greek philosophers travelled into India, that, by conversing with the sages of that country, they might acquire some portion of the knowledge for which they were distinguished.[d] The accounts, however, which we receive from the Greeks and Romans of the sciences which attracted the attention of the Indian philosophers, or of the discoveries which they had made in them, are very imperfect. To the researches of a few intelligent persons, who have visited India during the course of the three last centuries, we are indebted for more ample and authentic information. But from the reluctance with which the Brahmins communicate their sciences to strangers, and the inability of Europeans to acquire much knowledge of them, while, like the mysteries of their religion, they were concealed from vulgar eyes in an unknown tongue, this information was acquired slowly, and with great difficulty. The same observation, however, which I made concerning our knowledge of the state of the fine arts among the people of India, is applicable to that of their progress in science, and the present age is the first furnished with sufficient evidence upon which to found a decisive judgment with respect to either.

Science, when viewed as disjoined from religion, the consideration of which I reserve for another head, is employed in contemplating either the operations of the understanding, the exercise of our moral powers, or the nature and qualities of external objects. The first is denominated logic; the second ethics; the third physics, or the knowledge of nature. With respect to the early progress in cultivating each of these sciences in India, we are in possession of facts which merit attention.

But, prior to the consideration of them, it is proper to examine the ideas of the Brahmins with respect to mind itself; for if these were not just, all their theories concerning its operations must have been erroneous and fanciful. The distinction between matter and spirit appears to have been early known by the philosophers of India, and to the latter they ascribed many powers of which they deemed the former to be incapable; and when we recollect how inadequate our conceptions are of every object that does not fall under the cognizance of the senses, we may affirm, (if allowance be made for a peculiar notion of the Hindoos, which shall be afterwards explained,) that no description of the human soul is more suited to the dignity of its nature than that given by the author of the Mahabarat. "Some," says he, "regard the soul as a wonder, others hear of it with astonishment, but no one knoweth it. The weapon divideth it not; the fire burneth it not; the water corrupteth it not; the wind drieth it not away; for it is indivisible, inconsumable, incorruptible; it is eternal, universal, permanent, immovable; it is invisible, inconceivable, and unalterable."[e] After this view of the sentiments of the Brahmins concerning mind itself, we may proceed to consider their ideas with respect to each of the sciences, in that tripartite arrangement which I mentioned.

1*st*, Logic and Metaphysics. On no subject has the human understanding been more exercised than in analyzing its own operations. The various powers of the mind have been examined and defined. The origin and progress of our ideas have been traced; and proper rules have been prescribed, of proceeding from the observation of facts to the establishment of principles, or from the knowledge of principles to form arrangements of science. The philosophers of ancient Greece were highly celebrated for their proficiency in these abstruse speculations; and in their discussions and arrangements, discovered such depth of thought and acuteness of discernment, that their systems of logic, particularly that of the Peripatetic school, have been deemed most distinguished efforts of human reason.

But since we became acquainted, in some degree, with the literature and science of the Hindoos, we find that as soon as men arrive at that stage in social life when they can turn their attention to speculative inquiries, the human mind will, in every region of the earth, display nearly the same powers, and proceed in its investigations and discoveries by nearly similar steps. From Abul Fazel's compendium of the philosophy[f] of the Hindoos, the knowledge of which he acquired, as he informs us, by associating intimately with the most learned men of the nation; from the specimen of their logical discussions contained in that portion of the Shastra published by colonel Dow,[g] and from many passages in the Baghvat-Geeta; it appears that the same speculations which occupied the philosophers of Greece had engaged the attention of the Indian Brahmins; and the theories of the former, either concerning the qualities of external objects, or the nature of our own ideas, were not more ingenious than those of the latter. To define with accuracy, to distinguish with acuteness, and to reason with subtilty, are characteristics of both; and in both the same excess

c Preface to Sacont. by Sir William Jones, p. ix. See Note LXVI.
d Brukeri Hist. Philosoph. vol. i. p. 190.
e Baghvat-Geeta, p. 37.
f Ayeen Akbery, vol. iii. p. 95, &c.
g Dissertation, p. xxxix. &c.

of refinement, in attempting to analyze those operations of mind which the faculties of man were not formed to comprehend, led sometimes to the most false and dangerous conclusions. That sceptical philosophy, which denies the existence of the material world, and asserts nothing to be real but our own ideas, seems to have been known in India as well as in Europe;[h] and the sages of the East, as they were indebted to philosophy for the knowledge of many important truths, were not more exempt than those of the West from its delusions and errors.

2*d*, Ethics. This science, which has for its object to ascertain what distinguishes virtue from vice, to investigate what motives should prompt men to act, and to prescribe rules for the conduct of life, as it is of all others the most interesting, seems to have deeply engaged the attention of the Brahmins. Their sentiments with respect to these points were various, and, like the philosophers of Greece, the Brahmins were divided into sects, distinguished by maxims and tenets often diametrically opposite. That sect with whose opinions we are, fortunately, best acquainted, had established a system of morals, founded on principles the most generous and dignified which unassisted reason is capable of discovering. Man, they taught, was formed not for speculation or indolence, but for action. He is born, not for himself alone, but for his fellow-men. The happiness of the society of which he is a member, the good of mankind, are his ultimate and highest objects. In choosing what to prefer or to reject, the justness and propriety of his own choice are the only considerations to which he should attend. The events which may follow his actions are not in his own power, and whether they be prosperous or adverse, as long as he is satisfied with the purity of the motives which induced him to act, he can enjoy that approbation of his own mind, which constitutes genuine happiness, independent of the power of fortune or the opinions of other men. "Man (says the author of the Mahabarat) enjoyeth not freedom from action. Every man is involuntarily urged to act by those principles which are inherent in his nature. He who restraineth his active faculties, and sitteth down with his mind attentive to the objects of his senses, may be called one of an astrayed soul. The man is praised, who having subdued all his passions, performeth with his active faculties all the functions of life, unconcerned about the event.[i] Let the motive be in the deed, and not in the event. Be not one whose motive for action is the hope of reward. Let not thy life be spent in inaction. Depend upon application, perform thy duty, abandon all thought of the consequence, and make the event equal, whether it terminate in good or in evil; for such an equality is called *Yog* [*i. e.* attention to what is spiritual]. Seek an asylum then in wisdom alone; for the miserable and unhappy are so on account of the event of things. Men who are endued with true wisdom are unmindful of good or evil in this world. Study then to obtain this application of thy understanding, for such application in business is a precious art. Wise men who have abandoned all thought of the fruit which is produced from their actions, are freed from the chains of birth, and go to the regions of eternal happiness."[k]

From these and other passages which I might have quoted, we learn that the distinguishing doctrines of the Stoical school were taught in India many ages before the birth of Zeno, and inculcated with a persuasive earnestness nearly resembling that of Epictetus; and it is not without astonishment that we find the tenets of this manly active philosophy, which seem to be formed only for men of the most vigorous spirit, prescribed as the rule of conduct to a race of people more eminent (as is generally supposed) for the gentleness of their disposition than for the elevation of their minds.

3*d*, Physics. In all the sciences which contribute towards extending our knowledge of nature, in mathematics, mechanics, and astronomy, arithmetic is of elementary use. In whatever country, then, we find that such attention has been paid to the improvement of arithmetic as to render its operations most easy and correct, we may presume that the sciences depending upon it have attained a superior degree of perfection. Such improvement of this science we find in India. While, among the Greeks and Romans, the only method used for the notation of numbers was by the letters of the alphabet, which necessarily rendered arithmetical calculation extremely tedious and operose, the Indians had, from time immemorial, employed for the same purpose the ten cyphers, or figures, now universally known, and by means of them performed every operation in arithmetic with the greatest facility and expedition. By the happy invention of giving a different value to each figure according to its change of place, no more than ten figures are needed in calculations the most complex, and of any given extent; and arithmetic is the most perfect of all the sciences. The Arabians, not long after their settlement in Spain, introduced this mode of notation into Europe, and were candid enough to acknowledge that they had derived the knowledge of it from the Indians. Though the advantages of this mode of notation are obvious and great, yet so slowly do mankind adopt new inventions, that the use of it was for some time confined to science; by degrees, however, men of business relinquished the former cumbersome method of computation by letters, and the Indian arithmetic came into general use throughout Europe.[l] It is now so familiar and simple, that the ingenuity of the people to whom we are indebted for the invention is less observed and less celebrated than it merits.

h Dow's Dissertation, p. lvii. Ayeen Akbery, vol. iii. p. 128.
i Baghvat-Geeta, p. 44.
k Baghvat-Geeta, p. 40.
l Montucla, Hist. des Mathemat. tom. i. p. 360, &c.

The astronomy of the Indians is a proof still more conspicuous of their extraordinary progress in science. The attention and success with which they studied the motions of the heavenly bodies were so little known to the Greeks and Romans, that it is hardly mentioned by them but in the most cursory manner.[m] But as soon as the Mahomedans established an intercourse with the natives of India, they observed and celebrated the superiority of their astronomical knowledge. Of the Europeans who visited India after the communication with it by the Cape of Good Hope was discovered, M. Bernier, an inquisitive and philosophical traveller, was one of the first who learned that the Indians had long applied to the study of astronomy, and had made considerable progress in that science.[n] His information, however, seems to have been very general and imperfect. We are indebted for the first scientific proof of the great proficiency of the Indians in astronomical knowledge, to M. de la Loubere, who, on his return from his embassy to Siam, brought with him an extract from a Siamese manuscript, which contained tables and rules for calculating the places of the sun and moon. The manner in which these tables were constructed rendered the principles on which they were founded extremely obscure, and it required a commentator as conversant in astronomical calculation as the celebrated Cassini, to explain the meaning of this curious fragment. The epoch of the Siamese tables corresponds to the 21st of March, A. D. 638. Another set of tables was transmitted from Chrisnabouram, in the Carnatic, the epoch of which answers to the 10th of March, A. D. 1491. A third set of tables came from Narsapour, and the epoch of them goes no further back than A. D. 1569. The fourth and most curious set of tables was published by M. le Gentil, to whom they were communicated by a learned Brahmin of Tirvalore, a small town on the Coromandel coast, about twelve miles west of Negapatam. The epoch of these tables is of high antiquity, and coincides with the beginning of the celebrated æra of the Calyougham or Collee Joguc, which commenced, according to the Indian account, three thousand one hundred and two years before the birth of Christ.[o]

A. D. 1687.

These four sets of tables have been examined and compared by M. Bailly, who, with singular felicity of genius, has conjoined an uncommon degree of eloquence with the patient researches of an astronomer, and the profound investigations of a geometrician. His calculations have been verified, and his reasonings have been illustrated and extended, by Mr. Playfair, in a very masterly Dissertation, published in the Transactions of the Royal Society of Edinburgh.[p]

Instead of attempting to follow them in reasonings and calculations, which from their nature are often abstruse and intricate, I shall satisfy myself with giving such a general view of them as is suited to a popular work. This, I hope, may convey a proper idea of what has been published concerning the astronomy of India, a subject too curious and important to be omitted in any account of the state of science in that country; and, without interposing any judgment of my own, I shall leave each of my readers to form his own opinion.

It may be considered as the general result of all the inquiries, reasonings, and calculations, with respect to Indian astronomy, which have hitherto been made public, "That the motion of the heavenly bodies, and more particularly their situation at the commencement of the different epochs to which the four sets of tables refer, are ascertained with great accuracy; and that many of the elements of their calculations, especially for very remote ages, are verified by an astonishing coincidence with the tables of the modern astronomy of Europe, when improved by the latest and most nice deductions from the theory of gravitation." These conclusions are rendered peculiarly interesting, by the evidence which they afford of an advancement in science unexampled in the history of rude nations. The Indian Brahmins, who annually circulate a kind of almanac, containing astronomical predictions of some of the more remarkable phenomena in the heavens, such as the new and full moons, the eclipses of the sun and moon, are in possession of certain methods of calculation, which, upon examination, are found to involve in them a very extensive system of astronomical knowledge. M. le Gentil, a French astronomer, had an opportunity, while in India, of observing two eclipses of the moon which had been calculated by a Brahmin, and he found the error in either to be very inconsiderable.

The accuracy of these results is less surprising than the justness and scientific nature of the principles on which the tables, by which they calculate, are constructed; for the method of predicting eclipses which is followed by the Brahmins, is of a kind altogether different from any that has been found in the possession of rude nations in the infancy of astronomy. In Chaldea, and even in Greece, in the early ages, the method of calculating eclipses was founded on the observation of a certain period or cycle, after which the eclipses of the sun and moon return nearly in the same order; but there was no attempt to analyze the different circumstances on which the eclipse depends, or to deduce its phenomena from a precise knowledge of the motions of the sun and moon. This last was reserved for a more advanced period, when geometry, as well as arithmetic, were called in to the assistance of astronomy, and, if it was attempted at all, seems not to have been attempted with success before the age of Hipparchus. It is a method of this superior kind, founded on principles and on an analysis of the motions of the sun and moon, which

m Strabo, lib. xv. p. 1047. A. Dion. Perieg. v. 1173.
n Voyages, tom. ii. p. 145, &c.

o See Note LXVII.
p Vol. ii. p. 135.

guides the calculations of the Brahmins, and they never employ any of the grosser estimations, which were the pride of the first astronomers in Egypt and Chaldea.

The Brahmins of the present times are guided in their calculations by these principles, though they do not now understand them; they know only the use of the tables which are in their possession, but are unacquainted with the method of their construction. The Brahmin who visited M. le Gentil at Pondicherry, and instructed him in the use of the Indian tables, had no knowledge of the principles of his art, and discovered no curiosity concerning the nature of M. le Gentil's observations, or about the instruments which he employed. He was equally ignorant with respect to the authors of these tables; and whatever is to be learned concerning the time or place of their construction, must be deduced from the tables themselves. One set of these tables (as was formerly observed) profess to be as old as the beginning of the Calyougham, or to go back to the year 3102 before the christian æra; but as nothing (it may be supposed) is easier than for an astronomer to give to his tables what date he pleases, and, by calculating backwards, to establish an epoch of any assigned antiquity, the pretensions of the Indian astronomy to so remote an origin are not to be admitted without examination.

That examination has accordingly been instituted by M. Bailly, and the result of his inquiries is asserted to be, that the astronomy of India is founded on observations which cannot be of a much later date than the period above mentioned. For the Indian tables represent the state of the heavens at that period with astonishing exactness; and there is between them and the calculations of our modern astronomy such a conformity with respect to those ages, as could result from nothing, but from the authors of the former having accurately copied from nature, and having delineated truly the face of the heavens, in the age wherein they lived. In order to give some idea of the high degree of accuracy in the Indian tables, I shall select a few instances of it, out of many that might be produced. The place of the sun for the astronomical epoch at the beginning of the Calyougham, as stated in the tables of Tirvalore, is only forty-seven minutes greater than by the tables of M. de la Caille, when corrected by the calculations of M. de la Grange. The place of the moon, in the same tables, for the same epoch, is only thirty-seven minutes different from the tables of Mayer. The tables of Ptolemy, for that epoch, are erroneous no less than ten degrees with respect to the place of the sun, and eleven degrees with respect to that of the moon. The acceleration of the moon's motion, reckoning from the beginning of the Calyougham to the present time, agrees, in the Indian tables, with those of Mayer to a single minute. The inequality of the sun's motion, and the obliquity of the ecliptic, which were both greater in former ages than they are now, as represented in the tables of Tirvalore, are almost of the precise quantity that the theory of gravitation assigns to them three thousand years before the christian æra. It is accordingly for those very remote ages (about 5000 years distant from the present) that their astronomy is most accurate, and the nearer we come down to our own times, the conformity of its results with ours diminishes. It seems reasonable to suppose, that the time when its rules are most accurate, is the time when the observations were made on which these rules are founded.

In support of this conclusion, M. Bailly maintains that none of all the astronomical systems of Greece or Persia, or of Tartary, from some of which it might be suspected that the Indian tables were copied, can be made to agree with them, especially when we calculate for very remote ages. The superior perfection of the Indian tables becomes always more conspicuous as we go further back into antiquity. This shows, likewise, how difficult it is to construct any astronomical tables which will agree with the state of the heavens for a period so remote from the time when the tables were constructed, as four or five thousand years. It is only from astronomy in its most advanced state, such as it has attained in modern Europe, that such accuracy is to be expected.

When an estimate is endeavoured to be made of the geometrical skill necessary for the construction of the Indian tables and rules, it is found to be very considerable; and, beside the knowledge of elementary geometry, it must have required plane and spherical trigonometry, or something equivalent to them, together with certain methods of approximating to the values of geometrical magnitudes, which seem to rise very far above the elements of any of those sciences. Some of these last mark also very clearly, (although this has not been observed by M. Bailly,) that the places to which these tables are adapted must be situated between the tropics, because they are altogether inapplicable at a greater distance from the equator.

From this long induction, the conclusion which seems obviously to result is, that the Indian astronomy is founded upon observations which were made at a very early period; and when we consider the exact agreement of the places which they assign to the sun and moon, and other heavenly bodies, at that epoch, with those deduced from the tables of De la Caille and Mayer, it strongly confirms the truth of the position which I have been endeavouring to establish concerning the early and high state of civilization in India.

Before I quit this subject, there is one circumstance which merits particular attention. All the knowledge which we have hitherto acquired of the principles and conclusions of Indian astronomy is derived from the southern part of the Carnatic, and the tables are adapted to places situated between the meridian of Cape Comorin and that which

passes through the eastern part of Ceylon.[q] The Brahmins in the Carnatic acknowledge that their science of astronomy was derived from the north, and that their method of calculation is denominated *Fakiam*, or new, to distinguish it from the *Siddantam*, or ancient method established at Benares, which they allow to be much more perfect; and we learn from Abul Fazel, that all the astronomers of Indostan rely entirely upon the precepts contained in a book called *Soorej Sudhant*, composed in a very remote period.[r] It is manifestly from this book that the method to which the Brahmins of the south gave the name of Siddantam is taken. Benares has been from time immemorial the Athens of India, the residence of the most learned Brahmins, and the seat both of science and literature. There, it is highly probable, whatever remains of the ancient astronomical knowledge and discoveries of the Brahmins is still preserved.[s] In an enlightened age and nation, and during a reign distinguished by a succession of the most splendid and successful undertakings to extend the knowledge of nature, it is an object worthy of public attention, to take measures for obtaining possession of all that time has spared of the philosophy and inventions of the most early and most highly civilized people of the East. It is with peculiar advantages Great Britain may engage in this laudable undertaking. Benares is subject to its dominion; the confidence of the Brahmins has been so far gained as to render them communicative; some of our countrymen are acquainted with that sacred language in which the mysteries both of religion and of science are recorded; movement and activity have been given to a spirit of inquiry throughout all the British establishments in India; persons who visited that country with other views, though engaged in occupations of a very different kind, are now carrying on scientific and literary researches with ardour and success. Nothing seems now to be wanting but that those intrusted with the administration of the British empire in India, should enable some person capable, by his talents and liberality of sentiment, of investigating and explaining the more abstruse parts of Indian philosophy, to devote his whole time to that important object. Thus Great Britain may have the glory of exploring fully that extensive field of unknown science, which the academicians of France had the merit of first opening to the people of Europe.[t]

VI. The last evidence which I shall mention of the early and high civilization of the ancient Indians, is deduced from the consideration of their religious tenets and practices. The institutions of religion, publicly established in all the extensive countries stretching from the banks of the Indus to Cape Comorin, present to view an aspect nearly similar. They form a regular and complete system of superstition, strengthened and upheld by every thing which can excite the reverence and secure the attachment of the people. The temples consecrated to their deities are magnificent, and adorned not only with rich offerings, but with the most exquisite works in painting and sculpture, which the artists highest in estimation among them were capable of executing. The rites and ceremonies of their worship are pompous and splendid, and the performance of them not only mingles in all the more momentous transactions of common life, but constitutes an essential part of them. The Brahmins, who, as ministers of religion, preside in all its functions, are elevated above every other order of men, by an origin deemed not only more noble, but acknowledged to be sacred. They have established among themselves a regular hierarchy and gradation of ranks, which, by securing subordination in their own order, adds weight to their authority, and gives them a more absolute dominion over the minds of the people. This dominion they support by the command of the immense revenues with which the liberality of princes, and the zeal of pilgrims and devotees, have enriched their pagodas.[u]

It is far from my intention to enter into any minute detail with respect to this vast and complicated system of superstition. An attempt to enumerate the multitude of deities which are the objects of adoration in India; to describe the splendour of worship in their pagodas, and the immense variety of their rites and ceremonies; to recount the various attributes and functions which the craft of priests, or the credulity of the people, ascribed to their divinities; especially if I were to accompany all this with the review of the numerous and often fanciful speculations and theories of learned men on this subject, would require a work of great magnitude. I shall, therefore, on this, as on some of the former heads, confine myself to the precise point which I have kept uniformly in view; and by considering the state of religion in India, I shall endeavour not only to throw additional light on the state of civilization in that country, but I flatter myself that, at the same time, I shall be able to give what may be considered as a sketch and outline of the history and progress of superstition and false religion in every region of the earth.

I. We may observe, that, in every country, the received mythology, or system of superstitious belief, with all the rites and ceremonies which it prescribes, is formed in the infancy of society, in rude and barbarous times. True religion is as different from superstition in its origin, as in its nature. The former is the offspring of reason cherished by science, and attains to its highest perfection in ages of light and improvement. Ignorance and fear give birth to the latter, and it is always in the darkest periods that it acquires the greatest vigour. That numerous part of the human species whose lot

q Bailly, Dis. Prelim. p. xvii. r Ayeen Akbery, iii. p. 8.
s M. Bernier, in the year 1668, saw a large hall in Benares filled with the works of the Indian philosophers, physicians, and poets. Voy. ii. p. 148.

t See Note LXVIII.
u Roger Porte Ouverte, p. 39. 209, &c.

is labour, whose principal and almost sole occupation is to seeure subsistence, has neither leisure nor capacity for entering into that path of intricate and refined speculation, which conducts to the knowledge of the principles of rational religion. When the intelleetual powers are just beginning to unfold, and their first feeble exertions are direeted towards a few objects of primary neeessity and use; when the faculties of the mind are so limited as not to have formed general and abstraet ideas; when language is so barren as to be destitute of names to distinguish any thing not perceivable by some of the senses; it is preposterous to expect that men should be eapable of traeing the relation betwcen effects and their eauses; or to suppose that they should rise from the contemplation of the former to the discovery of the latter, and form just conceptions of one Supreme Being, as the Creator and Governor of the universe. The idea of creation is so familiar, wherever the mind is enlarged by science, and illuminated by revelation, that we seldom reflect how profound and abstruse the idea is, or consider what progress man must have made in observation and research, before he could arrive at any distinct knowledge of this elementary principle in religion. But even in its rude state, the human mind, formed for religion, opens to the reception of ideas which are destined, when corrected and refined, to be the great source of consolation amidst the calamities of life. These apprehensions, however, are originally indistinct and perplexed, and seem to be suggested rather by the dread of impending evils, than to flow from gratitude for blessings received. While nature holds on her course with uniform and undisturbed regularity, men enjoy the benefits resulting from it, without much inquiry concerning its cause. But every deviation from this regular course rouses and astonishes them. When they behold events to which they are not accustomed, they search for the causes of them with eager curiosity. Their understanding is often unable to discover these, but imagination, a more forward and ardent faculty of the mind, decides without hesitation. It ascribes the extraordinary occurrences in nature to the influence of invisible beings, and supposes the thunder, the hurricane, and the earthquake, to be the immediate effects of their agency. Alarmed by these natural evils, and exposed, at the same time, to many dangers and disasters, which are unavoidable in the early and uncivilized state of society, men have recourse for protection to power superior to what is human, and the first rites or practices which bear any resemblance to acts of religion, have it for their object to avert evils which they suffer or dread.[x]

II. As superstition and false religion take their rise, in every country, from nearly the same sentiments and apprehensions, the invisible beings, who are the first objects of veneration, have every where a near resemblance. To conceive an idea of one superintending mind, capable of arranging and directing all the various operations of nature, seems to be an attainment far beyond the powers of man in the more early stages of his progress. His theories, more suited to the limited sphere of his own observation, are not so refined. He supposes that there is a distinct cause of every remarkable effect, and ascribes to a separate power every event which attracts his attention, or excites his terror. He fancies that it is the province of one deity to point the lightning, and, with an awful sound, to hurl the irresistible thunderbolt at the head of the guilty; that another rides in the whirlwind, and at his pleasure, raises or stills the tempest; that a third rules over the ocean; that a fourth is the god of battles; that while malevolent powers scatter the seeds of animosity and discord, and kindle in the breast those angry passions which give rise to war, and terminate in destruction, others of a nature more benign, by inspiring the hearts of men with kindness and love, strengthen the bond of social union, augment the happiness, and increase the number, of the human race.

Without descending further into detail, or attempting to enumerate that infinite multitude of deities to which the fancy or the fears of men have allotted the direction of the several departments in nature, we may recognise a striking uniformity of features in the systems of superstition established throughout every part of the earth. The less men have advanced beyond the state of savage life, and the more slender their acquaintance with the operations of nature, the fewer were their deities in number, and the more compendious was their theological creed; but as their mind gradually opened, and their knowledge continued to extend, the objects of their veneration multiplied, and the articles of their faith became more numerous. This took place remarkably among the Greeks in Europe, and the Indians in Asia, the two people in those great divisions of the earth who were most early civilized, and to whom, for that reason, I shall confine all my observations. They believed, that over every movement in the natural world, and over every function in civil or domestic life, even the most common and trivial, a particular deity presided. The manner in which they arranged the stations of these superintending powers, and the offices which they allotted to each, were in many respects the same. What is supposed to be performed by the power of Jupiter, of Neptune, of Æolus, of Mars, of Venus, according to the mythology of the West, is ascribed in the East to the agency of Agnée, the god of fire; Varoon, the god of oceans; Vayoo, the god of wind;[y] Cama, the god of love; and a variety of other divinities.

The ignorance and credulity of men having thus peopled the heavens with imaginary beings, they

x In the second volume of the History of America, p. 183. of fifth edition, I gave nearly a similar account of the origin of false religion. Instead of labouring to convey the same ideas in different language, I have inserted here some paragraphs in the same words I then used.

y Baghvat-Geeta, p. 94.

ascribed to them such qualities and actions as they deemed suitable to their character and functions. It is one of the benefits derived from true religion, that by setting before men a standard of perfect excellence, which they should have always in their eye, and endeavour to resemble, it may be said to bring down virtue from heaven to earth, and to form the human mind after a divine model. In fabricating systems of false religion, the procedure is directly the reverse. Men ascribe to the beings whom they have deified, such actions as they themselves admire and celebrate. The qualities of the gods who are the objects of adoration, are copied from those of the worshippers who bow down before them; and thus many of the imperfections peculiar to men have found admittance into heaven. By knowing the adventures and attributes of any false deity, we can pronounce, with some degree of certainty, what must have been the state of society and manners when he was elevated to that dignity. The mythology of Greece plainly indicates the character of the age in which it was formed. It must have been in times of the greatest licentiousness, anarchy, and violence, that divinities of the highest rank could be supposed capable of perpetrating actions, or of being influenced by passions, which, in more enlightened periods, would be deemed a disgrace to human nature; it must have been when the earth was still infested with destructive monsters, and mankind, under forms of government too feeble to afford them protection, were exposed to the depredations of lawless robbers, or the cruelty of savage oppressors, that the well known labours of Hercules, by which he was raised from earth to heaven, could have been necessary, or would have been deemed so highly meritorious. The same observation is applicable to the ancient mythology of India. Many of the adventures and exploits of the Indian deities are suited to the rudest ages of turbulence and rapine. It was to check disorder, to redress wrongs, and to clear the earth of powerful oppressors, that Vishnou, a divinity of the highest order, is said to have become successively incarnate, and to have appeared on earth in various forms.[z]

III. The character and functions of those deities which superstition created to itself as objects of its veneration, having every where a near resemblance, the rites of their worship were every where extremely similar. Accordingly, as deities were distinguished, either by ferocity of character or licentiousness of conduct, it is obvious what services must have been deemed most acceptable to them. In order to conciliate the favour, or to appease the wrath, of the former, fasts, mortifications, and penances, all rigid, and many of them excruciating to an extreme degree, were the means employed. Their altars were always bathed in blood; the most costly victims were offered; whole hecatombs were slaughtered; even human sacrifices were not unknown, and were held to be the most powerful expiations. In order to gain the goodwill of the deities of the latter description, recourse was had to institutions of a very different kind, to splendid ceremonies, gay festivals, heightened by all the pleasures of poetry, music, and dancing, but often terminating in scenes of indulgence too indecent to be described. Of both these, instances occur in the rites of Greek and Roman worship, which I need not mention to my learned readers.[a] In the East the ceremonial of superstition is nearly the same. The manners of the Indians, though distinguished, from the time when they became known to the people of the West, for mildness, seem, in a more remote period, to have been in a greater degree similar to those of other nations. Several of their deities were fierce and awful in their nature, and were represented in their temples under the most terrific forms. If we did not know the dominion of superstition over the human mind, we should hardly believe that a ritual of worship suited to the character of such deities could have been established among a gentle people. Every act of religion performed in honour of some of their gods, seems to have been prescribed by fear. Mortifications and penances so rigorous, so painful, and so long continued, that we read the accounts of them with astonishment and horror, were multiplied. Repugnant as it is to the feelings of an Hindoo to shed the blood of any creature that has life, many different animals, even the most useful, the horse and the cow, were offered up as victims upon the altars of some of their gods;[b] and what is still more strange, the pagodas of the East were polluted with human sacrifices as well as the temples of the West.[c] But religious institutions, and ceremonies of a less severe kind, were more adapted to the genius of a people formed, by the extreme sensibility both of their mental and corporeal frame, to an immoderate love of pleasure. In no part of the earth was a connexion between the gratification of sensual desire and the rites of public religion, displayed with more avowed indecency than in India. In every pagoda there was a band of women set apart for the service of the idol honoured there, and devoted from their early years to a life of pleasure; for which the Brahmins prepared them by an education which added so many elegant accomplishments to their natural charms, that what they gained by their profligacy often brought no inconsiderable accession to the revenue of the temple. In every function performed in the pagodas, as well as in every public procession, it is the office of these women to dance before the idol, and to sing hymns in his praise; and it is difficult to say, whether they trespass most against decency by the gestures they exhibit, or by the verses which they recite. The walls of the Pagoda are covered with paintings in a style no less indelicate;[d] and in the innermost

z Voyage de Sonnerat, tom. i. p. 158, &c.
a Strabo, lib. viii. p. 581. A. Lib. xii. p. 837. C.
b Ayeen Akbery, vol. iii. page 211. Roger Porte Ouverte, page 251.
c Heetoo-pades, p. 185—322. Asiat. Researches, vol. i. p. 265. Voy. de Sonnerat, vol. i. p. 207. Roger, p. 251.
d Voyage de Gentil. vol. i. p. 214. 260. Preface to Code of Gentoo Laws, p. lvii.

reeess of the temple, for it would be profane to call it the sanctuary, is placed the *Lingam*, an emblem of productive power too gross to be explained.[e]

IV. How absurd soever the articles of faith may be which superstition has adopted, or how unhallowed the rites which it prescribes, the former are received in every age and country with unhesitating assent, by the great body of the people, and the latter observed with scrupulous exactness. In our reasonings concerning religious opinions and practiees which differ widely from our own, we are extremely apt to err. Having been instructed ourselves in the principles of a religion, worthy in every respect of that divine wisdom by which they were dictated, we frequently express wonder at the credulity of nations in embracing systems of belief which appear to us so direetly repugnant to right reason, and sometimes suspect that tenets so wild and extravagant do not really gain credit with them. But experience may satisfy us, that neither our wonder nor suspicions are well founded. No article of the publie religion was called in question by those people of ancient Europe with whose history we are best acquainted, and no practice which it enjoined appeared improper to them. On the other hand, every opinion that tended to diminish the reverencc of men for the gods of their country, or to alienate them from their worship, excited among the Greeks and Romans that indignant zeal which is natural to every people attached to their religion by a firm persuasion of its truth. The attachment of the Indians, both in ancient and modern times, to the tcnets and rites of their anccstors, has been, if possible, still greater. In no country, of which we have any account, werc precautions taken with so much solicitude to place the great body of the people bcyond the reach of any temptation to doubt or disbelief. They not only were prevented (as I have already observed the great bulk of mankind must always be, in every country) from entering upon any speculative inquiry, by the various occupations of active and laborious life, but any attempt to extend the sphcre of their knowledge was expressly prohibited. If one of the Sooder cast, by far the most numerous of the four into which the whole nation was divided, presumed to read any portion of the sacred books, in whieh all the science known in India is contained, he was severely punished ; if he ventured to get it by heart, he was put to death.[f] To aspire after any higher degree of knowledge than the Brahmins have been pleased to teaeh, would be deemed not only presumption but impiety. Even the higher casts depended entirely for instruction on the Brahmins, and could acquire no portion of science but what they deigned to communicate. By means of this, a devout reverence was universally maintained for those institutions which were eonsidered as sacred ; and though the faith of the Hindoos has been often tried by severe persecutions, exeited by the bigotry of their Mahomedan conquerors, no people ever adhered with greater fidelity to the tenets and rites of their ancestors.[g]

V. We may observe, that when science and philosophy are diffused through any country, the system of superstition is subjected to a serutiny from which it was formerly exempt, and opinions spread which imperceptibly diminish its influence over the minds of men. A free and full examination is always favourable to truth, but fatal to error. What is received with implieit faith in ages of darkness, will excite contempt or indignation in an enlightened period. The history of religion in Greece and Italy, the only countries of Europe which, in ancient times, were distinguished for their attainments in science, confirms the truth of this observation. As soon as science made such progress in Greece as rendered men capable of discerning the wisdom, the foresight, and the goodness displayed in creating, preserving, and governing the world, they must have perceived, that the characters of the divinities which were proposed as the objects of adoration in their temples, could not entitle them to be considered as the presiding powers in nature. A poet might address Jupiter as the father of gods and men, who governed both by eternal laws ; but to a philosopher, the son of Saturn, the story of whose life is a series of violent and licentious deeds, which would render any man odious or despicable, must have appeared altogether unworthy of that station. The nature of the religious service eelebrated in their temples must have been no less offensive to an enlightened mind, than the character of the deities in honour of whom it was performed. Instead of institutions tending to reclaim men from vice, to form or to strengthen habits of virtue, or to elevate the mind to a sense of its proper dignity, superstition either occupied its votaries in frivolous unmeaning ceremonies, or prescribed rites which operated, with fatal influence, in inflaming the passions and corrupting the heart.

It is with timidity, however, and caution, that men venture to attack the established religion of their country, or to impugn opinions which have been long held sacred. At first, some philosophers endeavourcd, by allegorical interpretations and refined comments, to explain the popular mythology, as if it had been a description of the powers of nature, and of the various events and revolutions which take place in the system of the material world, and endeavoured by this expedient to palliate many of its absurdities. By degrees, bolder theories concerning religion were admitted into the schools of science. Philosophers of enlarged views, sensible of the impiety of the popular superstition, formed ideas concerning the perfeetions of one Supreme Being, the Creator and Ruler of the uni-

e Roger Porte Ouverte, p. 157. Voyage de Sonnerat, vol. i. p. 41, 175. Searches, vol. i. p. 203. Hamilton's Trav. vol. i. p. 379.

f Code of Gentoo Laws, chap. 21. § 7.
g Orme's Fragment, p. 102. Sonnerat, vol. i. p. 194.

verse, as just and rational as have ever been attained by the unassisted powers of the human mind.

If from Europe we now turn to Asia, we shall find, that the observation which I have made upon the history of false religion holds equally true there. In India, as well as in Greece, it was by cultivating science that men were first led to examine and to entertain doubts with respect to the established systems of superstition; and when we consider the great difference between the ecclesiastical constitution (if I may use that expression) of the two countries, we are apt to imagine that the established system lay more open to examination in the latter than in the former. In Greece there was not any distinct race or order of men set apart for performing the functions of religion, or to serve as hereditary and interested guardians of its tenets and institutions. But in India the Brahmins were born the ministers of religion, and they had an exclusive right of presiding in all the numerous rites of worship which superstition prescribed as necessary to avert the wrath of Heaven, or to render it propitious. These distinctions and privileges secured to them a wonderful ascendant over their countrymen; and every consideration that can influence the human mind, the honour, the interest, the power of their order, called upon them to support the tenets, and to maintain the institutions and rites, with which the preservation of this ascendant was so intimately connected.

But as the most eminent persons of the cast devoted their lives to the cultivation of science, the progress which they made in all the branches of it (of which I have given some account) was great, and enabled them to form such a just idea of the system of nature, and of the power, wisdom, and goodness displayed in the formation and government of it, as elevated their minds above the popular superstition, and led them to acknowledge and reverence one Supreme Being, "the Creator of all things, (to use their own expressions,) and from whom all things proceed."[h]

This is the idea which Abul Fazel, who examined the opinions of the Brahmins with the greatest attention and candour, gives of their theology. "They all," says he, "believe in the unity of the Godhead, and although they hold images in high veneration, it is only because they represent celestial beings, and prevent the thoughts of those who worship them from wandering."[i] The sentiments of the most intelligent Europeans who have visited India, coincide perfectly with his, in respect to this point. The accounts which M. Bernier received from the Pundits of Benares, both of their external worship, and of one Sovereign Lord being the sole object of their devotion, is precisely the same with that given by Abul Fazel.[k] Mr. Wilkins, better qualified perhaps than any European ever was to judge with respect to this subject, represents the learned Brahmins of the present times as Theists, believers in the unity of God.[l] Of the same opinion is M. Sonnerat, who resided in India seven years, in order to inquire into the manners, sciences, and religion of the Hindoos.[m] The Pundits who translated the Code of Gentoo Laws declare, "that it was the Supreme Being, who, by his power, formed all creatures of the animal, vegetable, and material world, from the four elements of fire, water, air, and earth, to be an ornament to the magazine of creation; and whose comprehensive benevolence selected man, the centre of knowledge, to have dominion and authority over the rest; and, having bestowed upon this favourite object judgment and understanding, gave him supremacy over the corners of the world."[n]

Nor are these to be regarded as refined sentiments of later times. The Brahmins, being considered by the Mahomedan conquerors of India as the guardians of the national religion, have been so studiously depressed by their fanatical zeal, that the modern members of that order are as far inferior to their ancestors in science as in power. It is from the writings of their ancient Pundits that they derive the most liberal sentiments which they entertain at present, and the wisdom for which they are now celebrated has been transmitted to them from ages very remote.

That this assertion is well founded we are enabled to pronounce with certainty, as the most profound mysteries of Hindoo theology, concealed with the greatest care from the body of the people, have been unveiled by the translations from the Sanskreet language lately published. The principal design of the Baghvat-Geeta, an episode in the Mahabarat, a poem of the highest antiquity, and of the greatest authority in India, seems to have been to establish the doctrine of the unity of the Godhead, and from a just view of the divine nature to deduce an idea of what worship will be most acceptable to a perfect being. In it, amidst much obscure metaphysical discussion, some ornaments of fancy unsuited to our taste, and some thoughts elevated to a tract of sublimity into which, from our habits of reasoning and judging, we shall find it difficult to follow them,[o] we find descriptions of the Supreme Being entitled to equal praise with those of the Greek philosophers which I have celebrated. Of these I shall now produce one to which I formerly alluded, and refer my readers for others to the work itself: "O mighty Being," says Arjoon, "who art the prime Creator, eternal God of gods, the World's Mansion! Thou art the incorruptible Being, distinct from all things transient. Thou art before all gods, the ancient *Pooroosh*, [i. e. vital soul,] and the Supreme Supporter of the universe. Thou knowest all things, and art worthy to be known: thou art the Supreme Mansion, and by thee, O Infinite Form, the universe was spread abroad! Reverence be unto thee before and behind; reve-

h Baghvat-Geeta, p. 84.
i Ayeen Akbery, vol. iii. p. 3.
k Voyage, tom. ii. p. 159.
l Preface to Baghvat-Geeta, p. 21.
m Voyage, tom. i. p. 198.
n Prelim. Discourse, p. lxxiii.
o Mr. Hastings's Letter, prefixed to the Baghvat-Geeta, p. 7.

renee be unto thee on all sides! O thou who art all in all, infinite is thy power and thy glory.—Thou art the Father of all things, animate and inanimate. Thou art the wise instructor of the whole, worthy to be adored. There is none like unto thee; where then, in the three worlds, is there one above thee? Wherefore I bow down; and with my body prostrate upon the ground, crave thy merey, Lord! worthy to be adored; for thou shouldst bear with me, even as a father with his son, a friend with his friend, a lover with his beloved."[p] A description of the Supreme Being is given in one of the sacred books of the Hindoos, from which it is evident what were the general sentiments of the learned Brahmins concerning the divine nature and perfeetions: "As God is immaterial, he is above all conception; as he is invisible, he can have no form; but from what we behold of his works, we may conclude, that he is eternal, omnipotent, knowing all things, and present every where."[q]

To men capable of forming such ideas of the Deity, the public service in the pagodas must have appeared to be an idolatrous worship of images, by a superstitious multiplication of frivolous or immoral rites; and they must have seen that it was only by sanetity of heart, and purity of manners, men could hope to gain the approbation of a Being perfect in goodness. This truth Veias labours to ineulcate in the Mahabarat, but with the prudent reserve and artful precautions natural to a Brahmin, studious neither to offend his countrymen, nor to diminish the influence of his own order. His ideas concerning the mode of worshipping the Deity are explained in many striking passages of the poem; but unwilling to multiply quotations, I satisfy myself with referring to them.[r]

When we recollect how slowly the mind of man opens to abstract ideas, and how difficult (according to an observation in the Mahabarat) an invisible path is to corporeal beings, it is evident that the Hindoos must have attained a high degree of improvement before their sentiments rose so far superior to the popular superstition of their country. The different states of Greece had subsisted long, and had made considerable progress in refinement, before the errors of false religion began to be detected. It was not until the age of Socrates, and in the schools of philosophy established by his disciples, that principles adverse to the tenets of the popular superstition were much propagated.

A longer period of time elapsed before the Romans, a nation of warriors and statesmen, were enlightened by science, or venturcd upon any free disquisition concerning the objects or the rites of worship authorized by their ancestors. But in India the happy effects of progress in science were much more early conspicuous. Without adopting the wild computations of Indian chronology, according to which, the Mahabarat was composed above four thousand years ago, we must allow, that it is a work of very great antiquity, and the author of it discovers an acquaintance with the principles of theology, of morals, and of metaphysics, more just and rational than seems to have been attained, at that period, by any nation whose history is known.

But so unable are the limited powers of the human mind to form an adequate idea of the perfeetions and operations of the Supreme Being, that in all the theories concerning them, of the most eminent philosophers in the most enlightened nations, we find a lamentable mixture of ignorance and error. From these the Brahmins were not more exempt than the sages of other countries. As they held that the system of nature was not only originally arranged by the power and wisdom of God, but that every event which happened was brought about by his immediate interposition, and as they could not comprehend how a being could act in any place unless where it was present, they supposed the Deity to be a vivifying principle diffused through the whole creation, an universal soul that animated each part of it.[s] Every intelligent nature, particularly the souls of men, they conceived to be portions separated from this great Spirit,[t] to which, after fulfilling their destiny on earth, and attaining a proper degree of purity, they would be again reunited. In order to efface the stains with which a soul, during its residence on earth, has been defiled, by the indulgence of sensual and corrupt appetites, they taught that it must pass, in a long succession of transmigrations, through the bodies of different animals, until, by what it suffers and what it learns in the various forms of its existence, it shall be so thoroughly refined from all pollution as to be rendered meet for being absorbed into the divine essence, and returns like a drop into that unbounded ocean from which it originally issued.[u] These doctrines of the Brahmins concerning the Deity, as the soul which pervades all nature, giving activity and vigour to every part of it, as well as the final reunion of all intelligent ereatures to their primæval source, coincide perfectly with the tenets of the Stoical school. It is remarkable, that after having observed a near resemblance in the most sublime sentiments of their moral doctrine, we should likewise diseover such a similarity in the errors of their theological speculations.[x]

The human mind, however, when destitute of superior guidance, is apt to fall into a practieal error with respeet to religion, of a tendency still more dangerous. When philosophers, by their attainments in science, began to acquire such just ideas of the nature and perfections of the Supreme Being, as convinced them that the popular system of superstition was not only absurd but impious, they were fully aware of all the danger which might arise

p Baghvat-Geeta, p. 91, 95.
q Dow's Dissert. p. xl.
r Baghvat-Geeta, p. 55. 67. 75. 97. 119.
s Ibid. p. 65. 78. 85. Bernier, tom. ii. p. 163.
t Dow's Dissert. p. xliii.
u Voy. de Sonnerat, vol. i. p. 192. 200. Baghvat-Geeta, p. 39. 115. Dow's Dissert. p. xliii.
x Lipfij Physiol. Stoicor. lib. i, dissert. viii. xxi. Seneca, Antoninus, Epictetus, passim.

from communicating what they had discovered to the people, incapable of comprehending the force of those reasons which had swayed with them, and so zealously attached to established opinions, as to revolt against any attempt to detect their falsehood. Instead, therefore, of allowing any ray of that knowledge which illuminated their own minds to reach them, they formed a theory to justify their own conduct, and to prevent the darkness of that cloud which hung over the minds of their fellow-men from being ever dispelled. The vulgar and unlearned, they contended, had no right to truth. Doomed by their condition to remain in ignorance, they were to be kept in order by delusion, and allured to do what is right, or deterred from venturing upon what is wrong, by the hope of those imaginary rewards which superstition promises, and the dread of those punishments which it threatens. In confirmation of this, I might quote the doctrine of most of the philosophic sects, and produce the words of almost every eminent Greek and Roman writer. It will be sufficient, however, to lay before my readers a remarkable passage in Strabo, to whom I have been so often indebted in the course of my researches, and who was no less qualified to judge with respect to the political opinions of his contemporaries, than to describe the countries which they inhabited. "What is marvellous in fable, is employed," says he, "sometimes to please, and sometimes to inspire terror, and both these are of use, not only with children, but with persons of mature age. To children we propose delightful fictions, in order to encourage them to act well, and such as are terrible, in order to restrain them from evil. Thus when men are united in society, they are incited to what is laudable, by hearing the poets celebrate the splendid actions of fabulous story, such as the labours of Hercules and Theseus, in reward for which they are now honoured as divinities, or by beholding their illustrious deeds exhibited to public view in painting and sculpture. On the other hand, they are deterred from vice, when the punishments inflicted by the gods upon evil doers are related, and threats are denounced against them in awful words, or represented by frightful figures, and when men believe that these threats have been really executed upon the guilty. For it is impossible to conduct women and the gross multitude, and to render them holy, pious, and upright, by the precepts of reason and philosophy; superstition, or the fear of the gods, must be called in aid, the influence of which is founded on fictions and prodigies. For the thunder of Jupiter, the ægis of Minerva, the trident of Neptune, the torches and snakes of the furies, the spears of the gods, adorned with ivy, and the whole ancient theology, are all fables, which the legislators who formed the political constitution of states employ as bugbears to overawe the credulous and simple."[y]

These ideas of the philosophers of Europe were precisely the same which the Brahmins had adopted in India, and according to which they regulated their conduct with respect to the great body of the people. As their order had an exclusive right to read the sacred books, to cultivate and to teach science, they could more effectually prevent all who were not members of it from acquiring any portion of information beyond what they were pleased to impart. When the free circulation of knowledge is not circumscribed by such restrictions, the whole community derives benefit from every new acquisition in science, the influence of which, both upon sentiment and conduct, extends insensibly from the few to the many, from the learned to the ignorant. But wherever the dominion of false religion is completely established, the body of the people gain nothing by the greatest improvements in knowledge. Their philosophers conceal from them, with the utmost solicitude, the truths which they have discovered, and labour to support that fabric of superstition which it was their duty to have overturned. They not only enjoin others to respect the religious rites prescribed by the laws of their country, but conform to them in their own practice, and with every external appearance of reverence and devotion, bow down before the altars of deities, who must inwardly be the objects of their contempt. Instead of resembling the teachers of true religion in the benevolent ardour with which they have always communicated to their fellow-men the knowledge of those important truths with which their own minds were enlightened and rendered happy, the sages of Greece, and the Brahmins of India, carried on, with studied artifice, a scheme of deceit, and, according to an emphatic expression of an inspired writer, they *detained* the truth in unrighteousness.[z] They knew and approved what was true, but among the rest of mankind they laboured to support and to perpetuate what is false.

Thus I have gone through all the particulars which I originally proposed to examine, and have endeavoured to discover the state of the inhabitants of India with respect to each of them. If I had aimed at nothing else than to describe the civil policy, the arts, the sciences, the religious institutions of one of the most ancient and most numerous race of men, that alone would have led me into inquiries and discussions both curious and instructive. I own, however, that I have all along kept in view an object more interesting, as well as of greater importance, and entertain hopes, that if the account which I have given of the early and high civilization of India, and of the wonderful progress of its inhabitants in elegant arts and useful science, shall be received as just and well established, it may have some influence upon the behaviour of Europeans towards that people. Unfortunately for the human species, in whatever quarter of the globe the people of Europe have acquired dominion, they have found the inhabitants not only in a state of so-

y Strabo, lib. i. p. 36. B.

z Rom. i. 18.

ciety and improvement far inferior to their own, but different in their complexion, and in all their habits of life. Men in every stage of their career are so satisfied with the progress made by the community of which they are members, that it becomes to them a standard of perfection, and they are apt to regard people whose condition is not similar, with contempt, and even aversion. In Africa and America, the dissimilitude is so conspicuous, that, in the pride of their superiority, Europeans thought themselves entitled to reduce the natives of the former to slavery, and to exterminate those of the latter. Even in India, though far advanced beyond the two other quarters of the globe in improvement, the colour of the inhabitants, their effeminate appearance, their unwarlike spirit, the wild extravagance of their religious tenets and ceremonies, and many other circumstances, confirmed Europeans in such an opinion of their own pre-eminence, that they have always viewed and treated them as an inferior race of men. Happy would it be if any of the four European nations, who have successively acquired extensive territories and power in India, could altogether vindicate itself from having acted in this manner. Nothing, however, can have a more direct and powerful tendency to inspire Europeans, proud of their own superior attainments in policy, science, and arts, with proper sentiments concerning the people of India, and to teach them a due regard for their natural rights as men, than their being accustomed, not only to consider the Hindoos of the present times as a knowing and ingenious race of men, but to view them as descended from ancestors who had attained to a very high degree of improvement, many ages before the least step towards civilization had been taken in any part of Europe. It was by an impartial and candid inquiry into their manners, that the emperor Akber was led to consider the Hindoos as no less entitled to protection and favour, than his other subjects, and to govern them with such equity and mildness, as to merit from a grateful people the honourable appellation of "The Guardian of Mankind." It was from a thorough knowledge of their character and acquirements, that his vizier Abul Fazel, with a liberality of mind unexampled among Mahomedans, pronounces a high encomium on the virtues of the Hindoos, both as individuals and as members of society, and celebrates their attainments in arts and sciences of every kind.[a] If I might presume to hope that the description which I have given of the manners and institutions of the people of India could contribute in the smallest degree, and with the remotest influence, to render their character more respectable, and their condition more happy, I shall close my literary labours with the satisfaction of thinking, that I have not lived or written in vain.

a Ayeen Akbery, vol. iii. p. 2. 81. 95.

NOTES AND ILLUSTRATIONS

TO THE

DISQUISITION ON ANCIENT INDIA.

Note I. Sect. I. p. 1086.

Credulity and scepticism are two opposite extremes into which men are apt to run, in examining the events which are said to have happened in the early ages of antiquity. Without incurring any suspicion of a propensity to the latter of these, I may be allowed to entertain doubts concerning the expedition of Sesostris into India, and his conquest of that country.———1. Few facts in ancient history seem to be better established, than that of the early aversion of the Egyptians to a seafaring life. Even the power of despotism cannot at once change the ideas and manners of a nation, especially when they have been confirmed by long habit, and rendered sacred by the sanction of religion. That Sesostris, in the course of a few years, should have so entirely overcome the prejudices of a superstitious people, as to be able to fit out four hundred ships of force in the Arabian gulf, besides another fleet which he had in the Mediterranean, appears to be extremely improbable. Armaments of such magnitude would require the utmost efforts of a great and long established maritime power.———2. It is remarkable that Herodotus, who inquired with the most persevering diligence into the ancient history of Egypt, and who received all the information concerning it which the priests of Memphis, Heliopolis, and Thebes could communicate, Herodot. Edit. Wesselingij, lib. ii. c. 3., although he relates the history of Sesostris at some length, does not mention his conquest of India, lib. ii. c. 102, &c. That tale, it is probable, was invented in the period between the age of Herodotus and that of Diodorus Siculus, from whom we receive a particular detail of the Indian expedition of Sesostris. His account rests entirely upon the authority of the Egyptian priests; and Diodorus himself not only gives it as his general opinion, "that many things which they related, flowed rather from a desire to promote the honour of their country, than from attention to truth," lib. i. p. 34. Edit. Wesselingij, Amst. 1746; but takes particular notice that the Egyptian priests, as well as the Greek writers, differ widely from one another in the accounts which they give of the actions of Sesostris, lib. i. p. 62.———3. Though Diodorus asserts that in relating the history of Sesostris he had studied to select what appeared to him most probable, and most agreeable to the monuments of that monarch still remaining in Egypt, he has admitted into his narrative many marvellous circumstances, which render the whole extremely suspicious. The father of Sesostris, as he relates, collected all the male children who were born in Egypt on the same day with his son, in order that they might be educated together with him, conformable to a mode which he prescribed, with a view of preparing them as proper instruments to carry into execution the great undertakings for which he destined Sesostris. Accordingly, when Sesostris set out upon his Indian expedition, which, from circumstances mentioned by Diodorus, must have been about the fortieth year of his age, one thousand seven hundred of his youthful associates are said to have been still alive, and were intrusted with high command in his army. But if we apply to the examination of this story the certain principles of political arithmetic, it is evident, that if one thousand seven hundred of the male children born on the same day with Sesostris were alive when his great expedition commenced, the number of children born in Egypt on each day of the year must have been at least ten thousand, and the population of the kingdom must have exceeded sixty millions; Goguet, l'Origine des Loix, des Arts, &c. tom. ii. p. 12, &c.; a number far beyond the bounds of credi-

bility, in a kingdom which, from the accurate calculations of M. D'Anville, Memoire sur l'Egypt Anc. et Modcrne, p. 23, &c. does not contain more than two thousand one hundred square leagues of habitable country. Decline and Fall of the Rom. Emp. vol. v. p. 348. Another marvellous particular is the description of a ship of cedar, four hundred and ninety feet in length, covered on the outside with gold, and on the inside with silver, which Sesostris consecrated to the Deity who was the chief object of worship at Thebes. Lib. i. p. 67. Such too is the account he gives of the Egyptian army, in which, besides six hundred thousand infantry, and twenty-four thousand cavalry, there were twenty-seven thousand armed chariots. Ibid. p. 64.———4. These and other particulars appeared so far to exceed the bounds of probability, that the sound understanding of Strabo the geographer rejected, without hesitation, the accounts of the Indian expedition of Sesostris; and he not only asserts, in the most explicit terms, that this monarch never entered India, lib. xv. p. 1007. C. edit. Casaub. Amst. 1707; but he ranks what has been related concerning his operations in that country with the fabulous exploits of Bacchus and Hercules, p. 1007. D. 1009. B. The philosophical historian of Alexander the Great seems to have entertained the same sentiments with respect to the exploits of Sesostris in India, Hist. Ind. c. 5. Arrian, Exped. Alex. edit. Gronov. L. Bat. 1704. What slender information concerning India, or its inhabitants, Herodotus had received, seems to have been derived, not from the Egyptians, but from the Persians, lib. iii. c. 105.; which renders it probable, that in his time there was little intercourse between Egypt and India. If Reland be well founded in his opinion, that many of the words mentioned by ancient authors as Indian are really Persian, we may conclude that there was an early intercourse between Persia and India, of which hardly any trace remains in history. Reland, Dissert. de Veteri Linguæ Indic. ap. Dissert. Miscel. vol. i. p. 209.

Note II. Sect. I. p. 1087.

When we consider the extent and effects of the Phenician commerce, the scanty information concerning it which we receive from ancient writers must, on a first view, appear surprising. But when we recollect that all the Greek historians, (Herodotus excepted,) who give any account of the Phenicians, published their works long after the destruction of Tyre by Alexander the Great, we will cease to wonder at their not having entered into minute details with respect to a trade which was then removed to new seats, and carried on in other channels. But the power and opulence of Tyre, in the prosperous age of its commerce, must have attracted general attention. In the prophecies of Ezekiel, who flourished two hundred and sixty years before the fall of Tyre, there is the most particular account of the nature and variety of its commercial transactions that is to be found in any ancient writer, and which convcys at the same time a magnificent idea of the extcnsive power of that state. Ch. xxvi. xxvii. xxviii.

Note III. Sect. I. p. 1087.

The account given of the revenue of the Persian monarchy by Herodotus is curious, and seems to have been copied from some public record which had been communicated to him. According to it, the Persian empire was divided into twenty satrapys, or governments. The tribute levied from each is specified, amounting in all to 14,560 Eubœan talents, which Dr. Arbuthnot reckons to be equal to 2,807,437*l.* sterling money; a sum extremely small for the revenue of the great king, and which ill accords with many facts, concerning the riches, magnificence, and luxury of the East, that occur in ancient authors.

Note IV. Sect. I. p. 1088.

Major Rennell, in the second edition of his Memoir, has traced, from very imperfect materials, the routes by which Alexander, Tamerlane, and Nadir Shah penetrated into India, with a degree of accuracy which does honour to his discernment, and displays the superiority of his knowledge in the ancient and modern geography of that country. His researches he has illustrated by an additional map. To these I must refer my readers. Nor are they to consider his laborious investigation merely as an object of curiosity; the geography of that fertile and extensive region of India, distinguished by the name of *Panjab*, with which we are at present little acquainted, may soon become very interesting. If, on the one hand, that firm foundation on which the British empire in India seems to be established, by the successful termination of the late war, remains unshaken;—if, on the other hand, the Seiks, a confederacy of several independent states, shall continue to extend their dominions with the same rapidity that they have advanced since the beginning of the current century; it is highly probable that the enterprising commercial spirit of the one people, and the martial ardour of the other, who still retain the activity and ardour natural to men in the earliest ages of social union, may give rise to events of the greatest moment. The frontiers of the two states are approaching gradually nearer and nearer to each other, the territories of the Seiks having reached to the western bank of the river Jumnah, while those of the Nabob of Oude stretch along its eastern bank. This Nabob, the ally or tributary of the East India Company, is supported by a brigade of the Bengal army, constantly stationed on his western frontier. Rcn. Mem. Introd. p. cxvi. In a position so contiguous, rivalry for power, interference of interest, and innumerable other causes of jealousy and discord, can hardly fail of terminating, sooner or later, in open hostility. The Seiks possess the whole Soubah

of Lahore, the principal part of Moultan, and the western part of Delhi. The dimensions of this tract are about 400 British miles from N. W. to S. E., varying in breadth from 320 to 150 miles. Their capital city is Lahore. Little is known concerning their government and political maxims; but they are represented as mild. In their mode of making war, they are unquestionably savage and cruel. Their army consists almost entirely of horse; of which they can bring at least 100,000 into the field. Maj. Ren. Mem. 2d edit. Introd. p. cxxi. cxxii. and p. 365. See also Mr. Craufurd's Sketches, 2d edit. vol. ii. p. 263, &c.

Note V. Sect. I. p. 1089.

It is surprising that Alexander did not receive, in the provinces contiguous to India, such an account of the periodical rains in that country, as to show him the impropriety of carrying on military operations there while these continued. His expedition into India commenced towards the end of spring, Arrian, lib. iv. c. 22., when the rains were already begun in the mountains from which all the rivers in the Panjab flow, and of course they must have been considerably swelled before he arrived on their banks, Rennell, p. 268.—He passed the Hydaspes at midsummer, about the height of the rainy season. In a country through which so many large rivers run, an army on service at this time of the year must have suffered greatly. An accurate description of the nature of the rains and inundations in this part of India is given by Arrian, lib. v. c. 9.; and one still fuller may be found in Strabo, lib. xv. 1013.—It was of what they suffered by these that Alexander's soldiers complained, Strabo, lib. xv. 1021. D.; and not without reason, as it had rained incessantly during seventy days, Diod. Sicul. xvii. c. 94.—A circumstance which marks the accuracy with which Alexander's officers had attended to every thing in that part of India, deserves notice. Aristobulus, in his Journal, which I have mentioned, observes, that though heavy rains fell in the mountains, and in the country near to them, in the plains below not so much as a shower fell. Strabo, lib. xv. 1013. B. 1015. B. Major Rennell was informed by a person of character, who had resided in this district of India, which is now seldom visited by Europeans, that during great part of the S. W. monsoon, or at least in the months of July, August, and part of September, which is the rainy season in most other parts of India, the atmosphere in the Delta of the Indus is generally clouded, but no rain falls except very near the sea. Indeed, very few showers fall during the whole season. Captain Hamilton relates, that when he visited Tatta, no rain had fallen for three years before. Memoirs, p. 288.—Tamerlane, who, by the vicinity of the seat of his government to India, had the means of being well informed concerning the nature of the country, avoided the error of Alexander, and made his Indian campaign during the dry season. As Nadir Shah, both when he invaded India, A. D. 1738, and in his return next year, marched through the same countries with Alexander, and nearly in the same line of direction, nothing can give a more striking idea of the persevering ardour of the Macedonian conqueror, than the description of the difficulties which Nadir Shah had to surmount, and the hardships which his army endured. Though possessed of absolute power and immense wealth, and distinguished no less by great talents than long experience in the conduct of war, he had the mortification to lose a great part of his troops in crossing the rivers of the Panjab, in penetrating through the mountains to the north of India, and in conflicts with the fierce natives inhabiting the countries which stretch from the banks of the Oxus to the frontiers of Persia. An interesting account of his retreat and sufferings is given in the Memoirs of Khojeh Abdulkurren, a Cashmerian of distinction, who served in his army.

Note VI. Sect. I. p. 1089.

That a fleet so numerous should have been collected in such a short time, is apt to appear, at first sight, incredible. Arrian, however, assures us, that in specifying this number, he followed Ptolemy, the son of Lagus, whose authority he considered to be of the greatest weight, lib. vi. c. 3. But as the Panjab country is full of navigable rivers, on which all the intercourse among the natives was carried on, it abounded with vessels ready constructed to the conqueror's hands, so that he might easily collect that number. If we would give credit to the account of the invasion of India by Semiramis, no fewer than four thousand vessels were assembled on the Indus to oppose her fleet. Diod. Sicul, lib. ii. c. 74.—It is remarkable, that when Mahmoud of Gazna invaded India, a fleet was collected on the Indus to oppose him, consisting of the same number of vessels. We learn from the Ayeen Akbery, that the inhabitants of this part of India still continue to carry on all their communication with each other by water; the inhabitants of the Circar of Tatta alone have not less than forty thousand vessels of various constructions. Vol. ii. p. 143.

Note VII. Sect. I. p. 1090.

All these particulars are taken from the Indian History of Arrian, a work different from that already mentioned, and one of the most curious treatises transmitted to us from antiquity. The first part of it consists of extracts from the account given by Nearchus of the climate and soil of India, and the manners of the natives. The second contains that officer's journal of his voyage from the mouth of the Indus to the bottom of the Persian gulf. The perusal of it give rise to several observations.—1. It is remarkable that neither Nearchus, nor Ptolemy, nor Aristobulus, nor even Arrian, once mention the voyage of Scylax. This could not proceed from their being unacquainted with it, for Herodotus

was a favourite author in the hands of every Greek who had any pretensions to literature. It was probably occasioned by the reasons which they had to distrust the veracity of Scylax, of which I have already taken notice. Accordingly, in a speech which Arrian puts into the mouth of Alexander, he asserts, that, except Bacchus, he was the first who had passed the Indus; which implies that he disbelieved what is related concerning Scylax, and was not acquainted with what Darius Hystaspes is said to have done, in order to subject that part of India to the Persian crown. Arrian, vii. c. 10. This opinion is confirmed by Megasthenes, who resided a considerable time in India. He asserts that, except Bacchus and Hercules, (to whose fabulous expeditions Strabo is astonished that he should have given any credit, lib. xv. p. 1007. D.) Alexander was the first who had invaded India; Arrian, Hist. Indic. c. 5. We are informed by Arrian, that the Assacani, and other people who possessed that country which is now called the kingdom of Candahar, paid tribute, first to the Assyrians, and afterwards to the Medes and Persians; Hist. Indic. c. 1. As all the fertile provinces on the north-west of the Indus were anciently reckoned to be part of India, it is probable that what was levied from them is the sum mentioned in the tribute roll, from which Herodotus drew his account of the annual revenue of the Persian empire, and that none of the provinces to the south of the Indus were ever subject to the kings of Persia.—2. This voyage of Nearchus affords some striking instances of the imperfect knowledge which the ancients had of any navigation different from that to which they were accustomed in the Mediterranean. Though the enterprising genius and enlarged views of Alexander prompted him to attempt opening an intercourse by sea, between India and his Persian dominions, yet both he and Nearchus knew so little of the ocean which they wished to explore, as to be apprehensive that it might be found impossible to navigate it, on account of impervious straits, or other obstacles. Hist. Indic. c. 20. Q. Curt. lib. ix. c. 9. When the fleet arrived near the mouth of the Indus, the astonishment excited by the extraordinary flow and ebb of tide in the Indian ocean, a phenomenon (according to Arrian) with which Alexander and his soldiers were unacquainted, lib. vi. c. 19. is another proof of their ignorance in maritime science. Nor is there any reason to be surprised at their astonishment, as the tides are hardly perceptible in the Mediterranean, beyond which the knowledge of the Greeks and Macedonians did not extend. For the same reason, when the Romans carried their victorious arms into the countries situated on the Atlantic ocean, or on the seas that communicate with it, this new phenomenon of the tides was an object of wonder and terror to them. Cæsar describes the amazement of his soldiers at a spring-tide, which greatly damaged the fleet with which he invaded Britain, and acknowledges that it was an appearance with which they were unacquainted; Bell. Gallic. lib. iv. c. 29. The tides on the coast near the mouth of the Indus are remarkably high, and the effects of them very great, especially that sudden and abrupt influx of the tide into the mouths of rivers, or narrow straits, which is known in India by the name of *The Bore*, and is accurately described by Major Rennell, Introd. xxiv. Mem. 278. In the Periplus Maris Erythræi, p. 26. these high tides are mentioned, and the description of them nearly resembles that of the Bore. A very exaggerated account of the tides in the Indian ocean is given by Pliny, Nat. Hist. lib. xiii. c. 25. Major Rennell seems to think, that Alexander and his followers could not be so entirely unacquainted with the phenomenon of the tides, as Herodotus had informed the Greeks, "that in the Red sea there was a regular ebb and flow of the tide every day;" lib. ii. c. 11. This is all the explanation of that phenomenon given by Herodotus. But among the ancients there occur instances of inattention to facts, related by respectable authors, which appear surprising in modern times. Though Herodotus, as I have just now observed, gave an account of the voyage performed by Scylax at considerable length, neither Alexander nor his historians take any notice of that event. I shall afterwards have occasion to mention a more remarkable instance of the inattention of later writers to an accurate description which Herodotus had given of the Caspian sea. From these, and other similar instances which might have been produced, we may conclude, that the slight mention of the regular flow and ebb of tide in the Red sea is not a sufficient reason for rejecting, as incredible, Arrian's account of the surprise of Alexander's soldiers when they first beheld the extraordinary effects of the tide at the mouth of the Indus.——3. The course of Nearchus's voyage, the promontories, the creeks, the rivers, the cities, the mountains, which came successively in his view, are so clearly described, and the distances of such as were most worthy of notice are so distinctly marked, that M. D'Anville, by comparing these with the actual position of the country, according to the best accounts of it, ancient as well as modern, has been able to point out most of the places which Nearchus mentions, with a degree of certainty which does as much honour to the veracity of the Grecian navigator, as to the industry, learning, and penetration of the French geographer. Mem. de Literat. tom. xxx. p. 132, &c.

In modern times, the Red sea is a name appropriated to the Arabian gulf, but the ancients denominated the ocean which stretches from that gulf to India, the Erythræan sea, from king Erythras, of whom nothing more is known than the name, which in the Greek language signifies red. From this casual meaning of the word, it came to be believed that it was of a different colour from other seas, and consequently of more dangerous navigation.

Note VIII. Sect. I. p. 1091.

Alexander was so intent on rendering this union of his subjects complete, that after his death there was found in his tablets or commentaries, (among other magnificent schemes which he meditated,) a resolution to build several new cities, some in Asia, and some in Europe, and to people those in Asia with Europeans, and those in Europe with Asiatics, "that," (says the historian,) "by intermarriages, and exchange of good offices, the inhabitants of these two great continents might be gradually moulded into a similarity of sentiments, and become attached to each other with mutual affection." Diod. Sicul. lib. xviii. c. 4.

The oriental historians have mingled the little that they know concerning the transactions of European nations, particularly concerning the reign of Alexander the Great, and his conquest of Persia, with so many fabulous and incredible circumstances, that hardly any attention is due to them. Though they misrepresented every event in his life, they entertained a high idea of his great power, distinguishing him by the appellation of *Escander Dhúlcarnein*, i. e. the *Two-horned*, in allusion to the extent of his dominions, which, according to them, reached from the western to the eastern extremity of the earth. Herbelot. Bib. Orient. Article *Escander*. Ane. Univ. Hist. vol. v. 8vo edit. p. 433. Richardson's Dissert. prefixed to his Dictionary of the Persian and Arabic, p. xii. Whether the historians of Indostan have given an account of Alexander's invasion of India with greater accuracy, cannot be known, until some of their works, written in the Sanskreet, are translated. That some traditional knowledge of Alexander's invasion of India is still preserved in the northern provinces of the Peninsula, is manifest from several circumstances. The rajahs of Chitore, who are esteemed the most ancient establishment of Hindoo princes, and the noblest of the Rajahpout tribes, boast of their descent from Porus, famous as well in the East as in the West for his gallant opposition to the Macedonian conqueror. Orme's Fragm. p. 5. Major Rennell has informed me, by accounts lately received from India, and confirmed by a variety of testimonies, that, in the country of Kuttore, the eastern extreme of the ancient Bactria, a people who claimed to be the descendants of Alexander's followers were existing when Tamerlane invaded that province. In Bijore, a country more to the west in the same district, the Bazira of Alexander, there is a tribe at this day which traces its origin to certain persons left there by the conqueror when he passed through that province. Both Abul Fazel, and Soojah Rae, an eastern historian of good reputation, report this tradition without any material variation. The latter indeed adds, that these Europeans, if we may call them so, continued to preserve that ascendancy over their neighbours, which their ancestors may be supposed to have possessed when they first settled here. Although we should reject this pedigree as false, yet the bare claim argues the belief of the natives, for which there must have been some foundation, that Alexander not only conquered Bijore, but also transferred that conquest to some of his own countrymen. Rennell, Mem. 2d edit. p. 162. The people of Bijore had likewise a high idea of Alexander's extensive authority; and they, too, denominated him the *Two-horned*, agreeably to the striking emblem of power in all the eastern languages. Ayeen Akbery, xi. 194. Many instances of this emblem being used, will occur to every person accustomed to read the sacred Scriptures.

Note IX. Sect. I. p. 1091.

It seems to be an opinion generally received, that Alexander built only two cities in India, Nicæa, and Bucephalia, situated on the Hydaspes, the modern Chelum, and that Craterus superintended the building of both. But it is evident from Arrian, lib. v. c. ult. that he built a third city on the Acesines, now the Jenaub, under the direction of Hephæstion; and if it was his object to retain the command of the country, a place of strength on some of the rivers to the south of the Hydaspes seems to have been necessary for that purpose. This part of India has been so little visited in modern times, that it is impossible to point out with precision the situation of these cities. If P. Tiessenthaler were well founded in his conjecture, that the river now called Rauvee is the Acesines of Arrian, (Bernouilli, vol. i. p. 39.) it is probable that this city was built somewhere near Lahore, one of the most important stations in that part of India, and reckoned in the Ayeen Akbery to be a city of very high antiquity. But major Rennell, in my opinion, gives good reasons for supposing the Jenaub to be the Acesines of the ancients.

Note X. Sect. I. p. 1092.

The religious scruples which prevented the Persians from making any voyage by sea, were known to the ancients. Pliny relates of one of the Magi, who was sent on an embassy from Tiridates to the emperor Nero, "Navigare noluerat, quoniam exspuere in maria, aliisque mortalium necessitatibus violare naturam eam, fas non putant." Nat. Hist. lib. xxx. c. 2. This aversion to the sea they carried so far, that, according to the observation of a well-informed historian, there was not a city of any note in their empire built upon the sea-coast; Ammian. Marcel. lib. xxiii. c. 6. We learn from Dr. Hyde, how intimately these ideas were connected with the doctrines of Zoroaster. Rel. Vet. Pers. cap. vi. In all the wars of the Persians with Greece, the fleets of the great king consisted entirely of ships furnished by the Phenicians, Syrians, the conquered provinces of the lesser Asia, and the islands adjacent. Herodotus and Diodorus Sieulus mention the quota furnished by each country in order to compose the fleet of twelve hundred ships with which Xerxes

invaded Greece, and among these there is not one belonging to Persia. At the same time it is proper to observe, that, according to Herodotus, whose authority is unexceptionable with regard to this point, Ariabigines, a son of Darius, acted as admiral of the Persian fleet, and had several satraps of high rank under his command, and both Persians and Medes served as soldiers on board it. Herod. lib. vii. c. 96, 97. By what motives, or what authority, they were induced to act in this manner, I cannot explain. From some religious scruples, similar to those of the Persians, many of the natives of Indostan, in our own time, refuse to embark on board a ship, and to serve at sea; and yet, on some occasions, the sepoys in the service of the European powers have got the better of these scruples.

Note XI. Sect. I. p. 1092.

M. Le Baron de Sainte-Croix, in his ingenious and learned Critique des Historiens d'Alexandre le Grand, p. 96., seems to entertain some doubt with respect to the number of the cities which Alexander is said to have built. Plutarch de Fort. Alex. affirms, that he founded no fewer than seventy. It appears from many passages in ancient authors, that the building of cities, or, what may be considered as the same, the establishment of fortified stations, was the mode of maintaining their authority in the conquered nations, adopted not only by Alexander, but by his successors. Seleucus and Antiochus, to whom the greater part of the Persian empire became subject, were no less remarkable for founding new cities than Alexander, and these cities seem fully to have answered the purposes of the founders, as they effectually prevented (as I shall afterwards have occasion to observe) the revolt of the conquered provinces. Though the Greeks, animated with the love of liberty and of their native country, refused to settle in the Persian empire while under the dominion of its native monarchs, even when allured by the prospect of great advantage, as M. de Sainte-Croix remarks, the case became perfectly different when that empire was subjected to their own dominion, and they settled there, not as subjects, but as masters. Both Alexander and his successors discovered much discernment in choosing the situation of the cities which they built. Seleucia, which Seleucus founded, is a striking instance of this, and became hardly inferior to Alexandria in number of inhabitants, in wealth, and in importance. Mr. Gibbon, vol. i. p. 250. M. D'Anville, Mem. de Literat. xxx.

Note XII. Sect. I. p. 1092.

It is from Justin we receive the slender knowledge we have of the progress which Seleucus made in India, lib. xv. c. 4. But we cannot rely on his evidence, unless when it is confirmed by the testimony of other authors. Plutarch seems to assert, that Seleucus had penetrated far into India; but that respectable writer is more eminent for his discernment of characters, and his happy selection of those circumstances which mark and discriminate them, than for the accuracy of his historical researches. Pliny, whose authority is of greater weight, seems to consider it as certain, that Seleucus had carried his arms into districts of India which Alexander never visited. Plin. Nat. Hist. lib. vi. c. 17. The passage in which this is mentioned is somewhat obscure, but it seems to imply, that Seleucus had marched from the Hyphasis to the Hysudrus, from thence to Palibothra, and from that to the mouth of the Ganges. The distances of the principal stations in this march are marked, the whole amounting to 2244 Roman miles. In this sense M. Bayer understands the words of Pliny; Histor. Regni Græcorum Bactriani, p. 37. But to me it appears highly improbable that the Indian expedition of Seleucus could have continued so long as to allow time for operations of such extent. If Seleucus had advanced as far into India as the mouth of the Ganges, the ancients must have had a more accurate knowledge of that part of the country than they seem ever to have possessed.

Note XIII. Sect. I. p. 1093.

Major Rennell gives a magnificent idea of this, by informing us, that "the Ganges, after it has escaped from the mountainous tract in which it had wandered above eight hundred miles," Mem. p. 233. "receives in its course through the plains eleven rivers, some of them as large as the Rhine, and none smaller than the Thames, besides as many more of lesser note;" p. 257.

Note XIV. Sect. I. p. 1093.

In fixing the position of Palibothra, I have ventured to differ from major Rennell, and I venture to do so with diffidence. According to Strabo, Palibothra was situated at the junction of the Ganges and another river, lib. xv. p. 1028. A. Arrian is still more explicit. He places Palibothra at the confluence of the Ganges and Erranaboas, the last of which he describes as less than the Ganges or Indus, but greater than any other known river; Hist. Ind. c. 10. This description of its situation corresponds exactly with that of Allahabad. P. Boudier, to whose observations the geography of India is much indebted, says, that the Jumna at its junction with the Ganges appeared to him not inferior in magnitude to that river. D'Anville, Antiq. de l'Inde, p. 53. Allahabad is the name which was given to that city by the emperor Akbar, who erected a strong fortress there; an elegant delineation of which is published by Mr. Hodges, N°. IV. of his Select Views in India. Its ancient name, by which it is still known among the Hindoos, is *Praeg*, or *Piyag*, and the people of the district are called *Praegi*, which bears a near resemblance to Prasij, the ancient appellation of the kingdom of which Palibothra was the capital. P. Tiessenthaler, Bernouilli, tom. i. 223. D'Anville, p. 56. Allahabad

is such a noted seat of Hindoo devotion, that it is denominated *The king of worshipped places*. Ayeen Akbery, vol. ii. p. 35. "The territory around it, to the extent of forty miles, is deemed holy ground. The Hindoos believe, that when a man dies in this place, whatever he wishes for he will obtain in his next regeneration. Although they teach that suicide in general will be punished with torments hereafter, yet they consider it as meritorious for a man to kill himself at Allahabad." Ayeen Akbery, iii. 256. P. Tiessenthaler describes the various objects of veneration at Allahabad, which are still visited with great devotion by an immense number of pilgrims. Bernouilli, tom. i. 224. From all these circumstances, we may conclude it to be a place of great antiquity, and in the same situation with the Palibothra of antiquity.

Major Rennell has been induced to place Palibothra on the same site with Patna, chiefly by two considerations.——1. From having learned that on or near the site of Patna stood anciently a very large city named *Patelpoother* or *Patalippatra*, which nearly resembles the ancient name of Palibothra. Although there is not now a confluence of two rivers at Patna, he was informed that the junction of the Soane with the Ganges, now twenty-two miles above Patna, was formerly under the walls of that city. The rivers of India sometimes change their course in a singular manner, and he produces some remarkable instances of it. But even should it be allowed, that the accounts which the natives give of this variation in the course of the Soane were perfectly accurate, I question whether Arrian's description of the magnitude of Erranaboas be applicable to that river, certainly not so justly as to the Jumna.——2. He seems to have been influenced, in some degree, by Pliny's Itinerary, or Table of Distances from Taxila (the modern Attock) to the mouth of the Ganges. Nat. Hist. lib. vi. c. 17. But the distances in that Itinerary are marked so inaccurately, and in some instances are so palpably erroneous, that one cannot found upon them with much security. According to it, Palibothra is situated four hundred and twenty-five miles below the confluence of the Jumna and Ganges. The actual distance, however, between Allahabad and Patna, is not more than two hundred British miles. A disagreement so considerable cannot be accounted for, without supposing some extraordinary error in the Itinerary, or that the point of conflux of the Jumna with the Ganges has undergone a change. For the former of these suppositions there is no authority (as far as I know) from any manuscript, or for the latter from any tradition. Major Rennell has produced the reasons which led him to suppose the site of Palibothra to be the same with that of Patna. Memoirs, p. 49—54. Some of the objections which might be made to this supposition he has foreseen, and endeavoured to obviate; and after all that I have added to them, I shall not be surprised, if in a geographical discussion, my readers are disposed to prefer his decision to mine.

Note XV. Sect. I. p. 1093.

I do not mention a short inroad into India by Antiochus the Great, about one hundred and ninety-seven years posterior to the invasion of his ancestor Seleucus. We know nothing more of this transaction, than that the Syrian monarch, after finishing the war he carried on against the two revolted provinces of Parthia and Bactria, entered India, and concluding a peace with Sophagasenus, a king of the country, received from him a number of elephants, and a sum of money. Polyb. lib. x. p. 597, &c. lib. xi. p. 651. edit. Casaub. Justin. lib. xv. c. 4. Bayer's Hist. Regn. Græcor. Pactr. p. 69, &c.

Note XVI. Sect. I. p. 1094.

A fact cursorily related by Strabo, and which has escaped the inquisitive industry of M. de Guignes, coincides remarkably with the narrative of the Chinese writers, and confirms it. The Greeks, he says, were deprived of Bactria by tribes or hordes of Scythian Nomades, who came from the country beyond the Jaxartes, and are known by the names of Asij, Parsiani, Tachari, and Sacarauli. Strab. lib. xi. p. 779. A. The Nomades of the ancients were nations who, like the Tartars, subsisted entirely, or almost entirely, as shepherds, without agriculture.

Note XVII. Sect. I. p. 1094.

As the distance of Arsinoe, the modern Suez, from the Nile, is considerably less than that between Berenice and Coptos, it was by this route that all the commodities imported into the Arabian gulf might have been conveyed with most expedition and least expense into Egypt. But the navigation of the Arabian gulf, which even in the present improved state of nautical science is slow and difficult, was in ancient times considered by the nations around it to be so extremely perilous, that it led them to give such names to several of its promontories, bays, and harbours, as convey a striking idea of the impression which the dread of this danger had made upon their imagination. The entry into the gulf they called *Babelmandeb*, the Gate or Port of Affliction. To a harbour not far distant, they gave the name of *Mete*, i. e. Death. A headland adjacent they called *Gardefan*, the Cape of Burial. Other denominations of similar import are mentioned by the author to whom I am indebted for this information. Bruce's Travels, vol. i. p. 442, &c. It is not surprising then, that the staple of Indian trade should have been transferred from the northern extremity of the Arabian gulf to Berenice, as by this change a dangerous navigation was greatly shortened. This seems to have been the chief reason that induced Ptolemy to establish the port of communication with India at Berenice, as there were other harbours on the Arabian gulf which

were considerably nearer than it to the Nile. At a later period, after the ruin of Coptos by the emperor Dioclesian, we are informed by Abulfeda, Descript. Egypt. edit. Michaelis, p. 77., that Indian commodities were conveyed from the Red sea to the Nile by the shortest route, viz. from Cosseir, probably the Philoteras Portus of Ptolemy, to Cous, the Vicus Apollinis, a journey of four days. The same account of the distance was given by the natives to Dr. Pococke. Travels, vol. i. p. 87. In consequence of this, Cous, from a small village, became the city in Upper Egypt next in magnitude to Fostat, or Old Cairo. In process of time, from causes which I cannot explain, the trade from the Red sea by Cosseir removed to Kene, further down the river than Cous. Abulf. p. 13. 77. D'Anville, Egypte, p. 196—200. In modern times, all the commodities of India, imported into Egypt, are either brought by sea from Gidda to Suez, and thence carried on camels to Cairo, or are conveyed by land-carriage by the caravan returning from the pilgrimage to Mecca. Niebuhr, Voyage, tom. i. p. 224. Volney, i. 188, &c. This, as far as I have been able to trace it, is a complete account of all the different routes by which the productions of the East have been conveyed to the Nile, from the first opening of that communication. It is singular that P. Sicard, Mem. des Missions dans le Levant, tom. ii. p. 157., and some other respectable writers, should suppose Cosseir to be the Berenice founded by Ptolemy, although Ptolemy has laid down its latitude at 23° 50′, and Strabo has described it as nearly under the same parallel with that of Syene, lib. ii. p. 195. D. In consequence of this mistake, Pliny's computation of the distance between Berenice and Coptos at two hundred and fifty-eight miles, has been deemed erroneous. Pococke, p. 87. But as Pliny not only mentions the total distance, but names the different stations in the journey, and specifies the number of miles between each; and as the Itinerary of Antoninus coincides exactly with his account, D'Anville, Egypte, p. 21., there is no reason to call in question the accuracy of it.

Note XVIII. Sect. I. p. 1095.

Major Rennell is of opinion, "that under the Ptolemies, the Egyptians extended their navigation to the extreme point of the Indian continent, and even sailed up the Ganges to Palibothra," on the same site (according to him) with the modern Patna. Introd. p. xxxvi. But had it been usual to sail up the Ganges as high as Patna, the interior parts of India must have been better known to the ancients than they ever were, and they would not have continued to derive their information concerning them from Megasthenes alone. Strabo begins his description of India in a very remarkable manner. He requests his readers to peruse with indulgence the account which he gives of it, as it was a country very remote, and few persons had visited it; and of these, many having seen only a small part of the country, related things either from hearsay, or, at the best, what they had hastily remarked while they passed through it in the course of military service, or on a journey. Strabo, lib. xv. p. 1005. B. He takes notice that few of the traders from the Arabian gulf ever reached the Ganges. Ibid. 1006. C. He asserts, that the Ganges enters the sea by one mouth, ibid. 1011. C.; an error into which he could not have fallen if the navigation of that river had been common in his time. He mentions indeed the sailing up the Ganges, ibid. 1010., but it is cursorily in a single sentence; whereas, if such a considerable inland voyage of above four hundred miles, through a populous and rich country, had been customary, or even if it had ever been performed by the Roman, or Greek, or Egyptian traders, it must have merited a particular description, and must have been mentioned by Pliny and other writers, as there was nothing similar to it in the practice of navigation among the ancients. It is observed by Arrian, (or whoever is the author of the Periplus Maris Erythræi,) that previous to the discovery of a new route to India, which shall be mentioned afterwards, the commerce with that country was carried on in small vessels which sailed round every bay, p. 32. Ap. Huds. Geogr. Min. Vessels of such light construction, and which followed this mode of sailing, were ill fitted for a voyage so distant as that round Cape Comorin, and up the bay of Bengal, to Patna. It is not improbable, that the merchants, whom Strabo mentions as having reached the Ganges, may have travelled thither by land, either from the countries towards the mouth of the Indus, or from some part of the Malabar coast, and that the navigation up the Ganges, of which he casually takes notice, was performed by the natives in vessels of the country. This opinion derives some confirmation from his remarks upon the bad structure of the vessels which frequented that part of the Indian ocean. From his description of them, p. 1012. C. it is evident that they were vessels of the country.

Note XIX. Sect. I. p. 1095.

The erroneous ideas of many intelligent writers of antiquity with respect to the Caspian sea, though well known to every man of letters, are so remarkable, and afford such a striking example of the imperfection of their geographical knowledge, that a more full account of them may not only be acceptable to some of my readers, but in endeavouring to trace the various routes by which the commodities of the East were conveyed to the nations of Europe, it becomes necessary to enter into some detail concerning their various sentiments with respect to this matter. 1. According to Strabo, the Caspian is a bay that communicates with the great Northern ocean, from which it issues at first by a narrow strait, and then expands into a sea extending in breadth five hundred stadia, lib. xi. p. 773. A. With him Pomponius Mela agrees, and describes the strait by which the Caspian is connected with the

ocean, as of considerable length, and so narrow that it had the appearance of a river, lib. iii. c. 5. Pliny likewise gives a similar description of it; Nat. Hist. lib. vi. c. 13. In the age of Justinian, this opinion, concerning the communication of the Caspian sea with the ocean, was still prevalent; Cosm. Indicopl. Topog. Christ. lib. ii. p. 138. C.—2. Some early writers, by a mistake still more singular, have supposed the Caspian sea to be connected with the Euxine. Quintus Curtius, whose ignorance of geography is notorious, has adopted this error, lib. vii. c. 7.—3. Arrian, though a much more judicious writer, and who, by residing for some time in the Roman province of Cappadocia, of which he was governor, might have obtained more accurate information, declares in one place the origin of the Caspian sea to be still unknown; and it is doubtful whether it was connected with the Euxine, or with the great Eastern ocean which surrounds India; lib. vii. c. 16. In another place he asserts, that there was a communication between the Caspian and the Eastern ocean, lib. v. c. 26. These errors appear more extraordinary, as a just description had been given of the Caspian by Herodotus, near five hundred years before the age of Strabo. "The Caspian (says he) is a sea by itself unconnected with any other. Its length is as much as a vessel with oars can sail in fifteen days; its greatest breadth as much as it can sail in eight days;" lib. 1. c. 203. Aristotle describes it in the same manner, and with his usual precision contends that it ought to be called a great lake, not a sea. Meteorolog. lib. ii. Diodorus Siculus concurs with them in opinion, vol. ii. lib. xviii. p. 261. None of those authors determine whether the greatest length of the Caspian was from north to south, or from east to west. In the ancient maps which illustrate the geography of Ptolemy, it is delineated, as if its greatest length extended from east to west. In modern times the first information concerning the true form of the Caspian which the people of Europe received, was given by Anthony Jenkinson, an English merchant, who with a caravan from Russia travelled along a considerable part of its coast in the year 1558. Hakluyt, Collect. vol. i. p. 334. The accuracy of Jenkinson's description was confirmed by an actual survey of that sea made by order of Peter the Great, A. D. 1718; and it is now ascertained, not only that the Caspian is unconnected with any other sea, but that its length from north to south is considerably more than its greatest breadth from east to west. The length of the Caspian from north to south is about six hundred and eighty miles, and in no part more than two hundred and sixty miles in breadth from east to west. Coxe's Travels, vol. ii. p. 257. The proportional difference of its length and breadth accords nearly with that mentioned by Herodotus. From this detail, however, we learn how the ill founded ideas concerning it, which were generally adopted, gave rise to various wild schemes of conveying Indian commodities to Europe by means of its supposed communication with the Euxine sea, or with the Northern ocean. It is an additional proof of the attention of Alexander the Great to every thing conducive to the improvement of commerce, that a short time before his death he gave directions to fit out a squadron in the Caspian, in order to survey that sea, and to discover whether it was connected either with the Euxine or Indian ocean. Arrian, lib. vii. c. 16.

Note XX. Sect. II. p. 1097.

From this curious detail, we learn how imperfect ancient navigation was, even in its most improved state. The voyage from Berenice to Ocelis could not have taken thirty days, if any other course had been held than that of servilely following the windings of the coast. The voyage from Ocelis to Musiris would be (according to major Rennell) fifteen days' run for an European ship in the modern style of navigation, being about seventeen hundred and fifty marine miles, on a straight course. Introd. p. xxxvii. It is remarkable, that though the Periplus Maris Erythræi was written after the voyage of Hippalus, the chief object of the author of it is to describe the ancient course along the coasts of Arabia and Persia, to the mouth of the Indus, and from thence down the western shore of the continent to Musiris. I can account for this only by supposing, that from the unwillingness of mankind to abandon old habits, the greater part of the traders from Berenice still continued to follow that route to which they were accustomed. To go from Alexandria to Musiris, required (according to Pliny) ninety-four days. In the year 1788, the Boddam, a ship belonging to the English East India Company, of a thousand tons burden, took only fourteen days more to complete her voyage from Portsmouth to Madras. Such are the improvements which have been made in navigation.

Note XXI. Sect. II. p. 1098.

It was the opinion of Plato, that in a well regulated commonwealth the citizens should not engage in commerce, nor the state aim at obtaining maritime power. Commerce, he contends, would corrupt the purity of their morals, and by entering into the sea-service, they would be accustomed to find pretexts for justifying conduct so inconsistent with what was manly and becoming, as would gradually relax the strictness of military discipline. It had been better for the Athenians, he asserts, to have continued to send annually the sons of seven of their principal citizens to be devoured by the Minotaur, than to have changed their ancient manners, and to have become a maritime power. In that perfect republic, of which he delineates the form, he ordains that the capital should be situated at least ten miles from the sea. De Legibus, lib. iv. ab initio. These ideas of Plato were adopted by other philosophers. Aristotle enters into a formal discussion of the question, Whether a state rightly constituted should be com-

mercial or not? and though abundantly disposed to espouse sentiments opposite to those of Plato, he does not venture to decide explicitly with respect to it. De Repub. lib. vii. c. 6. In ages when such opinions prevail, little information concerning commerce can be expected.

Note XXII. Sect. II. p. 1099.

Pliny, lib. ix. c. 35. Principium ergo culmenque omnium rerum prætii margaritæ tenent. In lib. xxxvii. c. 4. he affirms, Maximum in rebus humanis prætium, non solum inter gemmas, habet adamas. These two passages stand in such direct contradiction to one another, that it is impossible to reconcile them, or to determine which is the most conformable to truth. I have adhered to the former, because we have many instances of the exorbitant price of pearls, but none, as far as I know, of diamonds having been purchased at a rate so high. In this opinion I am confirmed by a passage in Pliny, lib. xix. c. 1.: having mentioned the exorbitant price of *Asbestos*, he says, "æquat prætia excellentium margaritarum;" which implies, that he considered pearls to be of higher price than any other commodity.

Note XXIII. Sect. II. p. 1099.

Pliny has devoted two entire books of his Natural History, lib. xii. and xiii. to the enumeration and description of the spices, aromatics, ointments, and perfumes, the use of which luxury had introduced among his countrymen. As many of these were the productions of India, or of the countries beyond it, and as the trade with the East was carried on to a great extent in the age of Pliny, we may form some idea of the immense demand for them, from the high price at which they continued to be sold in Rome. To compare the prices of the same commodities in ancient Rome, with those now paid in our own country, is not a gratification of curiosity merely, but affords a standard by which we may estimate the different degree of success with which the Indian trade has been conducted in ancient and modern times. Many remarkable passages in ancient authors, concerning the extravagant price of precious stones and pearls among the Romans, as well as the general use of them by persons of all ranks, are collected by Meursius de Lux. Romanorum, cap. 5.; and by Stanislaus Robierzyckius, in his treatise on the same subject, lib. ii. c. 1. The English reader will receive sufficient information from Dr. Arbuthnot, in his valuable Tables of ancient coins, weights, and measures, p. 172, &c.

Note XXIV. Sect. II. p. 1099.

M. Mahudel, in a memoir read in the academy of inscriptions and belles lettres in the year 1719, has collected the various opinions of the ancients concerning the nature and origin of silk, which tend all to prove their ignorance with regard to it. Since the publication of M. Mahudel's memoir, P. du Halde has described a species of silk, of which I believe he communicated the first notice to the moderns. "This is produced by small insects nearly resembling snails. They do not form cocoons either round or oval like the silkworm, but spin very long threads, which fasten themselves to trees and bushes as they are driven by the wind. These are gathered and wrought into silk stuffs, coarser than those produced by domestic silk-worms. The insects which produce this coarse silk are wild." Description de l'Empire de la Chine, tom. ii. fol. p. 207. This nearly resembles Virgil's description,

> Velleraque ut foliis depectant tenuia Seres.
> Georg. II. 121.

An attentive reader of Virgil will find, that, besides all the other qualities of a great descriptive poet, he possessed an extensive knowledge of natural history. The nature and productions of the wild silk-worms are illustrated at greater length in the large collection of Memoires concernant l'Histoire, les Sciences, les Arts, &c. des Chinois, tom. ii. p. 575, &c.; and by Pere de Mailla, in his voluminous history of China, tom. xiii. p. 434. It is a singular circumstance in the history of silk, that on account of its being an excretion of a worm, the Mahomedans consider it as an unclean dress; and it has been decided, with the unanimous assent of all the doctors, that a person wearing a garment made entirely of silk, cannot lawfully offer up the daily prayers enjoined by the Koran. Herbal. Bibl. Orient. artic. *Harir*.

Note XXV. Sect. II. p. 1099.

If the use of the cotton manufactures of India had been common among the Romans, the various kinds of them would have been enumerated in the Law de Publicanis et Vectigalibus, in the same manner as the different kinds of spices and precious stones. Such a specification would have been equally necessary for the direction both of the merchant and of the tax-gatherer.

Note XXVI. Sect. II. p. 1099.

This part of Arrian's Periplus has been examined with great accuracy and learning by lieutenant Wilford; and from his investigation it is evident, that the Plithana of Arrian is the modern Pultanah, on the southern banks of the river Godavery, two hundred and seventeen British miles south from Baroach; that the position of Tagara is the same with that of the modern Dowlatabad, and the high grounds across which the goods were conveyed to Baroach, are the Ballagaut mountains. The bearings and distances of these different places, as specified by Arrian, afford an additional proof (were that necessary) of the exact information which he had received concerning this district of India Asiatic Researches, vol. i. p. 369, &c.

Note XXVII. Sect. II. p. 1101.

Strabo acknowledges his neglect of the improvements in geography which Hipparchus had deduced from astronomical observations, and justifies it by one of those logical subtilties which the ancients were apt to introduce into all their writings. "A geographer," says he, (*i. e.* a describer of the earth,) "is to pay no attention to what is out of the earth; nor will men, engaged in conducting the affairs of that part of the earth which is inhabited, deem the distinctions and divisions of Hipparchus worthy of notice." Lib. ii. 194. C.

Note XXVIII. Sect. II. p. 1101.

What a high opinion the ancients had of Ptolemy we learn from Agathemerus, who flourished not long after him. "Ptolemy," says he, "who reduced geography into a regular system, treats of every thing relating to it, not carelessly, or merely according to ideas of his own, but attending to what had been delivered by more ancient authors, he adopted from them whatever he found consonant to truth." Epitome Geogr. lib. i. c. 6. edit. Hudson. From the same admiration of his work, Agathodæmon, an artist of Alexandria, prepared a series of maps for the illustration of it, in which the position of all the places mentioned by Ptolemy, with their longitude and latitude, is laid down precisely according to his ideas. Fabric. Biblioth. Græc. iii. 412.

Note XXIX. Sect. II. p. 1102.

As these public Surveys and Itineraries furnished the ancient geographers with the best information concerning the position and distances of many places, it may be proper to point out the manner in which they were completed by the Romans. The idea of a general survey of the whole empire was first formed by Julius Cæsar, and having been begun by him under authority of a decree of the senate, was finished by Augustus. As Rome was still far inferior to Greece in science, the execution of this great undertaking was committed to three Greeks, men of great abilities, and skilled in every part of philosophy. The survey of the eastern division of the empire was finished by Zenodoxus in fourteen years five months and nine days. That of the northern division was finished by Theodorus in twenty years eight months and ten days. The southern division was finished in twenty-five years one month and ten days. Æthici Cosmographia apud Geographos, editos à Hen. Stephano, 1577, p. 107. This undertaking was worthy of those illustrious persons who planned it, and suited to the magnificence of a great people. Besides this general survey, every new war produced a new delineation and measurement of the countries which were the seat of it. We may conclude from Vegetius, Instit. Rei Militaris, lib. iii. c. 6. that every governor of a Roman province was furnished with a description of it; in which were specified the distance of places in miles, the nature of the roads, the bye-roads, the short cuts, the mountains, the rivers, &c.; all these, says he, were not only described in words, but were delineated in a map, that, in deliberating concerning his military movements, the eyes of a general might aid the decisions of his mind.

Note XXX. Sect. II. p. 1102.

The consequence of this mistake is remarkable. Ptolemy, lib. vii. c. i., computes the latitude of Barygaza, or Baroach, to be 17° 20′, and that of Cory, or Cape Comorin, to be 13° 20′, which is the difference of four degrees precisely; whereas the real difference between these two places is nearly fourteen degrees.

Note XXXI. Sect. II. p. 1102.

Ramusio, the publisher of the most ancient and perhaps the most valuable Collection of Voyages, is the first person, as far as I know, who takes notice of this strange error of Ptolemy. Viaggi, vol. i. p. 181. He justly observes, that the author of the circumnavigation of the Erythræan sea had been more accurate, and had described the peninsula of India as extending from north to south. Peripl. p. 24. 29.

Note XXXII. Sect. II. p. 1103.

This error of Ptolemy justly merits the name of *enormous*, which I have given to it; and it will appear more surprising when we recollect, that he must have been acquainted, not only with what Herodotus relates concerning the circumnavigation of Africa by order of one of the Egyptian kings, lib. iv. c. 4., but with the opinion of Eratosthenes, who held that the great extent of the Atlantic ocean was the only thing which prevented a communication between Europe and India by sea. Strab. Geogr. lib. i. p. 113. A. This error, however, must not be imputed wholly to Ptolemy. Hipparchus, whom we may consider as his guide, had taught that the earth is not surrounded by one continuous ocean, but that it is separated by different isthmuses, which divide it into several large basins. Strabo, lib. i. p. 11. B. Ptolemy, having adopted this opinion, was induced to maintain that an unknown country extended from Cattigara to Prassum on the south-east coast of Africa. Geogr. lib. vii. c. 3. and 5. As Ptolemy's system of geography was universally received, this error spread along with it. In conformity to it, the Arabian geographer Edrissi, who wrote in the twelfth century, taught that a continued tract of land stretched eastward from Sofala on the African coast, until it united with some part of the Indian continent. D'Anville, Antiq. p. 187. Annexed to the first volume of Gesta Dei per Francos, there is an ancient and very rude map of the habitable globe, delineated according to this idea of Ptolemy. M. Gosselin, in his map entitled Ptolemæi Systema Geographicum, has exhibited this

imaginary tract of land which Ptolemy supposes to have connected Africa with Asia. Geographic des Grecs analysée.

Note XXXIII. Sect. II. p. 1103.

In this part of the Disquisition, as well as in the map prepared for illustrating it, the geographical ideas of M. D'Anville, to which major Rennell has given the sanction of his approbation, Introd. p. xxxix. have been generally adopted. But M. Gosselin has lately published, "The Geography of the Greeks analyzed; or, the Systems of Eratosthenes, Strabo, and Ptolemy, compared with each other, and with the Knowledge which the Moderns have acquired;" a learned and ingenious work, in which he differs from his countryman with respect to many of his determinations. According to M. Gosselin, the Magnum Promontorium, which M. D'Anville concludes to be Cape Romania, at the southern extremity of the peninsula of Malacca, is the point of Bragu, at the mouth of the great river Ava; near to which he places Zaba, supposed by M. D'Anville, and by Barros, Decad. ii. liv. vi. c. 1., to be situated on the strait of Sincapura or Malacca. The Magnus Sinus of Ptolemy he holds to be the same with the gulf of Martaban, not the gulf of Siam, according to M. D'Anville's decision. The position of Cattigara, as he endeavours to prove, corresponds to that of Mergui, a considerable port on the west coast of the kingdom of Siam, and that Thinæ, or Sinæ Metropolis, which M. D'Anville removes as far as Sin-hoa, in the kingdom of Cochin China, is situated on the same river with Mergui, and now bears the name of Tana-serim. The Ibadij Insula of Ptolemy, which M. D'Anville determines to be Sumatra, he contends is one of that cluster of small isles which lie off this part of the coast of Siam, p. 137—148. According to M. Gosselin's system, the ancients never sailed through the straits of Malacca, had no knowledge of the island of Sumatra, and were altogether unacquainted with the Eastern ocean. If to any of my readers these opinions appear to be well founded, the navigation and commerce of the ancients in India must be circumscribed within limits still more confined than those which I have allotted to them. From the Ayeen Akbery, vol. ii. p. 7., we learn that Cheen was an ancient name of the kingdom of Pegu: as that country borders upon Ava, where M. Gosselin places the Great Promontory, this near resemblance of names may appear, perhaps, to confirm his opinion that Sinæ Metropolis was situated on this coast, and not so far east as M. D'Anville has placed it.

As Ptolemy's geography of this eastern division of Asia is more erroneous, obscure, and contradictory, than any other part of his work, and as all the manuscripts of it, both Greek and Latin, are remarkably incorrect in the two chapters which contain the description of the countries beyond the Ganges, M. D'Anville, in his Memoir concerning the limits of the world known to the ancients beyond the Ganges, has admitted into it a larger portion of conjecture than we find in the other researches of that cautious geographer. He likewise builds more than usual upon the resemblances between the ancient and modern names of places, though at all times he discovers a propensity, perhaps too great, to trace these, and to rest upon them. These resemblances are often, indeed, very striking, and have led him to many happy discoveries. But in perusing his works, it is impossible, I should think, not to perceive that some which he mentions are far-fetched and fanciful. Whenever I follow him, I have adopted only such conclusions as seem to be established with his accustomed accuracy.

Note XXXIV. Sect. II. p. 1105.

The author of the Circumnavigation of the Erythræan Sea has marked the distances of many of the places which he mentions with such accuracy, as renders it a nearer approach than what is to be found in any writer of antiquity, to a complete survey of the coast from Myos-hormus, on the west side of the Arabian gulf, along the shores of Ethiopia, Arabia, Persia, and Caramania, to the mouth of the Indus, and thence down the west coast of the Indian peninsula to Musiris and Barace. This adds to the value of this short treatise, which, in every other respect, possesses great merit. It may be considered as a remarkable proof of the extent and accuracy of this author's intelligence concerning India, that he is the only ancient writer who appears in any degree to have been acquainted with the great division of the country which still subsists, viz. Indostan Proper, comprehending the northern provinces of the peninsula, and the Deccan, comprehending the southern provinces. "From Barygaza (says he) the continent stretches to the south; hence that district is called Dachinabades, for, in the language of the country, the south is called Dachanos." Peripl. p. 29. As the Greeks and Romans, when they adopt any foreign name, always give it a termination peculiar to their own language, which the grammatical structure of both tongues rendered in some degree necessary, it is evident that Dachanos is the same with Deccan, which word has still the same signification, and is still the name of that division of the peninsula. The northern limit of the Deccan at present is the river Narbudda, where our author likewise fixes it. Peripl. ibid.

Note XXXV. Sect. II. p. 1106.

Though, in deducing the latitudes of places from observations of the sun or stars, the ancient astronomers neglected several corrections which ought to have been applied, their results were sometimes exact to a few minutes, but at other times they appear to have been erroneous to the extent of two or even three degrees, and may perhaps be reckoned, one with another, to have come within half a degree of the truth. This part of the ancient geo-

graphy would therefore have been tolerably accurate, if there had been a sufficient number of such determinations. These, however, were far from being numerous, and appear to have been confined to some of the more remarkable places in the countries which surround the Mediterranean sea.

When, from want of more accurate observations, the latitude was inferred from the length of the longest or shortest day, no great degree of precision was, in any case, to be expected, and least of all in the vicinity of the equator. An error of a quarter of an hour, which, without some mode of measuring time more accurate than ancient observers could employ, was not easily avoided, might produce, in such situations, an error of four degrees in the determination of the latitude.

With respect to places in the torrid zone, there was another resource for determining the latitude. This was by observing the time of the year when the sun was vertical to any place, or when bodies that stood perpendicular to the horizon had no shadow at noon-day; the sun's distance from the equator at that time, which was known from the principles of astronomy, was equal to the latitude of the place. We have instances of the application of this method in the determination of the parallels of Syene and Meroe. The accuracy which this method would admit of, seems to be limited to about half a degree, and this only on the supposition that the observer was stationary; for if he was travelling from one place to another, and had not an opportunity of correcting the observation of one day by that of the day following, he was likely to deviate much more considerably from the truth.

With respect to the longitude of places, as eclipses of the moon are not frequent, and could seldom be of use for determining it, and only when there were astronomers to observe them with accuracy, they may be left out of the account altogether when we are examining the geography of remote countries. The differences of the meridians of places were therefore anciently ascertained entirely by the bearings and distances of one place from another, and of consequence all the errors of reckonings, surveys, and itinerarics, fell chiefly upon the longitude, in the same manner as happens at present in a ship which has no method of determining its longitude, but by comparing the dead-reckoning with the observations of the latitude; though with this difference, that the errors to which the most skilful of the ancient navigators was liable, were far greater than what the most ignorant shipmaster of modern times, provided with a compass, can well commit. The length of the Mediterranean, measured, in degrees of longitude, from the Pillars of Hercules to the bay of Issus, is less than forty degrees; but in Ptolemy's maps it is more than sixty, and, in general, its longitudes, counting from the meridian of Alexandria, especially toward the east, are erroneous nearly in the same proportion. It appears, indeed, that in remote seas, the coasts were often delineated from an imperfect account of the distances sailed, without the least knowledge of the bearings or direction of the ship's course. Ptolemy, it is true, used to make an allowance of about one-third for the winding of a ship's course, Geogr. lib. i. c. 12.; but it is plain, that the application of this general rule could seldom lead to an accurate conclusion. Of this there is a striking instance in the form which that geographer has given to the peninsula of India. From the Barygazenum Promontorium to the place marked Locus unde solvunt in Chrysen navigantes, that is, from Surat on the Malabar coast, to about Narsapour on the Coromandel coast, the distance measured along the sea-shore is nearly the same with what it is in reality; that is, about five hundred and twenty leagues. But the mistake in the direction is astonishing, for the Malabar and Coromandel coast, instead of stretching to the south, and intersecting one another at Cape Comorin, in a very acute angle, are extended by Ptolemy almost in the same straight line from west to east, declining a little to the south. This coast is, at the same time, marked with several bays and promontories, nearly resembling, in their position, those which actually exist on it. All these circumstances compared together, point out very clearly what were the materials from which the ancient map of India was composed. The ships which had visited the coast of that country, had kept an account of the time which they took to sail from one place to another, and had marked, as they stood along shore, on what hand the land lay, when they shaped their course across a bay or doubled a promontory. This imperfect journal, with an accurate account, perhaps, of the latitude of one or two places, was probably all the information concerning the coast of India which Ptolemy was able to procure. That he should have been able to procure no better information from merchants who sailed with no particular view of exploring the coast will not appear wonderful, if we consider that even the celebrated Periplus of Hanno would not enable a geographer to lay down the coast of Africa with more precision than Ptolemy has delineated that of India.

Note XXXVI. Sect. II. p. 1108.

The introduction of the silk-worm into Europe, and the effects which this produced, came under the view of Mr. Gibbon, in writing the History of the emperor Justinian, and though it was an inciden of subordinate importance only, amidst the multiplicity of great transactions which must have occupied his attention, he has examined this event with an accuracy, and related it with a precision, which would have done honour to an author who had no higher object of research, vol. iv. p. 71, &c. Nor is it here only that I am called upon to ascribe to him this merit. The subject of my inquiries has led me several times upon ground which he had gone over, and I have uniformly received informa-

tion from the industry and discernment with which he has surveyed it.

Note XXXVII. Sect. III. p. 1109.

This voyage, together with the observations of Abu Zcid al Hasan of Siraf, was published by M. Renaudot, A. D. 1718, under the title of "Anciennes Relations des Indes, et de la Chine, de deux Voyageurs Mahometans, qui y allerent dans le Neuvième Siècle; traduites de l'Arabe, avec des remarques sur les principaux endroits de ces Relations." As M. Renaudot, in his remarks, represents the literature and police of the Chinese in colours very different from those of the splendid descriptions which a blind admiration had prompted the Jesuits to publish, two zealous missionaries have called in question the authenticity of these relations, and have asserted that the authors of them had never been in China. P. Premare Lettr. édifiantes et curieuses, tom. xix. p. 420, &c. P. Parennin, ibid. tom. xxi. p. 158, &c. Some doubts concerning their authenticity were entertained likewise by several learned men in England, on account of M. Renaudot's having given no notice of the manuscript which he translated, but that he found it in the library of M. le Comte de Seignelay. As no person had seen the manuscript since that time, the doubts increased, and M. Renaudot was charged with the crime of imposing upon the public. But the Colbert manuscripts having been deposited in the King's library, as (fortunately for literature) most private collections are in France, M. de Guignes, after a long search, discovered the identical manuscript to which M. Renaudot refers. It appears to have been written in the 12th century. Journal des Savans, Dec. 1764. p. 315, &c. As I had not the French edition of M. Renaudot's book, my references are made to the English translation. The relation of the two Arabian travellers is confirmed, in many points, by their countryman Massoudi, who published his treatise on universal history, of which he gives the fantastical title of "Meadows of Gold and Mines of Jewels," a hundred and sixty years after their time. From him, likewise, we receive such an account of India in the tenth century, as renders it evident that the Arabians had then acquired an extensive knowledge of that country. According to his description, the peninsula of India was divided into four kingdoms. The first was composed of the provinces situated on the Indus, and the rivers which fall into it; the capital of which was Moultan. The capital of the second kingdom was Canoge, which, from the ruins of it still remaining, appears to have been a very large city. Rennell's Memoirs, p. 54. In order to give an idea of its populousness, the Indian historians assert, that it contained thirty thousand shops in which betelnut was sold, and sixty thousand sets of musicians and singers, who paid a tax to government. Ferishta, translated by Dow, vol. i. p. 32. The third kingdom was Cachemire. Massoudi, as far as I know, is the first author who mentions this paradise of India, of which he gives a short but just description. The fourth is the kingdom of Guzerate, which he represents as the greatest and most powerful; and he concurs with the two Arabian travellers, in giving the sovereigns of it the appellation of Belhara. What Massoudi relates concerning India is more worthy of notice, as he himself had visited that country; Notices et Extraits des Manuscrits de la Bibliothèque du Roi, tom. i. p. 9, 10. Massoudi confirms what the two Arabian travellers relate, concerning the extraordinary progress of the Indians in astronomical science. According to his account, a temple was built during the reign of Brahmin, the first monarch of India, with twelve towers, representing the twelve signs of the zodiac; and in which was delineated a view of all the stars as they appear in the heavens. In the same reign was composed the famous Sind-Hind, which seems to be the standard treatise of Indian astronomy. Notices, &c. tom. i. p. 7. Another Arabian author, who wrote about the middle of the fourteenth century, divides India into three parts. The northern, comprehending all the provinces on the Indus. The middle, extending from Guzerate to the Ganges. The southern, which he denominates Comar, from Cape Comorin. Notices, &c. tom. ii. p. 46.

Note XXXVIII. Sect. III. p. 1109.

The naval skill of the Chinese seems not to have been superior to that of the Grecks, the Romans, or Arabians. The course which they held from Canton to Siraf, near the mouth of the Persian gulf, is described by their own authors. They kept as near as possible to the shore until they reached the island of Ceylon, and then doubling Cape Comorin, they sailed along the west side of the peninsula, as far as the mouth of the Indus, and thence steered along the coast to the place of their destination. Mem. de Literat. tom. xxxii. p. 367. Some authors have contended, that both the Arabians and Chinese were well acquainted with the mariner's compass, and the use of it in navigation; but it is remarkable that in the Arabic, Turkish, and Persian languages, there is no original name for the compass. They commonly call it *Bosola*, the Italian name, which shows that the knowledge of this useful instrument was communicated to them by the Europeans. There is not one single observation, of ancient date, made by the Arabians on the variation of the needle, or any instruction deduced from it, for the assistance of navigators. Sir John Chardin, one of the most learned and best informed travellers who has visited the East, having been consulted upon this point, returns for answer, "I boldly assert that the Asiatics are beholden to us for this wonderful instrument, which they had from Europe a long time before the Portuguese conquests. For, first, their compasses are exactly like ours, and they buy them of Europeans as much as they can, scarce daring to meddle with their needles themselves. Secondly, it is certain that the old navigators only

coasted it along, which I impute to their want of this instrument to guide and instruct them in the middle of the ocean. We cannot pretend to say that they were afraid of venturing far from home, for the Arabians, the first navigators in the world in my opinion, at least for the eastern seas, have, time out of mind, sailed from the bottom of the Red sea, all along the coast of Africa; and the Chinese have always traded with Java and Sumatra, which is a very considerable voyage. So many islands uninhabited and yet productive, so many lands unknown to the people I speak of, are a proof that the old navigators had not the art of sailing on the main sea. I have nothing but argument to offer touching this matter, having never met with any person in Persia or the Indies to inform me when the compass was first known among them, though I made inquiry of the most learned men in both countries. I have sailed from the Indies to Persia in Indian ships, when no European has been on board but myself. The pilots were all Indians, and they used the fore-staff and quadrant for their observations. These instruments they have from us, and made by our artists, and they do not in the least vary from ours, except that the characters are Arabic. The Arabians are the most skilful navigators of all the Asiatics or Africans; but neither they nor the Indians make use of charts, and they do not much want them: some they have, but they are copied from ours, for they are altogether ignorant of perspective." Inquiry when the Mahomedans first entered China, p. 141, &c. When M. Niebuhr was at Cairo, he found a magnetic needle in the possession of a Mahomedan, which served to point out the Kaaba, and he gave it the name of *El Magnatis*, a clear proof of its European origin. Voyage en Arabie, tom. ii. p. 169.

Note XXXIX. Sect. III. p. 1109.

Some learned men, Cardan, Scaliger, &c. have imagined that the Vasa Murrhina, particularly described by Pliny, Nat. Hist. lib. xxxvii., and occasionally mentioned by several ancient authors both Greek and Roman, were the true porcelain of China. M. l'Abbé Le Bland and M. Larcher have examined this opinion, with full as much industry and erudition as the subject merited, in two Dissertations published in Mem. de Literat. tom. xliii. From them it is evident that the Vasa Murrhina were formed of a transparent stone dug out of the earth in some of the eastern provinces of Asia. These were imitated in vessels of coloured glass. As both were beautiful and rare, they were sold at a very high price to the luxurious citizens of Rome.

Note XL. Sect. III. p. 1110.

The progress of christianity, and of Mahomedanism, both in China and India, is attested by such evidence as leaves no doubt with respect to it. This evidence is collected by Assemanus, Biblioth. Orient. vol. iv. p. 437, &c. 521, &c.; and by M. Renaudot, in two Dissertations annexed to Anciennes Relations; and by M. de la Croze, Histoire de Christianisme des Indes. In our own age, however, we know that the number of proselytes to either of these religions is extremely small, especially in India. A Gentoo considers all the distinctions and privileges of his cast as belonging to him by an exclusive and incommunicable right. To convert, or to be converted, are ideas equally repugnant to the principles most deeply rooted in his mind; nor can either the catholic or protestant missionaries in India boast of having overcome these prejudices, except among a few in the lowest casts, or of such as have lost their cast altogether. This last circumstance is a great obstacle to the progress of christianity in India. As Europeans eat the flesh of that animal which the Hindoos deem sacred, and drink intoxicating liquors, in which practices they are imitated by the converts to christianity, this sinks them to a level with the Pariars, the most contemptible and odious race of men. Some catholic missionaries were so sensible of this, that they affected to imitate the dress and manner of living of Brahmins, and refused to associate with the Pariars, or to admit them to the participation of the sacraments. But this was condemned by the apostolic legate Tournon, as inconsistent with the spirit and precepts of the christian religion. Voyage aux Indes Orientales, par M. Sonnerat, tom. i. p. 58, note. Notwithstanding the labours of missionaries for upwards of two hundred years, (says a late ingenious writer,) and the establishments of different christian nations, who support and protect them, out of, perhaps, one hundred millions of Hindoos, there are not twelve thousand christians, and those almost entirely *Chanculas*, or outcasts. Sketches relating to the history, religion, learning, and manners of the Hindoos, p. 48. The number of Mahomedans, or Moors, now in Indostan, is supposed to be near ten millions; but they are not the original inhabitants of the country, but the descendants of adventurers who have been pouring in from Tartary, Persia, and Arabia, ever since the invasion of Mahmoud of Gazna, A. D. 1002, the first Mahomedan conqueror of India. Orme, Hist. of Military Transact. in Indostan, vol. i. p. 24. Herbelot, Biblioth. Orient. artic. *Gaznaviah*. As the manners of the Indians in ancient times seem to have been, in every respect, the same with those of the present age, it is probable that the christians and Mahomedans, said to be so numerous in India and China, were chiefly foreigners, allured thither by a lucrative commerce, or their descendants. The number of Mahomedans in China has been considerably increased by a practice, common among them, of buying children in years of famine, whom they educate in the Mahomedan religion. Hist. Gener. des Voyages, tom. vi. p. 357.

Note XLI. Sect. III. p. 1111.

From the Chronicle of Andrew Dandolo, Doge of Venice, who was elevated to that high station at a time when his countrymen had established a regular trade with Alexandria, and imported from it all the productions of the East, it was natural to expect some information concerning their early trade with that country; but, except an idle tale concerning some Venetian ships which had sailed to Alexandria about the year 828, contrary to a decree of the state, and which stole thence the body of St. Mark, (Murat. Script. Rer. Ital. vol. xii. lib. 8. c. 2. p. 170.,) I find no other hint concerning the communication between the two countries. On the contrary, circumstances occur which show that the resort of Europeans to Egypt had ceased, almost entirely, for some time. Prior to the seventh and eighth centuries, the greater part of the public deeds in Italy and in other countries of Europe were written upon paper fabricated of the Egyptian papyrus; but after that period, as Europeans seldom ventured to trade in Alexandria, almost all charters and other deeds are written upon parchment. Murat. Antiq. Ital. Medii Ævi, vol. iii. p. 832. I have been induced, both in the text and in this note, to state these particulars concerning the interruption of trade between the christians and Mahomedans so fully, in order to correct an error into which several modern authors have fallen, by supposing, that soon after the first conquests of the caliphs, the trade with India returned into its ancient channels, and the merchants of Europe resorted with the same freedom as formerly to the ports of Egypt and Syria.

Note XLII. Sect. III. p. 1112.

It is proper to remark (say Mr. Stewart) that the Indians have an admirable method of rendering their religion lucrative, it being usual for the faquirs to carry with them, in their pilgrimages from the sea-coasts to the interior parts, pearls, corals, spices, and other precious articles of small bulk, which they exchange, on their return, for gold dust, musk, and other things of a similar nature, concealing them easily in their hair, and in the cloths round their middle, carrying on, in proportion to their numbers, no inconsiderable traffic by these means. Account of the kingdom of Thibet, Philos. Transact. vol. lxvii. part ii. p. 483.

Note XLIII. Sect. III. p. 1114.

Caffa is the most commodious situation for trade in the Black sea. While in the hands of the Genoese, who kept possession of it above two centuries, they rendered it the seat of an extensive and flourishing commerce. Even under all the disadvantages of its subjection, at present, to the Turkish government, it continues to be a place of considerable trade. Sir John Chardin, who visited it, A. D. 1672, relates, that during his residence of forty days there, above four hundred ships arrived at Caffa, or sailed from it. Voyages, i. 48. He observed there several remains of Genoese magnificence. The number of its inhabitants, according to M. Peysonel, amounts still to eighty thousand. Commerce de la Mer Noire, tom. i. p. 15. He describes its trade as very great.

Note XLIV. Sect. III. p. 1114.

The rapacity and insolence of the Genoese settled in Constantinople, are painted by Nicephorus Gregoras, an eye-witness of their conduct, in very striking colours. "They," says he, "now, *i. e.* about the year 1340, dreamed that they had acquired the dominion of the sea, and claimed an exclusive right to the trade of the Euxine, prohibiting the Greeks to sail to the Mæotis, the Chersonesus, or any part of the coast beyond the mouth of the Danube, without a licence from them. This exclusion they extended likewise to the Venetians, and their arrogance proceeded so far as to form a scheme of imposing a toll upon every vessel passing through the Bosphorus." Lib. xviii. c. 2. § 1.

Note XLV. Sect. III. p. 1114.

A permission from the pope was deemed so necessary to authorize a commercial intercourse with infidels, that long after this period, in the year 1454, Nicholas V. in his famous bull in favour of prince Henry of Portugal, among other privileges, grants him a licence to trade with Mahomedans, and refers to similar concessions from pope Martin V. and Eugenius, to kings of Portugal. Leibnitz, Codex Jur. Gent. Diplomat. Pars I. p. 489.

Note XLVI. Sect. III. p. 1115.

Neither Jovius, the professed panegyrist of the Medici, nor Jo. M. Brutus, their detractor, though both mention the exorbitant wealth of the family, explain the nature of the trade by which it was acquired. Even Machiavel, whose genius delighted in the investigation of every circumstance which contributed to aggrandize or depress nations, seems not to have viewed the commerce of his country as a subject that merited elucidation. Denina, who has entitled the first chapter of his eighteenth book, "The Origin of the Medici, and the Commencement of their Power and Grandeur," furnishes little information with regard to the trade carried on by them. This silence of so many authors is a proof that historians had not yet begun to view commerce as an object of such importance in the political state of nations, as to enter into any detail concerning its nature and effects. From the references of different writers to Scipio Ammirato, Istorie Fiorentine; to Pagnini, Della Decimated altri gravezze della Mercatura di Fiorentini; and to Balducci, Practica della Mercatura, I should imagine that something more satisfactory might be learned concerning the trade both of the republic and the family of Medici; but I could not find any of these books either in Edinburgh or in London.

Note XLVII. Sect. III. p. 1115.

Leibnitz has preserved a curious paper, containing the instructions of the republic of Florence to the two ambassadors sent to the soldan of Egypt, in order to negociate this treaty with him, together with the report of these ambassadors on their return. The great object of the republic was to obtain liberty of trading in all parts of the soldan's dominions, upon the same terms with the Venetians. The chief privileges which they solicited, were, 1. A perfect freedom of admission into every port belonging to the soldan, protection while they continued in it, and liberty of departure at what time they chose. 2. Permission to have a consul, with the same rights and jurisdiction as those of the Venetians; and liberty to build a church, a warehouse, and a bath, in every place where they settled. 3. That they should not pay for goods imported or exported higher duties than were paid by the Venetians. 4. That the effects of any Florentine who died in the dominions of the soldan should be consigned to the consul. 5. That the gold and silver coin of Florence should be received in payments. All these privileges (which show on what equal and liberal terms christians and Mahomedans now carried on trade) the Florentines obtained; but from the causes mentioned in the text, they seem never to have acquired any considerable share in the commerce with India. Leibnitz, Mantissa Cod. Jur. Gent. Diplom. Pars altera, p. 163.

Note XLVIII. Sect. III. p. 1116.

The eastern parts of Asia are now so completely explored, that the first imperfect accounts of them, by Marco Polo, attract little of that attention which was originally excited by the publication of his travels; and some circumstances in his narrative have induced different authors to justify this neglect, by calling in question the truth of what he relates, and even to assert that he had never visited those countries which he pretends to describe. He does not, say they, ascertain the position of any one place by specifying its longitude or latitude. He gives names to provinces and cities, particularly in his description of Cathay, which have no resemblance to those which they now bear. We may observe however, that as Marco Polo seems to have been, in no degree, a man of science, it was not to be expected that he should fix the position of places with geographical accuracy. As he travelled through China, either in the suite of the great khan, or in execution of his orders, it is probable that the names which he gives to different provinces and cities, are those by which they were known to the Tartars, in whose service he was, not their original Chinese names. Some inaccuracies which have been observed in the relation of his travels may be accounted for, by attending to one circumstance, that it was not published from a regular journal, which, perhaps, the vicissitudes in his situation, during such a long series of adventures, did not permit him to keep, or to preserve. It was composed after his return to his native country, and chiefly from recollection. But notwithstanding this disadvantage, his account of those regions of the East, towards which my inquiries have been directed, contains information with respect to several particulars altogether unknown in Europe at that time, the accuracy of which is now fully confirmed. Mr. Marsden, whose accuracy and discernment are well known, traces his description of the island which he calls Java Minor, evidently Sumatra; from which it is apparent, that as Marco Polo had resided a considerable time in that island, he had examined some parts with care, and had inquired with diligence concerning others. Hist. of Sumat. p. 281. I shall mention some other particulars with respect to India, which, though they relate to matters of no great consequence, afford the best proof of his having visited these countries, and of his having observed the manners and customs of the people with attention. He gives a distinct account of the nature and preparation of sago, the principal article of subsistence among all the nations of Malayan race, and he brought the first specimen of this singular production to Venice. Ramus. lib. iii. c. 16. He takes notice, likewise, of the general custom of chewing betel, and his description of the mode of preparing it is the same with that still in use. Ramus. Viaggi, i. p. 55. D p. 56. B. He even descends into such a detail as to mention the peculiar manner of feeding horses in India which still continues. Ramus. p. 53. F. What is of greater importance, we learn from him that the trade with Alexandria continued, when he travelled through India, to be carried on in the same manner as I conjectured it to have been in ancient times. The commodities of the East were still brought to the Malabar coast by vessels of the country, and conveyed thence, together with pepper and other productions peculiar to that part of India, by ships which arrived from the Red sea. Lib. iii. c. 27. This, perhaps, may account for the superior quality which Sanudo ascribes to the goods brought to the coast of Syria from the Persian gulf, above those imported into Egypt by the Red sea. The former were chosen and purchased in the places where they grew or where they were manufactured, by the merchants of Persia, who still continued their voyages to every part of the East; while the Egyptian merchants, in making up their cargoes, depended upon the assortment of goods brought to the Malabar coast by the natives To some persons in his own age, what Marco Polo related concerning the numerous armies and immense revenues of the eastern princes, appeared so extravagant, (though perfectly consonant to what we now know concerning the population of China, and the wealth of Indostan,) that they gave him the name of *Messer Marco Milioni*. Prefat. de Ramus. p. 4. But among persons better informed, the reception he met with was very

different. Columbus, as well as the men of science with whom he corresponded, placed such confidence in the veracity of his relations, that upon them the speculations, and theories, which led to the discovery of the New World, were in a great measure founded. Life of Columbus by his Son, c. 7. and 8.

Note XLIX. Sect. III. p. 1118.

In the year 1301, Joanna of Navarre, the wife of Philip le Bel king of France, having been some days in Bruges, was so much struck with the grandeur and wealth of that city, and particularly with the splendid appearance of the citizens' wives, that she was moved (says Guicciardini) by female envy to exclaim with indignation, "I thought that I had been the only queen here, but I find there are many hundreds more." Descrit. de Paesi Bassi, p. 408.

Note L. Sect. III. p. 1118.

In the History of the Reign of Charles V. p. 349. I observe, that during the war excited by the famous League of Cambray, while Charles VIII. of France could not procure money at a less premium than forty-two per cent. the Venetians raised what sums they pleased at five per cent. But this, I imagine, is not to be considered as the usual commercial rate of interest at that period, but as a voluntary and public-spirited effort of the citizens, in order to support their country at a dangerous crisis. Of such laudable exertions, there are several striking instances in the history of the republic. In the year 1379, when the Genoese, after obtaining a great naval victory over the Venetians, were ready to attack their capital, the citizens, by a voluntary contribution, enabled the senate to fit out such a powerful armament as saved their country. Sabellicus, Hist. Rer. Venet. dec. ii. lib. vi. p. 385. 390. In the war with Ferrara, which began in the year 1472, the senate, relying upon the attachment of the citizens to their country, required them to bring all their gold and silver plate, and jewels into the public treasury, upon promise of paying the value of them at the conclusion of the war, with five per cent. of interest; and this requisition was complied with cheerfully. Petr. Cyrnæus de Bello Ferrar. ap. Murat. Scrip. Rer. Ital. vol. xxi. p. 1016.

Note LI. Sect. III. p. 1119.

Two facts may be mentioned as proofs of an extraordinary extension of the Venetian trade at this period:—1. There is in Rymer's Great Collection, a series of grants from the kings of England, of various privileges and immunities to Venetian merchants trading in England, as well as several commercial treaties with the republic, which plainly indicate a considerable increase of their transactions in that country. These are mentioned in their order by Mr. Anderson, to whose patient industry and sound understanding every person engaged in any commercial research must have felt himself greatly indebted on many occasions.——2. The establishment of a bank by public authority, the credit of which was founded on that of the state. In an age and nation so well acquainted with the advantages which commerce derives from the institution of banks, it is unnecessary to enumerate them. Mercantile transactions must have been numerous and extensive before the utility of such an institution could be fully perceived, or the principles of trade could be so fully understood as to form the regulations proper for conducting it with success. Venice may boast of having given the first example to Europe, of an establishment altogether unknown to the ancients, and which is the pride of the modern commercial system. The constitution of the bank of Venice was originally founded on such just principles, that it has served as a model in the establishment of banks in other countries, and the administration of its affairs has been conducted with so much integrity, that its credit has never been shaken. I cannot specify the precise year in which the bank of Venice was established by a law of the state. Anderson supposes it to have been A. D. 1157. Chron. Deduct. vol. i. p. 84. Sandi Stor. Civil. Venes. Part II. vol. ii. p. 768. Part III. vol. ii. p. 892.

Note LII. Sect. III. p. 1119.

An Italian author of good credit, and a diligent inquirer into the ancient history of its different governments, affirms, that if the several states which traded in the Mediterranean had united together, Venice alone would have been superior to them all, in naval power and in extent of commerce. Denina, Revolutions d'Italie, traduites par l'Abbé Jardin, lib. xviii. c. 6. tom. vi. p. 339. About the year 1420, the doge Mocenigo gives a view of the naval force of the republic, which confirms this decision of Denina. At that time it consisted of three thousand trading vessels, of various dimensions, on board which were employed seventeen thousand sailors; of three hundred ships of greater force, manned by eight thousand sailors; and of forty-five large galeasses, or carracks, navigated by eleven thousand sailors. In public and private arsenals sixteen thousand carpenters were employed. Mar. Senuto Vite de Duchi di Venezia, ap. Mur. Script. Rer. Ital. vol. xxii. p. 959.

Note LIII. Sect. III. p. 1123.

When we take a view of the form and position of the habitable parts of Asia and Africa, we shall see good reasons for considering the camel as the most useful of all the animals over which the inhabitants of these great continents have acquired dominion. In both, some of the most fertile districts are separated from each other by such extensive tracts of barren sands, the seats of desolation and drought, as seem to exclude the possibility of communication between them. But as the ocean, which appears, at first view, to be placed as an in-

superable barrier between different regions of the earth, has been rendered, by navigation, subservient to their mutual intercourse, so by means of the camel, which the Arabians emphatically call *The Ship of the Desert*, the most dreary wastes are traversed, and the nations which they disjoin are enabled to trade with one another. Those painful journeys, impracticable by any other animal, the camel performs with astonishing despatch. Under heavy burthens of six, seven, and eight hundred weight, they can continue their march during a long period of time, with little food or rest, and sometimes without tasting water for eight or nine days. By the wise economy of Providence, the camel seems formed of purpose to be the beast of burthen in those regions where he is placed, and where his service is most wanted. In all the districts of Asia and Africa, where deserts are most frequent and extensive, the camel abounds. This is his proper station, and beyond this the sphere of his activity does not extend far. He dreads alike the excesses of heat and of cold, and does not agree even with the mild climate of our temperate zone. As the first trade in Indian commodities, of which we have any authentic account, was carried on by means of camels, Genesis xxxvii. 25. and as it is by employing them that the conveyance of these commodities has been so widely extended over Asia and Africa, the particulars which I have mentioned concerning this singular animal appeared to be necessary towards illustrating this part of my subject. If any of my readers desire more full information, and wish to know how the ingenuity and art of man have seconded the intentions of nature, in training the camel from his birth for that life of exertion and hardship to which he is destined, he may consult Histoire Naturelle, by M. le Comte de Buffon, artic. *Chameau et Dromedaire*, one of the most eloquent, and, as far as I can judge from examining the authorities which he has quoted, one of the most accurate, descriptions given by that celebrated writer. M. Volney, whose accuracy is well known, gives a description of the manner in which the camel performs its journey, which may be agreeable to some of my readers. "In travelling through the desert, camels are chiefly employed because they consume little, and carry a great load. His ordinary burthen is about seven hundred and fifty pounds; his food, whatever is given him, straw, thistles, the stones of dates, beans, barley, &c. With a pound of food a day, and as much water, he will travel for weeks. In the journey from Cairo to Suez, which is forty or forty-six hours, they neither eat nor drink; but these long fasts, if often repeated, wear them out. Their usual rate of travelling is very slow, hardly above two miles an hour; it is vain to push them, they will not quicken their pace, but, if allowed some short rest, they will travel fifteen or eighteen hours a day." Voyage, tom. ii. p. 383.

Note LIV. Sect. III. p. 1123.

In order to give an adequate idea of the extensive circulation of Indian commodities by land carriage, it would be necessary to trace the route, and to estimate the number, of the various caravans by which they are conveyed. Could this be executed with accuracy, it would be a curious subject of geographical research, as well as a valuable addition to commercial history. Though it is inconsistent with the brevity which I have uniformly studied in conducting this Disquisition, to enter into a detail of so great length, it may be proper here, for illustrating this part of my subject, to take such a view of two caravans which visit Mecca, as may enable my readers to estimate more justly the magnitude of their commercial transactions. The first is the caravan which takes its departure from Cairo in Egypt, and the other from Damascus in Syria; and I select these, both because they are the most considerable, and because they are described by authors of undoubted credit, who had the best opportunities of receiving full information concerning them. The former is composed not only of pilgrims from every part of Egypt, but of those which arrive from all the small Mahomedan states on the African coast of the Mediterranean, from the empire of Morocco, and even from the negro kingdoms on the Atlantic. When assembled, the caravan consists at least of fifty thousand persons, and the number of camels employed in carrying water, provisions, and merchandise, is still greater. The journey, which, in going from Cairo, and returning thither, is not completed in less than a hundred days, is performed wholly by land; and as the route lies mostly through sandy deserts, or barren uninhabited wilds, which seldom afford any subsistence, and where often no sources of water can be found, the pilgrims always undergo much fatigue, and sometimes must endure incredible hardships. An early and good description of this caravan is published by Hakluyt, vol. ii. p. 202, &c. Maillet has entered into a minute and curious detail with regard to it. Descript. de l'Egypte, part. ii. p. 212, &c. Pococke has given a route, together with the length of each day's march, which he received from a person who had been fourteen times at Mecca, vol. i. p. 188. 261, &c.—The caravan from Damascus, composed of pilgrims from almost every province of the Turkish empire, is little inferior to the former in number, and the commerce which it carries on is hardly less valuable. Voyage de Volney, tom. ii. p. 251, &c. Ohsson, Tabl. Gener. de l'Empire Othom. III. p. 275, &c. This pilgrimage was performed in the year 1741, by Khojeh Abdulkurreem, whom I formerly mentioned, Note V. p. 1157. He gives the usual route from Damascus to Mecca, computed by hours, the common mode of reckoning a journey in the East, through countries little frequented. According to the most moderate estimate, the distance between the two cities, by his account,

must be above a thousand miles; a great part of the journey is through a desert, and the pilgrims not only endure much fatigue, but are often exposed to great danger from the wild Arabs. Memoirs, p. 114, &c. It is a singular proof of the predatory spirit of the Arabs, that although all their independent tribes are zealous Mahomedans, yet they make no seruple of plundering the caravans of pilgrims while engaged in performing one of the most indispensable duties of their religion. A remarkable instance of this oceurred in the year 1757. Travels through Cyprus, Syria, &c. by Abbé Mariti, vol. ii. p. 117, &c. Engl. Translation. Great as these caravans are, we must not suppose that all the pilgrims who visit Mecca belong to them; such considerable additions are received from the extensive dominions of Persia, from every province of Indostan, and the countries to the east of it, from Abyssinia, from various states on the southern coast of Africa, and from all parts of Arabia, that when the whole are assembled they have been computed to amount to two hundred thousand. In some years the number is further increased by small bands of pilgrims from several interior provinces of Africa, the names and situations of which are just beginning to be known in Europe. For this last fact we are indebted to the Association for promoting the Discovery of the Interior parts of Africa, formed by some British gentlemen, upon principles so liberal, and with views so public-spirited, as do honour to themselves and to their country. Proceedings, &c. p. 174.

In the Report of the Committee of the Privy Council on the Slave Trade, other particulars are contained; and it appears that the commerce carried on by caravans in the interior parts of Africa is not only widely extended, but of considerable value. Besides the great caravan which proceeds to Cairo, and is joined by Mahomedan pilgrims from every part of Africa, there are caravans which have no object but commerce, which set out from Fez, Algiers, Tunis, Tripoli, and other states on the seacoast, and penetrate far into the interior country. Some of them take no less than fifty days to reach the place of their destination; and, as the medium of their rate of travelling may be estimated at about eighteen miles a day, the extent of their journey may be easily computed. As both the time of their outset, and their route, are known, they are met by the people of all the countries through which they travel, who trade with them. Indian goods of every kind form a considerable article in this traffic, in exchange for which the chief commodity they can give is slaves. Part vi.

As the journeys of the caravans, which are purely commercial, do not commence at stated seasons, and their routes vary according to the convenience or fancy of the merchants of whom they are composed, a description cannot be given of them with the same degree of accuracy as of the great caravans which visit Mecca. But by attending to the accounts of some authors, and the occasional hints of others, sufficient information may be gathered to satisfy us, that the circulation of eastern goods by these caravans is very extensive. The same intercourse which was anciently kept up by the provinces in the north-east of Asia with Indostan and China, and which I formerly described, still subsists. Among all the numerous tribes of Tartars, even of those which retain their pastoral manners in greatest purity, the demand for the productions of these two countries is very considerable. Voyages de Pallas, tom. i. p. 357, &c. tom. ii. p. 422. In order to supply them with these, caravans set out annually from Boghar, (Hakluyt, vol. i. p. 332.,) Samarcand, Thibet, and several other places, and return with large cargoes of Indian and Chinese goods. But the trade carried on between Russia and China in this part of Asia is by far the most extensive and best known. Some connexion of this kind, it is probable, was kept up between them from the earliest period, but it increased greatly after the interior parts of Russia were rendered more accessible by the conquests of Zingis Khan and Tamerlane. The commercial nations of Europe were so well acquainted with the mode of carrying on this trade, that soon after the Portuguese had opened the communication with the East by the Cape of Good Hope, an attempt was made, in order to diminish the advantages which they derived from this discovery, to prevail on the Russians to convey Indian and Chinese commodities through the whole extent of their empire, partly by land-carriage and partly by means of navigable rivers, to some port on the Baltic, from which they might be distributed through every part of Europe. Ramusio Raccolto da Viaggi, vol. i. p. 374. B. Hist. du Commerce de la Russie, par M. Schreder, tom. i. p. 13, 14. This scheme, too great for the monarch then on the throne of Russia to carry into execution, was rendered practicable by the conquests of Ivan Basilowitz, and the genius of Peter the Great. Though the capitals of the two empires were situated at the immense distance of six thousand three hundred and seventy-eight miles from each other, and the route lay for above four hundred miles through an uninhabited desert, (Bell's Travels, vol. ii. p. 167.,) caravans travelled from the one to the other. But though it had been stipulated, when this intercourse was established, that the number of persons in each caravan should not exceed two hundred, and though they were shut up within the walls of a caravanserai during the short time they were suffered to remain in Pekin, and were allowed to deal only with a few merchants, to whom a monopoly of the trade with them had been granted; yet, notwithstanding all these restraints and precautions, the jealous vigilance with which the Chinese government excludes foreigners from a free intercourse with its subjects, was alarmed, and the admission of the Russian caravans into the empire was soon prohibited. After various negociations an expedi-

ent was at length devised, by which the advantages of mutual commerce were secured, without infringing the cautious arrangements of Chinese policy. On the boundary of the two empires, two small towns were built almost contiguous, Kiachta inhabited by Russians, and Maimatschin by Chinese. To these all the marketable productions of their respective countries are brought by the subjects of each empire; and the furs, the linen and woollen cloth, the leather, the glass, &c. of Russia, are exchanged for the silk, the cotton, the tea, the rice, the toys, &c. of China. By some well judged concessions of the sovereign now seated on the throne of Russia, whose enlarged mind is superior to the illiberal maxims of many of her predecessors, this trade is rendered so flourishing, that its amount annually is not less than eight hundred thousand pounds sterling, and it is the only trade which China carries on almost entirely by barter. Mr. Coxe, in his account of the Russian discoveries, has collected, with his usual attention and discernment, every thing relative to this branch of trade, the nature and extent of which were little known in Europe. Part ii. chap. ii. iii. iv. Nor is Kiachta the only place where Russia receives Chinese and Indian commodities. A considerable supply of both is brought by caravans of independent Tartars to Orenburg, on the river Jaik, Voyage de Pallas, tom. i. p. 355, &c., to Troitzkaia, on the river Oui, and to other places which I might mention. I have entered into this long detail concerning the mode in which the productions in India and China are circulated through Russia, as it affords the most striking instance, I know, of the great extent to which valuable commodities may be conveyed by land-carriage.

Note LV. Sect. IV. p. 1124.

The only voyage of discovery in the Atlantic ocean towards the south, by any of the ancient commercial states in the Mediterranean, is that of Hanno, undertaken by order of the republic of Carthage. As the situation of that city, so much nearer the straits than Tyre, Alexandria, and the other seats of ancient trade which have been mentioned, gave it more immediate access to the ocean; that circumstance, together with the various settlements which the Carthaginians had made in different provinces of Spain, naturally suggested to them this enterprise, and afforded them the prospect of considerable advantages from its success. The voyage of Hanno, instead of invalidating, seems to confirm, the justness of the reasons which have been given, why no similar attempt was made by the other commercial states in the Mediterranean.

Note LVI. Sect. IV. p. 1125.

Though the intelligent authors whom I have quoted considered this voyage of the Phenicians as fabulous, Herodotus mentions a circumstance concerning it which seems to prove that it had really been performed. "The Phenicians," says he, "affirmed that, in sailing round Africa, they had the sun on their right hand, which to me appears not to be credible, though it may be deemed so by others." Lib. iv. c. 42. This, it is certain, must have happened, if they really accomplished such a voyage. The science of astronomy, however, was in that early period so imperfect, that it was by experience only that the Phenicians could come at the knowledge of this fact; they durst not, without this, have ventured to assert what would have appeared to be an improbable fiction. Even after what they related, Herodotus disbelieved it.

Note LVII. Sect. IV. p. 1127.

Notwithstanding this increasing demand for the productions of India, it is remarkable that during the sixteenth century some commodities which are now the chief articles of importation from the East, were either altogether unknown, or of little account. Tea, the importation of which, at present, far exceeds that of any other production of the East, has not been in general use in any country of Europe a full century; and yet, during that short period, from some singular caprice of taste, or power of fashion, the infusion of a leaf brought from the furthest extremity of the earth, of which it is perhaps the highest praise to say that it is innoxious, has become almost a necessary of life in several parts of Europe, and the passion for it descends from the most elevated to the lowest orders in society. In 1785 it was computed that the whole quantity of tea imported into Europe from China was about nineteen millions of pounds, of which it is conjectured that twelve millions were consumed in Great Britain and the dominions depending upon it. Dodsley's Annual Register for 1784 and 1785, p. 156. In 1789 twenty-one millions of pounds were imported. The porcelain of China, now as common in many parts of Europe as if it were of domestic manufacture, was not known to the ancients. Marco Polo is the first among the moderns who mentions it. The Portuguese began to import it not long after their first voyage to China, A. D. 1517; but it was a considerable time before the use of it became extensive.

Note LVIII. Sect. IV. p. 1133.

According to all the writers of antiquity, the Indians are said to be divided into seven tribes or casts. Strabo, lib. xv. p. 1029. C. &c. Diod. Sicul. lib. ii. p. 153, &c. Arrian, Indic. c. 10. They were led into this error, it is probable, by considering some of the subdivisions of the casts, as if they had been a distinct independent order. But that there were no more than four original casts, we learn from the concurring testimony of the best informed modern travellers. A more distinct account of these we have in "La Porte Ouverte, ou La vraye Representation de la Vie, des Mœurs, de la Religion, et du Service, des Brahmines, qui demeurent sur les

Costes de Choromandel," &c. This was compiled before the middle of last century, by Abraham Roger, chaplain of the Dutch factory at Pullicate. By gaining the confidence of an intelligent Brahmin, he acquired information concerning the manners and religion of the Indians, more authentic and extensive than was known to Europeans prior to the late translations from the Sanskreet language. I mention this book, because it seems to be less known than it deserves to be. There remains now no doubt with respect either to the number or the functions of the casts, as both are ascertained from the most ancient and sacred books of the Hindoos, and confirmed by the accounts of their own institutions, given by Brahmins eminent for their learning. According to them, the different casts proceeded from Brahma, the immediate agent of the creation under the Supreme Power, in the following manner, which establishes both the rank which they were to hold, and the office which they were required to perform.

The *Brahmin*, from the mouth (wisdom): To pray, to read, to instruct.
The *Chehetree*, from the arms (strength): To draw the bow, to fight, to govern.
The *Bice*, from the belly or thighs (nourishment): To provide the necessaries of life by agriculture and traffic.
The *Sooder*, from the feet (subjection): To labour, to serve.

The prescribed occupations of all these classes are essential in a well regulated state. Subordinate to them is a fifth, or adventitious class, denominated *Burrun Sunkur*, supposed to be the offspring of an unlawful union between persons of different casts. These are mostly dealers in petty articles of retail trade. Preface to the Code of Gentoo Laws, p. xlvi. and xcix. This adventitious class is not mentioned, as far as I know, by any European author. The distinction was too nice to be observed by them, and they seem to consider the members of this cast as belonging to the Sooder. Besides these acknowledged casts, there is a race of unhappy men, denominated, on the Coromandel coast, *Pariars*, and in other parts of India, *Chandalas*. These are outcasts from their original order, who by their misconduct have forfeited all the privileges of it. Their condition is, undoubtedly, the lowest degradation of human nature. No person of any cast will have the least communication with them. Sonnerat, tom. i. p. 55, 56. If a Pariar approach a *Nayr*, *i. e.* a warrior of high cast, on the Malabar coast, he may put him to death with impunity. Water or milk are considered as defiled even by their shadow passing over them, and cannot be used until they are purified. Ayeen Akbery, vol. iii. p. 243. It is almost impossible for words to express the sensation of vileness that the name of Pariar or Chandala conveys to the mind of a Hindoo. Every Hindoo who violates the rules or institutions of his cast sinks into this degraded situation. This it is which renders Hindoos so resolute in adhering to the institutions of their tribe, because the loss of cast is, to them, the loss of all human comfort and respectability; and is a punishment, beyond comparison, more severe than excommunication in the most triumphant period of papal power.

The four original casts are named, and their functions described, in the Mahabarat, the most ancient book of the Hindoos, and of higher authority than any with which Europeans are hitherto acquainted. Baghvat-Geeta, p. 130. The same distinction of casts was known to the author of Heetopades, another work of considerable antiquity, translated from the Sanskreet, p. 251.

The mention of one circumstance respecting the distinction of casts has been omitted in the text. Though the line of separation be so drawn, as to render the ascent from an inferior to a higher cast absolutely impossible, and it would be regarded as a most enormous impiety if one in a lower order should presume to perform any function belonging to those of a superior cast; yet in certain cases, the Pundits declare it to be lawful for persons of a high class to exercise some of the occupations allotted to a class below their own, without losing their cast by doing so. Pref. of Pundits to the Code of Gentoo Laws, p. 100. Accordingly we find Brahmins employed in the service of their princes, not only as ministers of state, Orme's Fragments, p. 207., but in subordinate stations. Most of the officers of high rank in the army of Sevagi, the founder of the Mahratta state, were Brahmins, and some of them Pundits or learned Brahmins. Ibid. p. 97. Hurry Punt and Purseram Bhow, who commanded the Mahratta forces which acted in conjunction with the army of lord Cornwallis against Tippoo Saib, were Brahmins. Many sepoys in the service of the East India Company, particularly in the Bengal presidency, are of the Brahmin cast.

Another fact concerning the casts deserves notice. An immense number of pilgrims, amounting in some years to more than 150,000, visit the pagoda of Jaggernaut in Orissa, (one of the most ancient and most revered places of Hindoo worship,) at the time of the annual festival in honour of the deity to whom the temple is consecrated. The members of all the four casts are allowed promiscuously to approach the altar of the idle, and seating themselves without distinction, eat indiscriminately of the same food. This seems to indicate some remembrance of a state prior to the institutions of casts, when all men were considered as equal. I have not such information as enables me to account for a practice so repugnant to the first ideas and principles of the Hindoos, either sacred or civil. Bernier, tom. ii. p. 102. Tavernier, book ii. c. 9. Anquetil, Disc. Prelim. p. 81. Sketches, p. 96.

Some of my readers must have observed, that I have not mentioned the numerous orders of Indian

devotees, to all of whom European writers gave the appellation of *Faquirs;* a name by which the Mahomedans distinguish fanatical monks of their own religion. The light in which I have viewed the religious institutions of the Hindoos, did not render it necessary that I should consider the Indian faquirs particularly. Their number, the rigour of their mortifications, the excruciating penances which they voluntarily undergo, and the high opinion which the people entertain of their sanctity, have struck all travellers who had visited India, and their descriptions of them are well known. The powerful influence of enthusiasm, the love of distinction, and the desire of obtaining some portion of that reverence and those honours which the Brahmins are born to enjoy, may account for all the extraordinary things which they do and suffer. One particular concerning them merits notice. This order of devotees appears to have been very ancient in India. The description of the *Germani*, which Strabo takes from Megasthenes, applies almost in every circumstance to the modern faquirs. Lib. xv. p. 1040. B.

Note LIX. P. 1133.

What I have asserted in the text is in general well founded. It is the opinion, however, of gentlemen who have seen much of India, and who observed all they saw with a discerning eye, that the conquests both of the Mahomedans and of the Europeans have had some effect upon the manners and customs of the natives. They imagine that the dress which the Hindoos now wear, the turban, the jummah, and long drawers, is an imitation of that worn by their Mahomedan conquerors. The ancient dress of the Indians, as described by Arrian, Hist. Indic. c. 16., was a muslin cloth thrown loosely about their shoulders, a muslin shirt reaching to the middle of the leg, and their beards were dyed various colours; which is not the same with that used at present. The custom of secluding women, and the strictness with which they are confined, is likewise supposed to have been introduced by the Mahomedans. This supposition is in some measure confirmed by the drama of Sacontala, translated from the Sanskreet. In that play several female characters are introduced, who mingle in society, and converse as freely with men, as women are accustomed to do in Europe. The author, we may presume, deseribes the manners, and adheres to the customs, of his own age. But while I mention this remark, it is proper likewise to observe, that, from a passage in Strabo, there is reason to think, that in the age of Alexander the Great women in India were guarded with the same jealous attention as at present. "When their princes" (says he, copying Megasthenes) "set out upon a public hunt, they are accompanied by a number of their women, but along the road in which they travel ropes are stretched on each side, and if any man approach near to them, he is instantly put to death." Lib. xv. p. 1037. A. In some parts of India, where the original manners of the people may be supposed to subsist in greatest purity, particularly in the high country towards the sources of the Indus, women of rank reside in private apartments, secluded from society. Forster's Travels, vol. i. p. 228. Women even of the Brahmin cast appear in the streets without a veil; and it is only, as I am informed, in the houses of persons of high rank or great opulence, that a distinct quarter or haram is allotted to the women. The influence of European manners begins to be apparent among the Hindoos who reside in the town of Calcutta. Some of them drive about in English chariots, sit upon chairs, and furnish their houses with mirrors. Many circumstances might be mentioned, were this the proper place, which, it is probable, will contribute to the progress of this spirit of imitation.

Note LX. P. 1134.

It is amusing to observe how exactly the ideas of an intelligent Asiatic coincide with those of the Europeans on this subject. "In reflecting," says he, "upon the poverty of Turan (the countries beyond the Oxus) and Arabia, I was at first at a loss to assign a reason why these countries have never been able to retain wealth, whilst, on the contrary, it is daily increasing in Indostan. Timour carried into Turan the riches of Turkey, Persia, and Indostan, but they are all dissipated; and, during the reigns of the first four caliphs, Turkey, Persia, part of Arabia, Ethiopia, Egypt, and Spain, were their tributaries; but still they were not rich. It is evident then, that this dissipation of the riches of a state must have happened either from extraordinary drains, or from some defect in the government. Indostan has been frequently plundered by forcign invaders, and not one of its kings ever gained for it any acquisition of wealth; neither has the country many mines of gold and silver, and yet Indostan abounds in money and every other kind of wealth. The abundance of specie is undoubtedly owing to the large importation of gold and silver in the ships of Europe, and other nations, many of whom bring ready money in exchange for the manufactures and natural productions of the country. If this is not the cause of the prosperous state of Indostan, it must be owing to the peculiar blessing of God." Memoirs of Kojeh Abdul-kureem, a Cashmerian of distinction, p. 42.

Note LXI. P. 1135.

That the monarchs of India were the sole proprietors of land, is asserted in most explicit terms by the ancients. The people (say they) pay a land-tax to their kings, because the whole kingdom is regal property. Strabo, lib. xv. p. 1030. A. Diod. Sicul. lib. ii. p. 153. This was not peculiar to India. In all the great monarchies of the East, the sole property of land seems to be vested in the sovereign as lord paramount. According to Chardin, this is the state of property in Persia, and lands were let by the monarch to the farmers who cultivated them, on

conditions nearly resembling those granted to the Indian ryots. Voyages, tom. iii. p. 339. &c. 4to. M. Volney gives a similar account of the tenure by which lands are held in one of the great provinces of the Turkish empire. Voyage en Syrie, &c. tom. ii. p. 369, &c. The precise mode, however, in which the ryots of Indostan held their possessions, is a circumstance in its ancient political constitution, with respect to which gentlemen of superior discernment, who have resided long in the country, and filled some of the highest stations in government, have formed very different opinions. Some have imagined that grants of land were made by the sovereign to villages or small communities, the inhabitants of which, under the direction of their own chiefs or heads-men, laboured it in common, and divided the produce of it among them in certain proportions. Descript. de l'Ind. par M. Bernouilli, tom. ii. 223, &c. Others maintain, that the property of land has been transferred from the crown to hereditary officers of great eminence and power, denominated *Zemindars*, who collect the rents from the ryots, and parcel out the lands among them. Others contend, that the office of Zemindars is temporary and ministerial, that they are merely collectors of revenue, removable at pleasure, and the tenure by which the ryots hold their possessions is derived immediately from the sovereign. This last opinion is supported with great ability by Mr. Grant, in an Inquiry into the Nature of Zemindary Tenures in the landed Property of Bengal, &c. This question still continues to be agitated in Bengal, and such plausible arguments have been produced in support of the different opinions, that although it be a point extremely interesting, as the future system of British finance in India appears likely to hinge, in an essential degree, upon it, persons well acquainted with the state of India have not been able to form a final and satisfactory opinion on this subject. Captain Kirkpatrick's Introd. to the Institutes of Ghazan Khan, New Asiatic Miscel. N°. II. p. 130. Though the sentiments of the Committee of Revenue, composed of persons eminent for their abilities, lean to a conclusion against the hereditary right of the Zemindars in the soil, yet the Supreme Council, in the year 1786, declined, for good reasons, to give any decisive judgment on a subject of such magnitude.—This note was sent to the press before I had it in my power to peruse Mr. Rouse's ingenious and instructive dissertation concerning the landed property of Bengal. In it he adopts an opinion contrary to that of Mr. Grant, and maintains, with that candour and liberality of sentiment which are always conspicuous where there is no other object in view but the discovery of truth, that the Zemindars of Bengal possessed their landed property by hereditary right. Were I possessed of such knowledge either of the state of India, or of the system of administration established there, as would be requisite for comparing these different theories, and determining which of them merits the preference, the subject of my researches does not render it necessary to enter into such a disquisition. I imagine, however, that the state of landed property in India might be greatly illustrated by an accurate comparison of it with the nature of feudal tenures; and I apprehend that there might be traced there a succession of changes taking place in much the same order as has been observed in Europe, from which it might appear, that the possession of land was granted at first during pleasure, afterwards for life, and at length became perpetual and hereditary property. But even under this last form, when land is acquired either by purchase or inheritance, the manner in which the right of property is confirmed and rendered complete, in Europe by a charter, in India by a *Sunnud* from the sovereign, seems to point out what was its original state. According to each of the theories which I have mentioned, the tenure and condition of the ryots nearly resembles the description which I have given of them. Their state, we learn from the accounts of intelligent observers, is as happy and independent as falls to the lot of any race of men employed in the cultivation of the earth. The ancient Greek and Roman writers, whose acquaintance with the interior parts of India was very imperfect, represent the fourth part of the annual produce of land as the general average of rent paid to the sovereign. Upon the authority of a popular author who flourished in India prior to the christian æra, we may conclude that the sixth part of the people's income was, in his time, the usual portion of the sovereign. Sacontala, Act v. p. 53. It is now known that what the sovereign receives from land varies greatly in different parts of the country, and is regulated by the fertility or barrenness of the soil, the nature of the climate, the abundance or scarcity of water, and many other obvious circumstances. By the account given of it, I should imagine that, in some districts, it has been raised beyond its due proportion. One circumstance with respect to the administration of revenue in Bengal merits notice, as it redounds to the honour of the emperor Akber, the wisdom of whose government I have often had occasion to celebrate. A general and regular assessment of revenue in Bengal was formed in his reign. All the lands were then valued, and the rent of each inhabitant and of each village ascertained. A regular gradation of accounts was established. The rents of the different inhabitants who lived in one neighbourhood being collected together, formed the account of a village; the rents of several villages being next collected into one view, formed the accounts of a larger portion of land. The aggregate of these accounts exhibited the rent of a district, and the sum total of the rents of all the districts in Bengal formed the account of the revenue of the whole province. From the reign of Akber to the government of Jaffeer Ali Cawn, A. D. 1757, the annual amount of revenue, and the modes of levying it, continued with little

variation. But in order to raise the sum which he had stipulated to pay the English on his elevation, he departed from the wise arrangements of Akber; many new modes of assessment were introdueed, and exactions multiplied.

Note LXII. P. 1136.

I shall mention only one instance of their attention to this useful regulation of police. Lahore, in the Panjab, is distant from Agra, the ancient capital of Indostan, five hundred miles. Along each side of the road betweeu these two great cities, there is planted a continued row of shady trees, forming an avenue, to which (whether we consider its extent, its beauty, or utility in a hot climate) there is nothing similar in any country. Rennell's Memoir, p. 69.

Note LXIII. P. 1136.

We eannot place the equitable and mild government of Akber in a point of view more advantageous, than by eontrasting it with the conduct of other Mahomedan princes. In no country did this contrast ever appear more striking than in India. In the thousandth year of the christian æra, Mahmud of Ghazna, to whose dominion were subjected the same countries which formed the ancient kingdom of Bactria, invaded Indostan. Every step of his progress in it was marked with blood and desolation. The most celebrated pagodas, the ancient monuments of Hindoo devotion and magnificence, were destroyed, the ministers of religion were massaered, and with undistinguishing ferocity the country was laid waste, and the cities were plundered and burnt. About four hundred years after Mahmud, Timur, or Tamerlane, a conqueror of higher fame, turned his irresistible arms against Indostan; and though born in an age more improved, he not only equalled, but often so far surpassed the cruel deeds of Mahmud, as to be justly branded with the odious name of the "Destroying Prince," which was given to him by the Hindoos, the undeserving victims of his rage. A rapid but striking description of their devastations may be found in Mr. Orme's Dissertation on Establishments made by the Mahomedan Conquerors in Indostan. A more full account of them is given by Mr. Gibbon, vol. v. p. 646. vol. vi. p. 339, &e. The arrogant contempt with whieh bigoted Mahomedans view all the nations who have not embraced the religion of the prophet, will account for the unrelenting rigour of Mahmud and Timur towards the Hindoos, and greatly enhanees the merit of the tolerant spirit and moderation with which Akber governed his subjeets. What impression the mild administration of Akber made upon the Hindoos, we learn from a beautiful letter of Jesswant Sing, rajah of Joudpore, to Aurengzebe, his fanatical and persecuting suceessor. "Your royal ancestor, Akber, whose throne is now in heaven, conducted the affairs of this empire in equity and firm security for the spaee of fifty-two years, preserving every tribe of men in ease and happiness; whether they were followers of Jesus or of Moses, of David or of Mahomed; were they Brahmins, were they of the sect of Dharins, which denies the eternity of matter, or of that which ascribes the existence of the world to chance, they all equally enjoyed his countenance and favour; insomuch that his people, in gratitude for the indiscriminate protection which he afforded them, distinguished him by the appellation of *Juggot Grow*, Guardian of Mankind.—If your majesty places any faith in those books, by distinction called divine, you will there be instructed that God is the God of all mankind, not the God of Mahomedans alone. The pagan and the mussulman are equally in his presence. Distinctions of colours are of his ordination. It is He who gives existence. In your temples, to his name, the voice is raised in prayer; in a house of images, where the bell is shaken, still He is the object of adoration. To vilify the religion and customs of other men, is to set at naught the pleasure of the Almighty. When we deface a picture, we naturally incur the resentment of the painter; and justly has the poet said, 'Presume not to arraign or to scrutinize the various works of power divine.'" For this valuable communication we are indebted to Mr. Orme. Fragments, notes, p. xcvii. I have been assured by a gentleman who has read this letter in the original, that the translation is not only faithful but elegant.

Note LXIV. P. 1139.

I have not attempted a description of any subterraneous excavations but those of Elephanta, because none of them have been so often visited, or so carefully inspected. In several parts of India there are, however, stupendous works of a similar nature. The extent and magnificence of the excavations in the island of Salsetta are such that the artist employed by governor Boon to make drawings of them asserted, that it would require the labour of forty thousand men for forty years to finish them. Archæologia, vol. vii. p. 336. Loose as this mode of estimation may be, it conveys an idea of the impression which the view of them made upon his mind. The pagodas of Ellore, eighteen miles from Aurungabad, are likewise hewn out of the solid rock, and if they do not equal those of Elephanta and Salsetta in magnitude, they surpass them far in their extent and number. M. Thevenot, who first gave any description of these singular mansions, asserts, that for above two leagues all around the mountain nothing is to be seen but pagodas. Voy. part iii. chap. 44. They were examined at greater leisure and with more attention by M. Anquetil du Perron; but as his long description of them is not accompanied with any plan or drawing, I cannot convey a distinet idea of the whole. It is evident, however, that they are the works of a powerful people, and among the innumerable figures in sculpture with whieh the walls are covered, all the

present objects of Hindoo worship may be distinguished. Zend-avestal Disc. Prelim. p. 223. There are remarkable excavations in a mountain at Mavalipuram near Madras. This mountain is well known on the Coromandel coast by the name of the *Seven Pagodas*. A good description of the works there, which are magnificent and of high antiquity, is given in Asiat. Researches, vol. i. p. 145, &c. Many other instances of similar works might be produced if it were necessary. What I have asserted, p. 1139. concerning the elegance of some of the ornaments in Indian buildings, is confirmed by colonel Call, chief engineer at Madras, who urges this as a proof of the early and high civilization of the Indians. "It may safely be pronounced," says he, "that no part of the world has more marks of antiquity for arts, sciences, and civilization, than the peninsula of India, from the Ganges to Cape Comorin. I think the carvings on some of the pagodas and choultries, as well as the grandeur of the work, exceeds any thing now-a-days, not only for the delicacy of the chisel, but the expense or construction, considering in many instances, to what distances the component parts were carried, and to what heights raised." Philosophical Transactions, vol. lxii. p. 354. I am happy to find my idea, that the first temples erected by the Hindoos were formed upon the model of those caverns in which the rites of religion were originally celebrated, confirmed and more fully unfolded by Mr. Hodges. In a short dissertation on the primitive standard, or prototype of the different styles of architecture, viz. the Egyptian, Hindoo, Moorish, Gothic, and Chinese, he has examined and illustrated that curious subject with great ingenuity. Travels in India, p. 63—77.

Note LXV. P. 1140.

India, says Strabo, produces a variety of substances which dye the most admirable colours. That the *Indicum* which produced the beautiful blue colour, is the same with the *Indigo* of the moderns, we may conclude, not only from the resemblance of the name, and the similarity of the effects, but from the description given by Pliny in the passage which I have quoted in the text. He knew that it was a preparation of a vegetable substance, though he was ill informed both concerning the plant itself, and the process by which it was fitted for use; which will not appear surprising, when we recollect the account formerly given of the strange ignorance of the ancients with respect to the origin and preparation of silk. From the colour of indigo, in the form in which it was imported, it is denominated by some authors, *Atramentum Indicum*, and *Indicum Nigrum*, Salmas. Exercit. p. 180.; and is mentioned under the last of these names, among the articles of importation from India. Peripl. Mar. Erythr. p. 22. The colour of the modern indigo when undiluted, resembles that of ancient indicum, being so intensely coloured as to appear black. Delaval's Experim. Inquiry into the Cause of the Changes of Colours, Pref. p. xxiii. Indigo is the principal dye-stuff used by the natives of Sumatra, and is much cultivated in that island; but the mode of preparing it differs from that which is common among the people of Indostan. Marsden, Hist. of Sumatra, p. 77. There has been lately found in the Circar of Rajamundry a new species of indigo, denominated the *tree indigo*, which, as it grows wild and in great abundance, promises to be a discovery of considerable use. Oriental Repertory, No. I. p. 39, &c. The *gum-lacca*, used in dyeing a red colour, was likewise known to the ancients, and by the same name which it now bears. Salmas. Exercit. p. 810. This valuable substance, of such extensive utility in painting, dyeing, japanning, varnishing, and in the manufacture of sealing-wax, is the production of a very minute insect. These insects fix themselves upon the succulent extremities of the branches of certain trees, and are soon glued to the place on which they settle, by a thick pellucid liquid which exudes from their bodies, the gradual accumulation of which forms a complete cell for each insect, which is the tomb of the parent, and the birth-place of its offspring. This glutinous substance, with which the branches of trees are entirely covered, is the gum-lacca. An account of its formation, nature, and use, is given in the Philos. Trans. vol. lxxi. part. ii. p. 374., in a concise, accurate, and satisfactory manner. Some curious observations upon this insect are published by Mr. Roxburgh, who cultivates the study of Natural History in India with great assiduity and success. Asiatic Researches, vol. iii. p. 361. It is remarkable that Ctesias seems to have received an account tolerably distinct of the insect by which the gum-lacca is produced, and celebrates the beauty of the colour which it dies. Excerpta ex Indic. ad calc. Herodot. edit. Wesseling, p. 830. *Indian dyers*, was the ancient name of those who dyed either the fine blue or the fine red, which points out the country whence the materials they used were brought. Salmas. ib. p. 810. From their dyeing cotton stuffs with different colours, it is evident that the ancient Indians must have made some considerable proficiency in chemical knowledge. Pliny, lib. xxxv. c. ii. § 42, gives an account of this art as far as it was known anciently. It is precisely the same with that now practised in calico-printing.

Note LXVI. P. 1143.

As Sanskreet literature is altogether a new acquisition to Europe, Baghvat-Geeta, the first translation from that language, having been published so late as A. D. 1785, it is intimately connected with the subject of my inquiries, and may afford entertainment to some of my readers, after having reviewed in the text, with a greater degree of critical attention, the two Sanskreet works most worthy of notice, to give here a succinct account of other compositions in that tongue with which we have

been made acquainted. The extensive use of the Sanskreet language is a circumstance which merits particular attention. "The grand source of Indian literature," (says Mr. Halhed, the first Englishman who acquired the knowledge of Sanskreet,) "the parent of almost every dialect from the Persian gulf to the China seas, is the Sanskreet, a language of the most venerable and unfathomable antiquity; which, although at present shut up in the libraries of Brahmins, and appropriated solely to the records of their religion, appears to have been current over most of the oriental world; and traces of its original extent may still be discovered in almost every district of Asia. I have been often astonished to find the similitude of Sanskreet words with those of Persian and Arabic, and even of Latin and Greek; and those not in technical and metaphorical terms, which the mutation of refined arts and improved manners might have occasionally introduced, but in the ground-work of language, in monosyllables, in the names of numbers, and the appellations of such things as would be first discriminated on the immediate dawn of civilization. The resemblance which may be observed in the characters on the medals and signets of various districts of Asia, the light which they reciprocally reflect upon each other, and the general analogy which they all bear to the same grand prototype, afford another ample field for curiosity. The coins of Assam, Napaul, Cashmeere, and many other kingdoms, are all stamped with Sanskreet characters, and mostly contain allusions to the old Sanskreet mythology. The same conformity I have observed on the impressions of seals from Bootan and Thibet. A collateral inference may likewise be deduced from the peculiar arrangement of the Sanskreet alphabet, so very different from that of any other quarter of the world. This extraordinary mode of combination still exists in the greatest part of the East, from the Indus to Pegu, in dialects now apparently unconnected, and in characters completely dissimilar; and it is a forcible argument that they are all derived from the same source. Another channel of speculation presents itself in the names of persons and places, of titles and dignities, which are opened to general notice, and in which, to the furthest limits of Asia, may be found manifest traces of the Sanskreet." Preface to the Grammar of the Bengal Language, p. 3. After this curious account of the Sanskreet tongue, I proceed to enumerate the works which have been translated from it, besides the two mentioned in the text.—1. To Mr. Wilkins we are indebted for *Heeto-pades* or *Amicable Instruction*, in a series of connected fables, interspersed with moral, prudential, and political maxims. This work is in such high esteem throughout the East, that it has been translated into every language spoken there. It did not escape the notice of the emperor Akber, attentive to every thing that could contribute to promote useful knowledge. He directed his vizier, Abul Fazel, to put it into a style suited to all capacities, and to illustrate the obscure passages in it, which he accordingly did, and gave it the title of *The Criterion of Wisdom*. At length these fables made their way into Europe, and have been circulated there with additions and alterations, under the names of Pilpay and Esop. Many of the Sanskreet apologues are ingenious and beautiful, and have been copied or imitated by the fabulists of other nations. But in some of them the characters of the animals introduced are very ill sustained. To describe a tiger as extremely devout, and practising charity, and other religious duties, p. 16. or an old mouse well read in the *Neetee Sastras*, i. e. Systems of Morality and Policy, p. 24.; a cat reading religious books, p. 35, &c., discovers a want of taste, and an inattention to propriety. Many of the moral sayings, if considered as detached maxims, are founded upon a thorough knowledge of life and manners, and convey instruction with elegant simplicity. But the attempt of the author to form his work into a connected series of fables, and his mode of interweaving with them such a number of moral reflections in prose and in verse, renders the structure of the whole so artificial that the perusal of it becomes often unpleasant. Akber was so sensible of this, that among other instructions, he advises his vizier to abridge the long digressions in that work. By these strictures it is far from my intention to detract in the smallest degree from the merit of Mr. Wilkins. His country is much indebted to him for having opened a new source of science and taste. The celebrity of the Heetoo-pades, as well as its intrinsic merit, notwithstanding the defects which I have mentioned, justify his choice of it, as a work worthy of being made known to Europe in its original form. From reading this and his other translations, no man will refuse him the praise, to which he modestly confines his pretensions, "of having drawn a picture which we suppose to be a true likeness, although we are unacquainted with the original." Pref. p. xiv.—2. In the first number of the New Asiatic Miscellany, we have a translation of a celebrated composition in the East, known by the title of the *Five Gems*. It consists of stanzas by five poets who attended the court of Abissura, king of Bengal. Some of these stanzas are simple and elegant.—3. An ode translated from Wulli; in which that extravagance of fancy, and those far-fetched and unnatural conceits which so often disgust Europeans with the poetical compositions of the East, abound too much. The editor has not informed us to whose knowledge of the Sanskreet we are indebted for these two translations.—4. Some original grants of land, of very ancient dates, translated by Mr. Wilkins. It may seem odd, that a charter or legal conveyance of property should be ranked among the literary compositions of any people. But so widely do the manners of the Hindoos differ from those of Europe, that as our lawyers multiply words and clauses, in order to render a grant complete, and to guard against every thing

that may invalidate it, the *Pundits* seem to despatch the legal part of the deed with brevity, but, in a long preamble and conclusion, make an extraordinary display of their own learning, eloquence, and powers of composition, both in prose and verse. The preamble to one of these deeds is an encomium of the monarch who grants the land, in a bold strain of Eastern exaggeration: "When his innumerable army marched, the heavens were so filled with the dust of their feet that the birds of the air could rest upon it."—"His elephants moved like walking mountains, and the earth oppressed by their weight mouldered into dust." It concludes with denouncing vengeance against those who should venture to infringe this grant: "Riches and the life of man are as transient as drops of water upon the leaf of the lotos. Learning this truth, O man! do not attempt to deprive another of his property." Asiatic Researches, vol. i. p. 123, &c. The other grant, which appears to be still more ancient, is not less remarkable. Both were found engraved on plates of copper. Ib. p. 357, &c.—5. The translation of part of the Shaster, published by colonel Dow, in the year 1768, ought perhaps to have been first mentioned. But as this translation was not made by him from the Sanskreet, but taken from the mouth of a Brahmin, who explained the Shaster in Persian, or in the vulgar language of Bengal, it will fall more properly under notice when we come to inquire into the state of science among the Hindoos, than in this place, where we are endeavouring to give some idea of their taste and composition.

Note LXVII. P. 1145.

As many of my readers may be unacquainted with the extravagant length of the four æras or periods of Indian chronology, it may be proper to give an account of them from Mr. Halhed's Preface to the Code of Gentoo Laws, p. xxxvi.

1. The *Suttee Jogue* (or age of purity) is said to have lasted three million two hundred thousand years; and they hold that the life of man was extended in that age to one hundred thousand years; and that his stature was twenty-one cubits.

2. The *Tirtah Jogue* (in which one-third of mankind was corrupted) they suppose to have consisted of two million four hundred thousand years, and that men lived to the age of ten thousand years.

3. The *Dwapaar Jogue* (in which half of the human race became depraved) endured one million six hundred thousand years; and the life of man was then reduced to a thousand years.

4. The *Collee Jogue* (in which all mankind are corrupted, or rather lessened, for that is the true meaning of *Collee*) is the present æra, which they suppose ordained to subsist four hundred thousand years, of which near five thousand are already past; and the life of man in that period is limited to one hundred years.

If we suppose the computation of time in the Indian chronology to be made by solar or even by lunar years, nothing can be more extravagant in itself, or more repugnant to our mode of calculating the duration of the world, founded on sacred and infallible authority. Some attempts have been made by learned men, particularly by M. Bailly, in a very ingenious dissertation on that subject, to bring the chronology of the Hindoos to accord somewhat better with that of the Old Testament; but as I could not explain the principles upon which he founds his conclusions, without entering into long and intricate discussions foreign from the subject of this Dissertation, and as I cannot assent to some of his opinions, I shall rest satisfied with referring to his Astron. Indienne, Disc. Prelim. p. lxxvii., and leave my readers to judge for themselves. I am happy to observe that a memoir on the Chronology of the Hindoos will be published in the second volume of the Transactions of the Society of Bengal, and I hope that some learned member of that body will be able, from his acquaintance with the languages and history of the country, to throw light upon a subject which its connexion with religion and science renders extremely interesting. From one circumstance however, which merits attention, we may conclude, that the information which we have hitherto received concerning the chronology of the Hindoos is very incorrect. We have, as far as I know, only five original accounts of the different Jogues or æras of the Hindoos. The first is given by M. Roger, who received it from the Brahmins on the Coromandel coast. According to it, the Suttee Jogue is a period of one million seven hundred and twenty-eight thousand years; the Tirtah Jogue is one million two hundred and ninety-six thousand years; the Dwapaar Jogue is eight hundred and sixty-four thousand years. The duration of the Collee Jogue he does not specify. Porte Ouverte, p. 179. The next is that of M. Bernier, who received it from the Brahmins of Benares. According to him, the duration of the Suttee Jogue was two million five hundred thousand years; that of Tirtah Jogue one million two hundred thousand years; that of the Dwapaar Jogue is eight hundred and sixty-four thousand years. Concerning the period of the Collee Jogue, he likewise is silent. Voyages, tom. ii. p. 160. The third is that of colonel Dow, according to which the Suttee Jogue is a period of fourteen million of years; the Tirtah Jogue one million eighty thousand; the Dwapaar Jogue seventy-two thousand; and the Collee Jogue thirty-six thousand years. Hist. of Hindost. vol. i. p. 2. The fourth account is that of M. le Gentil, who received it from the Brahmins of the Coromandel coast, and as his information was acquired in the same part of India, and derived from the same source with that of M. Roger, it agrees with his in every particular. Mem. de l'Academ. des Sciences pour 1772, tom. ii. part i. p. 176. The fifth is the account of Mr. Halhed, which I have already given. From this discrepancy, not only of the total num-

bers, but of many of the articles in the different accounts, it is manifest that our information concerning Indian chronology is hitherto as uncertain as the whole system of it is wild and fabulous. To me it appears highly probable, that when we understand more thoroughly the principles upon which the factitious æras or Jogues of the Hindoos have been formed, we may be more able to reconcile their chronology to the true mode of computing time, founded on the authority of the Old Testament; and may likewise find reason to conclude, that the account given by their astronomers of the situation of the heavenly bodies at the beginning of the Collee Jogue, is not established by actual observation, but the result of a retrospective calculation. Whoever undertakes to investigate further the chronology of the Hindoos, will derive great assistance from a Memoir of Mr. Marsden on that subject, in which he has explained the nature of their year, and the several æras in use among them, with much ingenuity and precision. Philos. Transact. vol. lxxx. part ii. p. 560.

Note LXVIII. P. 1147.

In the public buildings of India, we find proofs and monuments of the proficiency of the Brahmins in science, particularly of their attention to astronomical observation. Their religion enjoins, that the four sides of a pagoda should face the four cardinal points. In order to execute this with accuracy, they take a method described by M. le Gentil, which discovers a considerable degree of science. He carefully examined the position of one of their pagodas, and found it to be perfectly exact. Voy. tom. i. p. 133. As some of their pagodas are very ancient, they must have early attained such a portion of knowledge as was requisite for placing them properly. On the ceilings of Choultries, and other ancient edifices, the twelve signs of the zodiac are often delineated; and from their resemblance to those which are now universally used, it is highly probable that the knowledge of these arbitrary symbols was derived from the East. Colonel Call has published a drawing of the signs of the zodiac, which he found on the ceiling of a Choultry at Verdapettah, in the Madura country. Phil. Transact. vol. lxii. p. 353. I have a drawing of them in my possession, differing from his in some of the figures, but I cannot say in what particular place it was found. Sir Robert Barker describes an observatory at Benares, which he visited, A. D. 1772. In it he found instruments for astronomical observation, of very large dimensions, and constructed with great skill and ingenuity. Of all these he has published drawings. Phil. Transact. vol. lxvii. p. 598. According to traditionary account, this observatory was built by the emperor Akber. The view which sir Robert took of it was a hasty one. It merits a more attentive inspection, in order to determine whether it was constructed by Akber, or erected in some more early period. Sir Robert intimates, that none but Brahmins who understood the Sanskreet, and could consult the astronomical tables written in that language, were capable of calculating eclipses. P. Tiessenthaler describes, in a very cursory manner, two observatories furnished with instruments of extraordinary magnitude, at Jepour and Ougein, in the country of Malwa. Bernouilli, tom. i. p. 316. 347. But these are modern structures.

Since the first edition of the Historical Disquisition was published, the Souriak Seddantam, or, according to a more correct orthography, the Súrya Siddhánta, on the principles of which I had observed that all the Indian astronomy is founded, has been discovered at Benares by sir Robert Chambers. He immediately communicated this valuable work to Samuel Davis, Esq. who has favoured the world with a translation of several considerable extracts from it.

The Súrya Siddhánta is composed in the Sanskreet language, and professes to be a divine revelation, (as Abul Fazel had related, Ayeen Akbery, III. p. 8.,) communicated to mankind more than two millions of years ago, towards the close of the Sutty or Satya Jogue, the first of the four fabulous ages into which the Hindoo mythologists divide the period during which they suppose the world to have existed. But when this accompaniment of fiction and extravagance is removed, there is left behind a very rational and elaborate system of astronomical calculation. From this Mr. Davis has selected what relates to the calculation of eclipses, and has illustrated it with great ingenuity. The manner in which that subject is treated, has so close an affinity to the methods formerly brought from India, and of which I have given some account, as to confirm strongly the opinion that the Súrya Siddhánta is the source from which all the others are derived. How far the real date of this work may be ascertained from the rules and tables which it contains, will be more clearly established when a translation of the whole is published. In the mean time it is evident, that what is already known with respect to these rules and tables, is extremely favourable to the hypothesis which ascribes a very high antiquity to the astronomy of the Brahmins.

The circumstance, perhaps, most worthy of attention, in the Extracts now referred to, is the system of Trigonometry included in the Astronomical Rules of the Súrya Siddhánta. Asiat. Research. ii. p. 245. 249. It may be shown that this system is founded on certain Geometrical Theorems, which though modern mathematicians be well acquainted with, were certainly unknown to Ptolemy and the Greek geometricians.

It is with pleasure, too, we observe, that Mr. Davis has in his possession several other ancient books of Hindoo astronomy, and that there is reason to

expect from him a translation of the whole Súrya Siddhánta.

It must be added, that we also learn from the second volume of the Asiatic Researches, that some vestiges of algebraical calculation have been discovered among the Brahmins; particularly Rules for the solution of certain arithmetical questions, with which it would seem that nothing but algebra could have furnished them. Asiat. Research. ii. p. 468, note, 487, 495.

My friend, Mr. Professor Playfair, has examined that Extract from the Súrya Siddhánta which gives an account of the ancient Hindoo system of trigonometry, and has discovered the principles on which it is founded. It is with pleasure I announce, that the result of this examination will be communicated soon to the public, and will afford an additional proof of the extraordinary progress which the natives of India had early made in the most abstruse sciences.

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